

FEMA Language Access – Guidance for Housing Inspectors

The Federal Emergency Management Agency, Office of Civil Rights (FEMA OCR), provides this guidance on language access for housing inspectors (including contractors and FEMA employees), who assess disaster survivors' homes to determine if they are safe, sanitary, and livable after a disaster.

Housing inspectors must take reasonable steps to provide individuals with limited English proficiency (LEP) meaningful access to FEMA programs. Unless there are exigent circumstances, housing inspectors are prohibited from:

- relying on bystanders, minors, family members, or friends of disaster survivors to serve as interpreters; and
- using automated translation services (e.g., Google Translate or Generative AI).

Importance of Language Access During Housing Inspections

After a disaster, some survivors apply for FEMA assistance and report home damage. Upon receipt of applications from disaster survivors, FEMA arranges for a housing inspector to visit their home, conduct an inspection, and verify disaster-caused damage and loss. The housing inspector most often considers:

- the structural soundness of the home, including the interior and exterior;
- whether the electrical, gas, heat, plumbing and sewer/septic systems are in working order; and
- the habitability of the home, including whether it is safe to live in, enter, and exit.

Language access services are important during housing inspections to ensure that individuals with LEP remain safe, including:

- the ability to inform housing inspectors of any disaster-related damage that may make their home unsafe, including but not limited to structural damage; and
- the ability to inform housing inspectors of any disaster-related damage to their residence which poses a health risk, including but not limited to flood-induced mold, which can cause problems with allergies, asthma, infections, and severe respiratory issues.



FEMA

Providing Language Access Services During a Disaster

When an emergency or disaster is declared for Individual Assistance, including the Individuals and Households Program, support from the FEMA Office of External Affairs (FEMA OEA), Language Services & Cultural Awareness Branch, and FEMA OCR, is available to assist survivors. In the jurisdictions that have received disaster declarations, FEMA OCR determines which populations with LEP require translation and interpretation services. When engaged, the Language Services & Cultural Awareness Branch can quickly begin the process of procuring language services to meet the need of the relevant populations with LEP.

Oral Interpretation and Written Translation Checklist

- Housing inspectors should plan and schedule their inspections to ensure that individuals and families with LEP can meaningfully access FEMA housing assistance. The home inspection is important to the process of determining the amount of FEMA assistance that the disaster survivor will receive.
- Housing inspectors should check the Incident Action Plan (IAP) to: (1) identify the designated External Affairs Office; and (2) see if a Language Services Manager/Specialist is listed for the incident. If a Language Services Manager/Specialist is not listed, the Housing inspector must contact the incident's designated External Affairs Office to request language access services.
- Housing inspectors may request – from FEMA OEA's Language Services & Cultural Awareness Branch – readily available disaster assistance products in the top languages identified for a declared disaster (e.g., registration flyer, eligibility flyer, or civil rights flyer).
- The designated External Affairs Office and/or point-of-contact will monitor and task translation requests/deliveries to the vendors.
- Housing inspectors may request – to locate a qualified in-person, video, or telephonic interpretation service – assistance from the designated External Affairs Office and/or Language Services Manager/Specialist at the Joint Field Office, as established for the relevant disaster or emergency.

Exigent Circumstances

- **Exigent Circumstances:** are circumstances requiring prompt action before regular language access services can reasonably be obtained to protect life, prevent serious injury, or protect significant property interests. During a presidentially declared emergency or major disaster declaration, prompt action is required to address the critical needs of disaster survivors. For each incident, the duration of the exigent circumstances period will be assessed based on the size and scope of the emergency or disaster.
 - **Emergency:** is defined as “any occasion or instance for which, in the determination of the President, Federal assistance is needed to supplement State and local efforts and capabilities to save lives and to protect property and public health and safety, or to lessen or avert the threat of a catastrophe in any part of the United States.” [Section 102 \(1\) of the Robert T. Stafford Disaster Relief and Emergency Assistance Act \(Stafford Act\)](#), 42 U.S.C. § 5121.
 - **Major disaster:** is defined as “any natural catastrophe (including any hurricane, tornado, storm, high water, wind driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, or drought), or, regardless of cause, any fire, flood, or explosion, in any part of the United States, which in the determination of the President causes damage of sufficient severity and magnitude to warrant major disaster

assistance under this Act to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.” [Section 102 \(2\) of the Stafford Act](#), 42 U.S.C. § 5121.

Language Access Services

- After an emergency or disaster has been declared, FEMA will work expeditiously to ensure that regular language access services (e.g., qualified interpreters and translators, in-person, via video, or by telephone) are in place as soon as practicable.
- During the provision of services by Individual Assistance, including housing inspections, the application and award process, other eligibility determinations, or hearings on appeal, the following practices are prohibited (“restricted language access services”):
 - Reliance on bystanders, minors, family members, or friends as interpreters is prohibited, unless there are exigent circumstances, and a qualified interpreter is not available.¹
 - Artificial intelligence shall not be used without a qualified interpreter or translator present under any circumstance, unless such use is in compliance with applicable policies, such as Office of Management and Budget (OMB) Memorandum 24-10 and other DHS policies.²
- FEMA housing inspectors, including contractors and FEMA employees, may use the “restricted language access services” described above when there are exigent circumstances, and a qualified interpreter is not available. To ensure accuracy, FEMA will obtain regular language access services (e.g., qualified interpreters and translators, in-person, via video, or by telephone) to confirm the initial information acquired using restricted language access services as soon as practicable.

Considerations in Providing Meaningful Access

[Executive Order 13166](#), “Improving Access to Services for Persons With Limited English Proficiency,”³ requires each federal agency, including FEMA, to examine the services they provide, identify any need for services to individuals with LEP, and develop and implement a system to provide those services so that individuals with LEP can have meaningful access to them. Each relevant FEMA Directorate or Program Office is required to:

¹ In the December 19, 2022 Memorandum of Agreement between the United States and the City and County of Denver and the Denver Police Dep’t (DPD), [DOJ No. 171-16-5](#) (Dec. 19, 2022) (citing to the [DPD LAP](#) at 8 - 9), the parties prohibited the use of bystanders, minors, or family members to assist DPD officers in communicating with individuals with LEP, except in exigent circumstances when there is not a more reliable interpreter available. See Memorandum of Agreement at 2; Denver DPD LAP at 8 - 9.

² Federal agencies are not allowed to use Artificial Intelligence by itself to translate information that impacts rights, including information that informs agency decision or action, unless it is reported and complies with minimum practice requirements set forth by OMB Memorandum 24-10. See OMB Memorandum 24-10, [Advancing Governance, Innovation, and Risk Management for Agency Use of Artificial Intelligence](#) at 33 (Mar. 28, 2024). Any proposed use of an automated translation service must have quality control, which may include, but is not limited to, review of an automated translation, by a qualified human translator or interpreter. See 2023 DHS LAP at 7.

³ 65 Fed. Reg. 50121 (Aug. 16, 2000).

- provide language access services to individuals and communities with LEP. These services include interpretation and translation of vital documents⁴ into the individual’s primary language;
- disseminate notices of no-cost language access services, in multiple languages; and
- provide training to housing inspectors (contractors and FEMA employees) on the policies that govern the provision of language access services; and ensure that staff who are asked to interpret or translate are qualified to provide accurate and timely interpretation or translation services.

Additional Information

AUTHORITIES

- [Sections 308, 309, and 616 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act \(Stafford Act\)](#), 42 U.S.C. §§ 5151, 5152, and 5196f, and their implementing regulation, [44 C.F.R. § 206.11](#), which prohibit discrimination based on race, color, religion, nationality, sex, age, disability, English proficiency, or economic status in disaster response or recovery efforts; and prescribe steps to ensure that disaster related information is available to individuals with LEP.
- [Executive Order 13166](#), “Improving Access to Services for Persons With Limited English Proficiency,” 65 Fed. Reg. 50121 (Aug. 11, 2000), which requires federal agencies to examine the language access services they provide and implement the provision of “meaningful access.”
- U.S. Department of Homeland Security (DHS), “[Language Access Plan](#),” (Nov. 2023), and “[Indigenous Languages Plan](#),” (Feb. 2024), which require language access services for individuals with LEP across DHS Components.
- FEMA Policy FP-256-23-001, “[Language Access](#),” (March 8, 2023), which requires FEMA personnel to take reasonable steps to provide individuals with LEP meaningful access to programs, activities or services conducted by FEMA or provided by recipients of FEMA funds.

RESOURCES

- U.S. Dep’t of Homeland Security, DHS-CRCL, “[I Speak . . . Language Identification Guide](#).”
- U.S. Dep’t of Homeland Security, DHS-CRCL, “[I Speak Language Identification Poster](#).”
- U.S. Dep’t of Justice, Civil Rights Div., Federal Coordination and Compliance Section, www.LEP.gov.

QUESTIONS

- Direct questions to FEMA-OCR-LanguageAccess@fema.dhs.gov

⁴ “A vital document is a document that contains information that is critical for obtaining any aid, benefit, or services or is required by law. Vital documents can include: applications; consent and other forms that require signatures; complaint forms; notices of rights; notices on the availability of free language assistance; and letters or notices that require a response from the beneficiary, customer, or noncitizen.” 2023 DHS LAP at 4 - 5.