United States Coast Guard
Language Access Plan
May 2016

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Purpose

The purpose of this plan is to establish policy and provide guidance in developing and implementing reasonable efforts to eliminate or reduce "Limited English Proficiency" (LEP) as a barrier to accessing United States Coast Guard (USCG) programs, activities, or events as required by Executive Order (EO) 13166, "Improving Access to Services for Persons with Limited English Proficiency" (August 11, 2000). This Executive Order requires that each Federal department and agency examine the services they provide to the public and, accordingly, develop and implement a system by which LEP persons can have meaningful access to those services without unduly burdening the fundamental mission of the agency. Executive Order 13166 has two fundamental goals: nondiscrimination and effective government for everyone.

Scope

This LEP plan covers CG interactions with LEP individuals that occur within the United States and its territories, including vessels and persons at sea within 12 nautical miles thereof. Therefore, it applies to CG's over 700 independent units, including roughly 250 ships and a wide variety of shore-based units, including small boat stations, air stations, marine safety units, aids to navigation teams, training centers, maintenance units, and other operational, support, and logistics commands. It also applies to the CG's 60,000 personnel geographically distributed throughout the 50 United States, as well as to locations in American Samoa, Federated States of Micronesia, Guam, Marshall Islands, Northern Mariana Islands, Palau, Puerto Rico, and the Virgin Islands.

Key Terms

The following are terms associated with the goals of CG Limited English Proficiency plan and its implementation:

Interpretation and translation: Interpretation involves *oral* communication. Translation involves *written* communication. Interpretation involves the immediate communication of meaning from one language into another. An interpreter conveys meaning orally; as a result, interpretation requires skills different from those needed for translation. Interpreting is a complex task that combines several abilities beyond language competence in order to enable delivery of an effective professional interpretation in a given setting. From the standpoint of the user, a successful interpretation is one that faithfully and accurately conveys the meaning of the source language orally, reflecting the style, register, and cultural context of the source message, without omissions, additions, or embellishments on the part of the interpreter. Professional interpreters are subject to specific codes of conduct and should be trained in interpretive skills, ethics, and

subject-matter language. CG components utilizing the services of interpreters should request information about certification, assessments taken, qualifications, experience, and training.

One of CG's critical assets toward fulfilling its LEP mission lies with its CG Auxiliary Interpreter Corps (AIC), which has over 452 volunteer interpreters, offers interpretation services in 48 foreign languages, and has provided over 60,000 hours of interpretation to date. Auxiliary interpreters are evaluated by a two-level competency standard, Level "A" and "B". Level "A" applies to a person who fluently reads, writes, speaks, and understands a foreign language in addition to English. Level "B" applies to a person who speaks and understands a foreign language in addition to English, but does not necessarily read or write fluently in any language. Auxiliary interpreters are subject to extensive verbal and written linguistic assessment requirements administered by Language Qualification Examiners (LQE). Only Level "A" competency is accepted. Level "A" Auxiliary interpreters determined to be Level "B" are given the opportunity to improve and be re-assessed by an LQE after a six month waiting period.

Interpreters may be physically present, or, in appropriate circumstances, may appear via videoconferencing or telephonically. When videoconferencing or telephonic interpretation are used, options include connecting directly to a specific professional interpreter with known qualifications, or using a company that provides telephonic interpretation services and has in place quality control and privacy safeguards.

Limited English Proficient Persons: Persons who do not speak English as their primary language and who have a limited ability to read, speak, write, and/or understand English.

Bilingual Persons: Persons who are bilingual are fluent in two languages and are able to conduct the business of the workplace in either of those languages. This is to be distinguished from mere *proficiency* in more than one language. An individual who is proficient in a language may, for example, be able to greet an LEP individual in his or her language, but not conduct agency business in that language. Interpretation and translation require the interpreter to be fluently bilingual, and also require additional specific skills as previously described in 'Interpretation and Translation'.

Policy

The CG follows the policy in the DHS Language Access Plan and adopts the following CG specific policy. Its intent is to provide meaningful access for LEP individuals to operations, services, activities, and programs within the United States and its territories (including surrounding waters within the 12 NM limit by providing quality language assistance services in a timely manner. CG units, including Headquarters directorates and relevant programs, should incorporate language access considerations into their routine strategic and business planning, identify and translate crucial documents into the most frequently encountered languages, provide interpretive services where appropriate, and educate personnel about language access responsibilities and how to utilize available language access resources as required by the EO 13166 and in accordance with guidance provided by the Department of Homeland Security (DHS) Language Access Plan. In this regard, the primary goal of this policy is to provide

meaningful access to CG programs, benefits, and services, and maintain compliance with civil rights laws by communicating effectively with LEP individuals in languages other than English.

This policy and plan is currently accessible and available to the public as well as component personnel through the internet, intranet, and brochures.

CG Language Access Roles and Assignments

The Civil Rights Director (CG-00H) is responsible for the LEP program overall and is responsible for designating a Primary and Alternate LEP Coordinator. The office responsible for LEP compliance is the Compliance and Procedures Division of the Office of Civil Rights Policy, Planning, and Resources, located within the CG Civil Rights Directorate. The role of the primary LEP Coordinator is to monitor and assess program management responsibilities in the implementation of this plan. This person also has responsibility related to the prevention of discrimination on the basis of race, color, national origin, disability, and age in services provided by the CG, and in programs and activities receiving Federal financial assistance. The Alternate LEP Coordinator assumes program management responsibilities during the absence of the LEP Coordinator. The Primary and/or Alternate LEP Coordinator will participate as members of the DHS Language Access Working Group with the purpose of developing and implementing Agency-wide standards for ensuring quality assurance of language services, sharing best practices, and disseminating information on existing language technologies as well as the appropriate use of these technologies.

The CRD LEP Coordinator will:

1. Participate as a member of the DHS Language Access Working Group.

2. Develop a CG LEP Working Group with representatives from relevant organizational components to address issues and topics related to the Agency's Language Access for LEP individuals.

3. Identify major contracted LEP services and assess the resources necessary to provide language services, identify existing resources, and describe funding and procurement needs.

4. Develop and institute standardized methodology for capturing key data parameters, including nature of interactions, communications methods (in person, radio, telephone, internet, brochures, etc.), date and location of the interactions, languages spoken, and a data tool to track and maintain information collected.

5. Collect, track, and manage data on language needs.

6. Coordinate with the Office for Civil Rights and Civil Liberties to review complaints filed by members of the public that allege a denial of meaningful language access to CG's programs, services, and activities, and if appropriate, make recommendations to remedy deficiencies.

7. Determine LEP training requirements for compliance with Executive Order 13166 and Title VI (nature, form, and frequency).

The CRD Alternate LEP Coordinator will:

1. Perform the LEP Coordinator duties in the absence of the Primary LEP Coordinator.

2. Participate as a member of the DHS Language Access Working Group in the absence of the Primary LEP Coordinator.

Component Interactions with the Public and Language Services Provided

CG personnel interact and communicate with the public in a variety of ways. The types of interactions vary, based primarily on mission responsibilities, types of CG assets involved (i.e. shore-based units, ships, boats, helicopters, and fixed-wing aircraft), and their respective crew sizes, as well as the available means of communication (e.g. face-to-face meetings, telephone calls, radio communications, published documents, web-based resources, etc.)

Due to its maritime nature, many CG interactions with the public occur at sea. Examples of public interactions with shore-based CG facilities include responses to visits, phone calls, letters, radio communications, and emails from the general public, as well as outreach activities such as teleconferences, website postings, etc.

Specific examples of CG interactions with the public:

- A vessel in distress contacts a CG Station for assistance.
- Search and Rescue (SAR) operations may involve communications with shore-based units, aircraft, cutters, and/or boats, often by individuals who are either in distress or require some sort of maritime assistance.
- Pollution Responders respond to discharge of oil or hazardous substance release from foreign vessel. As part of local area and regional spill response planning, the Captain of the Port (COTP) and Federal On-Scene Commander (FOSC) interacts with the public.
- A Coast Guard law enforcement boarding team conducts a boarding on a vessel at sea to ensure compliance with Federal statutes and regulations.
- Casualty investigations.

Interesting facts about the average CG daily interaction with the public are found on the CG Boating Safety Center website, http://CGboating.org/about/us_coast_guard_facts.aspx.

The CG's National Response Center is the designated point of contact for reporting pollution and hazardous material incidents, and includes a telephonic foreign language line for LEP individuals. CG also conducts several public outreach programs, including the Sea Partner's Campaign, a marine environmental protection education and outreach program that targets the public at large, and America's Waterway Watch & Citizen's Action Network, a CG-sponsored

nationwide public outreach and citizen recruiting programs that encourage citizens living, playing, or working on or near the water to report suspicious activity to responsible authorities. Participation in these outreach and recruiting activities will typically involve interaction with myriad individuals who speak languages other than English, or who have limited English proficiency. In addition to direct interactions with the public, the CG publishes storm and hurricane forecasts and warnings for boaters and coastal residents on the internet at www.CG.mil/news/stormcenter. Once on the site, users may click on the "En español" tab in the upper left hand corner of the page to read all text and boater advisories in Spanish.

CG interacts with members of the public, including LEP persons, in the course of carrying out its obligations under the National Environmental Policy Act (NEPA). In implementing the NEPA process, Coast Guard, will, as required by EO 13166, take reasonable steps to ensure that eligible LEP persons have meaningful access to the agency's NEPA documents and activities. In carrying out its obligations under EO 12898 to achieve environmental justice, CG will also consider the language needs of limited-English proficient populations in providing opportunities for public participation in the NEPA process and access to information on matters relating to human health and the environment.

Some written brochures and other printed materials distributed to the public are sometimes translated into frequently encountered languages and made available through the CG Auxiliary National Supply Center. Examples include Area Contingency Plans, information on boating safety, pollution/environmental awareness pamphlets (including versions in Spanish, French, and Japanese), Clean Water Act stickers (also in Spanish), and MARPOL (Maritime Pollution) restrictions stickers (Spanish, Japanese, Portuguese, Creole, and Italian). The CG's National Pollution Funds Center (NPFC) has translated versions of its claimant's guide and optional Oil Spill Liability Trust Fund claim form in Khmer, Vietnamese, and Spanish.

Radio communications: The use of English in radio communications is governed by international law and U.S. regulations (IMO NAV 46/INF .4 and 33 CFR 26.04 & 26.07, respectively). In 1973, the International Maritime Organization (IMO) Maritime Safety Committee agreed at its twenty-seventh session that, where language difficulties arise, a common language should be used for navigational purposes and that language should be English. In consequence, the Standard Marine Navigational Vocabulary (SMNV) was developed, adopted in 1977, and amended in 1985. In 1992, the IMO Maritime Safety Committee at its sixtieth session instructed the IMO Sub-Committee on Safety of Navigation to develop a more comprehensive standardized safety language than the SMNV of 1985, taking into account the changing conditions in modern seafaring and covering all major safety-related verbal communications. Under the International Convention on Standards of Training, Certification and Watch-keeping for Seafarers, 1978, as revised 1995, the ability to understand and use the Standard Marine Communications Phrases (SMCP) is required for the certification of officers in charge of a navigational watch on ships of 500 gross tonnages or more. No person may use the services of, and no person may serve as, a person required to maintain a listening watch under section 5 of the Act, 33 U.S.C. 1204, unless the person can communicate in the English language. This pertains to the radiotelephone required for the exclusive use of the master or person in charge of the vessel, or the person designated by the master or person in charge to pilot or direct the movement of the vessel, who shall maintain a listening watch on the designated frequency.

Interactions by crews of CG cutters, boats, and aircraft: At sea, interactions with the public are most often via telephone or radio communication (with CG boats, ships (cutters), aircraft, and/or shore stations); however, face-to-face meetings between afloat personnel and the public are also typical, generally during boardings. A boarding typically involves a small contingent of personnel delivered to a private vessel by a CG or CG Auxiliary boat. In some cases, those boats are based from shore units, and in other cases, they are deployed from larger ships, often far offshore. Face-to-face interactions at sea differ somewhat from those at shore-based units, largely due to the limited resources immediately available to the members of the boarding party, relative to those typically available at a shore unit (i.e. a small boarding party may be less likely to have a certified Foreign Language Program linguist or interpreter than a large station crew, and may have reduced access to some communications options, such as telephonic interpretation services). In many cases, however, boarding parties deployed from large cutters or nearby shore units may be able to utilize the more robust language and/or communications resources of the larger platform. Similar to boarding parties, aircraft crews are generally relatively small and often operate at large distances from other units.

In addition to "typical" CG operations and interactions with fixed, shore-based units and cutters, boats, and aircraft assets, CG response operations occasionally involve the stand up of incident-specific organizational components, sometimes in different locations than established CG facilities. Additionally, when incidents such as earthquakes, floods, and oil spills occur, normal means of communications may be less reliable or unavailable. Nonetheless, the CG seeks to establish regional language access services appropriate to the incident. For example, immediately after the Haiti Earthquake in January 2010, the CG Auxiliary Interpreter Corps (AIC) readied 20 Creole/French Interpreters on "stand by" for immediate deployment. Shortly after the BP Deepwater Horizon oil spill in the Gulf of Mexico, the AIC organized nearly 100 interpreters to translate daily media updates from English to five (5) foreign languages.

CG provides grants to States, U.S. Territories, and non-profit organizations to support boating safety initiatives. For example, someone seeking a Masters License may visit a CG facility; and while a LEP individual is not eligible to receive a license, he/she must be provided meaningful access to information about the licensing process. These activities, because they are federally funded, are governed by Title VI of the Civil Rights Act of 1964, which requires recipients of federal financial assistance to ensure meaningful access to their programs and activities by LEP persons.

LEP Communities Served or Encountered

The CG has identified seven (7) languages of strategic importance to its missions: Spanish, Haitian Creole/French, Russian, Vietnamese, Chinese (Mandarin), Japanese, and Korean. Units that routinely deploy to the Caribbean, Central and South America, and the Far East have a consistent need for members who speak these languages.

Tracking and Monitoring Procedures

The CG provides grants to, at least, 33 non-profit organizations to support boating safety initiatives. However, there is little or no data pertaining to the services they provide regarding language access to individuals with LEP needs. Other organizations like the CG Auxiliary, maintain some information locally. For example, the CG Auxiliary Interpreter Corps (AIC) reports interpreter mission hours by Activity Mission Hour Reports. Approximately 6,000 hours per year, and over 50,000 interpreter mission hours provided to date. Overall, there is a need for more emphasis and efforts in tracking, collecting, and managing data in both CG funded and CG conducted activities. Methods to ensure compliance with CG funded activities include assurances of non-discrimination and selecting recipients for compliance reviews. For CG conducted activities, reviews of this plan will be conducted, at least, every year or as often as required by the Department of Homeland Security (DHS).

Prioritization

Once the LEP tracking mechanism is in place and current needs are identified, CG will be able to include information on the most common and the most critical LEP needs. CG projects are indicated below with their projected target dates for implementation.

- Determine proper audience and level of LEP training required. (September 2015)
- Identify protocols in place for CG personnel/units/operational components to identify LEP persons and access language services. (July 2016)

Language Assistance Measures and Resources

The CG offers interpretation and translation services through a number of means:

- Military and civilian CG interpreters certified by the CG Foreign Language Program (CGFLP). There are approximately 610 certified interpreter positions allocated to 103 cutters and patrol boats and 70 shore-based units, based on historical operational requirement and projected future needs. These allocated positions provide interpretive services as a collateral duty function, in addition to primary duty responsibilities to a particular CG unit. Units may designate a number of interpreters to certain qualification levels based on the CG Foreign Language Program guidance. Interpreters must meet criteria outlined in the CG Foreign Language Program, including passing the Defense Language Proficiency Test (DLPT). In addition to collateral duty interpreter, the CG FLP also has 132 certified linguists with language skills necessary as part of their primary assignment. The CG FLP includes Arabic and the seven languages deemed to be of strategic importance to CG missions: Spanish, Haitian Creole/French, Russian, Vietnamese, Chinese (Mandarin), Japanese, and Korean. Eighty percent (80%) of CG FLP requirements are for Spanish.

Utilization of certified interpreters from the CG Auxiliary Interpreter Corps (AIC). The AIC has over 452 volunteer interpreters and offers interpretation services in 48 foreign languages, and has provided over 60,000 hours of interpretation to date. To request interpreter support, simply logon to http://icdept.cgaux.org.

- Virtual translations. The National Virtual Translation Center (NVTC) has been used by

the National Pollution Fund Center (NPFC) to assist with written translations.

- CG may explore national or regional language access services, including use of a DHS-wide blanket purchase agreement for language services.

- Other means: The use of "I Speak" language identification guides (i.e. provided to CG stations boarding team leads, Search and Rescue assets, etc.), and technology solutions such as hand-held translators may also be currently in use.

The level and standards of methods used to provide language access services to LEP individuals depend on several factors, such as Asset Communications Capabilities, Staff Capabilities, and types of interactions.

- Asset communications capabilities: Language access may be limited based on the type of unit providing the service and the different types of capabilities they have. For example, small boats and certain aircraft may have fewer communications options than large cutters or shore-based units. Afloat/in-flight units may lack access to telephonic services available to shore units. Response Operations may face reduced communications capabilities during or after natural disasters such earthquakes, floods, hurricanes, etc., due to damaged infrastructure. Some assets/units may have real-time interpretation capabilities, where others may have the ability to record communications for delayed translation.

- Staff capabilities: Smaller assets (boats and aircraft) will, generally, have fewer personnel and less likely to have certified interpreters aboard, especially taking into consideration that only 25 percent (173 of 705) CG units have certified collateral duty interpreters assigned.

- Types of interactions. Face-to-face communications may allow use of "I Speak" or other similar materials.

- In some cases, telephone, radio, and other voice-only communications may be recorded and translated (with time delay).

Employee Duties and Development

CG FLP linguists are assigned with language skill requirements as part of their primary duties. Although, some linguists are assigned and performing duties within the scope of Executive Order 13166, the majority of the 132 linguists are assigned extraterritorially and consequently, outside of the scope (i.e. within three nautical miles limit) of CG LEP. CG periodically assesses its need for CGFLP linguists.

Levels of Competency

The CG Auxiliary Interpreter Corps (AIC) and the CG Foreign Language Program have different standards for evaluating language skills.

CG AIC has two competency levels:

- Level A, which means the interpreter reads, writes, speaks, and understands a foreign language fluently in addition to English. Sixty one percent (61%) of CG AIC volunteer interpreters are in Level A category.

- Level B, which means the interpreter speaks, and understands a foreign language in addition to English but does not, necessarily, read or write any language fluently. Thirty nine percent (39%) of AIC volunteer interpreters are in Level B category.

The CG Foreign Language Program, on the other hand, requires that a member achieve a score of at least 2/2 on the Defense Language Proficiency Test (DLPT) to qualify as an interpreter.

Resources

CG will assess the resources necessary to fund and support LEP projects identified as critical to the successful implementation of this plan. This may include Agency-wide, regional, or unit-specific funding and personnel requirements with appropriate tracking mechanism so as to maximize the efficiency and effectiveness of the program.

Notice to LEP Persons

CG will make reasonable efforts to ensure the public is aware of its LEP policy and existing options to access language assistance services. This information will be provided in English and translated into most frequently used language(s), other than English, based on the relevant population.

Contact Information and Assistance

For more information about CG's Language Access Plan, the public may contact the United States Coast Guard Civil Rights Directorate, Chief, Compliance and Procedures Division, at (202) 372-4511.

Complaints about language access in CG programs and activities may be filed with the DHS Office for Civil Rights and Civil Liberties (CRCL). For more information about filing complaints with CRCL, see www.dhs.gov/crcl, or call CRCL at (202) 401-1474 or 1 (866) 644-8360. Complaints may be filed in any language.

Conclusion

The CG policy and intent is to provide meaningful language access capability to individuals with LEP needs. Accordingly, we will continue to work with LEP communities and other stakeholders to ensure compliance with Executive Order (EO) 13166.