

# U.S. Department of Homeland Security

## U.S. Customs and Border Protection



## Language Access Plan

*November 18, 2016*

# Message from the Executive Director

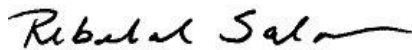
The U.S. Customs and Border Protection (CBP), Privacy and Diversity Office, is pleased to present the CBP Language Access Plan.

CBP's mission to safeguard America's borders thereby protecting the public from dangerous people and materials while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel requires CBP to communicate effectively with diverse communities of individuals, both domestic and foreign, which includes persons with limited English proficiency (LEP).<sup>i</sup>

The CBP Language Access Plan sets forth the standards, principles, and guidelines which CBP will use to provide, and improve, meaningful access to agency programs and activities to LEP persons. The CBP Privacy and Diversity Office is responsible for coordinating, overseeing, and providing guidance to CBP program offices to ensure compliance with this plan, and to assist with technical advice and guidance regarding provision of language access services for LEP persons.

Please note that the issuance of this plan does not impact or change the guidance provided to CBP personnel from the Deputy Commissioner on November 21, 2012, in a memorandum titled *Guidance on Providing Language Assistance to Other Law Enforcement Organizations* ([PDF](#)).

Sincerely,



Rebekah A. Salazar  
Executive Director (A)  
Privacy and Diversity Office

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<sup>i</sup> **No Private Right:** These guidelines, which may be modified, superseded, or rescinded at any time, are not intended to, do not, and may not be relied upon to create any right or benefit, substantive or procedural, enforceable at law by any party in any administrative, civil, or criminal matter.

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# CBP Mission Statement

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*To safeguard America's borders thereby protecting the public from dangerous people and materials while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel.*

## Purpose

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This Language Access Plan (LAP) implements the Department of Homeland Security's (DHS) language access policy and establishes a system within U.S. Customs and Border Protection (CBP) to implement Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (LEP) (August 11, 2000), which requires, among other things, that each Federal agency "examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency." In addition to describing CBP's current language access activities, the Plan includes steps to improve and increase language services for LEP individuals in operations, services, activities, and programs across CBP.

This plan provides for the establishment of:

- **CBP Limited English Proficiency (LEP) Committee** to establish performance metrics and measurements to develop and oversee the implementation of policy and procedures;
- **CBP Limited English Proficiency (LEP) Policy Statement** to set forth standards, operating principles, and guidelines that govern the delivery of services to ensure meaningful access by LEP individuals; and
- **CBP Limited English Proficiency (LEP) Standard Operating Procedures** that specify for staff the "how to," including the procedure for providing language services, gathering data, and delivering services to LEP individuals.

## Scope

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The obligations under Executive Order 13166 and this Plan apply to all LEP members of the public CBP encounters in its programs and activities, regardless of their immigration status.

This Plan applies to all CBP offices that interact with members of the general public via any medium, including, but not limited to, websites, email, phone, and in-person contact.

## Key Terms

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- a) **Limited English Proficient Persons:** Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English.
- b) **Bilingual Persons:** 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 to be fluently bilingual, and also require additional specific skills as described below in (c).
- c) **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 is a complex task that 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.

Interpreters may be physically present, or, in appropriate circumstances, may appear via videoconferencing or telephonically. When videoconferencing or telephonic interpretation are used, options include connecting directly to a specific professional interpreter with known qualifications, or using a company that provides telephonic interpretation services and has in place quality control and privacy safeguards.

If bilingual staff is asked to interpret or translate, staff should be qualified to do so. Assessment of ability, training on interpreter ethics and standards, and clear policies, as noted below, that delineate appropriate use of bilingual staff, or contract interpreters and translators, will help ensure quality and effective use of resources.

- d) **Meaningful Access:** Language assistance that results in accurate, timely, and effective communication at no cost to the LEP individual.

## Policy

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CBP adopts the language access policy in the [DHS Language Access Plan](#) (February 28, 2012). CBP makes reasonable efforts to provide meaningful access to individuals with limited English proficiency in its operations, services, and other conducted activities and programs to support CBP's mission, consistent with the guidelines established by Executive Order 13166, the Department of Justice (DOJ), the DHS recipient guidance documents, and the DHS Language Access Plan (LAP Plan).

## Background

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On August 11, 2000, President Clinton issued Executive Order 13166 requiring each Federal agency to “prepare a plan to improve access to its federally conducted programs and activities by eligible LEP persons” and requiring that each plan “include the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency’s programs and activities.” It also requires each agency providing Federal financial assistance to “draft title VI guidance specifically tailored to its recipients that is consistent with the LEP Guidance issued by the Department of Justice.”

Each agency’s plan must be consistent with the standards set forth in the LEP guidance issued by the DOJ entitled *Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons*. Notably, this guidance includes a four-factor analysis for identifying and addressing the language assistance needs of LEP persons. These factors are:

- 1) Number or proportion of LEP persons eligible to be served or likely to be encountered;
- 2) Frequency with which LEP individuals come in contact with the program;
- 3) Nature and importance of the program, activity, or service provided by the program;
- and
- 4) Resources available and costs.

In 2008, CBP developed a LAP based on Executive Order 13166 and the DOJ’s LEP guidance and continued efforts to provide LEP individuals with meaningful access to its services. The 2008 LAP highlighted CBP’s Foreign Language Award Programs, which provides a cash award of up to 5% of basic pay to specific CBP employees who are proficient in a foreign language and meet a minimum usage requirement of 10% of their basic work schedules, and Border Patrol Academy Language Training, which includes a task based language teaching program that enables agents to efficiently use the Spanish language while performing critical Border Patrol specific tasks. Upon arrival at the Border Patrol Academy, trainees are tested on their proficiency of the Spanish language. Those scoring below an established benchmark are assigned to the eight-week Spanish language training program that commences after successful completion of the basic program. Trainees who demonstrate proficiency of the language report directly to their duty stations and begin Post Academy Training.

In June 2010, the Government Accountability Office (GAO) published a report entitled “*DHS Needs to Comprehensively Assess Its Foreign Language Needs and Capabilities and Identify Shortfalls*,” (GAO-10-714) (June 22, 2010). In this report, the GAO found that DHS faced many challenges with regards to its LEP programs.<sup>1</sup> In response to GAO 10-714, DHS formed the Joint Language Task Force (JLTF) to address the deficiencies cited within the report. A subcommittee of the JLTF, chaired by the DHS Office for Civil Rights and Civil Liberties (CRCL), developed a draft of the DHS Language Access Plan. The JLTF work concluded and CRCL continued with Plan development pursuant to its authority to implement the requirements of EO 13166, including providing technical assistance to all component agencies. Notably, in Fiscal Year 2010, the JLTF developed a self-assessment survey that was distributed to each DHS agency to assist components in assessing their language needs and capabilities.

## CBP Language Access Plan

In Fiscal Year 2011, DHS used the results of the self-assessment survey it distributed to all components in FY 2010 and DOJ’s four-factor analysis to write its Plan. DHS’ LAP required that each office and component LAP contain, at a minimum, 14 elements. CBP’s LAP contains all 14 of these elements, while including one additional element regarding strategically leveraging technology assets to meet CBP’s LEP objectives. CBP’s LAP enumerates these elements and explains how CBP is currently addressing each element and how each element will be addressed in the future.

**Element 1) Responsible Staff:** In addition to listing a primary LEP coordinator for the component, identify senior management staff, work group, committee, or other staff who will have the authority and be responsible for developing and modifying the office or component LAP, as well as establishing and implementing operational procedures.

### **CBP Compliance Actions:**

- The Executive Director of the Privacy and Diversity Office (PDO) is the LEP Coordinator for CBP.
- A work group composed of members from each of CBP’s program offices was assembled to develop and modify the FY 2008 Plan.

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<sup>1</sup>GAO was asked to study foreign language capabilities at DHS. The GAO found that DHS has a variety of responsibilities that utilize foreign language capabilities, including investigating transnational criminal activity and staffing U.S. ports of entry. GAO’s analysis focused on actions taken by DHS in three of its largest components—the U.S. Coast Guard, U.S. Customs and Border Protection (CBP), and U.S. Immigration and Customs Enforcement (ICE). The GAO report addressed the extent to which DHS has (1) assessed its foreign language needs and existing capabilities and identified any potential shortfalls and (2) developed foreign language programs and activities to address potential foreign language shortfalls. The GAO report found that DHS has taken limited actions to assess its foreign language needs and existing capabilities and to identify potential shortfalls. For example, CBP’s assessments have primarily focused on Spanish language needs. The report indicated that by conducting a comprehensive assessment, DHS would be better positioned to capture information on all of its needs and could use this information to inform future strategic planning. DHS components have developed various lists of foreign language capable staff that are available in some offices, primarily those that include a foreign language award program for qualified employees. Conducting an assessment of all of its capabilities would better position DHS to manage its resources. These programs and activities vary, as does DHS’s ability to use them to address shortfalls. GAO recommended that DHS comprehensively assess its foreign language needs and capabilities and identify potential shortfalls, assess the extent to which existing foreign language programs are addressing foreign language shortfalls, and ensure that these assessments are incorporated into future strategic planning.

- A LEP committee was established and meets on a quarterly basis to assess current program activities.

**Element 2) Oversight:** Establish protocols for authority and oversight.

**CBP Compliance Actions:**

- The Self-Inspection Program, which requires CBP managers to perform annual self-assessments of programs and processes and report on the results, will be utilized to monitor compliance with the LAP.
- Query identified CBP staff to gauge the need to modify language services or providers to best meet the needs of LEP communities in their service area.

**Element 3) Notice to Employees:** Establish methods for explaining to employees their responsibilities and available language resources.

**CBP Compliance Actions:**

- Through the participation of identified CBP program offices in its LEP work group, CBP is educating program offices of office-level LEP responsibilities, which will expand to employee-level awareness and education. In addition:
  - PDO will develop a comprehensive communication plan.
  - The contents of this LAP will be posted on CBP's Internet web site.
  - Notice that the LAP has been signed and will be disseminated to CBP employees utilizing electronic mail (*e.g.*, CBP Central) and the internal CBP Information Display System.
  - Employees will receive a notification informing them of the signing of CBP's LAP and the contents of the Plan.
  - Employees will receive annual notification of updates made to the LAP.

**Element 4) Prioritization:** Include a plan for prioritizing language services based on importance of services or encounters, frequency of use, and demographics. CBP currently provides some translated materials in Arabic, French, German, Japanese, Korean, Traditional Chinese, Russian, and Spanish. Spoken language interpretation is available in all languages encountered.

**CBP Compliance Actions:**

- CBP will determine the translation and interpretation needs of each program office.
- After determining each program office's LEP requirements, the Office of Public Affairs (OPA) will develop a plan to prioritize the translation of materials. Translation will be prioritized based upon the prevalence of languages spoken by LEP community members.



**Element 5) Language Access Procedures/Protocols:** Establish the language access procedures or protocols that staff should follow to provide language services to LEP persons encountered in their daily activities. The language access procedures or protocols will include the following instructions: recognize the LEP status of an individual; identify the language spoken; identify situations requiring appropriate language assistance; access language assistance; and record the contact. Unless countervailing considerations are explained in detail, protocols should include limits on the use of family members, friends, or other persons associated with LEP persons to rare situations and nonessential information.

**CBP Compliance Actions:**

- The Office of Field Operations (OFO) has a protocol for the use of interpreters and translation services, which is triggered by a request for language services. Air carriers provide interpreters for their travelers. CBP also utilizes other means of interpretation and translation, including Agency employees certified to provide language services. If a need for language services cannot be met using these resources, the US Citizenship and Immigration Service (USCIS) Language Line or a contract language service provider may be utilized. CBP policy regarding the use of interpreters and translation services will be reviewed by the LEP committee to ensure that it complies with the requirements of this plan.
- The U.S. Border Patrol (USBP) has a protocol for law enforcement personnel when LEP individuals are encountered, including unaccompanied alien children (UAC). In instances where in-house language capabilities are not sufficient, USBP has instituted use of contract telephonic interpretation services. In cases when UACs are encountered, USBP policy requires specific procedures including identifying the language capabilities of the individual and ensuring that all procedures and documents are explained in a language that the individual is familiar with.
- CBP has posted the Civil Right and Civil Liberties “I Speak” multi-lingual posters nationwide at operational locations to assist officers and agents in identifying languages spoken by LEP members of the public CBP encounters in its programs and activities.

**Element 6) Quality Control Procedures:** Describe quality control procedures that ensure employees who use their foreign language skills do so in an accurate and competent manner as well as to ensure high quality language services from contractors.

**CBP Compliance Actions:**

- OFO is utilizing a telephonic testing system to determine the language proficiencies of current CBP Officers and CBP Agriculture Specialists under OFO’s Foreign Language Award Program.
- Since 2006, new CBP Officers assigned to the Southwest Border, Miami, and Puerto Rico are tested and trained for Spanish language proficiency.

- Since 2009, all Air and Marine Operations (AMO) officers are tested and trained for Spanish language proficiency.
- The CBP.gov website has a Question/Comment/Complaint section that provides a feedback mechanism for the general public and provides a toll free number (877) 227-5511 for inquiries.
- The CBP.gov website provides a link to the DHS Office of Civil Rights and Civil Liberties, which affords the general public an additional mechanism to submit comments or complaints. The DHS site accepts complaints on the “Home Page” under the section “How Do I?” The DHS site accepts comments through the “Contact Us” page under “Give Feedback.
- To ensure that the interpreters used by CBP provide high quality language service, CBP will develop a plan to document and track interpreter usage.

**Element 7) Data Tracking:** Outline steps for implementing and maintaining a mechanism for collection and management of data relating to non-English needs, especially through existing databases or tracking systems.

**CBP Compliance Actions:**

- USBP will continue to utilize the e3 Processing system to track the languages spoken by LEP individuals apprehended and/or detained.
- OFO will explore the possibility of developing a system to track the languages spoken by LEP individuals encountered by CBP personnel.
- OPA will track complaints from the general public received at CBP’s INFO Center regarding provision of language services and PDO will conduct analysis.

**Element 8) Resources:** Assess the resources necessary to provide language services, identifying existing resources to the extent practical and describing funding and procurement needs.

**CBP Compliance Actions:**

- The Office of Acquisition, Procurement Directorate, is an active participant in the DHS Integrated Project Team, Language Services Acquisition Working Group which is developing a portfolio of DHS-wide strategically sourced contracting vehicles to leverage DHS’s buying power to lower prices and improve provision of language services.
- CBP will track its usage of language services.

- CBP will conduct an annual review of language services to determine if resources are being allocated efficiently and effectively.

**Element 9) Outreach to LEP Communities:** Describe collaboration or engagement with LEP communities and other external stakeholders to assess effectiveness of language services; describe media strategies in coordination with DHS and the Office of Public Affairs (OPA); and describe how LEP communities can support agency efforts to provide language services.

**CBP Compliance Actions:**

- CBP shall develop a comprehensive engagement plan, which includes a mechanism for obtaining feedback from the public regarding language services.
- The CBP Office of the Commissioner Non-governmental Organization (OC-NGO) Liaison will facilitate feedback sessions with NGOs.
- The CBP.gov website has a Question/Comment/Complaint section that provides a feedback mechanism for the general public and provides a toll free number (877) 227-5511 for inquiries.
- The CBP.gov website provides a link to the DHS Office of Civil Rights and Civil Liberties, which affords consumers an additional mechanism to submit comments or complaints. The DHS site describes how to file complaints on the “Home Page” under the section “How Do I?” More information about filing a complaint with CRCL, including information in multiple languages, and the complaint process can be found on the DHS/CRCL Internet Web site at [File a Civil Rights Complaint](#) or by calling 1 (866)-644-8360. The DHS site accepts comments through the “Contact Us” page under “Give Feedback.”

**Element 10) Employee Duties:** Where appropriate, expand job descriptions to include interpretation and translation activities within the scope of employees’ duties; assess these employees’ language abilities to ensure their competency to perform language services for particular duties; and describe plans for enhancing employees’ language abilities.

**CBP Compliance Actions:**

- CBP will issue an agency-wide LEP directive, with USBP and OFO issuing mission-specific supporting LEP standard operating procedures.
- Language was added to CBP Officer job opportunity announcements regarding the need for applicants who are proficient in the languages most commonly used at the various CBP locations.

**Element 11) Timeframes:** Describe the timeframes and benchmarks for steps to be undertaken.

**CBP Compliance Actions:**

- The timeframes and benchmarks for this Plan are laid out in the Implementation Guide that follows on page 12 of this Plan. The timeframes for this Plan will be updated as needed.

**Element 12) Training:** Where appropriate, include a plan for managerial and frontline staff training on language access responsibilities, including identifying LEP persons, accessing available language services, and working with interpreters.

**CBP Compliance Actions:**

- CBP will develop a plan to train all CBP employees involved in providing language access services regarding the requirements of this Plan and their specific roles and responsibilities.
- CBP will explore the possible use of the Interagency Training Video Series, which produced video vignettes illustrating the identification of LEP persons, determination of language used, and telephonic interpretation best practices in a variety of workplace settings.

**Element 13) Notice to the Public:** Provide for notice of free language assistance services and points of contact for additional information and provide notice of information and services available in languages other than English.

**CBP Compliance Actions:**

- CBP will develop and implement a communication plan which shall include methods for providing notice to the public of language assistance services and points of contact for additional information.
- CBP has posted the Civil Right and Civil Liberties “I Speak” multi-lingual posters nationwide at operational locations to assist officers and agents in identifying languages spoken by LEP members of the public CBP encounters in its programs and activities.
- CBP Professional Service Manager Program will develop improved signage for the Ports of Entry.
- An informational video titled “You’ve Arrived” that presents practical information about the entry process, is currently broadcast at major international airports to arriving travelers. The video is presented in English and subtitled in various languages. The video is also available to be viewed on CBP.gov. The different language subtitles are presented in rotating order throughout the day.
- The main page of CBP Internet Web site includes a link titled “[Communicarse con Nosotros](#).” The page explains the complaint process in Spanish and allows Spanish speakers to submit complaints regarding their experience with CBP officials in Spanish.

- The CBP Electronic System for Travel Authorization (ESTA) page has fact sheets accessible from the ESTA page in Chinese, Dutch, English, French, German, Italian, Japanese, Korean, Portuguese, Spanish and Swedish.
- CBP.gov webpage will provide multilingual information based upon the prevalence of languages spoken in the travel and trade communities.

**Element 14) Monitoring and Evaluation:** Provide for monitoring and evaluating and, if appropriate, updating the plan, policies, and procedures at a minimum every two years.

**CBP Compliance Actions:**

- CBP will use the Self-Inspection Program process to determine agency compliance with the LAP.

In addition to the aforementioned 14 elements articulated in DHS' LAP, CBP's LAP includes the following additional element:

**Element 15) Technology:** Use technology to assist with routine language services at ports of entry.

**CBP Compliance Actions:**

- CBP will assess existing and future technologies that can assist CBP personnel in performing frontline responsibilities.

# Language Access Plan Implementation

## **Goals**

- Take significant steps throughout CBP to improve language service and accessibility throughout CBP.
- Participate in efforts to develop a portfolio of DHS-wide strategically sourced contracting vehicles to leverage DHS's buying power to lower prices and improve provision of language services.
- Determine and utilize effective methods for capturing data on daily language activities for purposes of managing future resources.
- Quality control of Interpretation/Translation – Take steps to ensure the level of interpretations is professionally delivered with cultural nuances required in language translation.
- Utilize present and future technology.
- Establish a Working Group - This working group will be responsible for developing an implementation plan in compliance with Executive Order 13166.

## **Objective 1**

**Responsible Staff:** In addition to listing a primary LEP coordinator for the Component, identify senior management staff, work group, committee, or other staff who will have the authority and be responsible for developing and modifying the Office or Component Language Access Plan, as well as establishing and implementing operational procedures.

## **Next Steps:**

### **Lead:** PDO

- a) The Executive Director of the Privacy and Diversity Office (PDO) is the LEP Coordinator for CBP.

**Date:** Completed.

- b) Assemble a LEP work group composed of members from each of CBP's program offices to develop and modify the FY 2008 Plan.

**Date:** Completed.

- c) Request participation of all program offices in a LAP brainstorming session.

**Date:** Completed.

d) Establish a LEP committee to meet on a quarterly basis to assess current program activities.

**Date:** Completed

e) Issue a charter for the LEP work group.

**Date:** Completed

## **Objective 2**

**Oversight:** Establish protocols for authority and oversight.

### **Next Steps:**

**Lead:** PDO **Support:** Office of Accountability/Management Inspections Division (MID)

a) Develop a LEP-related Self-Inspection Program Worksheet for implementation in the FY15 SIP cycle.

**Date:** The Self-Inspection Program Worksheet was completed and deployed in March 2015.

**Lead:** PDO **Support:** HRM/Office of Acquisition

b) Query identified CBP staff to determine if adjustments are needed in the provision of language services.

**Date:** Completed

## **Objective 3**

**Notice to Employees:** Establish methods for explaining to employees their responsibilities and available language resources.

### **Next Steps:**

**Lead:** PDO **Support:** OPA

a) All Offices review of draft CBP LEP Plan.

**Date:** Completed

b) Executive leadership briefed on updated “draft” CBP Plan.

**Date:** Completed

c) Develop LAP Communication Plan

- PDO will develop a comprehensive communication plan.
- The contents of CBP’s LAP will be posted on CBP’s Internet web site.

- Notice that the LAP has been signed will be disseminated to CBP employees using electronic mail (e.g., CBP Central) the internal CBP Information Display System.
- Employees will receive a notification informing them of the signing of CBP's LAP and the contents of the Plan.
- Employees will receive annual notification of updates made to the LAP.

**Date:** Completed

**Objective 4**

***Prioritization:*** Include a plan for prioritizing language services based on importance of services or encounter, frequency of use, and demographics.

**Next Steps:**

**Lead:** PDO **Support:** All Program Offices

- a) CBP will determine the translation and interpretation needs of each program office.

**Date:** FY 2017

**Lead:** OPA

- b) OPA will develop a plan to prioritize the translation of materials that directly impact the traveling public.

**Date:** FY 2017

**Objective 5**

***Language Access Procedures/Protocols:*** Set out the language access procedures or protocols that staff should follow to provide language services to LEP persons encountered in their daily activities. The protocol will cover: recognizing the LEP status of an individual, identifying the language spoken, identifying situations requiring appropriate language assistance, accessing this language assistance, and recording the contact. Unless countervailing considerations are explained in detail, protocols should include limits on the use of family members, friends, or other persons associated with LEP persons to rare situations and nonessential information.

**Next Steps:**

- a) OFO has a protocol for the use of interpreters and translation services and will update its policy. CBP policy regarding the use of interpreters and translation services will be reviewed by the LEP committee to ensure that it complies with the requirements of this plan.

**Date:** March 2017

**Lead:** USBP **Support:** PDO



- b) USBP has a protocol for law enforcement personnel when LEP individuals are encountered, including Unaccompanied Alien Children (UACs). In instances where in-house language capabilities are not sufficient, USBP has instituted use of contract telephonic interpretation services. In cases when UACs are encountered, USBP policy requires specific procedures including identifying the language capabilities of the individual and ensuring that all procedures and documents are explained in a language that the individual is familiar with.

**Date:** Completed

**Lead:** PDO **Support:** All Program Offices

- c) CBP has posted Civil Right and Civil Liberties “I Speak” multi-lingual posters nationwide at operational locations to assist officers and agents in identifying languages spoken by LEP members of the public CBP encounters in its programs and activities.

**Date:** Complete (Detention and other Operational Areas)

### **Objective 6**

***Quality Control Procedures:*** Describe quality control procedures that ensure staff employees who use their foreign language skills do so in an accurate and competent manner as well as to ensure high quality language services from contractors.

### **Next Steps:**

**Lead:** OFO

- a) OFO will continue utilizing a telephonic testing system to determine the language proficiencies of current CBP Officers and CBP Agriculture Specialists under OFO’s Foreign Language Award Program.
- Since 2006, new CBP Officers assigned to the Southwest Border, Miami, and Puerto Rico are tested and trained for Spanish language proficiency.
  - Since 2009, all new Air and Marine Operations (AMO) officers are tested and trained for Spanish language proficiency.
  - The CBP.gov website has a Question/Comment/Complaint section that provides a feedback mechanism for the general public and provides a toll free number (877) 227-5511 for inquiries. In 2015, CBP translated the Question/Comment/Complaint section into Spanish, greatly improving access to the complaint process. Additionally, the main page of the CBP Internet Web site includes a link titled “[Comunicarse con Nosotros.](#)” The page explains the complaint process in Spanish and allows Spanish speakers to submit complaints regarding their experience with CBP officials in Spanish.

- The CBP.gov website provides a link to the DHS Office of Civil Rights and Civil Liberties, which affords the general public an additional mechanism to submit comments or complaints. The DHS site provides information on complaints on the “Home Page” under the section “How Do I?” The DHS site accepts comments through the “Contact Us” page under “Give Feedback.”

**Date:** Completed

**Lead:** PDO **Support:** All Program Offices

- b) To ensure that the interpreters used by CBP provide high quality language service, CBP will develop a plan to document and track interpreter usage.

**Date:** FY 2017

### **Objective 7**

**Data Tracking:** Outline steps for implementing and maintaining a mechanism for collection and management of data relating to non-English needs, especially through existing databases or tracking systems.

### **Next Steps:**

**Lead:** USBP

- a) USBP will continue to utilize the e3 Processing system to track the languages spoken by LEP individuals apprehended and/or detained.

**Date:** Completed for USBP (eProcessing system)

**Lead:** OFO

- b) OFO will explore the possibility of developing a system to track the languages spoken by LEP individuals encountered by CBP personnel.

**Date:** FY 2017

**Lead:** IPL/CBP INFO Center

- c) IPL will track complaints from the general public received at CBP’s INFO Center regarding provision of language services and PDO will conduct analysis.

**Date:** FY 2017

### **Objective 8**

**Resources:** Assess the resources necessary to provide language services, identifying existing resources to the extent practical and describing funding and procurement needs.

## **Next Steps:**

### **Lead:** Office of Acquisition

- a) The Office of Acquisition will participate in efforts to develop a portfolio of DHS-wide strategically sourced contracting vehicles to leverage DHS's buying power to lower prices and improve provision of language services.

**Date:** Completed

### **Lead:** Office of Acquisition

- b) CBP will begin to track its usage of language services.

**Date:** Completed

### **Lead:** PDO **Support:** All Program Offices

- c) CBP will conduct an annual review of language services to determine if resources are being allocated efficiently and effectively.

**Date:** Ongoing

## **Objective 9**

***Outreach to LEP Communities:*** Describe collaboration or engagement with LEP communities and other external stakeholders to assess effectiveness of language services; describe media strategies in coordination with DHS OPA and how LEP communities can support agency efforts to provide language services.

## **Next Steps:**

### **Lead:** OC-NGO **Support:** OPA, PDO

- a) CBP shall develop a comprehensive engagement plan, which includes a mechanism for obtaining feedback from the public regarding language services.
  - o CBP posted its Draft LAP for comment on the CBP.gov site to solicit comments from the public.
  - o Comments from the public were reviewed and reconciled prior to finalizing the LAP.
  - o In response to stakeholder comments, CBP modified its Plan to ensure that the Key Terms used comport with those utilized in the DHS Language Access Plan.
  - o CBP has improved its online complaint process to include links to the DHS complaint page and added a Spanish language complaint page on CBP.gov.
  - o The ESTA page was improved to provide direct links to information pages in multiple languages.

**Date:** Completed

**Lead:** OC-NGO

- b) CBP's NGO Liaison will facilitate feedback sessions with NGOs.

**Date:** Ongoing

**Objective 10**

***Employee Duties:*** Where appropriate, expand job descriptions to include interpretation and translation activities within the scope of employees' duties; assess these employees' language abilities to ensure their competency to perform language services for particular duties; and describe plans for enhancing employees' language abilities.

**Next Steps:**

**Lead:** PDO (Agency-wide LEP Directive) **Lead:** USBP and OFO (mission- specific supporting LEP standard operating procedures)

- a) CBP will issue an agency-wide LEP directive, with USBP and OFO issuing mission-specific supporting LEP standard operating procedures.

**Date:** FY 2017

**Lead:** HRM **Support:** OFO

- b) Language was added to CBP Officer job opportunity announcements regarding the need for applicants who are proficient in the languages most commonly used at the various CBP locations.

**Date:** Completed

**Objective 11**

***Timeframes:*** Describe the timeframes and benchmarks for steps to be undertaken.

**Next Steps:**

**Lead:** PDO

- a) Update timeframes as needed

**Date:** Ongoing

## **Objective 12**

**Training:** Where appropriate, include a plan for managerial and frontline staff training on language access responsibilities, including identifying LEP persons, accessing available language services, and working with interpreters.

### **Next Steps:**

**Lead:** OTD **Support:** PDO, USBP, and OFO

- a) CBP will develop a plan to train all CBP employees involved in providing language access services regarding the requirements of CBP's LAP and their specific roles and responsibilities.

**Date:** FY 2017

- b) CBP will explore the possible use of the Interagency Training Video Series, which produced video vignettes illustrating the identification of LEP persons, determination of language used, and telephonic interpretation best practices in a variety of workplace settings.

**Date:** FY 2017

## **Objective 13**

**Notice to the Public:** Provide for notice of free language assistance services and points of contact for additional information.

### **Next Steps:**

**Lead:** PDO **Support:** All Program Offices

- a) CBP will develop and implement a communication plan which shall include methods for providing notice to the public of language assistance services and points of contact for additional information.

**Date:** FY 2017

**Lead:** USBP (Stations) **Lead:** OFO (POEs)

- b) CBP will post the Civil Right and Civil Liberties "I Speak" multi-lingual posters nationwide at operational locations to assist officers and agents in identifying languages spoken by LEP members of the public CBP encounters in its programs and activities.

**Date:** Completed (Detention and other Operational Areas)

**Lead:** OFO

- c) CBP OFO Professional Service Manager Program will include improved signage and a video that contains practical information about the entry process, which is currently broadcast at 20

international airports to arriving travelers in English, Arabic, French, German, Japanese, Korean, Traditional Chinese, Russian, and Spanish.

**Date:** Ongoing

**Lead:** OPA

- d) An informational video titled “You’ve Arrived” that presents practical information about the entry process, is currently broadcast at major international airports to arriving travelers. The video is presented in English and subtitled in various languages. The video is also available to be viewed on CBP.gov. The different language subtitles are presented in rotating order throughout the day.

**Date:** Completed

- e) The main page of CBP Internet Web site includes a link titled “[Communicarse con Nosotros](#).” The page explains the complaint process in Spanish and allows Spanish speakers to submit complaints regarding their experience with CBP officials in Spanish.

**Date:** Completed

- f) The CBP Electronic System for Travel Authorization (ESTA) page has fact sheets accessible from the ESTA page in Chinese, Dutch, English, French, German, Italian, Japanese, Korean, Portuguese, Spanish and Swedish.

**Date:** Completed

- g) CBP.gov webpage will provide multilingual information based upon the prevalence of languages spoken in the travel and trade communities.

**Date:** Ongoing

**Objective 14**

***Monitoring and Evaluation:*** Provide for monitoring and evaluating and, if appropriate, updating the plan, policies, and procedures at a minimum every two years, including monitoring performance, quality assurance, and internal review processes as well as evaluating the impact, if any, of demographic shifts.

**Next Steps:**

**Lead:** PDO **Support:** Office of Accountability

- a) CBP will also use the Self-Inspection Program process to determine agency compliance with the LEP Plan.

**Date:** The Self-Inspection Program Worksheet was completed and deployed in March 2015.

**Objective 15**

***Technology:*** Use technology to assist with routine language translations at ports of entry.

**Next Steps:**

**Lead:** OTIA **Support:** OIT

- a) CBP will assess existing and future technologies that can assist CBP personnel in performing frontline responsibilities.

**Date:** Ongoing

## Acronyms

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DHS	U.S. Department of Homeland Security
DOJ	U.S. Department of Justice
GAO	U.S. Government Accountability Office
HRM	Office of Human Resources Management
IPL	Intergovernmental Public Liaison
JLTF	Joint Language Task Force
LEP	Limited English Proficiency
MID	Management Inspections Division
NGO	Non-Governmental Organization
AMO	Air and Marine Operations
USBP	U.S. Border Patrol
OC-NGO	Office of the Commissioner, Non-Government Organization Liaison
OFO	Office of Field Operations
OIT	Office of Information Technology
OPA	Office of Public Affairs
OTIA	Office of Technology Innovation and Acquisition
POE	Port of Entry
PDO	Privacy and Diversity Office
UAC	Unaccompanied Alien Children