



U. S. Department of Justice

Civil Rights Division

Office of the Assistant Attorney General

Washington, D.C. 20530

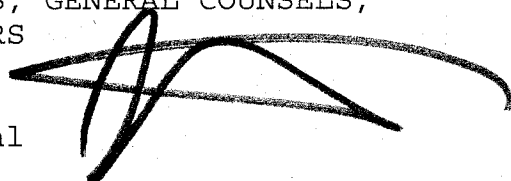
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MEMORANDUM

TO: HEADS OF FEDERAL AGENCIES, GENERAL COUNSELS,  
AND CIVIL RIGHTS DIRECTORS

FROM: Ralph F. Boyd, Jr.  
Assistant Attorney General

SUBJECT: Tools to Ensure Implementation and Understanding of  
Executive Order 13166 (Improving Access to Services  
for Persons with Limited English Proficiency)



I am writing to ask for your continued assistance in implementing Executive Order 13166 to ensure meaningful access for limited English proficient (LEP) individuals to federal and federally funded benefits and services. To assist you in this process, I am pleased to enclose three new tools that are available as a result of the work of our Federal LEP Interagency Working Group: (1) Brochure for Federal Agencies and Recipients; (2) Brochure for Beneficiaries of Federally Assisted Programs; and (3) Self-Assessment Tool for Recipients of Federal Financial Assistance. Each of these tools is explained in Part I of this memorandum and also is available on our LEP interagency website, [www.lep.gov](http://www.lep.gov). The Outreach, Training, and Uniform Standards Subcommittee of the LEP Interagency Working Group developed these instruments to assist in the implementation of Executive Order 13166 and Title VI of the Civil Rights Act of 1964.

In Part II of this memorandum, I am asking all federal agencies to draft or review and update their Federal Agency LEP Implementation Plans for their own federally conducted programs, and provide the Civil Rights Division with copies of those Plans as required by Executive Order 13166.

I. Tools

1. *Brochure for Federal Agencies and Recipients*  
(Applies to all 95 federal agencies)

The first brochure, entitled "Affirming LEP Access & Compliance in Federal and Federally Assisted Programs," is intended to be used as an outreach tool by both the federal government and federally funded entities. As you will see, the front cover of the brochure provides a space where federal agencies may place their own logo sticker or other agency identification. The inside portion of the brochure provides general information on Executive Order 13166, the elements of the four-factor analysis for assessing meaningful access for LEP individuals to federal and federally assisted programs, and a brief overview of an effective LEP policy. The back covers of the brochure list the mission statement of the LEP Interagency Working Group and the contact information for the Department of Justice, including the Department's Title VI hotline. Agencies should substitute their own agency-specific contact information in place of the Department of Justice information on the back panel, and then make copies and distribute the brochure as appropriate.

2. *Brochure for Beneficiaries of Federally Assisted Programs* (Applies to 30 federal funding agencies)

The second brochure, entitled "Know Your Rights," is targeted for LEP beneficiaries of federally assisted programs. Every effort was made to make the brochure as concise, simple, and reader-friendly as possible to ensure that it would be easy to understand and translate into various languages. As you will see, the inside middle column of the brochure lists several examples of what could constitute national origin discrimination based on LEP status. The inside right column gives each federal funding agency the option of providing its own agency-specific examples of situations that may raise issues of LEP-related national origin discrimination. If an agency opts not to do so, this column can be filled in with the agency's contact information. Federal funding agencies should make copies of the brochure and distribute to their recipients as appropriate.

3. *Self-Assessment Tool for Recipients of Federal Financial Assistance* (Specifically applies to 30 federal funding agencies but also useful for all federal agencies in preparing their Federal Agency LEP Implementation Plans)

The third tool developed by the LEP Interagency Working Group is the "Language Assistance Self-Assessment and Planning Tool for Recipients of Federal Financial Assistance." This document is intended to assist organizations that receive federal financial assistance in their strategic planning efforts to ensure that program goals and objectives address meaningful access for all of the people they serve or encounter, including LEP individuals. This tool will assist recipients in assessing their current other-than-English language services capabilities and planning for the provision of language assistance to LEP individuals they serve or encounter.

This document also provides a framework for the development of a Language Assistance Plan in light of general Title VI requirements. The program and grants offices of federal funding agencies should inform recipients of this document and advise them to use it as a framework for ensuring compliance with Title VI and implementation of the Executive Order. The Outreach, Training, and Uniform Standards Subcommittee of the LEP Interagency Working Group is available to offer technical assistance on the document to federal agencies. Although this tool was developed for recipients, federal agencies also should consider using it to assess and evaluate their own programs as they develop their Federal Agency LEP Implementation Plans discussed below.

\* \* \*

I urge each agency to use these three important tools developed by the LEP Interagency Working Group. The members of the Outreach, Training, and Uniform Standards Subcommittee are to be commended for their efforts in developing the tools and resources described above. Membership in the LEP Interagency Working Group, and its subcommittees, is not merely an extracurricular activity. The significant contributions of these groups help advance our combined mission to realize the goals of the Executive Order and Title VI. I urge every agency to actively participate in the LEP Interagency Working Group, if you do not already do so.

**II. Federal Agency LEP Implementation Plans**  
(Applies to all 95 federal agencies)

In furtherance of full implementation of Executive Order 13166, I am asking that each federal agency review the June 18, 2002 Department of Justice LEP Recipient Guidance Document (available at [www.lep.gov](http://www.lep.gov)), and use it as a guide for

drafting or updating Federal Agency LEP Implementation Plans applicable to each agency's federally conducted programs. Many existing Federal Agency LEP Implementation Plans can be viewed at [www.lep.gov](http://www.lep.gov) (click on "Federal Agencies" and then "Federal Agency LEP Implementation Plans for Federally Conducted Programs"), although most of those are almost two years old and need updating. I am requesting that all federal agencies submit to the Department the name, address, telephone number, and email address of the agency official(s) responsible for revising or drafting the agency's LEP Implementation Plan, as well as the estimated date for filing the Implementation Plan with the Department. This information should be submitted to Merrily Friedlander, Chief, Coordination and Review Section (COR), at [Merrily.A.Friedlander@usdoj.gov](mailto:Merrily.A.Friedlander@usdoj.gov) no later than November 22, 2002. In addition, as required by Executive Order 13166, each federal agency must send a copy of its Federal Agency LEP Implementation Plan to the Department (through COR in email or paper format). I also urge each agency to place a copy of its Federal Agency LEP Implementation Plan on its agency website and to provide COR with the agency web address so that COR can provide a web link to the agency Implementation Plan on [www.lep.gov](http://www.lep.gov). I encourage agencies to link their relevant LEP-related materials to this website.

Once again, I thank you for your support of the efforts of the LEP Interagency Working Group, and I encourage active participation by all federal agencies in the Working Group. I look forward to your continued joint efforts in this important endeavor.

Enclosures