

Foreign Language Services Ordering Guide

*Prepared by Members of the Language Services
Procurement Committee*

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Background

Approximately 21 million individuals in the United States are considered limited English proficient (LEP) and the population of LEP individuals continues to grow.¹ An individual with limited English proficiency is a person whose primary language for communication is not English and who has a limited ability to read, write, speak, or understand English. Language access services, including, but not limited to, oral interpretation and written translation, are essential to ensuring accurate and effective communication between LEP persons and non-LEP persons.

Federal agencies are required to provide LEP individuals with meaningful access to federal programs and activities under Executive Order 13166, "[Improving Access to Services for Persons with Limited English Proficiency](#)." The order also requires that Federal agencies work to ensure that recipients of Federal financial assistance provide meaningful access to their LEP applicants and beneficiaries in compliance with Title VI of the Civil Rights Act of 1964.²

To ensure effective communication with LEP individuals, all federal agencies must have language assistance services in place. Most agencies utilize the General Services Administration (GSA) Language Services Schedule to procure the services needed to overcome language barriers. This ordering guide is intended to: (1) assist agencies, program staff, and their procurement officers in using the existing GSA Language Services Schedule to purchase language services and, (2) offer tips and best practices for procuring high quality language assistance services. Please note that while the Language Services Schedule includes services for the deaf and hard of hearing, the scope of this ordering guide is limited to foreign language services such as translations and interpretations.

Legal Requirements and Guiding Policy

Before purchasing language services, agencies should be aware of their legal obligations, internal policy directives, and regulations aimed at serving LEP members of the public. This section outlines some of these requirements.

a. Executive Order 13166 – Applicable to all federal agencies

On August 11, 2000, the President signed Executive Order 13166, "[Improving Access to Services for Persons with Limited English Proficiency](#)." The Executive Order requires that federal agencies: (1) work to ensure that recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries; and, (2) ensure that LEP individuals have meaningful access to federally-conducted programs and activities. Meaningful access is defined as language assistance services that result in accurate, timely, and effective communication with the LEP individual. To fulfill the mandate that federally-conducted programs are meaningfully accessible to LEP individuals, the Executive Order requires federal agencies to examine the services they provide, identify

¹ U.S. Census Bureau. 2010. 2013 American Community Survey.

² See, Memorandum from Attorney General Eric Holder to the Heads of Federal Agencies, General Counsels, and Civil Rights Heads on the *Federal Government's Renewed Commitment to Language Access Obligations under Executive Order 13166*. February 17, 2011 (located at: go.usa.gov/x2MPA).

whether LEP individuals need the agencies' services, and develop and implement a system to provide appropriate language assistance services to LEP persons.³

The language access obligations of Executive Order 13166 also apply to programs and activities funded by the federal government. When a federal agency provides federal financial assistance, it must ensure that recipients acknowledge and agree that they will comply (and require any sub-grantees, contractors, successors, transferees, and assignees to comply) with applicable provisions of federal civil rights laws and policies prohibiting discrimination, including, but not limited to, Title VI of the Civil Rights Act of 1964, which prohibits recipients from discriminating on the basis of race, color, or national origin, including limited English proficiency (see discussion of Title VI obligations below).⁴

i. Agency Language Access Plans

In his [2011 Memorandum](#), Attorney General Holder directed each federal agency to develop and implement a system by which LEP persons can meaningfully access the agency's services. The Attorney General recommitted agencies to the language access obligations of Executive Order 13166 and laid out three elements of an effective language access strategy.

First, a Language Access Implementation Plan helps management and staff understand their roles and responsibilities with respect to overcoming language barriers for LEP individuals. The plan is a management document that outlines how the agency has or will define language assistance tasks, set deadlines and priorities, assign responsibility, and allocate the resources necessary to come into or maintain compliance with language access requirements. It describes how the agency will effectuate the service delivery standards delineated in the policy directives, including the manner by which it will address the language service and resource needs identified in a self-assessment.

Second, Language Policy Directives set forth standards, operating principles, and guidelines that govern the delivery of language appropriate services. Policy directives come in different forms, but they institute requirements on the agency and its staff to ensure meaningful access. Policy directives should be available to the public so that LEP beneficiaries will understand that in-language assistance is available.

Finally, Language Access Procedures provide the "how to" for staff. They specify for staff the steps to follow to provide language services, gather data, and deliver

³ To assist Federal agencies in carrying out their language access responsibilities, the U.S. Department of Justice issued a Policy Guidance Document, "[Enforcement of Title VI of the Civil Rights Act of 1964 - National Origin Discrimination Against Persons With Limited English Proficiency](#)" (LEP Guidance). This LEP Guidance sets forth the compliance standards that recipients of Federal financial assistance must follow to ensure that their programs and activities normally provided in English are accessible to LEP persons and thus do not discriminate on the basis of national origin in violation of Title VI's prohibition against national origin discrimination.

⁴ *Supra*, 2011 Holder Memorandum

services to LEP individuals. Procedures are often set forth in staff handbooks or other internal guides and websites.

Violation of these plans, policies and procedures may even result in reprimand or dismissal of the staff member. A recent case, involving the Department of Justice, Executive Office of United States Trustees, revealed that where a federal official failed to follow an agency's language access plan, an agency is within its authority to suspend the official without pay.⁵

Each agency and each recipient of federal financial assistance must take reasonable steps to provide meaningful access to LEP individuals. To assist agencies in determining their language services capacity, the Department of Justice created a [Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs](#). The tool and additional resources for language access planning are available at <http://www.lep.gov/resources/resources.html#LAP>.

b. Title VI of the Civil Rights Act of 1964 – Applicable to all federal agencies that provide federal financial assistance

Title VI, [42 U.S.C. § 2000d](#) et seq., was enacted as part of the landmark Civil Rights Act of 1964. It prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. As President John F. Kennedy said in his 1963 Civil Rights Address:

Simple justice requires that public funds, to which all taxpayers of all races [colors, and national origins] contribute, not be spent in any fashion which encourages, entrenches, subsidizes or results in racial [color or national origin] discrimination.

The Supreme Court decided, in *Lau v. Nichols*, over three decades ago that a federal fund recipient's denial of education to a group of non-English speaking students violated Title VI and its implementing regulations.⁶ Since the Supreme Court's decision in *Lau*, other courts have found that the failure by a recipient to provide meaningful access to LEP persons constitutes national origin discrimination.⁷

If a recipient of federal assistance is found to have discriminated and voluntary compliance cannot be achieved, the federal agency providing the assistance should either initiate fund termination proceedings or refer the matter to the Department of Justice for appropriate legal action. Aggrieved individuals may file administrative complaints with the federal agency that provides funds to a recipient, or the individuals may file suit for appropriate relief in federal court. Title VI itself prohibits intentional discrimination, however, most funding agencies have regulations

⁵ [Memorandum and Order, *Pereira v. U.S. Department of Justice*](#) (May 11, 2016).

⁶ *Lau v. Nichols*, 414 U.S. 563, 569 (1974).

⁷ See, e.g., *Sandoval v. Hagan*, 197 F.3d 484, 510-11 (11th Cir. 1999) (holding that English-only policy for driver's license applications constituted national origin discrimination under Title VI), rev'd on other grounds, 532 U.S. 275 (2001); *Almendares v. Palmer*, 284 F. Supp. 2d 799, 808 (N.D. Ohio 2003) (holding that allegations of failure to ensure bilingual services in a food stamp program could constitute a violation of Title VI).

implementing Title VI that prohibit recipient practices that have the effect of discrimination on the basis of race, color, or national origin.⁸

c. Other Statutory and Regulatory Requirements

Agencies should be aware that certain program statutes and executive orders, and their implementing regulations, reinforce or supplement the language access requirements of Title VI and Executive Order 13166. Below are a few examples of other statutory and regulatory language access requirements. See Table 1. for a summary of these requirements.

i. ACA Sec. 1557

The Patient Protection and Affordable Care Act, or ACA, overhauls the U.S. health care system. Section 1557 is the nondiscrimination provision of the ACA, and it prohibits discrimination on the basis of race, color, national origin, sex, age, or disability in certain health programs or activities. The [regulations implementing Section 1557](#) include a provision effectuating Section 1557's prohibition of national origin discrimination in the context of health programs and activities.⁹ Under these regulations, covered entities must provide information about communication assistance, and post taglines informing the LEP public of the availability of language services in the top 15 languages spoken by LEP individuals in the relevant state or states.

Like Title VI, Section 1557 provides that covered entities must take reasonable steps to provide meaningful access to individuals with limited English proficiency. The regulations specify that language services must be provided accurately, in a timely manner, and be free of charge. Accordingly, interpreters must be qualified as defined in the regulation. Unqualified individuals, like children or friends, are restricted from interpreting for covered entities. The 1557 regulation builds on the longstanding civil rights principles under Title VI and reflects principles familiar to federal agencies under Executive Order 13166. To learn more about the final rule implementing Section 1557, please contact the Office for Civil Rights at HHS.¹⁰

ii. Executive Order 12250

In 1980, President Carter signed Executive Order 12250, which provided for the consistent and effective implementation of various laws prohibiting discriminatory practices on the basis of race, color, national origin, sex, disability, or religion in programs and activities receiving federal financial assistance. The 12250 implementing regulation, or [Coordination Regulation](#), enacts additional Title VI language access requirements that apply to all federal agencies.

Specifically, the Coordination Regulation requires that federal agencies coordinate their Title VI enforcement efforts under the guidance of the Department of

⁸ The Federal Coordination and Compliance Section maintains an up-to-date [list of agency Title VI Regulations](#).

⁹ See 45 C.F.R. 92.201, available at www.hhs.gov/sites/default/files/1557%20FS%20LEP%20%28508%29.pdf.

¹⁰ See 45 C.F.R. 92.

Justice Civil Rights Division Federal Coordination and Compliance Section.¹¹ This includes, but is not limited to collecting data on the participation of LEP communities in federally assisted programs and activities, and asking both agencies and their recipients to provide in-language outreach and the translation of vital documents.

iii. The Stafford Act

Specific to disaster relief and assistance, the [Stafford Act nondiscrimination provisions](#) require that the Administrator of the Federal Emergency Management Agency (FEMA) lead efforts to prevent discrimination against LEP individuals in emergency management and assistance. The statute directs the Administrator to identify and take into account population groups with limited English proficiency in planning for an emergency or major disaster, ensure that information made available to individuals affected by a major disaster or emergency is made available in formats that can be understood by LEP individuals, and develop and maintain an informational clearinghouse of model language assistance programs and best practices for State and local governments in providing services related to a major disaster or emergency.¹²

Table 1. Summary of Different Legal Requirements for Language Access

Statutory and Regulatory Language Access Requirements:	Specific Language to Language Access:
Executive Order 13166	Requires federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency, and develop and implement a system to provide those services so LEP persons can have meaningful access to them. Also requires that federal agencies work to ensure recipients of federal financial assistance provide meaningful access to their LEP applicants and beneficiaries. Meaningful access is defined as language assistance services that result in accurate, timely, and effective communication with the LEP individual.
Title VI	Prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance. Failure by a recipient to provide meaningful access to LEP persons can constitute national origin discrimination. <i>See Lau v. Nichols.</i>
Affordable Care Act Section 1557	Covered entities must provide information about communication assistance. Entities must post taglines informing the LEP public of the availability of language services in the top 15 languages spoken by LEP individuals in the relevant state or states.

¹¹ See 28 C.F.R. § 42.405 (d) 1-2 (2014).

¹² See 42 U.S.C. § 5196f (2006).

Executive Order 12250	Requires that federal agencies coordinate their Title VI enforcement efforts under the guidance of the Federal Coordination and Compliance Section of the Department of Justice Civil Rights Division.
The Stafford Act	Requires the Administrator of FEMA to lead efforts to prevent discrimination against LEP individuals in emergency management and assistance.

Definitions

To assist agencies in better understanding some of the terminology used in the language services industry, this section provides definitions for some of the most commonly used terms.

- a. **Interpretation:** The act of listening to a communication in one language (source language) and orally converting it to another language (target language) while retaining the meaning.
 - i. In-person Interpretation: Where a qualified interpreter, who is present, listens to communication in one language and orally converts it into another language (either consecutively or simultaneously) while retaining the meaning.
 - ii. Telephonic Interpretation: Where a qualified interpreter, who is on the phone, listens to communication in one language and orally converts it into another language (either consecutively or simultaneously) while retaining the meaning.
 - iii. Video Remote Interpreting: Where a qualified interpreter, connected in video by remote technology, listens to communication in one language and orally converts it into another language (either consecutively or simultaneously) while retaining the meaning.
 - iv. Consecutive interpretation: Where a qualified interpreter performs the interpretation in the pauses after an utterance, and does not speak while others are talking. The interpreter will usually signal for speakers to start or stop, in order to ensure that all parties to the interpretation understand. Consecutive interpretation requires approximately double the amount of time as a conversation without interpreters, and time should be budgeted accordingly.
 - v. Simultaneous interpretation: Where a qualified interpreter performs the interpretation contemporaneously with the speaker whose words are being interpreted. A simultaneous interpretation occurs without any pauses since the interpreter and speaker are talking at virtually the same time. Simultaneous interpretation may require the use of special equipment, such as headsets or interpreter booths.
 - vi. Escort interpretation: Where a qualified interpreter accompanies a person or delegation on a visit, tour, meeting, or interview. Escort interpreting is usually performed through simultaneous or consecutive interpreting.

- vii. **Community interpretation:** A type of interpreting service more often used to facilitate social service access in language minority communities. Community interpreting is a broad and flexible field that can encompass work in education, health, housing, social security and other service areas.
 - viii. **Voiceover interpreting:** A type of interpretation technique that records the voice of an interpreter over the original audio track. This method of interpreting is often used in audiovisual materials such as new reports and movies in languages where subtitling is not the norm.
- b. **LEP individuals:** Individuals who do not speak English as their primary language and who have a limited ability to read, write, speak, or understand English. LEP individuals may be competent in English for certain types of communication (e.g., speaking or understanding), but still LEP for other purposes (e.g., reading or writing).
 - c. **Meaningful access:** Language assistance that results in accurate, timely, and effective communication with the LEP individual. For LEP individuals, meaningful access denotes access that is not significantly restricted, delayed, or inferior as compared to programs or activities provided to English proficient individuals.¹³
 - d. **Qualified Interpreter** for an individual with limited English proficiency means an interpreter who via a remote interpreting service or an on-site appearance:
 - i. Adheres to generally accepted interpreter ethics principles, including client confidentiality;
 - ii. has demonstrated proficiency in speaking and understanding both spoken English and at least one other spoken language; and
 - iii. is able to interpret effectively, accurately, and impartially, both receptively and expressly, to and from such language(s) and English, using any necessary specialized vocabulary, terminology and phraseology.
 - e. **Qualified Translator** means a translator who:
 - i. Adheres to generally accepted translator ethics principles, including client confidentiality;
 - ii. has demonstrated proficiency in writing and understanding both written English and at least one other written non-English language; and
 - iii. is able to translate effectively, accurately, and impartially to and from such language(s) and English, using any necessary specialized vocabulary, terminology and phraseology.

¹³ [Guidance to Federal Financial Assistance Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons](#) (LEP Guidance), 67 Fed. Reg. 41,456 (June 18, 2002).

- f. **Transcription:** Rendering of spoken word, audio, or video from a source language into a written transcript in either the original source language or a new target language (translation-transcription).
- g. **Translation:** The replacement of written text from one source language into an equivalent written text in the target language.
 - i. Editing/Double-Checking: A double check is where a second qualified translator reviews the source document and the original translation to verify the accuracy, completeness and readability of the final documents. In order to ensure the accuracy of any translation at least two qualified translators should review it.
 - ii. Sight Translation: An oral rendering of written text into spoken language by a qualified linguist, without changing the meaning, based on a visual review of the original text or document.
 - iii. Localization: The process of translating and redesigning software products, websites, marketing communications, or e-learning systems to appear as native in-language products.
 - iv. Summarization: The process of reducing a document from a source language into an abstract or outline while retaining the most important points of the original document in the target language.
- h. **Vital Documents:** A document will be considered vital if it contains information that is critical for obtaining federal services and/or benefits, or is required by law. Vital documents include, for example: applications; consent and complaint forms; notices of rights; notices of disciplinary action; notices advising LEP persons of the availability of free language assistance; prison rulebooks, commissary request forms, grievance forms, and health request forms; written tests that do not assess English language competency, but rather competency for a particular license, job, or skill for which English competency is not required, and letters or notices that require a response from the beneficiary or client. For instance, if a complaint form is necessary in order to file a claim with an agency, that complaint form would be vital. Non-vital information includes documents that are not critical to access such benefits and services. Advertisements of federal agency tours and copies of testimony presented to Congress that are available for information purposes would be considered non-vital information.¹⁴

Note about Cultural Nuance: Successful translation and interpretation services achieve meaning and ease of understanding for the target audience and avoid literal conversions from English to other languages. As such, it is important that language service providers understand the cultural nuances of the target language community. These can include cultural awareness of speech and behavior differences; hierarchy of power and communication barriers to highlight similarities and differences between the target and home culture; the ability to promote meaningful dialogue regarding cultural

¹⁴ *Id.*

challenges in the workplace; discuss factors that may affect family, personal, and business relationships; and run interactive simulations that reflect a realistic situation in the business setting.

GSA Description of Language Services

GSA's Federal Acquisition Services (FAS) is improving its professional services schedule offerings. As a first step in this initiative, FAS has consolidated its professional services Multiple Award Schedule offerings into one Professional Services Schedule. The previous Schedule 738-II focused on Language Services is now part of this new single Professional Services Schedule (PSS).

a. Translation Services – PSS 00CORP, SIN 382 1

Services included under this SIN include the translation of written, electronic, and multi-media material to and from English and native foreign languages. Materials include, but are not limited to:

- Business
- Legal
- Medical
- Technical
- Documents
- Software
- Website localization for Internet and Intranet
- Video subtitling
- Captioning
- Transcriptions for Title III Monitoring

Client consultation and Project management services include:

- Translation formatting
- Proofreading
- Text adaptation
- Editing
- Graphic design
- Desktop publishing

b. Interpretation Services—PSS 00CORP, SIN 382 2

Interpretation Services include the interpretation of oral communication to and from English and native foreign languages. Interpretation includes, but is not limited to:

- Simultaneous
- Consecutive
- Escort
- Community
- Telephonic
- Voiceovers

Interpreter forums may include:

- Meetings
- Conferences
- Seminars
- Litigation
- Briefings
- Trainings

Client consultation and project management services provide for scheduling, assignment, and logistical coordination of linguist support.

c. Interpretation Services—PSS 00CORP, SIN 382 2

Transcription services for Title III Monitoring are in the PSS, SIN 382 1. Note: this does not include medical transcription, which is included in GSA Schedule 36, Sin 51-506.

d. Summarization Services

Written summarization services fit under SIN 382 1. If it is spoken summarization, known as “gisting,”¹⁵ it would fit under SIN 382 2. Please contact a GSA contracting officer if more information is needed based on the scope of work and fitting under the proper SIN.

Assessing Your Agency’s Language Needs

Agencies should conduct a survey or assessment of its language needs before procuring language assistance services. The purpose of this assessment is to gather information on the number and frequency of interactions that federal employees have with LEP individuals, particularly when those interactions involve the receipt of a vital program or activity.

An assessment can help an agency determine if it communicates effectively with LEP individuals, and can inform its language access program planning including identification of an agency’s funding and procurement needs. The Department of Justice developed a six-step [Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs](#) to help agencies conduct a self-assessment of their language needs. The tool includes a sample self-assessment questionnaire to help agencies evaluate its existing language services and strategize on improving its service delivery to LEP individuals.

Choosing a Provider

When choosing a language services provider, the purchasing authority should use certain factors to rank and evaluate providers. Some of these factors are commonplace in procurement (e.g., past

¹⁵ Please note that “gisting” is not an appropriate substitute for interpretation, and may result in significant additional, potentially detrimental, communication barriers.

performance), but other factors are more specific to the language services industry (e.g., depth and pool of linguists). Depending on your requirements, some of these factors may have varying or equal weight.

- a. **Qualifications:** One purpose of this factor is to establish minimum standards for contract linguists and contract program staff supporting your requirement. Years of experience, education, training (ongoing), and certifications fall under this factor. Another purpose of this factor is to determine if a provider possesses the ability to respond effectively to your requirement. The availability (how many linguists do they have & how fast can they assist?) and depth (do they even support the language & can they recruit?) of the linguist pool are critical to assess.
- b. **Company History and Past Performance:** Although a standard evaluation factor in procurement, the language services industry is somewhat unique in that much of the work is completed through freelance linguists. This creates overlap between providers. Purchasing authorities should be thorough in checking subcontractors, the Contractor Performance Assessment Reporting System (CPARs), OIG reports, and current contract/program managers when reviewing this factor. CPARs are especially useful for checking a provider's past performance.
- c. **Industry Involvement:** The purpose of this factor is to determine if a provider is language centric. This refers to a provider that is dedicated to providing language services, as opposed to a provider that picked this up as something on the side for extra revenue. Purchasing authorities are better positioned to select providers who are dedicated to the language services industry. Providers who are language centric are closely attuned with the language community and local LEP populations. This proximity enables them to leverage technology, monitor trends, and engage key stakeholders.
- d. **Testing:** The purpose of this factor is to leverage the industry's ability to determine a linguist's skill set when the government does not have internal resources to do so. A good provider should test all skill sets and determine level of proficiency. A great provider will do periodic retests to ensure those skills remain up to speed.
- e. **Questions to Ask When Selecting a Provider:** Common concerns cited with language services and contracting revolve around three areas: (1) quality, (2) delivery, and (3) administration. One way to alleviate these concerns is to ask the provider specific questions. Sample questions are available here.

Scope of Services

In order for agencies to obtain interpretation and translation services, a statement of work (SOW) needs to be created. An SOW is a written agreement that specifies the end result sought by agencies, along with a detailed description of the resources required to finish the job. The SOW should include, but not be limited to, language requirements, format for receipt of documents, quality controls, interpreter/translator qualifications, and administrative requirements. Sample language service SOWs are posted in the Statement of Work Library on GSA's Acquisition Gateway.

Monitoring Performance

When choosing a language services provider, the purchasing authority should inquire about the provider's quality assurance practices and quality control standards. Performance monitoring practices and measures should also be clearly articulated in the contract.

a. Quality Assurance

A language service provider should be willing to guarantee the quality of the foreign language services it delivers. This will require the language service provider to share their process for training linguists and providing services. Agencies should be mindful that language services often fail when translations and interpretations are accurate word for word, but do not properly convey the true meaning of the communication.

Like any other contract-based relationship, agencies should assign liability and specify a dispute resolution process in the contract.

b. Quality Control Standards

Additionally, providers should be able to describe their internal quality control procedures, such as screening of potential interpreters or translators, frequency and types of training programs offered after hire, and quality control/monitoring process. These quality control measures should be detailed in the contract to ensure that the services are completed in accordance with acceptable principles of internal control, and meet specified, acceptable levels of quality. The Department of Justice (DOJ) recommends that providers utilize a Quality Control System and provide a written copy of the plan and any subsequent revisions to the Ordering Official.

An example of an acceptable Quality Control Plan from DOJ contains at a minimum:

- ✓ A plan to ensure translation accuracy by using multiple translators to check each project for accuracy (e.g., every translation has been viewed and approved by at least two qualified translators before being returned to the Government);
- ✓ A plan to use and maintain the Government's glossary, word bank, or index of commonly used terms;
- ✓ A method of identifying all translators who independently approve of each translation;
- ✓ A method of addressing poor language assistance services including, but not limited to: inaccurate translation, untimely service, misplacing or mishandling Government documents; and,
- ✓ A plan to handle unintelligible information.

Special Topics

a. Service Contract Act (SCA)

The GSA PSS contract incorporates conformed wage determinations for Foreign Language Translators (Wage Determination 30110) specific to language services on Schedule. Per the applicable contract clauses, contractors must comply with the base rate and fringe benefit rate requirements of the prevailing rate SCA Wage Determination Revision Number currently incorporated into the GSA Schedule contract. No prevailing rate wage determination may be incorporated into a task order as the order then may conflict with the Schedule terms and conditions. If you have questions regarding the applicability of the Service Contract Act, please contact the GSA Contracting Officer assigned to your task order contractor.

b. Web and Computer-Based Translation Tools

There are many new and emerging web- and computer-based tools that can be used to help with the translation process. When used appropriately, these programs can help reduce costs and decrease the amount of time needed to complete a translation; however, agencies should be mindful of the purpose and limitations of each.

i. Machine Translations

Machine translations are software or online applications that automatically translate written material from one language to another without the involvement of a human translator or reviewer. Machine translations can be a helpful tool; the translations produced, however, are often less accurate and reliable than the translations provided by qualified human translators. Since machine translations often translate word for word, they may fail to account for slang, nuance, colloquialisms and terms of art. Additionally, because languages may differ in vocabulary, alphabet, and writing style, machine translation often fails to capture not only the meaning of the content, but also the form. It is not recommended and may be a breach of an agency's language access plan to use machine translation to translate vital documents, without the review and double check of a qualified translator. To learn more about the advantages and disadvantages of machine translations, please read this [DigitalGov blog post](#).

ii. Computer-Aided Translation

Computer-Aided Translation (also known as Computer-Assisted Translation or CAT) is also a software based translation tool; however, it serves a different purpose than machine translation. CAT tools assist the translator by providing translations for phrases and sentences that the linguist has previously translated. This method allows the linguist to increase productivity while maintaining accuracy throughout the document.

iii. Translation Memory

Translation memory (TM) is another tool that can help enable higher translation productivity for human translators. TM is a database that captures a human translator's previous translation and applies it for future use. When used properly, TM can help reduce costs, provide greater translation consistency, and help human translators complete translation projects in a shorter amount of time.

c. Word Banks and Glossaries

Some agencies have developed in-house word banks and glossaries as a tool for creating consistent translations for key terms. A word bank or glossary is a list of approved, standardized terms in the source language that are relevant to your agency. These tools allow agencies to maintain ownership over translated terms that have been validated for quality and can be used on a consistent basis. Word banks and glossaries are also useful for agencies to include with their translation request to providers to save time and money. Agencies can also work with providers to develop word banks and glossaries for the agency. Developing these tools helps speed up the translation process, therefore reducing the time and costs associated with the review and validation cycles.

d. Utilizing Multilingual Staff

Many federal agencies employ staff members who are able to speak, read, write and understand non-English language(s). Before utilizing these staff to fulfill certain language service needs, there are a number of factors to take into consideration. How does a federal agency ensure that its staff member is fluent in a non-English language? Does a multilingual employee obtain any benefits (such as pay differential) for using his or her language skill on the job? Are workload adjustments necessary if a federal employee's language skill is in high demand? At a minimum, federal agencies should be wary to accept at face value an employee's self-identification of fluency in a non-English language. Third party assessment of a multilingual employee's linguistic skill, preferably by a professional linguist, is one acceptable method for assessing the fluency of multilingual workers. Vendors can be useful for providing assessments of multilingual employee language skill if the federal agency does not have the in-house capacity and expertise to do so. Agencies should also consider quality standards, pay differentials, and workload adjustments in determining the impact of utilizing multilingual employees to fulfill the agency's language service needs.

e. Community Partnerships

Organizations that have significant contact with LEP persons, such as schools, religious organizations, community groups, and groups working with new immigrants can be very helpful in linking LEP persons to an agency's programs and its language assistance services. Community-based organizations provide important input into the language access planning process and can often assist in identifying populations for whom outreach is needed and who would benefit from the agency's programs and activities were language services to be provided. Community-based organizations may also be useful in recommending which outreach materials the agency

should translate. As documents are translated, community-based organizations may be able to help consider whether the documents are written at an appropriate level for the audience. Community-based organizations may also provide valuable feedback to the agency to help the agency determine whether its language assistance services are effective in overcoming language barriers for LEP persons.

It is not recommended, however, to rely on a community-based organization to provide your agency with interpreting or translation assistance. The receipt of community-provided interpreting or translation services without a compensation agreement or MOU may constitute a “gift” and trigger an ethical violation. If you are unsure about how your agency should manage community partnerships in this context, please speak with your ethics officer.