

Improving Access to Services for Persons with Limited English Proficiency

Fact Sheet

The U.S. Environmental Protection Agency (EPA) will issue documents to implement Executive Order 13166 to improve access to Federally-conducted and Federally-assisted programs and activities by limited English proficient (LEP) persons. To comply with the Executive Order, EPA has drafted two documents:

- *Draft Translation and Interpretation Plan for Promoting Access to EPA Programs, Services, and Information by Persons With Limited English Proficiency (Draft Translation Plan);* and
- *Preliminary Draft Title VI Guidance for EPA Assistance Recipients – National Origin Discrimination Against Persons With Limited English Proficiency (Preliminary Draft LEP Guidance)*

Background On August 11, 2000, President Clinton signed Executive Order 13166 entitled, "*Improving Access to Services for Persons with Limited English Proficiency.*" The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a plan to provide those services so that LEP persons can have meaningful access to them. The Executive Order also requires Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries.

Title VI of the Civil Rights Act of 1964 (Title VI) prohibits discrimination based on race, color, or national origin by any entity that receives Federal financial assistance. When entities receive EPA financial assistance, they accept the obligation to comply with Title VI and with EPA's Title VI implementing regulations. Persons who believe EPA financial assistance recipients are administering their programs in a discriminatory manner may file an administrative complaint with EPA. An EPA recipient's failure to ensure that people who are not proficient in English can effectively participate in, and have meaningful access to, programs and activities may constitute national origin discrimination prohibited by Title VI.

EPA Efforts to Comply with Executive Order 13166 To comply with the Executive Order, EPA will: (1) draft and implement an internal Agency LEP protocol by which LEP persons can have meaningful access to EPA programs (*Draft Translation Plan*); and (2) draft LEP Title VI guidance to set forth a general outline for EPA financial assistance recipients to apply in developing guidelines to provide meaningful access to LEP persons who participate in their programs and activities (*Preliminary Draft LEP Guidance*).

Purpose	The purpose of the <i>Draft Translation Plan</i> is to assist the Agency in communicating with, and providing services to, LEP stakeholders. The purpose of the <i>Preliminary Draft LEP Guidance</i> is to set forth a general framework for recipients of EPA financial assistance to provide meaningful access to LEP persons who participate in their programs and activities. It also explains how EPA may assess a recipient's procedures to provide meaningful access to LEP persons.
Why Such a Short Timeframe?	Each Federal agency must submit its internal plan and draft LEP guidance to the Department of Justice (DOJ) within 120 days of the date of Executive Order 13166 (by December 11, 2000). Each Federal agency is also required to ensure that stakeholders have an opportunity to provide input on these documents before they are submitted to DOJ.
Opportunities for Public Comment	Due to the tight schedule, EPA will conduct targeted internal and external outreach until November 13th. Once we receive feedback, EPA will revise the <i>Draft Translation Plan</i> and <i>Preliminary Draft LEP Guidance</i> and submit the documents to DOJ by December 11, 2000. DOJ will review and provide comments only on the Preliminary Draft LEP Guidance. After incorporating DOJ's comments, the draft guidance document will be published in the Federal Register for extensive public comment. Once the public comment period has closed, OCR will review all comments received and prepare a final version of the guidance document.
Obtaining More Information	<p>More details about the <i>Draft Translation Plan</i> and the <i>Preliminary Draft LEP Guidance</i> are available on the Office of Civil Rights Web site at: http://www.epa.gov/civilrights/, or by calling OCR at (202) 564-7272.</p> <p>You may also obtain more information by visiting DOJ's website at: http://www.usdoj.gov/crt/cor/lep.htm. On August 16, 2000, DOJ issued a policy guidance document to help Federal agencies carry out the requirements of Executive Order 13166. The DOJ document is entitled "<i>Enforcement of Title VI of the Civil Rights Act of 1964-National Origin Discrimination Against Persons with Limited English Proficiency.</i>" Spanish and Chinese versions of Executive Order 13166 and the DOJ policy guidance can be found on DOJ's Web site. Both EPA documents will be consistent with the LEP guidance issued by DOJ, as required by the Executive Order.</p>