



United States
Department of
Agriculture

Office of the
Assistant Secretary
for Administration

Office of
Civil Rights

1400 Independence
Avenue SW

Washington, DC
20250

SEP 25 2001

Mr. Jim Boulet, Jr.
Executive Director
English First
8001 Forbes Place, Suite 102
Springfield, Virginia 22151

Dear Mr. Boulet:

Thank you for your September 4, 2001, letter to Secretary Ann M. Veneman regarding Executive Order (E.O.) 13166, "Improving Access to Services for Persons with Limited English Proficiency." I have been asked to respond to your concerns.

It is our intention to pursue plans to issue a Federal regulation on limited English proficiency as required under E.O. 13166. As you may be aware, there are a number of civil rights laws that prohibit national origin discrimination in Federal programs and activities. In support of this position, Federal courts have consistently ruled that "English only" rules that have the effect of denying access to programs and activities to persons with limited English proficiency constitute national origin discrimination.

E.O. 13166 does not declare that language choice is a protected right. It does, however, acknowledge the connection between national origin discrimination and "English only" policies, practices, and procedures that restrict the opportunity to equal access to Federal programs and activities. It also provides instructions to Federal agencies on how we and our recipients must provide appropriate language assistance services to those with limited English proficiency.

I hope this information is responsive to your concerns.

Sincerely,

David Winningham
Acting Director
Office of Civil Rights