

United States Senate

WASHINGTON, DC 20510

February 10, 2022

The Honorable Merrick Garland
Attorney General
U.S. Department of Justice
950 Pennsylvania Avenue, NW
Washington, DC 20530

Dear Attorney General Garland:

Thank you for your continued service leading the Department of Justice (DOJ). There are more than 25 million people living in the United States who are Limited English Proficient (LEP), meaning they are not fluent in, or have difficulty communicating in, English.¹ Language barriers can impact access to vital services and information related to education, the legal system, health care, housing, and more. We ask that you issue a memorandum directing federal agencies to update their Language Access Plans to meet the present day needs of LEP individuals.

In 2000, Executive Order 13166 directed federal agencies to develop Language Access Plans outlining systems to make services and resources available to LEP individuals.² The Executive Order also directed agencies to issue guidance to federal grant recipients outlining their Title VI obligations to provide all users, regardless of language ability, with “meaningful access” to their services.³

In 2011, after agencies demonstrated varying degrees of progress on language accessibility,⁴ the DOJ issued a memorandum renewing the federal government’s commitment to language access.⁵ This memo directed agencies to update their Language Access Plans to comply with Executive Order 13166. These plans are available on LEP.gov, yet some have not been updated since 2012.⁶

We ask that you issue a similar memorandum directing all federal agencies to submit updated Language Access Plans to the Federal Coordination and Compliance Section of the DOJ within a year. The plans should address how agencies will make their documents available online in as many languages as possible. Using the newly released guide “Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons,” developed by the Title VI Interagency Working Group, agencies should audit their websites and digital services to ensure that all vital information (and the directions to navigate to that information) is accessible to LEP persons.⁷ For example, agencies should confirm that their websites contain multilingual

¹ <https://www.migrationpolicy.org/data/state-profiles/state/language/US>

² 65 Fed. Reg. 50,121 (Aug. 16, 2000).

³ *Id.*

⁴ <https://www.gao.gov/products/gao-10-91>

⁵ https://www.lep.gov/sites/lep/files/resources/AG_021711_EO_13166_Memo_to_Agencies_with_Supplement.pdf

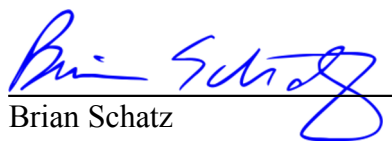
⁶ <https://www.lep.gov/language-access-plans>

⁷ https://www.lep.gov/sites/lep/files/media/document/2021-12/2021_12_07_Website_Language_Access_Guide_508.pdf

tagline notices⁸ informing LEP persons of the availability of language assistance services. The plans should also include information about how the agencies will educate nonprofits, businesses, and local government entities about the existence of translated materials to ensure that they reach LEP populations.

With new census data at hand for agencies to better understand the demographics of the populations they are currently serving and evolving technology, now is the time to enforce our nation's commitment to language access. We respectfully request that you respond to our request by February 25, 2022.

Sincerely,


Jon Ossoff
United States Senator
Robert Menendez
United States Senator
Brian Schatz
United States Senator
Mazie K. Hirono
United States Senator
Sherrod Brown
United States Senator
Jack Reed
United States Senator

⁸ Taglines are short statements written in English and frequently encountered non-English languages that notify individuals with LEP about the availability of qualified, competent language assistance free of charge.
https://www.lep.gov/sites/lep/files/media/document/2021-12/2021_12_07_Website_Language_Access_Guide_508.pdf



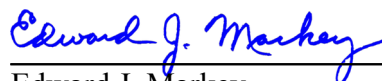
Amy Klobuchar
United States Senator



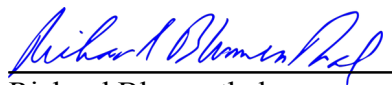
Chris Van Hollen
United States Senator



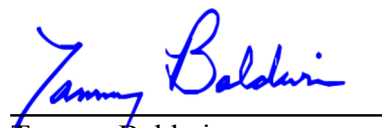
Catherine Cortez Masto
United States Senator



Edward J. Markey
United States Senator



Richard Blumenthal
United States Senator



Tammy Baldwin
United States Senator



Cory A. Booker
United States Senator



Tina Smith
United States Senator



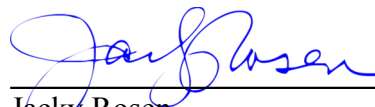
Alex Padilla
United States Senator



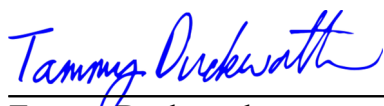
Raphael G. Warnock
United States Senator



Martin Heinrich
United States Senator



Jacky Rosen
United States Senator



Tammy Duckworth
United States Senator



Elizabeth Warren
United States Senator