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HELLO!

FARM PRODUCTION AND CONSERVATION MISSION AREA

LANGUAGE ACCESS PLAN

FY 2024 - FY 2026

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Message from the Under Secretary for Farm Production and Conservation

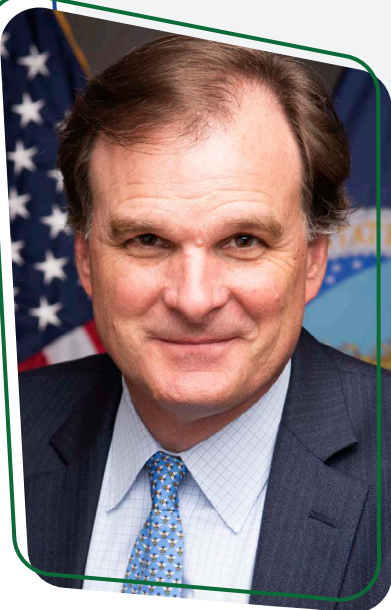
It is my pleasure to present the Farm Production and Conservation (FPAC) FY 2024 – FY 2026 Language Access Plan (LAP). This plan outlines our commitment to providing meaningful access for people with limited English proficiency (LEP) across all FPAC federally conducted and assisted programs, services, and activities.

Providing necessary language access advances equity by providing support to underserved communities and vulnerable populations. It also combats discrimination based on national origin by ensuring that all of America's farmers, ranchers, and producers have meaningful access to vital documents, services, and programs in multiple languages. The more the public understands our mission and work, and can participate in it, the better we can make good on our mission to implement programs designed to mitigate the significant risks of farming through crop insurance, conservation programs, farm safety net programs, lending, and disaster programs.

This LAP outlines our policies, responsibilities, and strategies for providing language assistance services to LEP persons. Delivering effective language assistance services will help ensure all customers have timely, meaningful access to FPAC programs, services, and activities.

Just as importantly, this plan applies to each of us individually, and we all must take action to deliver on the promise of this plan. Our efforts must continue to evolve as we work closely with the Department, our partners, and our customers to assess the outcomes of our interactions with people needing language access so that we can refine how we can better provide these essential language assistance services.

I am committed to carrying out this LAP at all levels within FPAC and to removing language-based barriers to access for all of America's farmers, ranchers, and producers across all FPAC programs, services, and activities.



A handwritten signature in black ink that reads "Robert Bonnie". The signature is fluid and cursive.

Robert Bonnie
Under Secretary

Farm Production and Conservation



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INTRODUCTION EINFÜHRUNG 介紹



Introduction

The mission of the Farm Production and Conservation (FPAC) Mission Area is to support all American agricultural producers by providing financing, risk management tools, disaster aid, conservation assistance and a range of other services. The doors to every FPAC county service center and every office are open to everyone.

This Language Access Plan (LAP) sets forth the standards, principles, and guidelines FPAC agencies will use to improve equity in our programs by ensuring critical language services are available to limited English proficiency (LEP) persons.

FPAC Language Access Policy

Timely and accurate communication with the public is essential to the FPAC Mission Area. FPAC is committed to strengthening its services and programs by ensuring that individuals with LEP receive meaningful access to our federally conducted and federally assisted programs and activities in accordance with Executive Orders 13166, 13985, 14031 and 14091.

Therefore, it is FPAC's policy that all FPAC agency programs and employees take reasonable steps to plan for and provide individuals with LEP timely,

accurate, and effective communications within all federally conducted programs and activities. They must also work to ensure that providers of FPAC federally assisted programs comply with their corresponding obligations. To be clear, it is the Mission Area's responsibility, not the individual seeking services, to take reasonable steps to ensure meaningful access to its programs and activities and to foster equity for all individuals whether it be over the phone, in writing, in person, or via electronic methods.

Purpose

This FPAC LAP sets standards, operating principles, and guidelines to:

- improve access to FPAC programs and services to individuals with LEP by coordinating implementation of language access services throughout the mission area,
- consult with stakeholders and individuals with LEP regarding FPAC programs and activities,
- provide the public effective notice of the availability of free language access services and how to request these services from FPAC agencies,
- provide members of the public with LEP effective interpretation services,
- translate vital documents and information into frequently encountered languages,
- ensure FPAC employees understand the importance of providing language access services as a means of effective customer service,
- provide FPAC employees with the knowledge and resources necessary to take reasonable steps to ensure meaningful access for individuals with LEP,
- institutionalize the identification of barriers and gaps in services for individuals with LEP who access FPAC programs and activities, and
- monitor the effectiveness of this plan and periodically revise and improve the plan and related services.

Scope

This LAP establishes a language access strategy and improves internal management for all FPAC programs and activities. Its intent is to eliminate or reduce LEP as a barrier to accessing FPAC programs and activities. This LAP does not create a new right

or benefit, substantive, or procedural, that is enforceable by law or in equity by any party against the United States, its departments, agencies, or entities, its officers, employees, or agents, or any other person.

Roles and Responsibilities

FPAC Under Secretary

- Sets the tone and direction and provides leadership and oversight for this LAP for the entire mission area.
- Delegates coordination, implementation, and monitoring of the LAP for the mission area to the FPAC Civil Rights and Equal Employment Opportunity Division (CREEOD).
- Holds FPAC senior leadership accountable for ensuring implementation of this plan within their agencies to support an equitable and inclusive operational and programmatic environment.

FPAC Agency Heads

- Proactively promote meaningful access for individuals with LEP, direct agency personnel to take necessary steps to comply with this LAP, and regularly conduct reviews of their customers' language access needs.
- Invest in long-term partnerships with external organizations to build language access capacity.
- Provide sufficient resources for technical assistance to be linguistically and culturally appropriate.
- Provides sufficient resources to support CREEOD's delivery of translation and interpretation services and training to public-facing employees.
- Ensure the provision of translation and interpretation resources are coordinated with the CREEOD.
- Ensure translated documents are cataloged and made available to public-facing employees and the public, and revised, as needed.

- Foster mission area collaboration by appointing representatives to actively serve on FPAC's LEP Advisory Committee.
- Direct the development of an annual agency specific implementation plan to ensure compliance with the requirements set forth in this plan.

FPAC CREEOD Director

The FPAC Under Secretary designated the CREEOD Director as the senior accountable official responsible for language access. In that role, the CREEOD Director will:

- ensure, in coordination with the USDA Office of the Assistant Secretary for Civil Rights, that FPAC has an LAP, and that the LAP is consistent with Executive Order 13166; USDA Departmental Regulation (DR) 4330-005, Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency in Programs and Activities Conducted by USDA (June 4, 2013); USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency, 79 Fed. Reg. 70771-70784 (Nov. 28, 2014) (USDA LEP Guidance); and the USDA Language Access Plan (Nov. 9, 2023),
- ensure that the FPAC LAP is maintained, reviewed, and updated as needed, in accordance with the USDA LAP,
- designate an FPAC Language Access Coordinator (LAC), and
- serve and/or designate the FPAC LAC to serve on the USDA Language Access Coordinating Committee (LACC).

FPAC Language Access Coordinator (LAC)

In addition to any role(s) designated by the FPAC CREEOD Director, the FPAC LAC will:

- develop appropriate expertise and familiarity with federal and Departmental language access law, regulation, and guidance, and with best and promising practices across the Department and the federal government,
- coordinate within FPAC agencies and consult as appropriate with the USDA LAC,
- assist FPAC agencies with identifying qualified multilingual personnel to serve as interpreters and translators to be included in an interpreter/translator database,
- assist FPAC with identifying interpreter and translator qualifications and professional standards for multilingual personnel,
- assist with drafting progress reports regarding implementation of the FPAC LAP for FPAC Senior Leadership,
- develop a method for sharing language access information with FPAC agency personnel through an appropriate FPAC digital platform(s),
- provide technical assistance to FPAC agencies regarding language assistance service needs of individuals with LEP accessing FPAC agency programs and activities, including FPAC agency program websites, digital services, outreach strategies, program evaluation tools, and more,
- assist FPAC agencies in conducting outreach and engagement with communities with LEP and entities that represent their interests, including consulting with communities with LEP about the development and implementation of applicable FPAC Agency programs and activities, funding opportunities, and regulations,
- assist FPAC agencies with collection and reporting of language access data,
- establish and maintain an FPAC Limited English Proficiency Advisory Committee,
- establish an enterprise-wide approach to implement, coordinate, and monitor the LAP and language access efforts across the mission area to support an equitable and inclusive operational and programmatic environment,
- collaborate with leadership in FPAC agencies' divisions, offices, and program areas at the national and regional levels to implement, coordinate, and monitor LAP efforts. This includes working with agencies to identify and address gaps in language assistance services for individuals with LEP and aligning Agency policies and programs with language access best practices,
- evaluate the quality of written and oral language services through customer feedback. Adjust implementation of written and oral language assistance services, based on customer reports and community-based and stakeholder organization feedback, and
- convene and coordinate the various working groups identified in this FPAC LAP, including, for example, in part 5.B (to develop an LEP Outreach Plan), part 5.F (to conduct a thorough review of all digital content, and part 7.M (the self-assessment process).

FPAC LEP Liaisons

- Assist FPAC LAC with administering FPAC language access support to the mission area.
- Serve as point person assigned to one or more FPAC agencies for the day-to-day coordination of language services requests, which includes responding to requests, preparing documents and materials, coordinating with external language service providers, troubleshooting, communicating status of projects with stakeholders, and delivering translated products.
- Conduct quality reviews of translated products, where appropriate.

- Lead assigned agency quarterly Regional/State Language Access Coordinator meetings.
- Assist with developing and conducting LAP training to public facing employees and federal recipients.
- Assist with preparing periodic LAP activity reports for FPAC and USDA leadership.
- Provide logistical and administrative support to the FPAC LEP Advisory Committee.

NEW

Agency State Language Access Coordinators (NRCS and FSA only) and Regional Language Access Coordinators (RMA only)

- Track, monitor, and report number of contacts and description of services provided to LEP customers in the delivery of federally conducted and assisted programs.
- Ensure state customer-facing offices have appropriate required postings and other resources and customer-facing employees have completed biennial mandatory training.
- Prepare and submit quarterly reports to CREEOD.
- Serve as the State/Region's point of contact to address LEP matters related to training, data collection, public notification requirements, and reporting and accessing language resources.
- Participate in quarterly State/Regional LAC meetings and share information with staff within their state.
- Coordinate with other USDA agencies within the state on LEP activities and outreach.

LEP Committees

- FPAC's Limited English Proficiency Advisory Committee serves to advise FPAC leadership on methods to assess equity and barriers to access FPAC programs faced by LEP communities; provide insights on strategies to ensure meaningful access to FPAC federally conducted and assisted programs for LEP communities; helps champion the LEP program across the mission area.
- Other committees or working groups may be established to work on action items identified in this LAP and implementation plan (see appendix E) or other key matters identified by FPAC leadership. They may include stakeholders from the following organizations:
 - ▶ CREEOD
 - ▶ Farm Service Agency
 - ▶ Natural Resources Conservation Service
 - ▶ Risk Management Agency
 - ▶ FPAC Business Center
 - Acquisition Division
 - Budget Division
 - Customer Experience Division
 - External Affairs Division
 - Grants and Agreement Division
 - Information Business Solutions Division
 - ▶ Employee Resource Groups

Language Access Initiatives and Implementation

A Identification of Communities with LEP and their Interaction with FPAC

FPAC considers the top languages in highest demand for FPAC to be Spanish, Chinese (including the spoken languages of Mandarin and Cantonese and the written languages of Simplified and Traditional Chinese), Vietnamese, Hmong, and Korean. These top languages are based on responses to a 2022 base-line survey of FPAC public-facing employees and mirror the top languages identified in translation and interpretation service requests made by FPAC agencies within the past two years.

Once the USDA Language Access Coordinator (USDA LAC) has determined USDA's top languages, the FPAC LAC will supplement this Department-wide determination by identifying any additional top languages spoken by communities FPAC serves or may serve.

NEW!

At least every three years, the FPAC LAC will work across the mission area to reassess top languages spoken by individuals with LEP.

B Outreach and Engagement with LEP Communities

Effective outreach and engagement with LEP communities is critical for language access planning efforts to increase access to FPAC programs and activities. It is also important that these communities can provide regular feedback on the implementation of language assistance services.

The FPAC External Affairs Division has developed a comprehensive mission-area wide marketing strategy.

The marketing strategy:

- uses multiple internal communications channels

and methods to inform and educate FPAC employees about language access services to ensure widespread awareness and usage,

- enlists customer-facing employees as ambassadors of language access services for their clientele,
- engages partners, stakeholders, and community organizations in outreach to customers to identify LEP needs within their communities, and
- communicates directly with LEP customers through various channels and methods, and fosters word-of-mouth promotion.

External Affairs, with input from FPAC agencies, will review and update the strategy on an annual basis.

NEW

Each FPAC agency will convene an appropriate working group (including at least one member familiar with needs from Puerto Rico) to develop and issue an agency specific LEP Outreach Plan within three months of the effective date of this LAP.

Once issued, the outreach plan will be reviewed by the same group, at least annually. It will cover:

- **relationship building:** establishing and maintaining relationships with a variety of entities representing the interests of individuals with LEP, and of communities who have traditionally been marginalized because of their limited ability to speak English,
- **outreach:** communicating clearly through written, video and/or audio means about the nature, scope, and availability of language assistance services and how to request them,
- **community participation:** increasing efforts to encourage participation from local communities in, for example, agency consultations, focus

groups, and/or listening sessions, with the goal of learning about their concerns, needs, and perspectives,

- **event accessibility:** taking reasonable steps to ensure that community outreach events involving individuals with LEP are designed to provide meaningful access, where individuals with LEP can participate, receive information, and provide input in their primary language(s) at such events.
- **information dissemination:** collaborating with USDA's Office of Communications and FPAC's External Affairs Division to create and maintain lists of non-English press to disseminate information about agency programs and activities, and otherwise disseminating information about agency programs and activities in non-English languages,
- **message amplification:** reaching out and partnering with stakeholders to amplify FPAC communications to specific communities that may include individuals with LEP, and
- **feedback mechanism:** establishing formal and easily accessible mechanisms to receive feedback about the quality of agency language assistance services.



Notification of the Availability of Language Assistance Services

When language assistance services are not readily available, or when an individual does not know that language assistance services are free and available, individuals with LEP are less likely to participate in or benefit from FPAC programs and activities. As a result, many individuals with LEP may not seek out FPAC benefits, programs, information, and services. They also may not be able to communicate crucial information that might help determine entitlement or eligibility for benefits and they may be unable to file complaints.

All FPAC agencies will take reasonable steps to provide public notification about how to obtain

free language assistance services and how to offer feedback or make complaints about the availability of such services. This information will be offered in different mediums (for example, printed and electronic material, social media, radio, etc.) in consultation with program, outreach, external affairs personnel as well as impacted communities. It should be offered in at least the top language(s) spoken by individuals with LEP (under part A, above). FPAC should leverage the four-factor analysis (see part E, below).

All FPAC service centers, offices and public-facing facilities are required to post the LEP multilingual taglines poster (24" X 36") in a location that is easily seen by LEP customers upon entering the facility. They should be posted near the "And Justice for All" poster (AD-475-A and AD-475-C). In addition, facilities should have copies of the iSpeak card available. (See DR 4300-003, Equal Opportunity Public Notification Policy (Oct. 17, 2019), available at <https://www.usda.gov/directives/dr-4300-003>). FPAC State and Regional Offices are responsible for ensuring that notifications and posters are prominently displayed in all offices in their state or region. The poster and iSpeak card and other resources can be found at [Limited English Proficiency OneUSDA Intranet](#). State and Regional Offices can request bulk hard-copy posters by emailing fpac.lep.requests@usda.gov.

Each FPAC agency will post notices informing LEP individuals of their right to free oral language assistance services in frequently encountered languages on their public facing site.



Identification of Individuals with LEP

English is not the primary language for LEP individuals. They may have a limited ability to read, write, speak, or understand English. At the first point of contact with a person with LEP, FPAC personnel should determine the preferred language used by the individual and their language assistance needs. If the individual with LEP does not self-identify, personnel may call the appropriate interpretation service provider to identify the language spoken.

(See appendix or click on [FPAC Language Access Services and Resources Guide](#) for information on how to access telephonic and on-demand video services). If an FPAC employee has a face-to-face interaction, the employee may use the USDA iSpeak language identification card found at [Limited English Proficiency OneUSDA Intranet](#). Other resources may be found in the resources section of this LAP, and LEP tagline poster. Employees may also contact the telephonic interpretation service provider to identify the language spoken and to obtain interpreter services. Asking the individual about their specific community can also help to identify the language spoken.

FPAC employees should not make assumptions about an individual's primary language based on race, color, or national origin. In addition, having a strong accent is not necessarily an indicator that language access services are needed.



Provision of Language Assistance Services

FPAC will work to proactively provide language access services (for example, in-advance translation of vital documents) for any language spoken by more than 5% of the eligible population; what languages this includes will depend on the region of the office in question.

FPAC has multiple contracts and other service vehicles in place (i.e., interagency and cooperative agreements) for provision of language access and support, including:

- live interpretation services using qualified interpreters, accessible via phone, on-demand web-based platform, and in-person,
- written translation of documents, including webpages,
- quality control editing, and
- cultural advising and document screening.

These services are centrally managed by the FPAC Civil Rights and Equal Employment Opportunity Division (CREEOD) on behalf of the FPAC Mission Area. Each FPAC agency provides CREEOD funding annually, augmenting as needed, to ensure the prompt delivery of language support to customer-facing employees and LEP customers. For real-time access to oral interpretation services, employees can access the telephonic interpretation line or on-demand video interpretation platform. FPAC employees needing document translations or to schedule in-advance interpretation services can do so by submitting an LEP Request Form through FPACNow. Information on accessing these services is available in the Language Access Services and Resources Guide (see appendix C) along with other resources and tools at [Limited English Proficiency OneUSDA Intranet](#).

i. Interpretation Services

Public-facing FPAC offices should be prepared to provide real-time qualified interpreters free of charge either in-person, over-the-phone, or through video remote technology to communicate with individuals with LEP. FPAC employees or contractors should utilize the mode of interpreting that is most appropriate for the situation: consecutive, simultaneous, or sight translation.¹ This includes preparation for communication with individuals with LEP who also may have disabilities. All FPAC remote services—such as hotlines or virtual meetings—should offer effective oral language assistance, for example, by offering multilingual options on automated phone systems, and by notifying members of the public attending virtual meetings of the availability of video interpretation services.

ii. Translation Services

A vital document is any paper or electronic written information and material that contains content critical for accessing a program or activity. The [USDA LEP Guidance](#) states, whether or not a document (or the information it solicits) is 'vital' may depend upon the importance of the program or

1 Information on methods of interpreting can be found at [Translator vs. Interpreter - American Translators Association \(ATA\) \(atanet.org\)](#) and ways to help employees work effectively with telephone interpreters can be found at TIPS for Working with Telephone Interpreters, , https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Telephone_Interpreters_0.pdf.

activity, information, encounter, service, or benefit involved, and the consequence to the individual with LEP if the information in question is not provided accurately or in a timely manner. Vital documents include, paper and online applications, consent forms, eligibility determination notices, free language assistance notices, outreach materials, response-required documents, and more. Vital information may also involve specific communications regarding a case or matter between an individual and an FPAC agency or office. As allowed by available resources, FPAC seeks to translate vital documents for the public into FPAC's top languages, and to consider translating into other languages as appropriate.

NEW

Accordingly, by three months after the effective date of this plan, each FPAC agency will put in place a process to:

- review its existing documents, to identify which of them are “vital” and if so, whether using the four-factor test, what languages (if any) they should be affirmatively translated into prior to any request,
- review new documents as they are generated, to identify which of them are “vital” and if so, what languages (if any), they should be affirmatively translated into prior to any request,
- review any request for translation of a particular document, and
- provide for the use of interpreters for oral translations for individuals with LEP who request access to vital documents but are not literate.

NEW

FPAC agencies will submit documentation of their initial process for vital document identification and prioritization to CREEOD prior to implementation. This process is to be reviewed and revised, if needed, every three years.

- Plain language writing assists both native English speakers and those whose English proficiency is limited. FPAC is committed to improving its services by writing in plain language, and will ensure information is clear, understandable, and useful (See [Plain Writing | USDA](#)). When communicating with the public, FPAC will use plain language in any new or substantially revised document that:
 - ▶ provides information about any of our services and benefits,
 - ▶ is needed to obtain any of our benefits or services, and
 - ▶ explains how to comply with a requirement that we administer or enforce.

iii. Document Translation Review Process

FPAC agencies will determine when new documents need to be translated or existing documents need to be revised and made accessible to individuals with LEP. This includes making them directly accessible to LEP individuals via their public facing websites and/or distributing them to FPAC public-facing employees to provide to LEP customers. FPAC agencies should consider whether other pre-existing vital documents should be translated into prominent languages other than English.

FPAC agencies are also responsible for either requesting quality reviews when submitting requests for document translation or ensuring that an agency-appointed document review team of multilingual employees with subject matter expertise evaluates the documents to ensure they are linguistically correct, textually coherent, and conceptually

meaningful in relation to the Agency’s mission and culture. **FPAC agencies must provide timely feedback to CREEOD on document translations so that it can coordinate with the vendor to modify/correct the translated document, as needed.**

Upon finalizing translated documents, FPAC agencies will coordinate with the appropriate Business Center organizations to ensure that documents are cataloged, maintained, and widely distributed, as needed.

iv. Interpretation and Translation Technology

Government agencies are increasingly relying on machine translation software to convert written text on websites and online automated services from one language to another. However, machine translation can be inaccurate. See <https://www.lep.gov/translation>. Accordingly, USDA’s LAP discourages machine translation without human review when the information communicated is vital to a person’s rights or benefits, when accuracy is essential, or when the source materials use non-literal language (e.g., slang, metaphors, agency-specific vocabulary such as program names), have unclear grammar or structure, contain abbreviations or acronyms, or are complicated, technical, or wordy.

CREEOD may consider using emerging technologies for translation or interpretation applications through third-party services, direct government procurement, or modifying existing services upon consultation with the USDA LAC, and will consider the following:

- accuracy of translation and interpretation,
- accuracy of domain-specific translation and interpretation (e.g., specific USDA policies),
- speed to incorporate corrections to production systems.,
- ability to share and learn from previous translation/interpretation work,

- cost per supported end-user,
- required training and enabling technologies,
- ability to capture feedback from customers on the level of quality of translation/interpretation,
- security and privacy,
- records retention and records management, and
- origins of source data utilized for machine-generated and computer-assisted applications.

v. Direct In-Language Services

In addition to interpretation, language access can also be provided by direct in-language communication—monolingual communication in a language other than English between multilingual employees and a person with LEP. Absent exigent circumstances, FPAC employees who have not been formally assessed for their multilingual skills are discouraged from providing direct services in-language. Employees are free to use multilingual skills for general greetings in a foreign language and basic communication for the purposes of language identification.

vi. Other Requirements When Communicating with Individuals with LEP

Some individuals with LEP face additional communication challenges. For example, individuals with LEP may have a hearing, visual, or speech disability that makes effective communication difficult. FPAC employees should be mindful of FPAC’s responsibility, and the responsibility of state agencies, local agencies, and program operators administering FPAC programs and activities, to ensure equally effective communication under federal disability rights laws in its programs and activities.² In such cases, FPAC must utilize alternative communication methods, including assistive technologies and other appropriate auxiliary aids and services, such as sign language interpreters. Please contact the FPAC LAC for assistance in these cases.

² See Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the United States Department of Agriculture, [7 C.F.R. § 15e.160](#); Nondiscrimination on the Basis of Handicap in Programs or Activities Receiving Federal Financial Assistance, [7 C.F.R. Part 15b](#); Nondiscrimination on the Basis of Disability in State and Local Government Services, [28 C.F.R. § 35.160](#); Nondiscrimination on the Basis of Disability by Public Accommodations and in Commercial Facilities, [28 C.F.R. § 36.303](#).



Multilingual Digital Content

FPAC is committed to taking reasonable steps to provide meaningful access to individuals with LEP to digital content we produce, including multilingual and accessible content on public websites and electronic documents containing information about:

- FPAC’s jurisdiction and mission,
- contact information, including how to communicate with the FPAC mission area,
- how to file complaints (including forms and instructions to fill out those forms),
- press releases and important announcements impacting communities with LEP,
- education materials for individuals or communities about relevant programs, and
- how to access free language assistance services.

NEW

Within three months after the effective date of this plan, FPAC’s LAC will coordinate with appropriate employees to conduct a thorough initial review of all digital content—including websites, services, and voicemail menus—to identify if their vital information is accessible to individuals with LEP.

This review should catalog content in frequently encountered languages and pinpoint areas for improvement. Websites should include the ability for users to request translations of the page and/or related documents, and to offer feedback about the quality of FPAC language assistance services.

A similar review should be repeated as needed—but at least every year. Please contact responsible FPAC website POCs to ensure LEP information is consistent with U.S. Web Design System guidance.

All digital content must also comply with Section 508 of the Rehabilitation Act of 1973, which requires federal agencies to ensure that their electronic and information technology, including websites, electronic documents, and software applications, are accessible to individuals with disabilities. For additional guidance see, DR-4030-001, Section 508 Program, or write to Section508-OCIO@usda.gov.



Quality Assurance and Control

FPAC will use only qualified interpreters with demonstrated proficiency in both English and the other language, and knowledge in both cultures. Quality and accuracy are equally critical for interpretation and translation. The [USDA LEP Guidance](#) states, “[T]he skill of translating is very different from the skill of interpreting, and a person who is a competent interpreter may or may not be competent to translate.”

i. Ensuring the Competence of Interpreters and Translators

FPAC will take reasonable steps to ensure that qualified multilingual employees or contracted personnel who serve as translators, interpreters, or who communicate “in-language” with individuals with LEP are competent to do so and have the resources necessary to meet the Department’s requirements. Use of individuals who are not competent could result in a breach of confidentiality, a conflict of interest, or inaccurate, partial, or incorrect interpretation, and is discouraged. Employees or contracted personnel should not provide interpretive or translation services unless they are able to:

- demonstrate proficiency in and ability to communicate information accurately in both English and the other language; FPAC can determine if an employee, volunteer, or intern is competent to interpret/translate using outside resources such as the Interagency Language Roundtable (see skill level descriptions at [ILR Homepage \(govtilr.org\)](http://ILRHomepage.govtilr.org)) Any FPAC multilingual personnel, volunteer or intern must be approved by CREEOD prior to providing interpreting or translation services,

- accurately interpret or translate materials using appropriate terminology particular to FPAC’s programs or activities and using a degree of sophistication appropriate for the audience (for example, at an appropriate reading level),
- use the appropriate mode of interpreting (e.g., consecutive, simultaneous, or sight translation),
- understand and follow Department and other applicable confidentiality, impartiality, and ethical rules in compliance with Department expectations,
- understand and maintain the role and observe professional standards for interpreters, translators, or multilingual employees,
- where applicable, understand the appropriate use of current technologies for providing language assistance, including the proper review and use of machine translation, and
- competence can often be achieved by use of certified interpreters or translators, but certification or accreditation may not always be possible or necessary. For those languages in which no formal accreditation currently exists, a particular level of membership in a professional translation association can provide some indicator of professionalism.

ii. Steps to Assist in Provision of Effective Services

In addition to ensuring that interpreters and translators are competent, the following are guidelines for provision of effective language access services:

- Language services must be linguistically correct, textually coherent, and conceptually meaningful in relation to the USDA domain/culture, while considering the cultural perspective of the target population. FPAC agencies should work with the CREEOD to develop glossaries of frequently used agency terms in the top five languages so that they can be provided to language service providers.

- FPAC agencies will develop and maintain a list of common phrasing and FPAC culturally specific terms that can be provided to contracted translators and interpreters, so that they can prepare prior to an engagement.
- FPAC will develop methods for testing the readability of translated materials. FPAC may utilize its stakeholders to meet this requirement. Because FPAC stakeholders who provide input may not be qualified translators, any recommended revisions to FPAC materials must be reviewed by a qualified translator prior to adopting the revision.
- For both oral and written language assistance services, FPAC will establish feedback methods by which individuals with LEP can provide feedback or make complaints about the quality of the services and will promptly respond to such contacts. One such method will be that translated documents include a description of how to provide feedback or make a complaint.



Language Access Procedures

While individuals with LEP have the right to refuse language assistance services, **employees are encouraged in these situations to reiterate the Department’s policy to ensure meaningful access and provide services at no cost.** Such refusal shall be documented in writing, using the Language Assistance Declination and Release Form (see appendix D), and presented in the language the customer uses.

When arranging or requesting interpreting language assistance services, **FPAC employees should make every effort to ascertain that the interpreter matches the language and/or language variant that the individual(s) with LEP uses and that they can understand each other fully.**

Absent exigent circumstances, FPAC employees should avoid using the following individuals to provide language assistance services:

- Employees who are not qualified
- Family members (especially minor children). Use of minor children as interpreters shall be avoided in all but the most exigent situations.
- Neighbors
- Friends
- Acquaintances or bystanders

Absent exigent circumstances, use of adult family members and friends as interpreters shall be allowed only if the individual with LEP is offered a qualified interpreter and declines that interpreter, in writing.

Employees should also be mindful of asking community-based organizations or other volunteers to provide free language assistance services. Such organizations or individuals may not have the necessary skills, qualifications, or knowledge of rules of professional responsibility to provide accurate, impartial, and confidential interpreting. This may also unduly burden an organization’s employees and resources, and it may constitute a gift under government ethics rules and/or a violation of the Anti-Deficiency Act, 31 U.S.C. §1342.³ Employees should consult the FPAC ethics officer on a case-by-case basis regarding any volunteer provision of language assistance services.

FPAC employees are prohibited from recording, either audio or video interpretations, and are required to protect confidential information.



Employee Training

FPAC employees (including contractors who perform customer-facing roles) need to know how to provide language assistance services. FPAC employees should be able to identify LEP contact situations, determine the primary language of LEP individuals, and effectively utilize available options to assist FPAC and LEP individuals. So that policies and procedures

can be effective, FPAC agencies will ensure that appropriate new and existing employees and contractors periodically receive language access and effective communication training relevant to their job duties.

NEW

Under this plan, customer-facing employees and those who supervise them will be required to take language access training every two years.

At a minimum, the training will cover:

- identification of individuals with LEP and specific language needs,
- legal requirements relating to language access for individuals with LEP,
- USDA and FPAC language access policies and plans, including how and when to access interpretation and/or translation services, and how to record and track the use of language assistance services,
- use of plain language,
- best practices for providing meaningful language assistance to individuals with LEP,
- best practices for working with interpreters in person, over the telephone, or via video remote platforms,
- best practices for working with translators,
- interpreter ethics, and
- cultural competence and awareness.

A prerecorded training on language access obligations and procedures for delivering interpretation and/or translation services is now available to FPAC employees in AgLearn <https://aglearn.usda.gov/course/view.php?id=58528>.

³ The Anti-Deficiency Act states: “An officer or employee of the United States Government or of the District of Columbia government may not accept voluntary services for either government or employ personal services exceeding that authorized by law except for emergencies involving the safety of human life or the protection of property.” 31 U.S.C. § 1342. A full description is located on www.govinfo.gov.

NEW

Comprehensive training will be developed within six months after the effective date of this LAP. In addition, within four months of this LAP, CREEOD will offer a webinar providing details and instructions on LAP data collecting and reporting requirements and other topics, as needed.

Basic LEP requirements will also be included in all civil rights courses where the targeted audience includes program and service delivery personnel.

If FPAC appoints qualified multilingual employees to serve as FPAC translators or interpreters, employees who serve in these collateral-duty roles will be required to take initial and annual refresher training specifically designed for them.

J

Hiring Practices and Multilingual Employees

Qualified multilingual employees can help FPAC meet Title VI of the Civil Rights Act of 1964 (Title VI) and Executive Order 13166 requirements for federally conducted and federally assisted programs and activities. They can also help FPAC recipients of federal financial assistance meet Title VI requirements to ensure meaningful access to LEP persons.

When making decisions about hiring or utilizing multilingual employees, FPAC agencies in collaboration with the FPAC Human Resources Office will:

- Assess the extent to which non-English language proficiency in particular languages is necessary or desired for particular positions or to fulfill FPAC's mission.⁴

- Consider modifying job descriptions, postings and pay rates for roles that interact with individuals with LEP to include language proficiency as a position requirement informed by assessment of FPAC language needs.
- Collaborate with USDA OHRM with respect to standard classification language that can be appended to existing position descriptions to aid in hiring positions with language requirements.

The FPAC LAC will track the composition of existing and newly qualified multilingual employees by non-English languages spoken and level of oral and written proficiency. FPAC LAC will consult with the USDA Office of the Chief Diversity and Inclusion Officer (OCDIO) with respect to promising and best practices targeting outreach and recruitment and use of the OCDIO Inclusive Hiring Toolkit, and appropriate data collection relating to these positions and hires.

K

Allocation of Resources

NEW

Within three months after the effective date of this LAP, CREEOD, in consultation with the FPAC agencies, will re-evaluate and document the appropriate resources needed for language access planning, outreach, and assistance services based on the range of interactions FPAC has with individuals with LEP.

As permitted by resource availability, FPAC agencies will aim to allocate resources in proportion to the level of current and projected interaction that FPAC programs have, or may have, with individuals with LEP, including any projected expansion of language assistance services.

⁴ Consider reviewing Before You Hire – Ask Yourself: “What are my Project’s Language Needs?”, available at https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Before_You_Hire.pdf or TIPS on Building an Effective Employees Language Service Program, available at https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Effective_Language_Program.pdf.



Self-Assessment and Monitoring

An effective language access plan incorporates a system for collecting, tracking, reporting, and monitoring the number of LEP persons served, language preferences, translated materials, and other data points, and then using the data to evaluate the language access services and the plan itself:

i. Data Collection and Reporting

NEW

The USDA LAP requires FPAC to report language access data to the USDA LAC semi-annually, and additional data annually.

This data is required to be provided electronically to the USDA LAC. The semi-annual and annual requests may be revised by the LAC, but until such revision, the request is listed in the USDA LAP in appendix B.

NEW

Within three months after the effective date of this LAP, the FPAC LAC will, in consultation with appropriate FPAC offices and employees, develop a method for recording and tracking the data needed, including all languages spoken and all language assistance services provided at the point of contact with individuals with LEP.

Any personal identifiable information (PII) collected during any stage of data collection, tracking, and reporting must be kept confidential and accessible only to authorized personnel. The FPAC LAC will evaluate this data and report the data to FPAC leadership and to the USDA LAC, as required.

FPAC agencies will also encourage state agencies, local agencies, and program operators

that administer FPAC-assisted programs and activities to assess the effectiveness of their language access plans by including language-specific data fields within online applications and capturing language assistance services provided in certification and other case management information systems.



Tri-Annual Self-Assessment

NEW

The USDA LAP also requires FPAC to conduct a self-assessment of its language access needs and services and share that self-assessment with the USDA LAC. The first self-assessment is due within two years of the effective date of the USDA LAP, unless the USDA LAC sets an earlier date; subsequent self-assessments are due every three years.

The topics of the self-assessment are set out in Part C.12 of the USDA LAP, as is the requirement that for each topic, FPAC shall consider whether there is a need or opportunity to improve current policy, implementation, and resources, and whether there is a need or opportunity for any change to the FPAC LAP.

The tri-annual self-assessment process will be led by the FPAC LAC, in collaboration with the FPAC LEP Advisory Committee and other FPAC agency officials and employees, as appropriate. FPAC agencies are strongly encouraged to conduct self-assessments by agency mission and program area using the DOJ Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs (May 9, 2011) which provides a detailed approach and tool for conducting language access self-assessments ([Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs \(lep.gov\)](https://www.lep.gov)).



Procurement

The FPAC Business Center Acquisition Division, working with CREEOD, will ensure that any Request for Proposals or contracts specify FPAC needs and vendor responsibilities to include quality control and assurance procedures, assign liability, and contain dispute resolution provisions. CREEOD centrally manages FPAC language services on behalf of the mission area. As such, no FPAC agency shall independently set up new contracts/agreements for language access support without coordinating with CREEOD or obtaining Deputy Under Secretary approval. Agreements or contracts set up for use by any USDA procurement officer may be used by an FPAC agency only in exigent circumstances (i.e., continuity of operation or furlough).

At a minimum, in accordance with USDA's LAP, all contracts for language assistance services should include:

- **civil rights:** civil rights assurance clauses (consult with FPAC CREEOD),
- **qualified linguists:** methods for ensuring that interpreters and translators are fluent in both English and the relevant language and qualified for the services needed (e.g., to interpret or translate communication that is formal, casual, specialized, or regional, as needed); minimum scores for interpretation performance and the option for certification, though not mandatory,
- **confidentiality/ethics:** required knowledge of professional ethics and privacy regulations relevant to interpretation services; mechanisms to ensure confidentiality and avoid conflicts of interest,

- **capacity:** ability to meet FPAC's demand for interpreters, and for translation, including the delivery of translations in editable electronic or other required formats; acceptable emergency response time; reasonable scheduling of qualified interpreters; on-time service delivery; rapid rates of connection to interpreters via telephone, video, or electronically,
- **project management/data collection:** requirements for tracking usage (to satisfy the self-assessment and monitoring requirements),
- **reasonable cancellation fees,** and
- **effective complaint resolution:** effective complaint resolution when translation or interpretation errors occur.

FPAC's LAC may:

- consult with the USDA LAC to help identify resource-sharing possibilities and learn about currently available USDA language assistance services,
- pursue resource-sharing and cost-saving initiatives across the Department for language assistance services, and
- consider using local vendors familiar with the culture and language dialect of particular areas.

The government-wide Language Services Procurement Committee's Foreign Language Services Ordering Guide includes additional information regarding ensuring quality and accuracy in purchasing language assistance services. See Language Services Procurement Committee, Interagency Working Group on Limited English Proficiency, Foreign Language Services Ordering Guide (Jul. 2020), available at [Foreign Language Services \(gsa.gov\)](https://www.gsa.gov/foreign-language-services).

Federally Assisted Activities

FPAC requires recipients of federal financial assistance to take reasonable steps to ensure meaningful access to federally assisted programs or activities for individuals with LEP. FPAC also ensures these recipients foster equity⁵ for individuals who interact, or who may interact, with these entities over the telephone, in writing, in person, or via electronic or digital methods in accordance with Executive Orders 13166, 13985; 14031; and 14091;⁶ DR 4330-005; the USDA LAP; and the USDA LEP Guidance.⁷

A

Assurance of Nondiscrimination

FPAC informs recipients of their language access obligations in several ways. FPAC ensures all federal-state agreements and contracts with recipients contain an assurance of nondiscrimination that requires compliance with all federal statutes relating to nondiscrimination.⁸ These include but are not limited to Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits discrimination on the basis of race, color or national origin; the Age Discrimination Act (Age Act) of 1975, which prohibits age discrimination in programs and activities receiving federal financial assistance; Title IX of the Education Amendments of 1972, which prohibits discrimination on the basis of sex;⁹ Section 504 of

the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990 (ADA), as amended by the ADA Amendments Act of 2008, which prohibits discrimination on the basis of disability, and other statutes and implementing regulations. FPAC will periodically review the assurance of nondiscrimination language within these federal-state agreements to determine if standard terms require update or improvements to ensure recipients meet their language access requirements.

B

Recipient Notification

NEW

Within three months of this plan, FPAC CREEOD will work with each FPAC agency to update or develop an agency-tailored technical assistance guide to help its recipients and sub-recipients with implementing and complying with USDA's Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Persons with Limited English Proficiency.

5 FPAC recognizes that ensuring equity for individuals with LEP is not limited to the provision of language assistance services and aims to create comprehensive mechanisms that facilitate equity in planning, outreach, stakeholder engagement, allocation of funds, delivery of services, employees training, procurement, as well as performance and evaluation as established by the FPAC Language Access Plan.

6 Executive Order 13166, [Improving Access to Services for Persons with Limited English Proficiency](#), 65 Fed. Reg. 159, 50121 (Aug. 16, 2000); Executive Order 13985, [Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), 86 Fed. Reg. 14, 7009 (Jan. 20, 2021); Executive Order 14031, [Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders](#), 86 Fed. Reg. 105, 29675 (June 3, 2021); Executive Order 14091, [Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government](#), 88 Fed. Reg. 35, 10825 (Feb. 22, 2023).

7 79 Fed. Reg. 70771 (Nov. 28, 2014)

8 7 CFR 15.4 Assurances required.

9 The May 5, 2022, USDA guidance memorandum, [Application of Bostock v. Clayton County to Program Discrimination Complaint Processing – Policy Update](#), directs states and local agencies, program operators and sponsors to update their non-discrimination policies, informational materials, and websites to include prohibitions against discrimination based on gender identity and sexual orientation. FPAC has determined that the inclusion of sex on its own includes the coverage of gender identity and sexual orientation as outlined in Executive Order 13988 on [Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation](#) and the May 5th guidance memorandum.

NEW

Within four months of this plan, FPAC CREEOD will notify recipients about their language access obligations through virtual training sessions that cover the [USDA LEP Guidance](#). CREEOD will offer annual training for recipients.

CREEOD will also survey participants to determine future training needs. Additionally, CREEOD, in collaboration with FPAC divisions, offices, and program areas, will provide recipients with technical assistance during civil rights compliance reviews, program management evaluations, and complaints resolution processes.



Minimum Compliance Requirements

FPAC recommends each recipient develop or, in the case of a subrecipient with limited resources, adopt their respective recipient's language access policy, plan and procedures. FPAC ensures each recipient understands that "the absence of a written LEP plan does not obviate the underlying obligation to ensure meaningful access by LEP persons to a recipient's program or activities," and therefore "in the event that a recipient elects not to develop a written plan, it should consider alternative ways to articulate in some other reasonable manner a plan for providing meaningful access."¹⁰

For most recipients, a plan is crucial and includes a method for:

- designating a language access coordinator,
- assessing language assistance services obligations,
- identifying individuals with LEP who need language assistance,

- selecting competent and qualified language assistance services,
- limiting or restricting use of family, friends, and children as interpreters,
- translating vital information,
- training personnel,
- providing notice to individuals with LEP,
- ensuring access to websites, digital services, and customer service telephone voicemail menus,
- recording and tracking language assistance data,
- engaging with communities with LEP,
- monitoring and updating the language access plan, and
- Effective plans also set clear goals, management accountability, and opportunities for community input and planning throughout the process.¹¹



Evaluation of Recipient Language Access Efforts

CREEOD ensures Title VI compliance by conducting compliance reviews and providing coordinating support to OASCR's complaint investigations involving its federally assisted programs and activities administered by state agencies, local agencies, and other program operators. CREEOD will utilize a comprehensive civil rights compliance review tool with extensive language access questions to determine whether state agencies are meeting their language access obligations. Additionally, FPAC program personnel review state agency program policies, plans, and procedures for concurrence.

A review may entail evaluating recipients' methods for:

- recording and tracking language access data at the point of contact and beyond,

¹⁰ [USDA Guidance to Federal Financial Assistance Recipients Regarding the Title VI Prohibition Against National Origin Discrimination Affecting Persons With Limited English Proficiency \(79 F.R. No. 299, p. 70783, November 28, 2014\) \(USDA LEP Guidance\)](#)

¹¹ *Ibid.*, p. 70784.

- utilizing qualified and competent linguists for interpretation and translation services,
- examining interpretation and translation vendor contracts, including quality control efforts,
- evaluating procedures for qualifying bilingual employees,
- identifying frequency of use of family, friends, and children as interpreters,
- determining whether recipients process language access complaints appropriately,
- processing complaints that allege discrimination involving language access, and
- engaging with community organizations, at least annually, to determine whether the recipient's language services are effective.

Additionally, when reviewing and/or authorizing the FPAC-related content within websites and digital services, FPAC agencies will remind state agencies, local agencies, and other program operators to ensure meaningful access for individuals with LEP during the development and implementation stages of these services.

CREEOD and FPAC agency divisions, offices, and program areas will collaborate if a complaint is filed and/or if noncompliance regarding language access is determined when evaluating a FPAC federally assisted program or activity. In all cases, FPAC will seek the cooperation of the recipient in achieving and maintaining compliance with Title VI and its implementing regulations at [7 CFR §§ 15.1 et seq.](#)

FPAC will work to ensure appropriate language access in those programs, by:

- including assurances of nondiscrimination in all federal-state agreements and contracts,
- reviewing and potentially updating assurance of nondiscrimination language periodically,
- notifying recipients of their obligations through training sessions and surveys to determine future training needs,
- providing technical assistance during compliance reviews, evaluations, and resolution processes,
- recommending recipients to develop or adopt a language access policy, plan, and procedures, and
- detailing minimum compliance requirements, such as designating a language access coordinator and assessing obligations.

Recent Noteworthy FPAC Language Access Enhancements

During the past two years, the FPAC LEP Program, which resides within CREEOD, has significantly improved FPAC employees' ability to effectively communicate with LEP customers. In FY 2021, the FPAC LEP Program developed a multi-prong Equity Action Plan (EAP) to complement FPAC Agency Plans and USDA's EAP. Noteworthy enhancements include:

- A modernized and streamlined LEP intake process so customer-facing employees have easy access to document translation and interpretation services. The new system allows employees to track requests, receive real-time updates, download documents from the system, and provide feedback on their experience with assigned LEP Liaisons and the quality of vendor products/services. The system also allows for improved data collection and analysis.
- Expanded interpretation services for customer-facing employees such as audio on-demand video support allowing employees to connect face-to-face from anywhere. This service promotes greater stewardship of resources, user accountability, tracking of usage, and customer satisfaction by agency and location.
- Electronic LEP Resource guides, news articles, posters and a "Coffee and Learn" video that shows viewers how to access services. Efforts also include bi-annual LEP training events for FPAC employees with informative demonstrations about use of language interpretation resources.
- External customers' ability to submit requests for language support through farmers.gov, enabling more timely responses from agency officials.
- Benchmarking best practices for quality reviews, better contract requirements for improved quality and coordination, and simplified procedures for service requesters and language service providers.
- Expanded the number of service providers from one to five, resulting in greater access to more languages, including Indigenous languages, and allowing for the use of third-party validation of translated documents and cultural sensitivity reviews.
- Engaging agency employees in selecting new vendors, participating in usability testing, and empowering employees to contribute good ideas by serving on FPAC's multi-agency LEP Advisory Committee.
- Co-sponsoring two FPAC Strategic Leadership Development Program project teams. These next-generation leaders assisted with identifying, assessing, and recommending solutions to address barriers to language access services throughout the mission area.
- Partnering with the External Affairs Division to market LEP services to FPAC customer-facing employees to enhance availability of translated material on customer-facing websites and to promote the availability of free language assistance services to customers and community organizations.
- Working with the FPAC Customer Experience Office to conduct a baseline survey of customer facing employees and their contacts with LEP customers, employee interest in serving on an LEP language cadre, top barriers to customer access and ideas for LEP Program improvements.

Appendix A: Definitions

Agency

A major program organizational unit of the Department with delegated authorities to deliver programs, activities, benefits, and services.

Agency Heads

Departmental Under Secretaries, Deputy Under Secretaries, Directors, Chiefs, and Administrators within the Office of the Secretary who receive delegated authority under 7 C.F.R. Agency Heads report to and receive their delegated authorities from Under or Assistant Secretaries as prescribed in 7 C.F.R.

Agency and Office, or Agency/Office

All USDA units—including mission areas, agencies, and employees' offices—that provide programs, activities, or communication with the public.

Direct In-Language Services

Monolingual communication in a language other than English between multilingual employees and a person with LEP (e.g., Korean to Korean).

Equity

The consistent and systematic fair, just, and impartial treatment of all individuals, including individuals who belong to underserved communities that have been denied such treatment, such as Black, Latino, and Indigenous and Native American persons, Asian Americans and Pacific Islanders and other persons of color; members of religious minorities; lesbian, gay, bisexual, transgender, and queer (LGBTQ+) persons; persons with disabilities; persons who live in rural areas; and persons otherwise adversely affected by persistent poverty or inequality.¹²

Federally Conducted Programs and Activities

Program services, benefits, resources, or information delivered directly to the public by USDA. This means that the agency employees directly interact with the intended beneficiaries (program users and communities) and the agency is responsible to implement a language access plan to serve the intended beneficiaries.

Federally Assisted (or Federally Supported) Programs and Activities

Programs and activities provided by a non-federal entity that receives Federal financial assistance. This means that the recipients of federal funding (sometimes referred to as the providers of the program) directly interact with the intended beneficiaries (program users and communities) and those recipients/providers are responsible for providing meaningful access to LEP persons. The USDA agency or office that distributes the Federal financial assistance provides oversight, monitoring, and technical assistance to those recipients to comply with LEP requirements.

Federal Financial Assistance

Grants and loans of Federal funds; the grant or donation of Federal property and interests in property; the detail of Federal personnel; the sale and lease of, and the permission to use Federal property or any interest in such property or the furnishing or services without consideration, or at a consideration which is reduced for the purpose of assisting the recipient; and any Federal agreement, arrangement, or other contract which has as one of its purposes the provision of assistance.

¹² Executive Order 14091, Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government, 88 Fed. Reg. 35, 10825 (Feb. 16, 2023), available at <https://www.govinfo.gov/content/pkg/FR-2023-02-22/pdf/2023-03779.pdf>.

Interpretation

The process by which the spoken word is used—generally in real time—when transferring meaning between languages.

Language Assistance Services

Oral and written language services used to provide individuals with LEP meaningful access to, and an equal opportunity to participate fully in, the services, activities, and other programs administered by the Department.

Meaningful Access

Access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English-proficient individuals. Language assistance offers meaningful access if it delivers accurate, timely, and effective communication at no cost to the individual with LEP who needs assistance.

Persons (or Individuals or Communities) with Limited English Proficiency (LEP)

Persons who do not speak English as their primary language and have a limited ability to read, speak, write, or understand English are limited English proficient, or LEP. This includes individuals who may be competent in English for certain types of communication but have limited proficiency in English in other areas (reading or writing).

Primary Language

The language in which an individual most effectively communicates when interacting with the Department. An individual's primary language may be a language variant.

Program or Activity

The term “program or activity” and the term “program” mean all the operations of the Department. For the purposes of this Plan, the definition of “program or activity” is identical to that used under the regulations implementing Section 504 of the Rehabilitation Act of 1973: “[A] federally conducted program or activity is, in simple terms, anything a Federal agency does. Aside from

employment, there are two major categories of federally conducted programs or activities covered by the regulation: those involving public contact as part of ongoing agency operations and those directly administered by the department for program beneficiaries and participants.

Qualified Multilingual Employees

An employee who has proficiency in English and the ability to read, write, or speak in at least one other language at the proficiency level required by the agency/office.

Qualified Translator

An in-house or contracted translator who has been professionally trained and/or demonstrated competence to translate through national certification or comparable testing and is authorized to do so by contract with the Department or by approval of an agency/office. Qualified translators must also demonstrate knowledge of professional standards, and adherence to the corresponding professional code of ethics, as well as familiarity with required USDA terminology.

Qualified Interpreter

An in-house or contracted interpreter who has been professionally trained and/or demonstrated competence to interpret through court certification, the State Department, or comparable testing and is authorized to do so by contract with the Department or by approval of an agency/office. Qualified interpreters must also demonstrate knowledge of professional standards, and adherence to the corresponding professional code of ethics, as well as familiarity with required USDA terminology.

Quality Assurance

The process to ensure accuracy, consistency, quality, and reliability of language assistance services.

Secretary

The Secretary of Agriculture or any officer or employee of the Department whom the Secretary has heretofore delegated, or whom the Secretary may hereafter delegate, the authority to act in his stead.

Sight Translation

Oral or signed rendering of written text into spoken or signed language by an interpreter without change in meaning based on a visual review of the original text or document.

Tagline

A short notice in non-English languages informing the general public that a document (e.g., notices of language assistance services, notices of rights, forms, correspondence, etc.) or electronic media (e.g., website, announcement via email, etc.) contains vital information and explaining how to request the document or electronic media provided in other languages.¹³

Transcreation

A translation-related activity that combines translation, cultural adaptation and (re-)creation of text to adapt or re-create a message in a different language while making sure the new text is suitable, relevant, and useful for the intended local audience and application.

Translation

The process of converting written text from a source language into an equivalent written text in a target language as fully and accurately as possible while maintaining the style, tone, and intent of the text, while considering differences of culture and dialect.¹⁴

Vital Document

Paper or electronic written material that contains information that is critical for accessing and participating in an agency/office's programs or activities or is required by law. Translation of vital documents is required if requested.

13 LEP.gov, Federal Agency Translated Taglines, available at <https://www.lep.gov/translation#toc-taglines>.

14 American Translators Association, Translator vs. Interpreter: What's the difference?, available at <https://www.atanet.org/client-assistance/translator-vs-interpreter/>.

Appendix B: USDA Civil Rights and Language Access Statements and Language Access Plan

- [Language Access Statement \(usda.gov\)](#)
- [USDA Civil Rights Policy Statement](#)
- [Language Access | USDA](#)

Appendix C: FPAC Language Access Services and Resources

- [Language Access Services Resources Guide](#)
- [Limited English Proficiency Services and Resources At-a-Glance \(usda.gov\)](#)

Appendix D: Language Assistance Declination and Release Form

Language Assistance Declination and Release Form

I hereby affirm that [insert agency] offered me language assistance or interpreter services at no cost to me. I understand that the use of a family member or friend for the aforementioned services could result in a breach of confidentiality, violating my individual privacy, and could disclose sensitive and confidential information that I would not like disclosed. I decline assistance and hereby release [insert agency] of its obligation to provide me LEP language assistance. I understand that LEP language assistance is still available to me at no cost if I choose to receive assistance in the future.

LEP Customer Name *(Printed)*

Date

Signature

Employee Name *(Printed)*
[insert agency]

Date

Signature

Please Note: According to USDA policy, use of minor children (16 years of age or younger) as interpreters shall be avoided in all but the most exigent situations.

Appendix E: FPAC LAC Implementation Plan

Action	Coordinating Office	Target Date of LAP	Status
1. Develop Agency LEP Outreach Plan.	Each FPAC Agency	Within three months	
2. Develop Vital Documents Identification and Prioritization Plan.	Each FPAC Agency	Within three months and reviewed and updated every three years, as needed	
3. Conduct digital content assessment—including FPAC agency websites, services, and voicemail menus—to identify if vital information is accessible to individuals with LEP.	FPAC LAC, FPAC External Affairs, and FPAC Information Solutions	Within three months and reviewed annually	
4. Develop method for tracking and reporting on LEP program activity.	FPAC LAC	Within three months	Development of options is currently underway; proposed recommendations will be presented to stakeholders to discuss pros and cons and select most viable option
5. Re-evaluate and document FPAC-wide LAP resource requirements.	FPAC LAC	Within three months	
6. Update/develop an agency-tailored technical assistance guide to help its recipients and sub-recipients with meeting language access requirements.	FPAC Agencies and FPAC LAC	Within three months	
7. Offer webinar providing details and instructions on federally conducted LAP data collecting and reporting requirements and other topics, as needed.	FPAC LAC and CREEOD Training and Compliance Branch	Within four months	

Action	Coordinating Office	Target Date of LAP	Status
8. Provide training for recipients of federal financial assistance.	FPAC LAC and CREEOD Training and Compliance Branch	Within four months	
9. Develop Comprehensive LAP Training for employees.	FPAC LAC and CREEOD Training and Compliance Branch	Within six months	
10. Reassess the top languages spoken by individuals with LEP.	FPAC LAC and FPAC Agencies	At least every three years	
11. Complete LEP training.	All customer-facing employees and those who supervise them	Every two years	
12. Tri-Annual Assessment.	FPAC LAC and Agencies	Within two years of the effective date of the USDA LAP unless the USDA LAC sets an earlier date, and then every three years thereafter	

USDA is an equal opportunity provider, employer, and lender.