

Message from Assistant Attorney General Kristen Clarke

Marking the 21st Anniversary of Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency”

August 31, 2021

On August 11, 2000, President Bill Clinton signed [Executive Order 13166](#), “to improve access to federally conducted and federally assisted programs and activities for persons who, as a result of national origin, are limited in their English proficiency (LEP).” President Clinton gave the Department of Justice a central role in meeting this goal, assigning us the responsibility of issuing guidance and consulting with agencies. Twenty-one years later, the COVID-19 pandemic – as well as intervening events such as the September 11th terrorist attacks, Hurricane Katrina, wildfires, and other national disasters – has reminded us how critical that role is. We, along with our state and local partners, rely on language services, including interpretation and translation, to get essential, life-changing information to all members of the public. In marking this anniversary, I think it appropriate to highlight how we continue to strive to fulfill the promise of Executive Order 13166.

First, the Civil Rights Division helps federal agencies ensure that their grantees are aware of their language access responsibilities under Title VI of the Civil Rights Act of 1964. The Division set out [improved goals for agencies](#), and continues to create user-friendly, practical [tools](#) for federal, state, and local entities.

Second, we have [negotiated with school districts](#) to ensure that that students have the language services and support they are entitled to under the Equal Educational Opportunities Act of 1974. Our Educational Opportunities Section (EOS) continues to work to make sure all students can attend schools free from discrimination. We know that many students, especially those who are English learners, suffered disproportionate setbacks in learning as a result of the COVID-19 pandemic. Since January, we have reached settlements with school districts in [Arizona](#), [Maine](#), [New Hampshire](#), [North Carolina](#), and [South Carolina](#) requiring schools to communicate with LEP parents in a language they can understand, empowering *all* parents to participate in their children’s education. As LEP parents register and send their children back to school across the country, the Division will continue to identify and eliminate barriers to school enrollment based on race, national origin, language, and citizenship status.

Third, we have monitored elections to ensure that voters can participate effectively in the electoral process, as provided in the Voting Rights Act of 1965. Our Voting Section also continues to vigorously enforce the [minority language provisions](#) of the Voting Rights Act. This federal law requires certain jurisdictions around the country to provide bilingual written voting materials and voting assistance for covered minority languages. We monitor elections and, where appropriate, file lawsuits to ensure that language minority groups can participate effectively in the electoral process.

Fourth, because the pandemic has exposed how difficult it can be to navigate state and federal websites, find public health information, or apply for recovery assistance, in April 2021, the Division issued a statement to protect the civil rights of vulnerable populations, including limited English communities. This [statement and resource guide](#) reminded federal agencies to provide information about COVID-19 safety measures and recovery efforts in the most common languages spoken by people with limited English proficiency.

Finally, the Division enforces laws that require recipients of Department funds to provide meaningful access to LEP individuals. Our Federal Coordination and Compliance Section is committed to making sure that language barriers do not stand in the way of justice. Recently, they have secured a number of important settlements and agreements, including:

- a [settlement](#) with Fort Bend County, Texas to improve access to court for LEP individuals and provide interpreter services at no cost to LEP individuals in civil and criminal cases in Fort Bend;
- an [agreement](#) with the Hazleton Police Department (Pennsylvania) that requires the agency to provide appropriate language assistance in any contacts with LEP community members;
- an [agreement](#) with the Colorado Office of Administrative Courts to help LEP individuals access timely and competent language assistance during administrative hearings; and,
- a [recently-concluded technical assistance agreement](#) with the Vermont Judiciary that helps courts in Vermont make it easier for LEP court users to vindicate their rights.

Because of these efforts, more people with limited English skills have access to schools, the ballot, and services funded or provided by the federal government. Yet, we know we must continue to dismantle ongoing and persistent language barriers.

To that end, as part of our equity assessment under Executive Order 13985 (*Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* § 5 (Jan. 20, 2021)), we invited over 140 stakeholders to five language access listening sessions. These listening sessions focused on the experience of LEP communities and asked: what could we do better to improve our outreach to and communications with LEP individuals? We are reviewing the feedback from those sessions as we continue to consider how we can improve access for all.

And because many of our cases began with complaints from the public, we have reduced language barriers to reporting a civil rights violation. Since May, the Division's [Civil Rights Reporting Portal](#) has been available in Spanish, Chinese (Traditional and Simplified), Korean, Vietnamese, and Tagalog. We are also prepared to receive civil rights reports in non-English languages by [phone and by mail](#). Please continue to spread the word that the Civil Rights Division welcomes all reports of civil rights violations, regardless of the language you speak.

Thank you for your time. For more information on Executive Order 13166 and to access resources related to language access, please visit LEP.gov.