



Enforcement and Removal Operations' Forms Translation

November 14, 2019

Fiscal Year 2019 Report to Congress



**Homeland
Security**

U.S. Immigration and Customs Enforcement

Message from the Deputy Director and Senior Official Performing the Duties of the Director

November 14, 2019

I am pleased to present the following report, “Enforcement and Removal Operations’ Forms Translation,” which has been prepared by U.S. Immigration and Customs Enforcement (ICE).

This report was compiled pursuant to language in the Joint Explanatory Statement, which accompanies the Fiscal Year (FY) 2019 Department of Homeland Security (DHS) Appropriations Act (P.L. 116-6).

Pursuant to congressional guidelines, this report is being provided to the following Members of Congress:



The Honorable Lucille Roybal-Allard
Chairwoman, House Appropriations Subcommittee on Homeland Security

The Honorable Chuck Fleischmann
Ranking Member, House Appropriations Subcommittee on Homeland Security

The Honorable Shelley Moore Capito
Chairman, Senate Appropriations Subcommittee on Homeland Security

The Honorable Jon Tester
Ranking Member, Senate Appropriations Subcommittee on Homeland Security

Inquiries related to this report may be directed to me at (202) 732-3000.

Sincerely,

A handwritten signature in blue ink, appearing to read "Matt Albence". The signature is fluid and cursive.

Matthew T. Albence
Deputy Director and
Senior Official Performing the Duties of the Director
U.S. Immigration and Customs Enforcement

Executive Summary

Pursuant to the Joint Explanatory Statement, which accompanies the FY 2019 DHS Appropriations Act (P.L. 116-6), ICE Enforcement and Removal Operations (ERO) must make available in English and Spanish all forms required to be signed by a detained person. This report outlines the plan and timeline for achieving this objective.

Specifically, the report provides a summary of ERO's language access obligations and activities and discusses more specifically the steps that ERO will undertake to translate designated forms into Spanish. Also provided in this report is a projected schedule for accomplishing the required goal.



Enforcement and Removal Operations’ Forms Translation

Table of Contents

I.	Legislative Language.....	1
II.	Background.....	2
	Enforcement and Removal Operations’ Language Access Policy	2
	1. Language Assistance Services.....	2
	2. Translation of Vital Documents	2
III.	Timeline.....	3
	A. Forms Translation Plan.....	3
	1. Identification of ERO Forms	3
	2. Translation of Identified ERO Forms.....	3
	B. Forms Translation Timeline.....	3
IV.	Conclusion.....	4
	Appendix: Abbreviations.....	5

I. Legislative Language

This report was compiled in response to legislative language in the Joint Explanatory Statement, which accompanies the Fiscal Year 2019 Department of Homeland Security Appropriations Act (P.L. 116-6).

The Joint Explanatory Statement states:

All forms required to be signed by a detained person must be available in both English and Spanish. ICE is directed to report to the Committees within 90 days of the date of enactment of this Act on a plan and timeline for achieving this goal.

II. Background

Enforcement and Removal Operations' Language Access Policy

U.S. Immigration and Customs Enforcement (ICE) Enforcement and Removal Operations (ERO) identifies, arrests, detains, and removes foreign nationals who present a danger to national security, are a risk to public safety, enter the United States illegally, or otherwise undermine the integrity of our immigration laws and our border control efforts. Ensuring that persons of limited English proficiency (LEP) are provided access to language assistance services is vital to the success of ERO operations.

ERO adheres to the requirements set forth in [Executive Order 13166](#), *Improving Access to Services for Persons with Limited English Proficiency* (August 16, 2000), including the requirement to ensure that LEP stakeholders have meaningful access to our programs and activities by providing accurate and effective communication to them in a timely manner.

1. Language Assistance Services

Through contracts with language assistance services vendors and an interagency agreement with U.S. Citizenship and Immigration Services' Language Services Section, ERO uses professional interpretation services to provide LEP persons with meaningful access. These contracts also generally support translation of ERO correspondence, printed information, and other written communication. Further, many ERO personnel have some level of proficiency in one or more languages other than English. When necessary and appropriate, these ERO personnel may communicate with LEP persons in their primary language.

2. Translation of Vital Documents

ERO has remained committed to undertaking several activities aimed at providing LEP persons with meaningful access to ERO programs and services, including identifying and translating vital documents into Spanish and other frequently encountered languages. A document is considered vital if it contains information that is critical for obtaining federal services and/or benefits or is required by law.¹ For ERO, this includes, but is not limited to, documents that contain rights.

Because the overwhelming majority of LEP individuals in ICE custody speak Spanish, most of the ERO-requested translations are for text from English to Spanish. However, ERO language services vendors also can translate materials into more than 200 languages. For example, ERO has had the National Detainee Handbook, as well as some ERO forms, translated into Spanish, Hindi, Chinese, Portuguese, Haitian Creole, French, Arabic, Vietnamese, Russian, and Punjabi. ERO also has had multiple flyers and/or posters translated into Haitian Creole and Punjabi.

¹ See LEP.gov, *Frequently Asked Questions*, <https://www.lep.gov/faqs/faqs.html>.

III. Timeline

A. Forms Translation Plan

1. Identification of ERO Forms

ERO first will conduct an inventory of its forms, and then will discern those used in the detention setting that require a detainee’s signature. The identification of these forms will necessitate coordination across several ICE offices, including ERO Custody Management, Field Operations, and ICE Forms Management, to name a few.

2. Translation of Identified ERO Forms

Once the forms requiring a detainee’s signature have been identified, they will be submitted for translation in batches to available language assistance services vendors. In general, existing contract mechanisms allow the vendors up to 7 days to complete a translation; this timeframe may shift depending on the volume of pending requests and linguist availability. ERO will make every effort to work with vendors so that they provide timely translations.

After the translation is received from the vendors, ICE Forms Management will begin the process of conversion and branding and will ensure that the forms conform to applicable laws, executive orders, circulars, regulations, policies, and directives.

Lastly, ERO will provide internal notifications of the translated forms, which will be accessible electronically.

B. Forms Translation Timeline

TASK	TIMEFRAME
Compile list of all available ERO forms.	August 26- September 13, 2019
Discern which ERO forms require a detainee signature (per the Joint Explanatory Statement accompanying P.L. 116-6).	September 16- October 4, 2019
Submit designated forms in batches to vendors for translation. <i>**Per ICE’s language services contract, the vendor has 7 days to complete each form translation.</i>	October 7- October 25, 2019
Coordinate with ICE Forms Management to format and brand translated forms, as applicable.	October 28, 2019- January 17, 2020
Coordinate with the appropriate ICE office to upload translated forms onto electronically accessible platforms.	January 20- February 21, 2020
Broadcast availability of translated forms to ERO field offices.	February 28, 2020

IV. Conclusion

Pursuant to Executive Order 13166, ERO strives to ensure that LEP stakeholders have meaningful access to programs and activities. This includes translating into Spanish all ERO forms requiring a detainee's signature, as directed in the Joint Explanatory Statement accompanying P.L. 116-6.

Appendix: Abbreviations

Abbreviation	Definition
DHS	Department of Homeland Security
ERO	Enforcement and Removal Operations
FY	Fiscal Year
ICE	U.S. Immigration and Customs Enforcement
LEP	Limited English Proficiency