

**SUPPLEMENTARY GUIDANCE REGARDING THE ATTORNEY GENERAL'S
MEMORANDUM TO DEPARTMENT OF JUSTICE COMPONENTS ON
EXECUTIVE ORDER 13166 COMPLIANCE**

(1) *Language Access Working Group Duties:*

Members of the Working Group should, among other things, identify barriers to language access; consult with entities representing LEP interests; formulate policies and protocols to overcome the barriers to meaningful language access; establish quality control measures; review component plans for adherence to expected standards; ensure that components meet benchmarks for staff training, monitoring compliance, and updating plans; ensure consistency within the agency on its federally assisted enforcement activities; and be accountable for implementation.

(2) *Component Language Access Coordinator Duties and Component Responsibilities:*

The language access coordinator for each component shall assess the component's operations for LEP needs and gaps in service, and respond accordingly by creating a component LEP plan, policies, and protocols that reflect the standards set forth by the co-chairs of the Working Group. The coordinator should evaluate and update the component's current response to LEP needs by, among other things, conducting an inventory of languages most frequently encountered, identifying the primary channels of contact with LEP community members (whether telephonic, in person, correspondence, web-based, etc.), reviewing component programs and activities for language accessibility, reviewing plans and protocols, and consulting with outside stakeholders. The coordinator shall also oversee component staff training efforts.

Each component should ensure that its in-house and contract language services, directory of translated documents, signs, and web-based services meets current language needs, as determined by its language access coordinator. Components may need to update program operations, hiring practices, services provided, outreach activities, and other mission-specific activities to reflect current language needs. Components shall facilitate the language access coordinator's duties by committing additional staff and resources to assist the coordinator, as is reasonable and necessary. Components shall also cooperate fully with the language access coordinator's efforts by providing him/her with necessary information, compiling data, and following any recommendations that the LEP coordinator deems necessary for compliance.

In addition to working with the language access coordinator to update component LEP services and draft a responsive and comprehensive LEP Plan, components should ensure that staff has the tools and knowledge necessary to provide

meaningful access. Staff should be able to, among other tasks, identify LEP contact situations, determine primary language of LEP individuals, and effectively utilize available options to select quality language services. Staff should also be aware of all available options for bridging language barriers in interpersonal, electronic, print, and other methods of communication between the component and LEP individuals. Staff should be apprised of the Language Access Working Group and its mission.

Components that provide federal financial assistance to state and local governments and other entities, whether by way of funding, in kind assistance, training, detail of personnel, or other assistance, should ensure that recipients of such assistance are complying with their Title VI nondiscrimination obligations. Components have a variety of mechanisms for securing compliance, including, but not limited to, executing assurances of nondiscrimination, conducting periodic audits, conducting complaint-based investigations, and selecting recipients for compliance reviews.

- (3) *Resources:*
- (a) Executive Order 13166:
<http://www.lep.gov/13166/eo13166.html>
 - (b) Department of Justice LEP Guidance:
<http://www.justice.gov/crt/cor/lep/DOJFinLEPFRJun182002.php>
 - (c) Website of the Federal Interagency Working Group on LEP: <http://www.lep.gov>
 - (c) Law Enforcement Planning Tool:
http://www.lep.gov/Law_Enforcement_Planning_Tool.htm
 - (d) Article on overcoming language barriers in Police Chief magazine:
http://policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=861&issue_id=42006
 - (e) Corrections Planning Tool:
http://www.lep.gov/resources/LEP_Corrections_Planning_Tool.htm
 - (f) United States Attorneys' Bulletin, September 2008, article on Language Access at United States Attorneys' Offices entitled "Linguistic Diversity and Its Implications for United States Attorneys' Offices":
http://www.justice.gov/usao/eousa/foia_reading_room/usab5605.pdf
 - (g) Top Tips from responses to the 2006 language access survey of federal agencies:
http://www.lep.gov/resources/2008_Conference_Materials/TopTips.pdf
 - (h) The 2006 Language Access Survey:

http://www.lep.gov/resources/2008_Conference_Materials/FedLangAccessSurvey.pdf

- (i) Department of Justice 2001 Implementation Plan (no longer current, but informative): <http://www.justice.gov/crt/cor/lep/doiimp.php>
- (j) GSA Language Services Schedule:
http://www.gsa.gov/gsa/cm_attachments/GSA_DOCUMENT/LanguageSched_R2FILE_0Z5RDZ-i34K-pR.pdf
- (k) I Speak Language Identification flashcards:
<http://www.lep.gov/ISpeakCards2004.pdf>
- (l) LEP rights brochure: http://www.lep.gov/resources/lep_aug2005.pdf