



U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties

Language Access Plan
December 2016
October 2020 Update

**Office for Civil Rights and Civil Liberties (CRCL)
Language Access Plan**

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I. Introduction

The mission of the Office for Civil Rights and Civil Liberties (CRCL) is to support the U.S. Department of Homeland Security's (Department) mission to secure the Nation while preserving individual liberty, fairness, and equality under the law.

CRCL integrates civil rights and civil liberties into all of the Department activities by:

- **Promoting** respect for civil rights and civil liberties in policy creation by advising Department leadership and personnel, and state and local partners;
- **Communicating** with individuals and communities whose civil rights and civil liberties may be affected by Department programs and activities, informing them about policies and avenues of redress, and promoting appropriate attention within the Department to their experiences and concerns;
- **Reviewing and investigating** civil rights and civil liberties complaints filed by the public regarding Department programs, policies or activities, or actions taken by Department personnel; and,
- **Leading** the Department's equal employment opportunity programs and promoting workforce diversity.

Consistent with the requirements of [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000), this CRCL Language Access Plan Update builds upon the [DHS Language Access Plan](#) released in December 2016 by establishing a system within CRCL for improving access to Limited English Proficient (LEP) persons to the full range of CRCL's programs, services, information, and activities.

Under DHS Delegation 19003, CRCL is delegated the authority for ensuring that all federally conducted programs of the Department comply with Executive Order 13166. Accordingly, this plan also describes CRCL's priorities with regard to improving access for LEP persons to programs and activities across the Department.

The principles and guidelines in this plan are designed to be consistent with the standards in the DHS guidance to recipients of financial assistance from the Department, *Enforcement of Title VI of the Civil Rights Act of 1964—National Origin Discrimination Against Persons With Limited English Proficiency*, 76 Fed. Reg. 21755-21768 (April 18, 2011) ([DHS Recipient Guidance](#)).

Additional materials and resources related to language access in DHS programs and activities are available at www.dhs.gov/crcl-lep.

II. Key Terms

1. Limited English Proficient (LEP)

Persons who are limited English proficient do not speak English as their primary language and have a limited ability to read, speak, write, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still be LEP for other purposes (e.g., reading or writing). (*DHS Language Access Plan*)

2. Bilingual

Persons who are bilingual are fluent in two languages and are able to conduct the business of the workplace in either of those languages. This is to be distinguished from proficiency in more than one language. An individual who is proficient in a language may, for example, be able to greet an LEP individual in his or her language, but not conduct agency business in that language. Interpretation and translation require the interpreter or translator to be fluently bilingual, and also require additional skills for interpretation and translation as described below. (*DHS Language Access Plan*)

3. Interpretation and Translation

Interpretation involves oral communication. Translation involves written communication. Interpretation involves the immediate communication of meaning from one language into another. An interpreter conveys meaning orally; as a result, interpretation requires skills different from those needed for translation. Interpreting combines several abilities beyond language competence in order to enable delivery of an effective professional interpretation in a given setting. From the standpoint of the user, a successful interpretation is one that faithfully and accurately conveys the meaning of the source language orally, reflecting the style, register, and cultural context of the source message, without omissions, additions, or embellishments on the part of the interpreter. Professional interpreters are subject to specific codes of conduct and should be trained in interpretive skills, ethics, and subject-matter language. (*DHS Language Access Plan*)

4. Meaningful Access

Language assistance that results in accurate, timely, and effective communication is available at no cost to the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed or inferior as compared to programs or activities provided to English proficient individuals. (*U.S. Department of Justice, Language Access Plan, March 2012*)

III. Policy

It is the policy of DHS to provide meaningful access for individuals with limited English proficiency to operations, services, activities, and programs that support each Homeland Security mission area by providing quality language assistance services in a timely manner. DHS Components, therefore, should incorporate language access considerations into their routine strategic and businesses planning, identify and translate crucial documents into the most frequently encountered languages, provide interpretive services where appropriate, and educate personnel

about language access responsibilities and how to utilize available language access resources.

DHS Language Access Plan, December 2016

It is CRCL policy to take reasonable steps to effectively inform the public of the availability of language services in CRCL programs and activities. Furthermore, it is the responsibility of all CRCL personnel to take reasonable steps to provide language services to LEP individuals whom they engage with or encounter in the course of carrying out their duties.

Timeliness and quality of language services are of paramount importance in carrying out the CRCL mission particularly when communicating vital information or providing access to specific activities and programs such as the civil rights and civil liberties complaints process. Because of the need for confidentiality and accuracy, and to avoid conflicts of interest, CRCL personnel should ordinarily not rely on family members, friends, or other persons associated with LEP persons for language services in the course of carrying out their duties.

CRCL will incorporate language access considerations into its business and strategic planning and in routine efforts that involve communication, outreach, and other activities designed for the general public.

IV. Scope

The requirement to provide meaningful access to LEP persons applies to any medium of communication and to most interactions¹ CRCL has with the public, including, but not limited to:

- In-person or telephonic contact;
- Written correspondence, including email;
- Use of websites, newsletters, and social media;
- Community engagement events and activities; and,
- Documents explaining CRCL or other DHS programs.

All CRCL employees, detailees, contractors, and interns are covered by this plan.

V. Current Language Access Activities within CRCL

1. Language Assistance Services

A. Professional Interpretation and Translation Services

¹ CRCL programs and activities related to the Department's equal employment opportunity programs and workforce diversity will not ordinarily require providing meaningful access to LEP individuals.

Through a contract with a language services company, CRCL regularly uses professional interpreter services to provide meaningful access to LEP persons to CRCL programs and activities. The contract also supports translations of CRCL correspondence, print media, and other written communications.

The procedures in section VI, Language Access Procedures, explain how staff can request these services through the Contracting Officer's Representative (COR) for this contract. (Sign language interpreting and other services to assist in communicating with persons with disabilities are provided through a separate contract.)

B. Personnel with Foreign Language Skills

A number of CRCL staff members have foreign language skills. This includes native speakers as well as those who have acquired language skills through education and professional experiences. Most of these staff members have not received formal training in interpretation or translation, nor has CRCL assessed and documented their proficiency in the foreign language. Accordingly, for vital interactions, such as interviewing LEP complainants or witnesses, and conducting presentations at community engagement events with LEP persons, CRCL will continue to rely on professional interpreters.

Before relying on any of these staff members for communicating with LEP persons, CRCL staff should consult with their supervisors and the LEP coordinator for CRCL on whether it is appropriate for the staff member to provide the needed language services in a given situation.

CRCL will be developing quality control procedures to govern the use of bilingual staff members in providing language services in support of CRCL programs or activities. These procedures will cover language assessment, training, and the use of bilingual staff in specific activities.

2. Major Program Activities Involving Public Interactions

A. Compliance Branch Activities

The CRCL Compliance Branch ensures meaningful access to LEP complainants and other individuals through the course of its work handling allegations of civil rights and civil liberties violations regarding DHS policies and activities, from intake through the conclusion of a complaint investigation. This includes translation of correspondence from the public, translation of letters to complainants, and the use of professional interpreter services when communicating with complainants, witnesses, and other individuals during the course of an investigation. Translation and interpretation services are provided through the CRCL language services contract.

The civil rights complaint submission document is available on the CRCL website in English and the following languages:

- Arabic;
- Chinese (Simplified);
- French;

- Haitian Creole;
- Portuguese;
- Russian;
- Somali;
- Spanish; and,
- Vietnamese.

Individuals may file allegations with CRCL in these or any other language. The document states:

This document is available in other languages at www.dhs.gov/file-civil-rights-complaint. Complaints are accepted in languages other than English. If you do not speak or write English, CRCL has access to interpreters and translators and can communicate with you in any language.

CRCL reviews claims regarding the denial of meaningful access for LEP persons as part of the Compliance Branch's responsibility to review allegations of civil rights and civil liberties violations in DHS programs and activities. These allegations are tracked in a complaints management database which includes a category identifying language access allegations.

B. CRCL Telephone Information Line

CRCL uses telephonic interpreter services to communicate with LEP callers in real time. The protocol for staff to access the telephonic interpreter services is included in section VI, Language Access Procedures. The voicemail greeting is recorded in English, Arabic, Spanish, and Vietnamese and allows for members of the public who speak these and other languages to leave messages, which are forwarded to the contractor for interpretation.

C. Community Engagement

CRCL engages regularly with the public and this engagement is an important part of CRCL's effort to provide meaningful access to LEP persons. For example, the Community Engagement Section, through roundtables that bring together federal, state, and local government officials, nongovernmental organizations, and community leaders, communicates directly with community leaders and LEP individuals to provide information about Department programs and policies and obtain feedback about community concerns and the potential impact of Department activities. The Community Engagement Section also coordinates and participates in other engagement activities around the country, including town halls, issue specific meetings, and meetings with specific ethnic, religious and other communities upon their request to address issues of interest and concern. Because of the trust many community leaders have established within their communities, community leaders often facilitate dialogue between Department officials and community members and disseminate information. Nevertheless, CRCL also engages the services of interpreters and translators when planning and conducting community events.

D. CRCL Website

The CRCL website contains information about the entire range of CRCL programs and activities. Currently the following information and materials are available on the website in multiple languages:

- CRCL mission statement: nine languages in addition to English;
- Materials related to Title VI of the Civil Rights Act of 1964 and Executive Order 13166: 10 languages in addition to English; and,
- Complaint submission document: nine languages in addition to English.

CRCL will periodically review the CRCL webpages with the goal of improving its accessibility to LEP persons. This includes identifying the most important information to be translated and the best means for disseminating translations to LEP communities.

E. Notice to the Public

As noted above, CRCL’s civil rights complaint submission document, which is translated into numerous languages, includes a notice on the availability of interpreter and translation services when communicating with CRCL. Additional efforts to notify the public about the availability of language services within CRCL are included below.

VI. Language Access Procedures

CRCL staff should use the following procedures for identifying LEP persons and obtaining interpretation and translation services:

1. [CRCL Protocol for Identifying LEP Persons and Providing Language Services](#); and,
2. [How to Request Language Services \(e.g., Interpretation and Translation\)](#).

1. CRCL Protocol for Identifying LEP Persons and Providing Language Services

Step 1. Determine if the individual is limited English proficient (LEP)

- ✓ LEP person self-identifies as LEP; and/or
- ✓ LEP person requests an interpreter; and/ or
- ✓ Individual’s lack of English proficiency and language spoken is documented and such documentation is available to the CRCL staff; and/or
- ✓ During the interaction, CRCL staff believes that the individual does not speak and understand English well enough to effectively participate in the conversation/interview or fully understand questions and answer them without difficulty.

Step 2. Determine the language spoken by the LEP person

- ✓ LEP person self identifies language preference; and/or
- ✓ LEP person’s companion or an available document indicates language preference; and/or
- ✓ CRCL staff uses [“I Speak”](#) materials to assist the LEP person in identifying the language spoken.

Step 3. Request an interpreter through CRCL's Contracting Officer's Representative (COR) for the language services contract

- ✓ CRCL staff reviews *Principles and Tips for Working with Interpreters*; and
- ✓ CRCL staff engages in discussion with LEP person using the interpreter.

Step 4. If the CRCL staff member provides documents to the LEP person

- ✓ CRCL staff member determines if translated documents are available in the determined language of LEP person and provides them; or
- ✓ CRCL staff member contacts the COR to request the translation of the document; or
- ✓ CRCL staff member contacts the COR to request an interpreter to sight translate the document, conveying its content orally to the LEP person.

Step 5. Document language preference, interpreter used, and feedback on services rendered

- ✓ CRCL staff person documents the language preference of the LEP person on [designated form]; and
- ✓ CRCL staff person documents the name of the interpreter used or other identifier on [designated form]; and,
- ✓ CRCL staff person provides feedback to the COR on the interpreter services rendered on [designated form].

2. How to Request Language Services (e.g., Translation and Interpretation)

Once the need for language services is identified, CRCL staff will often need to access the professional language services available to CRCL employees. These services include **translation, in-person and telephonic interpretation**, and a **real time telephonic interpreting system**. CRCL endeavors to provide language services in any language encountered. In cases where CRCL's contractor cannot meet the need for a specific language, CRCL has the option of working with other vendors.

I. For translation requests

Send translation requests by email to the COR. Attach the document(s) requiring translation, specify the languages involved in the translation request (indicate the languages being translated, e.g., English to Spanish), and include a word count or word count estimate. Please block out English text that should not be translated (e.g., mailing addresses).

If applicable, state in the request the deadline for delivery of the translation. The timeframe for receiving translations varies depending on the complexity and scope of the assignment. Indicate if a rush translation is required.

II. For scheduled interpreting requests

Send a request by email to the COR with the following information:

1. **Purpose** of the request (e.g., investigative interview for CRCL complaint);
2. **Date/time** the service is needed (including the time zone);
3. Whether the interpreter should be **telephonic or in-person**;
4. **Language(s)** requested;
5. **Expected duration** of the assignment;
6. **Additional relevant information** (e.g., number of interviews, if an interpreter is needed for multiple interviews; the setting and context of the interpreted session);
7. If an interpreter is needed for an in-person assignment, include the **location and address**;
8. If the assignment is for a CRCL complaint investigation, include the **complaint number**; and/or other identifying information that does not include Personally Identifiable Information (PII); and,
9. **Name(s) and contact information** of the CRCL POC(s) for the assignment.

III. For *unscheduled telephonic interpreting requests* of phone calls to the CRCL Information Line or other unscheduled incoming calls in non-English languages

Follow the instructions on the use of the real-time telephonic interpreting system. Following each use of the interpreter service, email the COR with a review of the interpreter's performance. Include information to identify the matter/project/investigation, language spoken by the interpreter, duration of the call, estimate of the length of time it took to connect to an interpreter, and any positive, negative, or neutral comments about the interpreter's performance or the experience connecting to an interpreter.

IV. For an urgent need for translation or interpretation services while the COR is on leave or otherwise unavailable

Contact CRCL's Executive Officer or the LEP coordinator who will make arrangements to contact the contractor's program manager. Copy the COR on your translation or interpretation requests.

VII. Procedures for Quality Assurance

Quality assurance is a critical part of the CRCL's efforts to provide meaningful access to LEP persons to the Office's and other Components' programs and activities. Through the DHS Language Access Working Group, CRCL is collaborating with DHS Components to identify best practices for ensuring quality in language services and establish proposed standards for quality control across the Department.

CRCL's current efforts and practices are as follows:

- CRCL's contract for language services includes specific requirements for providing high quality translation and interpretation services and for conducting quality assurance. For translations, the contractor conducts an internal quality review of each translation before delivering the translation to CRCL. For interpretation, the CRCL COR requests feedback from CRCL personnel about the interpretation session.
- Translations: In addition to internal quality control CRCL requires of its contractor, once the COR receives a translated document from the contractor, the COR may provide the

translation to a CRCL staff member with foreign language skills to informally assess whether the translation appears to communicate the intended information. The COR sends the contractor any questions or comments and notifies the contractor of language preferences for future translation work. Occasionally, CRCL will also use a second vendor as a step in the quality assurance process.

- **Interpretation:** In addition to internal quality control procedures that CRCL requires its language services contractor to have, CRCL personnel using an interpreter are asked to provide feedback to the COR regarding the interpreted session. As in the case with translations, the COR communicates any issues to the contractor.

VIII. Training

Training for Staff

CRCL supervisors are responsible for ensuring their staff and any contractors have reviewed and are familiar with the contents of this plan, including the policy on language access, key terms, and language access procedures.

CRCL has provided training to staff on language access principles, legal and policy requirements, identifying LEP persons, accessing available language services in CRCL, and working effectively with interpreters. CRCL staff can familiarize themselves with these topics by reviewing the Power Point presentation, "[Language Access Responsibilities: Overview for DHS Employees](#)," which has been modified to include specific CRCL procedures.

Through the Federal Interagency Working Group on LEP, CRCL, Immigration and Customs Enforcement (ICE), and the Federal Emergency Management Agency (FEMA) worked with the U.S. Department of Justice and other federal agencies on the development of a series of [training videos](#) covering various aspects of providing meaningful access to LEP persons to federal government programs and activities. CRCL has incorporated this and other training resources in new employee orientation and ongoing employee training.

CRCL will be developing guidelines for offering staff language proficiency assessments and training to enhance foreign language skills as well as skills of interpretation and translation.

IX. Notice to the Public and Outreach

Notice to the Public about Language Services

The provision of meaningful access also involves providing notice of language assistance services. CRCL's civil rights complaint submission document notifies persons who wish to file allegations with CRCL that if they are not proficient in English, CRCL has access to interpreters and translators for communication in any language. CRCL also provides notice to the public of the availability of interpretation and translation services through a statement on its website, which is translated into nine languages. CRCL will also include this notice in CRCL's newsletter.

Outreach

CRCL staff has conducted outreach on the Language Access Plan through:

- Presentations at community engagement roundtables throughout the U.S;
- Presentations at emergency management conferences;
- Translations of a summary of the DHS plan in 10 languages, which were posted online and distributed at community engagement roundtables; and,
- Posting of the plan and related resources on the CRCL website and LEP.gov, the website of the Federal Interagency Working Group on LEP.

X. Monitoring and Evaluation

CRCL routinely and continuously monitors the quality of language services provided through its language services contract. It is also important to evaluate the effectiveness of this plan in ensuring that LEP individuals have meaningful access to CRCL's programs and activities. CRCL intends to evaluate the effectiveness of the plan by, among other things:

- Requesting feedback from external stakeholders; and,
- Requesting feedback from CRCL staff on the availability of language services, the quality and sufficiency of language services, and how these services impact their work.

Evaluation of the CRCL Language Access Plan will occur at least every two years. A report on the status of language access within CRCL, including any recommendations for improvements and modifications to the plan, will be provided to the Officer following each evaluation period.

XI. Priorities Fiscal Years 2016-18

1. Improvements in Access to CRCL Programs and Activities

In developing this plan, CRCL assessed its language needs and priorities, as well as its current capacity to meet these needs. CRCL's assessment took into consideration the four-part analysis CRCL has asked DHS recipients of federal financial assistance to use when assessing their own obligations to provide meaningful language access.² In addition, CRCL also identified vital documents and key interactions with the public, based on the importance of the activity, information or encounter, the frequency of the interaction, and the demographics in particular sites or programs. The following priorities are based on this assessment.

A. *Vital Interactions*

CRCL has determined that the following functions are vital interactions with LEP persons and as

² These four factors are:

- 1) The number or proportion of LEP individuals encountered or likely to be encountered;
- 2) The frequency of contact with LEP individuals;
- 3) The nature and importance of the program, activity or service provided; and,
- 4) The resources available and costs to provide the meaningful access.

such are a priority for obtaining interpretation:

- In-person presentations at community engagement and other outreach events aimed at community groups and the general public;
- Access to the complaints process;
- Interviews and other interactions with complainants and witnesses, including detainees or other persons in DHS custody; and,
- Access to the CRCL telephone information line.

B. Vital Documents and Information

CRCL has determined that the following are vital documents and as such are a priority for obtaining translations:

- Incoming correspondence and other information in languages other than English, particularly as they relate to allegations from the public regarding civil rights and civil liberties violations regarding DHS;
- CRCL correspondence prepared in response to non-English language information, particularly that which pertains to allegations of civil rights and civil liberties violations regarding DHS;
- Information about CRCL's role and responsibilities, as well as information on some of its functions and activities; and,
- Information for the public about Homeland Security programs related to disasters.

Specific Activities Include:

Interpretation and Translation

- Increase the number of indigenous language interpreters
- Explore the use of machine translations as an alternative when live interpretation is unavailable
- Translate select documents that are regularly distributed at CRCL roundtables, events, and other community engagement activities;
- Develop a plan and protocol for the use of in-person interpreters for on-site investigations to supplement the use of telephonic interpretation (Compliance Branch);
- Develop plans and protocols for use of in-person interpreters for specific community engagement events (Community Engagement Section/Programs Branch);
- Create a glossary of CRCL key terms and translations to be provided to the language services contractor for use in translations;
- Review the CRCL webpage, identifying the most important information to be translated and the best means for informing LEP communities and organizations serving LEP communities about the availability of these translations;
- Develop a framework for a new CRCL and DHS webpages with multilingual content similar to the Social Security Administration's "multilingual gateway" at

<http://www.ssa.gov/multilanguage/> and the USCIS Multilingual Resource Center at <http://www.uscis.gov/tools/multilingual-resource-center>;

- Identify and catalogue vital documents throughout DHS—and the status of translations—and collaborate with Components to establish a plan for translating documents in additional languages, including languages spoken by Asian American and Pacific Islander populations;
- Complete additional translations of E-Verify video for workers (in multiple languages in addition to Spanish);
- Collaborate with ICE on translating the ICE Detainee Handbook and the Sexual Assault Awareness materials into additional languages; and,
- Collaborate with ICE and the American Bar Association (ABA) Commission on Immigration on translating the “Know your Rights” materials into additional languages. The “Know Your Rights” Video is currently available in English, Spanish, and French in immigration detention facilities.

Notice to the Public

- Provide additional notice to the public, in multiple languages, on the availability of language services in communicating with CRCL staff by adding a notice on the website in multiple languages and include this information in the CRCL newsletter.

Training

- Provide training and technical assistance to staff on language access principles, policy, and procedures;
- Supervisors report that their staff have received training or instruction on language access requirements, how to access available language services, and how to work with interpreters; and,
- Develop guidelines for offering bilingual staff language assessment testing and training on foreign language skills and begin implementing these guidelines;

Collaboration with Other Federal Agencies and Other Organizations

- Collaborate with the Federal Interagency Working Group on LEP (IWG) on implementation of Executive Order 13166 across the federal government through participation in the federally conducted subgroup and other related activities; and,
- Participate in the IWG federally conducted subcommittee initiative to develop training modules on language access that can be used and/or adapted by agencies across the federal government to meet agency training requirements.

Outreach

- Continue to provide information on language access and obtain input from external stakeholders on improving language access in CRCL and across DHS through Community Engagement Section roundtables and other engagement events; and,
- Focus one of these outreach events on Asian American and Pacific Islander communities and collaborate with the White House Initiative on Asian American and Pacific Islanders.

Tracking, Evaluation, and Monitoring

- Identify effective methods for collecting and tracking the languages of callers to the CRCL telephone information line and other interactions with LEP persons to assist CRCL in planning for future language services;
- Review the CRCL website with the goal of improving its accessibility to LEP persons; and,
- Obtain feedback from external stakeholders on CRCL’s improvements in providing language access for use in the evaluation report.

2. Improvements in Access to Programs and Activities across DHS

CRCL will continue to carry out the following activities to strengthen civil rights compliance related to language access in programs and activities across DHS:

- A. Chair the DHS Language Access Working Group consisting of representatives across DHS to implement the DHS Language Access Plan and finalize individual Component plans. Among other activities that promote coordination and efficiency, the working group will propose agency-wide standards for ensuring quality assurance of language services, serve as a clearinghouse of best practices and opportunities for leveraging resources across DHS, and research and disseminate information on existing language technologies and the appropriate use of these technologies.
- B. Assess language services to indigenous language speaking populations. There are challenges across DHS in identifying at first contact the indigenous language speaker’s primary language and then obtaining and providing appropriate language services in a timely manner.
- C. Monitor Components’ progress in carrying out language access activities outlined in the DHS Language Access Plan and provide ongoing technical assistance to Components in providing language access in these and other programs and activities. Among other efforts:
 - Collaborate with the Office of Public Affairs (OPA) and Office of Operations Coordination on integrating language access in planning and execution of the National Terrorism Advisory System (NTAS);
 - Provide training, technical assistance, and resources for personnel in the immigration enforcement and detention contexts;
 - Improve access to customer information lines across the Department; and,
 - Support Components’ efforts as described above under Interpretation and Translation.
- D. Review information from the public alleging denial of meaningful access to DHS programs and activities due to language barriers and, where appropriate, make recommendations to remedy deficiencies and/or improve the provision of language services.
- E. Support Components’ efforts to train managerial and front-line employees on language access responsibilities and protocols.

- F. Facilitate access to existing federal resources such as the National Virtual Translation Center (NVTC), which offers qualified translators in support of national security; the FBI’s Language Services Unit, which offers language skills testing and interpreter certification; and the National Language Service Corps within the Department of Defense (DOD), established by Congress to address surge language requirements and the National Security Language Initiative (NSLI).

XII. Contact Information and Assistance

The public may contact CRCL via email at crcl@hq.dhs.gov or by calling the numbers below for more information about language services and related activities within CRCL and across DHS, or to file a complaint concerning language access in any DHS program or activity.

Complaints may be filed using the optional [fillable complaint document](#) and e-mailing it to CRCLCompliance@hq.dhs.gov or by e-mailing a detailed written description of the allegations.

CRCL’s civil rights [complaint document](#) is available on the CRCL website in English and the following additional languages:

تحميل المستند باللغة العربية إضغظ	Arabic
Cliquez ici pour télécharger ce formulaire en français	French
Klike la pou telechaje fòm sa a an Kreyòl Ayisyen	Haitian Creole
Clique aqui para fazer o download deste formulário em português	Portuguese
Щелкните мышью здесь, чтобы загрузить эту форму на русском языке	Russian
点击此处下载本表格的中文版	Simplified Chinese
Halkan riix si aad u soo degsato foomkan oo af Soomaali ah	Somali
Haga clic aquí para descargar este formulario en español	Spanish
Bấm vào đây để tải mẫu đơn này bằng tiếng Việt	Vietnamese

Civil rights complaints may be sent to CRCL in these and any other language. More information about filing a complaint with CRCL can be found at www.dhs.gov/crcl or by calling CRCL directly at one of the phone numbers listed below.

Other Means of Contacting CRCL:

U.S. Postal Mail

(this method can take up to 20 business days)

Department of Homeland Security
Office for Civil Rights and Civil Liberties 0190
Department of Homeland Security
2707 Martin Luther King Jr AVE SE
Washington, DC 20528-0190

Fax

202-401-4708

Telephone

- Local: 202-401-1474
- Toll Free: 1-866-644-8360
- Local TTY: 202-401-0470
- Toll Free TTY: 1-866-644-8361

Appendix A: CRCL Language Access Plan October 2020 Update

This update responds to the [Memorandum from CRCL Officer to DHS Component Heads](#) (August 15, 2018), requesting that Components update their language access plans consistent with Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (EO 13166). The memorandum states that “[p]eriodically evaluating and updating language access plans, policies, and procedures will help ensure that the Department’s language access programs are effective.” CRCL requested that each Component consider the following four elements in updating their language access plan:

- 1) **Component Language Access Working Group** – CRCL requested that each Component create or leverage the work of a Component language access working group to assist in the development of the language access plan and the execution of language access initiatives;
- 2) **Evaluation Tools and Mechanisms** – CRCL requested that each Component provide information on the steps the Component has undertaken to assess effectiveness of the current language access plan;
- 3) **Demographic Assessments** – CRCL requested that each Component evaluate the top languages or LEP populations the Component encounters in its programs and activities; and,
- 4) **New Technologies** – CRCL requested that each Component provide information on any initiatives related to the use of new technologies to strengthen language access.

Like other DHS Components, CRCL considered the four elements above in reviewing and updating its language access plan.

Component Language Access Working Group

In FY 2020, CRCL established an internal CRCL Language Access Working Group to support the office’s efforts to strengthen language access in its own programs and services, as well as for oversight of EO 13166 throughout the Department. The CRCL Working Group contributed to the development of this language access update and will contribute to the implementation of language access initiatives in FY 2021-2022 as appropriate. The working group’s representatives include staff from the Business Operations Section, the Compliance Branch; and the following sections of the Programs Branch: Antidiscrimination Group, Community Engagement Section, and Immigration Section. The working group is chaired by the Antidiscrimination Group.

Evaluation Tools and Mechanisms

CRCL evaluated the effectiveness of its language access plan by regularly monitoring its language services contract and by conducting a staff survey to gather feedback on CRCL’s language access program.

Monitoring of language services contract: The Antidiscrimination Group and CRCL's Contracting Officer meet regularly to exchange information about the quality of language services that the contractor is providing to CRCL, the timeliness of these services, and staff satisfaction or concerns. This feedback is used to monitor the contract (and request adjustments), as well as the state of language access in CRCL.

Staff survey: In FY 2020, The Antidiscrimination Group conducted a survey of CRCL staff to assess the effectiveness of CRCL's language access program and solicit feedback and recommendations for improvements. Respondents were asked the following questions:

1. How familiar are you with the requirements of Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*?
2. Are you aware of CRCL's Language Access Plan and where to find it?
3. Do you know how to request translation and interpretation services in CRCL?
4. Are CRCL's language resources sufficient to meet the language access programmatic needs of your section?
5. If dissatisfied, what would you like to see CRCL provide?
6. What steps can CRCL take to strengthen access to limited English proficient persons in CRCL's own programs and activities?
7. What more can ADG do to advance language access for LEP persons across the Department's programs and activities?

The survey results pointed to a need to train new staff and provide periodic refresher training to staff on language access responsibilities, CRCL's Language Access Plan, and the resources available to CRCL staff for providing language access. For example, about 25 percent of respondents said they were "very familiar" or "extremely familiar" with the requirements of EO 13166, while about 50% of respondents said they were "somewhat familiar" with the requirements. CRCL's priorities for FY 2021-2022 include such staff training and conducting a follow-up survey.

Demographic Assessment

CRCL evaluated the top languages and LEP populations that it serves by reviewing the use of CRCL's foreign language contract, community engagement contacts, and phone calls from the public. CRCL determined the top 10 languages to be:

1. Spanish
2. Chinese
3. Arabic
4. Vietnamese
5. Russian
6. Korean
7. Tagalog
8. French
9. Somali
10. Portuguese

In addition, CRCL's Community Engagement Section has needed and obtained language services in Punjabi, Farsi, Burmese, and Haitian Creole.

New Technologies

CRCL and several DHS Components researched or explored the capabilities of "machine translation" for possible use in DHS operations and programs. Machine translation refers to the use of software that can translate source content into target languages. Advances in machine translation due in part to new artificial intelligence technology offer possibilities that were not previously contemplated by CRCL. Nevertheless, the use of machine translation in DHS programs and activities requires testing and validation for accuracy to ensure that LEP persons have meaningful access to those programs and services that will use the technology. As noted in the priorities below, CRCL will continue to research and evaluate new technologies and promote the use of such technologies in certain settings where appropriate.

Accomplishments: FY 2016-2020

CRCL conducted a number of activities in fiscal years 2016-2020 to advance the principles of Executive Order 13166 and support DHS Components and recipients of DHS financial assistance in providing meaningful access. Some of CRCL's major activities and accomplishments include:

DHS Programs and Activities

- **DHS Language Access Working Group.** CRCL convened a DHS Language Access Working Group to promote coordination in providing meaningful access for LEP persons in the Department's programs, activities, and operations. The DHS Language Access Working Group comprised representatives from DHS Components and Headquarters offices and met on a regular basis to review and assess DHS language access initiatives aimed at providing meaningful access, share best practices, leverage resources, discuss identifying qualified indigenous language interpreters, and examine machine translation as a possible supplement to existing language services.
- **Component Language Access Plan Updates.** As noted above, in August 2018, CRCL issued a memorandum to DHS Components requesting an update of their language access plans. To support implementation of the memorandum, CRCL provided technical assistance to Components, met with Components' internal language access working groups to discuss requirements and resources, evaluated Components' language access plan updates, and provided feedback on these plans. Approved updated Component plans were posted on the DHS webpage [Language Access at the Department of Homeland Security](#). In FY 2021, CRCL will work with Components to support the rollout of the Components' language access plan updates to both the workforce and public stakeholders.
- **Compliance Branch Activities.** The CRCL Compliance Branch receives and reviews allegations of denial of meaningful language access to DHS programs, services, and

activities. The Compliance Branch investigates complaints and issues recommendations to Components when warranted. Such work assists the Department in ensuring that it provides meaningful access to LEP persons.

- **DHS Language Access Symposium.** CRCL hosted a DHS-wide Language Access Symposium in July of 2017 to provide training and resources to personnel across DHS. The event included training on civil rights requirements related to language access and information on resources and effective practices within DHS and the Federal Government at large. The symposium featured subject matter experts from within DHS and from the U.S. Department of Justice, Civil Rights Division. The keynote speaker was Mr. Glenn Nordin, a national expert on foreign language learning and former principal language and area adviser in the U.S. Department of Defense. The sessions focused on the fundamentals of language access, foreign language competency and assessments, the Department's Blanket Purchase Agreement for Language Services, and innovative uses of technology.
- **Indigenous Languages Roundtables.** In August 2019, CRCL and the DHS Language Access Working Group hosted a day-long DHS Indigenous Languages Roundtable, which brought together DHS Components and other federal agencies working on language access for individuals who interact with DHS personnel, especially at the U.S. Southern Border. The roundtable provided an opportunity for Components to discuss tools and resources for identifying indigenous languages during the first encounter and providing meaningful access to indigenous language speakers. The roundtable included two experts on indigenous communities: Ms. Odilia Romero, co-founder and executive director of Comunidades Indígenas en Liderazgo (CIELO) and Ms. Shannon Speed, professor of anthropology and director of UCLA's American Indian Studies Research Center.

In August 2020, CRCL hosted a virtual second roundtable specifically to hear from frontline personnel about their interactions with indigenous language speakers, current practices, and practical tools for identifying languages and meeting the language needs of these populations.

- **Translations of National Terrorism Advisory System (NTAS) Bulletins.** The Department's NTAS advisories communicate information about terrorist threats by providing timely, detailed information to the public, government agencies, first responders, public sector organizations, airports, and other transportation entities. Partnering with the DHS Office of Public Affairs (OPA), CRCL coordinated the translation of NTAS bulletins that OPA posts on the DHS webpage and disseminates through social and mainstream media outlets. Languages for NTAS translations include: Arabic, French, Chinese Simplified and Traditional, Portuguese, Russian, Somali, Spanish, and Vietnamese. NTAS bulletins and translations can be found on the [DHS NTAS](#) webpage.
- **Dissemination of CRCL *I Speak* materials.** CRCL widely disseminated and made

available its [language identification materials](#) to all DHS Components. CRCL developed the *I Speak* tools, which include a pocket guide and poster, for DHS and recipient program personnel who work directly with the public and who need to identify the language of the person with whom they are interacting. Both *I Speak* formats include 70 languages, and the *I Speak* pocket guide includes an additional list of indigenous languages of Mexico and Central America. The functionality of the materials depends on whether the persons encountered are literate, thus CRCL has also supported Components' development of additional tools that help identify the languages of these populations.

- **DHS Blanket Purchase Agreement for Language Services.** In FY 2017, DHS successfully awarded a Blanket Purchase Agreement (BPA) for Language Services for a wide range of language services, including but not limited to foreign language translation, foreign language interpretation, and sign language interpretation. The BPA enables DHS and its Components to strategically leverage its collective buying power through a simplified and lower cost method of procurement compared to individual contracting actions, promote compliance with federal civil rights requirements related to language access, and drive performance standardization to improve the quality of services. CRCL had a significant role in the development of the Performance Work Statement for the BPA working closely with the DHS Strategic Sourcing Program Office and FEMA, which serves as the BPA's Administrative Contracting Officer.
- **REAL ID.** The REAL ID Act passed by Congress in 2005 established minimum security standards for state-issued driver's licenses and identification cards and prohibits federal agencies from accepting for official purposes licenses and identification cards from states that do not meet these standards. In FY 2020, CRCL supported the translation of [REAL ID Frequently Asked Questions](#), which provides public information about the implementation of REAL ID in Chinese, French, Spanish, Tagalog, and Vietnamese. CRCL also supported the dissemination of these translations to community stakeholders.
- **DHS COVID-19 Messaging.** On January 31, 2020, the Secretary of the U.S. Department of Health and Human Services declared a public health emergency under the Public Health Service Act in response to COVID-19. On March 13, 2020, President Trump declared a National Emergency concerning the COVID-19 outbreak to control the spread of the virus in the U.S. Likewise, all U.S. states, territories, and the District of Columbia declared a state of emergency in response to COVID-19. CRCL reviewed the accessibility of DHS COVID-19 public messaging for LEP communities. With Component support, CRCL reviewed DHS COVID-19 public messaging, evaluated the information, and made recommendations to each Component on what additional actions, if any, it should consider taking in order to meet its obligations to take reasonable steps to provide meaningful access to LEP persons consistent with EO 13166 and their Language Access Plans.

DHS Recipient (e.g., Grantee) Programs

Executive Order 13166 not only requires that DHS provide meaningful access to LEP persons in its own programs, services, and activities, it also requires DHS to issue guidance to its recipients of

financial assistance on their language access obligations under the national origin nondiscrimination provisions of Title VI of the Civil Rights Act of 1964. Accordingly, this update provides examples of CRCL activities focused on recipient compliance:

- **Compliance Reviews.** In July 2017, CRCL and FEMA, Office of Equal Rights (OER) initiated a compliance review of the Chemical Stockpile Emergency Preparedness Programs (CSEPP) in Kentucky and Colorado in connection with awards of financial assistance under the FY 2016 Chemical Stockpile Emergency Preparedness Program. The compliance review focused on how the primary recipients and their subrecipients ensure nondiscrimination in the administration of CSEPP programs and activities with an emphasis on the obligation to ensure meaningful access for persons who are LEP through effective communication, program access, and physical access for persons with disabilities and others with access and functional needs. CRCL recommended the Kentucky and Colorado CSEPP programs consider integrating the following overarching recommendations into their CSEPP program:
 1. Develop written policies, plans, and procedures that comprehensively identify and address the needs of persons with LEP, persons with disabilities, and others with access and functional needs in the event of a chemical emergency;
 2. Increase stakeholder engagement with community and advocacy organizations that serve or represent persons with LEP, persons with disabilities, and others with access and functional needs in CSEPP activities such as planning, exercises, and public outreach and education; and,
 3. Evaluate the effectiveness of CSEPP activities in preparing for and meeting the needs of LEP persons, persons with disabilities, and others with access and functional needs.
- **Civil Rights Evaluation Tool and Webinars.** In April 2018, CRCL began implementing the DHS Civil Rights Evaluation Tool (Tool) and review process. The Tool is a technical assistance resource that CRCL developed to assist recipients of DHS financial assistance in understanding and meeting their civil rights obligations. The Tool asks recipients to report to DHS information on civil rights complaints and lawsuits, nondiscrimination policies, and policies and procedures for ensuring meaningful access for LEP persons and persons with disabilities. CRCL, in coordination with FEMA and other Components, reviews recipients' submissions and provides technical assistance as needed to ensure that these organizations have adequate policies and procedures in place to ensure nondiscrimination. In FY 2020, CRCL began conducting webinars for recipients to support them in meeting their reporting requirements and in providing meaningful access to LEP persons with LEP in their federally assisted programs.

Priorities for FY 2021-2022

CRCL has established the following priorities for FY 2021-2022:

- **Language Access Working Group.** CRCL will convene the DHS Language Access Working Group at least quarterly to foster dialogue among staff with an interest and/or responsibility for language access; exchange information, best practices, and cost-effective solutions to language access; and carry out language access initiatives.
- **Monitoring of Language Access Plans.** CRCL will monitor implementation of Components' Language Access Plans and updates. In addition, CRCL will work with those Components that have yet to develop and submit Language Access Plans or updates.
- **DHS Language Technology Hub.** CRCL will establish a Language Technology Hub that will serve as a virtual space for Components to come together to learn about, discuss, and test state-of-the-art technologies that may support language access in DHS programs and activities. CRCL will research, evaluate, and where appropriate, promote the use of technology to support language access within DHS.
- **Technical Assistance and Training.** CRCL will provide Components with technical assistance and training on language access requirements and resources for supporting meaningful access to LEP persons in their programs and activities.
- **Stakeholder Outreach.** In coordination with Components, CRCL will engage with public stakeholders on the Components' Language Access Plans, activities, and practices with the goal of strengthening language access within DHS.
- **Indigenous Language Roundtables.** In coordination with Components, CRCL will convene additional indigenous language roundtables to continue to raise awareness of issues impacting indigenous language populations that interact with DHS personnel and offer effective practices for providing meaningful access to them. In FY 2021, CRCL will host a roundtable with community stakeholders, including members of indigenous communities and professional associations, to hear individual feedback on providing meaningful access to indigenous language speakers. CRCL will develop, support, and monitor implementation of recommendations resulting from these roundtables.
- **REAL ID.** CRCL will continue to advise the REAL ID program office on multilingual messaging to ensure that members of the public receive information related to REAL ID implementation, such as when REAL ID will be enforced, what happens when the REAL ID enforcement date begins, and how to get a REAL ID.
- **Public Messaging in Emergencies.** CRCL will monitor and, where appropriate, make recommendations to Components on actions to consider for ensuring meaningful access to their messaging related to COVID-19 and other emergencies.
- **Use of DHS/Component Personnel for Providing Language Services.** The diversity of foreign language skills among the workforce is a major strength for DHS, yet a number of Components lack methods for assessing or verifying the language competency of staff who

use their foreign language skills in the course of carrying out their duties. CRCL will support departmental efforts to review the expansion and/or creation of formal programs to test and, where appropriate, compensate personnel for using their foreign language skills to support the DHS mission.