



U.S. Department of Justice
Office of the Deputy Attorney General

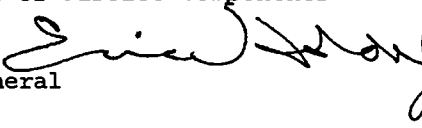
The Deputy Attorney General

Washington, D.C. 20530

August 25, 2000

MEMORANDUM

TO: Heads of Department of Justice Components

FROM: Eric H. Holder, Jr. 
Deputy Attorney General

SUBJECT: Department of Justice Compliance with Executive Order 13166, "Improving Access to Services for Persons With Limited English Proficiency"

On August 11, 2000, President Clinton signed Executive Order 13166 entitled "Improving Access to Services for Persons with Limited English Proficiency." The purpose of that Executive Order (EO) is to eliminate, to the maximum extent possible, limited English proficiency (LEP) as an artificial barrier to full and meaningful participation by beneficiaries in federally assisted and conducted programs and activities. A copy of the Executive Order is attached and is available on the Civil Rights Division's Web site at <http://www.usdoj.gov/crt/cor>.

In order to ensure accomplishment of its important goals, Executive Order 13166 requires that each federal agency or department develop an implementation plan for its federally conducted programs. Agencies that grant federal financial assistance, such as the Department of Justice (DOJ), must also develop agency specific guidance for their recipients. Both documents are to be consistent with the Department of Justice Guidance on "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" (LEP Guidance) issued contemporaneously with the Executive Order. The LEP Guidance provides a framework for agencies, including DOJ, to develop more

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specific guidance for recipients. A copy of the LEP Guidance is attached and is also available at the above Web address.

DOJ Federally Conducted Programs

The Executive Order directs each agency by December 11, 2000, to create and begin to implement a plan to ensure access to its federally conducted programs or activities by eligible LEP persons. Each component within the Department of Justice will be responsible for creating its own plan. The Civil Rights Division (CRT), through its Coordination and Review Section, will review each plan for internal consistency and for consistency with the standards set forth in the LEP Guidance, and will approve each plan. In order to accomplish this goal, the Coordination and Review Section very shortly will distribute a questionnaire to each component. The questionnaire will provide a framework for analyzing each component's language services needs and current capacity, and will form the basis for each component's federally conducted plan. Stakeholders, such as LEP persons and their representatives and others, must have an adequate opportunity to provide input into the development of the plan. To assist in developing these plans, I have attached a copy of a memorandum discussing several questions raised prior to issuance of the draft Executive Order. That memorandum, together with the standards set forth in the LEP Guidance, can serve as a starting point for responding to the CRT questionnaire and developing component plans. The attached timeline provides critical benchmark dates in order to meet the mid-December 2000 Executive Order deadline for finalizing and implementing these plans for federally conducted programs.

DOJ Federally Assisted Programs

The Executive Order also directs that, by December 11, 2000, agencies that provide federal financial assistance provide guidance specifically tailored to their recipients regarding implementation of LEP responsibilities with respect to federally assisted programs and activities. The attached LEP Guidance

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provides a framework for each agency to develop more specific guidance for its recipients. The Civil Rights Division will develop the DOJ specific recipient guidance in consultation with other DOJ components. Stakeholders, such as LEP persons and their representatives, recipients, and others, must have an adequate opportunity to provide input. Each component that provides federal financial assistance will be asked to provide input and comment on this guidance. The attached timeline referred to above also provides key benchmark dates for development of the DOJ-specific recipient guidance in order to meet the Executive Order mid-December 2000 deadline.

Appendix A to the Department of Justice's regulations implementing Title VI of the Civil Rights Act of 1964 (Subpart C, 28 C.F.R. 42.101-112) sets out the federal financial assistance administered by the Department to which the portion of the Executive Order concerning federally assisted programs would apply. However, Appendix A has not been updated since 1987, and may no longer be complete or correct. Appendix A indicates that the following components provide federal financial assistance and would need to be involved in the process, led by the Civil Rights Division's Coordination and Review Section, of developing the DOJ specific recipient guidance:

Asset Forfeiture Section of the Criminal Division (equitable sharing of federally forfeited property);

Bureau of Prisons (technical assistance and training);

Community Oriented Policing Services (training, funding, technology, etc.);

Drug Enforcement Agency (grants and training);

Federal Bureau of Investigation (training and use of crime lab and National Crime Information Center computer);

Immigration and Naturalization Service (training and textbooks);

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National Institute of Corrections (training, grants,
technical assistance);

Office of Justice Programs (training, research, grants,
etc.);

United States Marshals Service (improvement of
correctional facilities);

United States Parole Commission (workshops and training).

If there are other components that provide federal
financial assistance, they should contact Christine Stoneman
of the Coordination and Review Section, at the number below,
for inclusion in the process of developing DOJ-specific
recipient guidance. Please also advise Ms. Stoneman if
components are incorrectly listed above as providers of
federal financial assistance. In order to assist in
coordination of this important initiative, please return the
enclosed LEP contact form by August 31, 2000 to:

Christine Stoneman
Coordination and Review
1425 New York Avenue, Rm. 6012; or
christine.stoneman@usdoj.gov

I appreciate the hard work required for each component
to meet these deadlines for compliance with the Executive
Order. Though the Executive Order timeframe is tight, the
issue of providing services to persons with limited English
proficiency is one of great importance. Thank you for your
efforts and your cooperation with this timeline.

Should you have any questions, please contact Merrily
Friedlander, Chief of the Coordination and Review Section at
(202)307-2222 (e-mail: merrily.a.friedlander@usdoj.gov), or

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staff attorneys Christine Stoneman at (202) 616-6744 (e-mail: christine.stoneman@usdoj.gov) or Sebastian Aloom at (202) 305-9349 (e-mail: sebastian.aloom@usdoj.gov).

Attachments:

Executive Order 13166

Timeline for compliance with Executive Order 13166

Form to return to COR with contact information

August 11, 2000 Policy Guidance Document: "Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency" (LEP Guidance) (Attached as part of the Federal Register Notice).

July 21, 2000 Memorandum from Bill Lann Lee to DOJ Components: "Application to Justice Department Components of the Draft Executive Order on Services to Individuals with Limited English Proficiency"