



March Work Session Agenda

Tuesday, March 03, 2026 at 6:30 PM

3820 40th Avenue Cottage City, Maryland 20722

This meeting will be hosted on Zoom Only:

<https://us02web.zoom.us/j/82449657189?pwd=kGvwkSQYQ5R8PtTElQ27S2YjWbWMBQ.1>

Phone: 301-715-8592 | Meeting ID: 824 4965 7189 | Passcode: 870364

Call to Order and Roll Call

Review of Agenda

Public Comments

Anyone seeking to speak under Public Comments must sign in prior to the end of the Board Work Session. There is a 3-minute time limit. When you come up to speak, you will need to state your name, address, what organization that you represent and your topic of concern(s).

Business

1. Presentation By Meagan Baco, Executive Director: Anacostia Trails Heritage Area, Inc.
2. Draft FY 2027 Budget Presentation (Commission Discussion)
3. Ordinance 2026-02: Town of Cottage City Personnel System (Commission Discussion)
4. Resolution 2026-03: Adopting a Language Access Plan to Ensure Meaningful Access to Town Programs, Services, and Activities for Individuals with Limited English Proficiency (Commission Discussion)
5. Resolution 2026-04: Urban Tree Resolution (Commission Discussion)
6. Resolution 2026-05: Town Health Insurance Policy For Employees (Commission Discussion)
7. Resolution 2026-06: Amend The Town Holiday Schedule (Commission Discussion)
8. RFP: 2026-01: Architect For The Old Firehouse Project | Community Outreach Center (Commission Discussion)
9. Lawn Maintenance Contract (Commission Discussion)
10. American In Bloom Renewal (Commission Discussion)
11. Letter of Support: Drone Flight Over 3342 Bladensburg Rd (Commission Discussion)

Updates

Adjournment

All meetings are subject to closure pursuant to the Maryland Open Meetings Act: Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote

may retire to executive or closed session at any time during the meeting. Should the Commission retire to executive or closed session the Chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such closed session.

Anacostia Trails Heritage Area

— • —
Presentation to the Town of Cottage City
March 3, 2026
— • —



Founded in 1998

Non-profit 501c3

Two full-time staff

State Service Corps Members

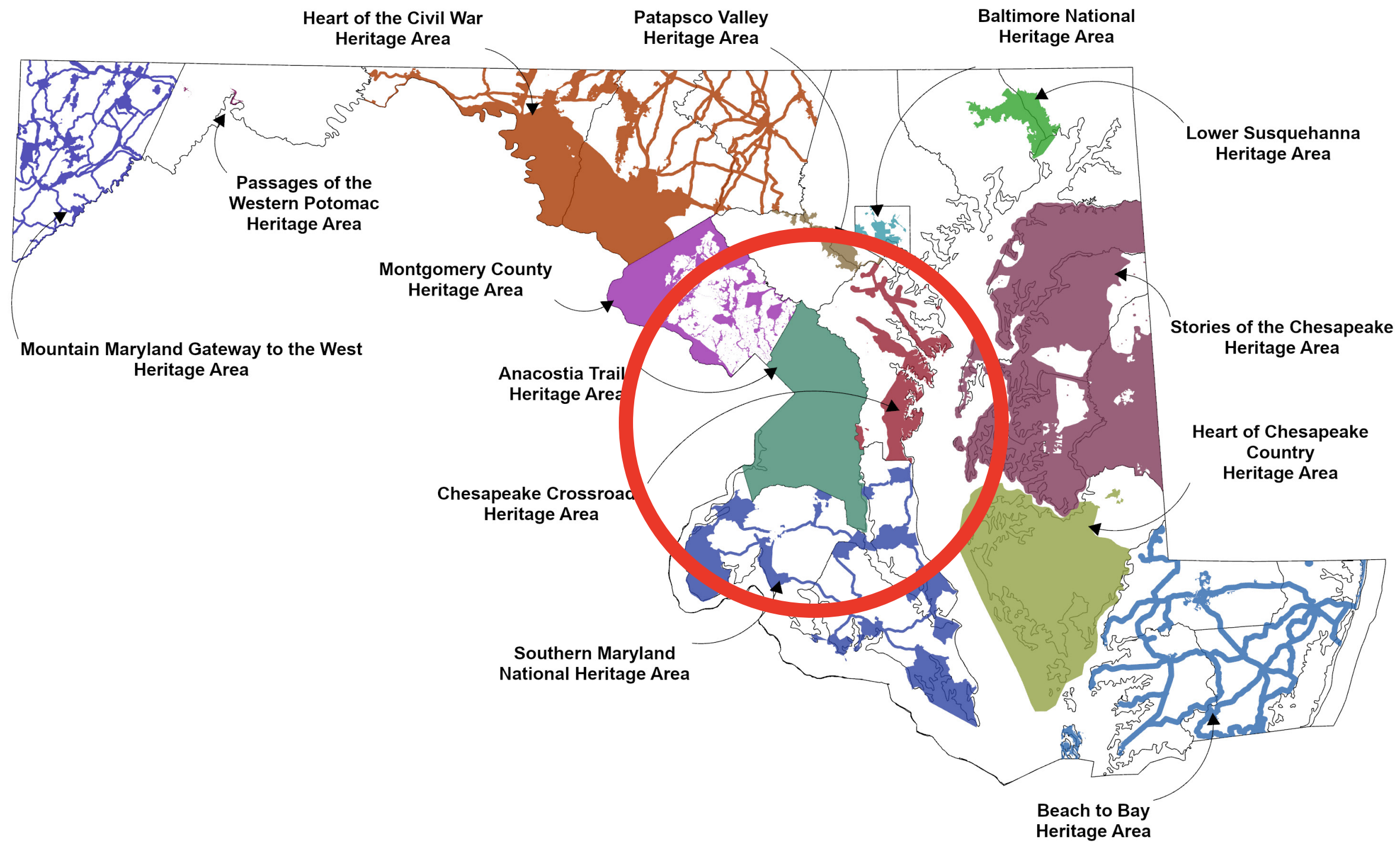
Work countywide & beyond

Grantmakers

Annual & special events

Project partnerships

MARYLAND STATE HERITAGE AREAS





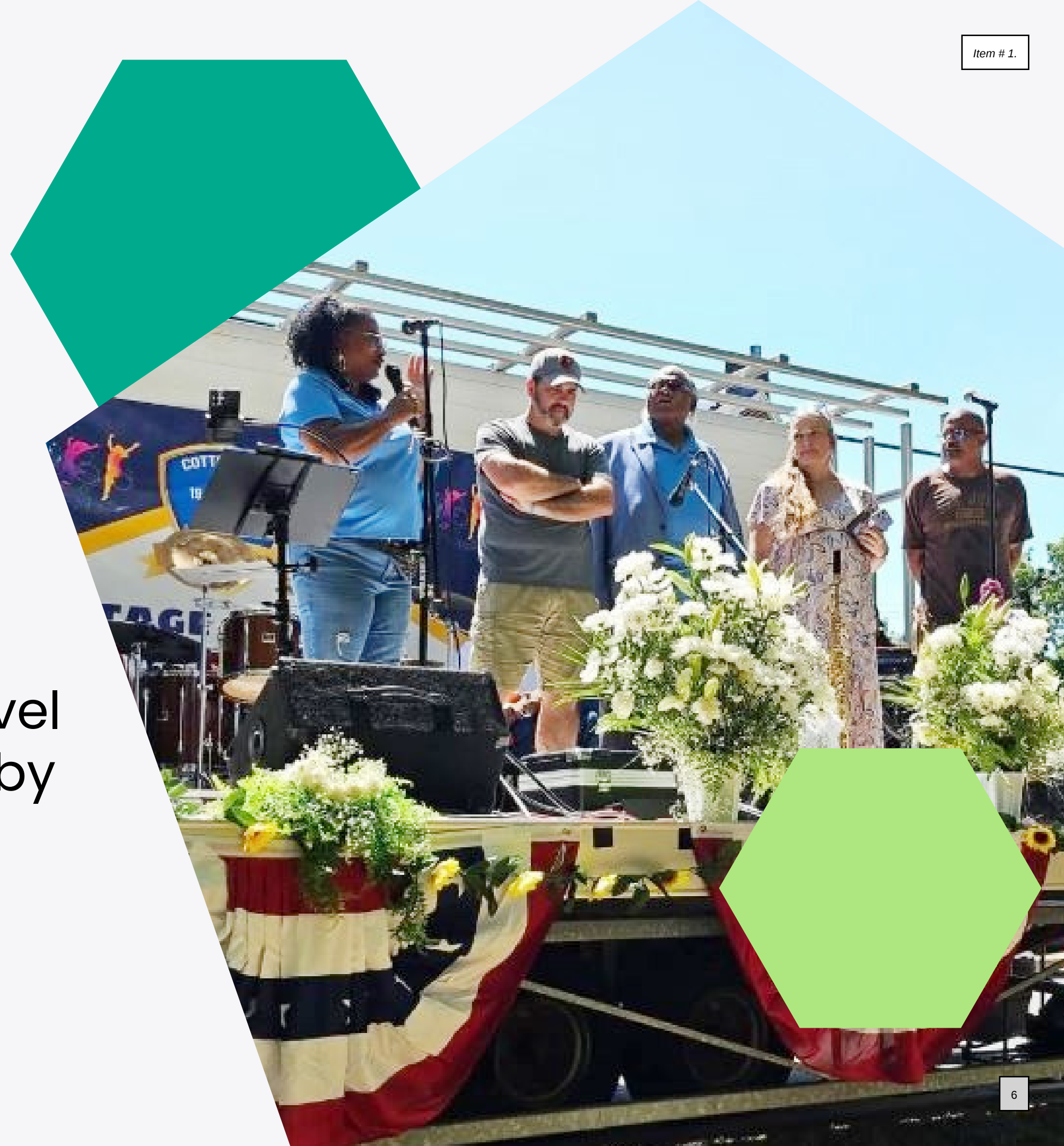
Community Tourism

Community-based tourism is owned, run and benefits the community in which it sits.

// RESPONSIBLE TRAVEL

Community tourism refers to travel experiences owned, led and run by communities – non-profits, cooperatives, social enterprises.

// PLANTERRA



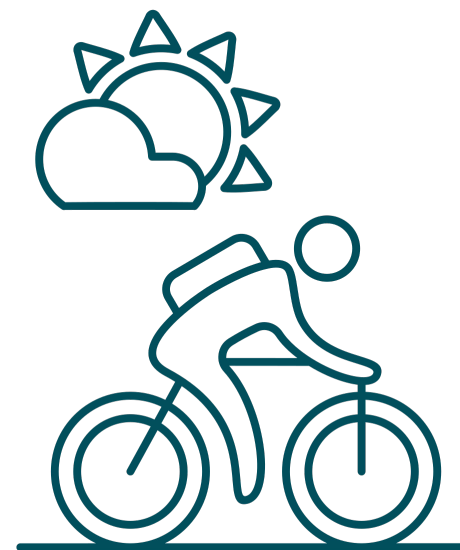
Example Heritage Area Projects & Programs



PUBLIC HISTORY

Civil Rights Movement
Women's Suffrage
War of 1812

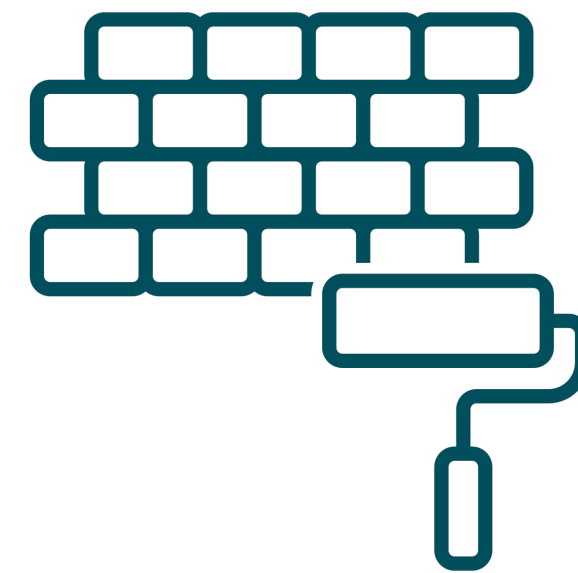
Example Heritage Area Projects & Programs



TRAIL CONNECTIVITY

Bowie Heritage Trail
Trolley Trail Extension
Duelling Creek Trail
Greenbelt East Trail

Example Heritage Area Projects & Programs



PUBLIC ART

Murals & Sculptures
Monuments
Placemaking

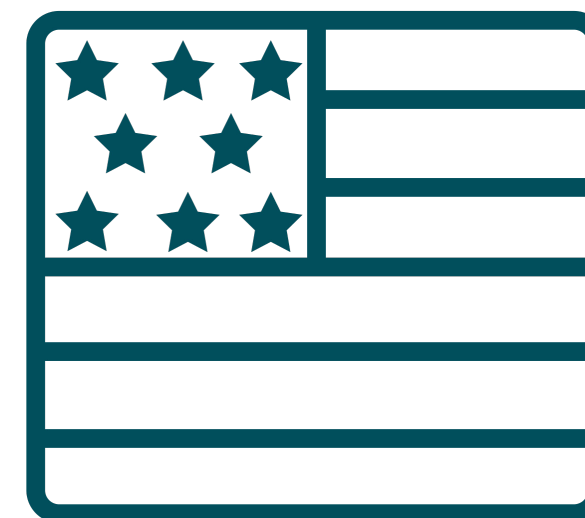
Example Heritage Area Projects & Programs



REDEVELOPMENT

Historic Preservation
Property Research
Grant Partnerships

Example Heritage Area Projects & Programs



SEMIQUINCENTENNIAL

Genealogy Workshops
Bike Rides & Boat Tours
Public Block Party

WORKSHOPS, EVENTS & PASTPORT

WWW.PGC250.ORG

PASTPORT SITES / SITIOS DE PASAPORTE

COMMEMORATING AMERICA'S 250TH
PASTPORT TO HISTORY

Riversdale & Museum

Walk through Riversdale, the home of the trailblazing men, and experience the cultural landscape of 19th-century Maryland.

Camine por la Casa Museo de Riversdale, el hogar de los hombres que abrieron el camino, y experimente el panorama cultural del siglo XIX.

Prince George's County Belongs Here
YOU BELONG HERE

Parks & Recreation
live more, play more
pgparks.com

DIRECCIÓN
10000 Leeland Road
College Park, MD 20737

CONTACTO
pgparks.com
pgparks.com

HOURS / HORARIO
VISITOR'S CENTER
Mon-Wed: Closed
Thurs-Sun: 10AM-4PM

TOURS / RECORRIDOS POR EL MUSEO
Noon & 2PM

GROUPS & GARDENS
Sun-Sat: Dawn-Dusk

STAMP ME!

PRINCE GEORGE'S 250 BLOCK PARTY
FIESTA DE BLOQUE

Cultural Performances
Historical Discussions
Art Activities
Live Music
Food Trucks

Actuaciones culturales
Debates históricos
Actividades artísticas
Música en directo
Food Trucks

All Welcome
Todos bienvenidos

Free Event
Saturday/Sábado
May 30, 2026
11AM-3:30PM

Evento gratuito
Bowie Performing Arts Center
15200 Annapolis Road
Bowie, MD

pgc250.org

Bowie
Prince George's County
Memorial Library System

BOWIE CENTER
FOR THE PERFORMING ARTS

Parks & Recreation
live more, play more
pgparks.com

MD TWO FIFTY

Funded in part by the MD Two Fifty Commission Once In A Generation grant.



Grants

STATE GRANTS FROM HERITAGE AREA AUTHORITY

- Capital \$100k
- Non-cap \$50k
- Will open Winter 2026

ROCKET GRANTS FROM ATHA

- Non-capital up to \$5k
- Will open Fall 2026



Working Together

Member of City Council, a City employee, and/or up to two resident volunteers are invited to our Board as a member of the Municipal Advisory Committee

Non-voting
Meets 2x annually
Timely resource sharing

MUNICIPAL ADVISORY COMMITTEE





Thank you!

Meagan Baco, Executive Director
Anacostia Trails Heritage Area
meagan@anacostiatrials.org

anacostiatrials.org

Cottage City Police Department FY27 Proposed Budget
Fiscal Year July 1, 2026, through June 30, 2027

5405 Salaries \$380,783 to \$426,476

Increase in this line item includes the salaries for all 5 police positions. That is Chief, Sergeant, Corporal, Private and Officer. Salary increases at each rank. Salary for Code Enforcement Officer. Salary for a Police Clerk. Funds for signing bonus, retention longevity bonus, holiday pay, shift differential, Field Training Officer (FTO) Pay and Bi-lingual language interpreter pay.

5406 Overtime \$10,000 to \$10,000

5415 Payroll taxes \$23,447 to \$32,825

Increase in this line item to bring to the prior year budget allowance for anticipated staffing increases.

5420 Life Insurance \$0 to \$0

I believe this line item can be removed due to it is included in line item 5425.

5425 Health & Life Insurance \$53,817 to \$59,198

Increase in this line item due to anticipated cost of health care and insurance.

5430 Retirement \$17,500 to \$17,500

5435 Workmen's Compensation Insurance \$30,000 to \$33,000

Increase in this line item due to anticipated cost of insurance.

5440 Applicant Screening & Shots \$1000 to \$6000

Change name to Applicant screening. Increase in this line item due to anticipated cost of hiring new employees. Cost of recruiting, psychological evaluations, medical exams, drug screening, polygraph or voice stress testing and background investigations.

5445 Auto Insurance \$25,000 to \$30,000

Increase in this line item due to anticipated rise in cost of insurance.

5478 Legal Fees \$0

5485 National Night Out \$1000 to \$1000

5490 Office Expenses & Operating Cost \$12,000 to \$12,000

5495 Police Liability Insurance \$12,500 to \$14,000

Increase in this line item due to anticipated rise in cost of insurance.

5500 Police Supplies \$2000 to \$2000

5506 Police Chief Training \$6000 to \$6000

5505 Training \$6000 to \$8000

Increase in this line item for officer certifications, education and advancement.

5515 Uniforms & Accessories \$8000 to \$12,000

Increase in this line item to bring to the prior year budget allowance for anticipated staffing increases.

5520 Vehicle Operation & Maintenance \$10,000 to \$15,000
Increase in this line item to bring to the prior year budget allowance for anticipated staffing increases.

5525 Gasoline \$18,000 to \$21,500
Increase in this line item to bring to the prior year budget allowance for anticipated staffing increases and increase of fuel costs.

5534 Police community Outreach \$8000 to \$8000

5537 Lexipol Law Enforcement Service \$5000 to \$5000

5530 Silvertrac \$11,000 to \$8000

Do not continue with Silvertrac. Change to Flock License Plate Readers (LPRs) and Cameras.

5538 Police Explorer Program \$5000 to \$5000

5540 Axon Tasers \$4000 to \$4000

5541 In Car Camera Upgrades \$2700 to \$2700

5542 Lefta System \$3000 to \$0

Remove this line item. Lefta is part of Lexipol.

5543 Obvio \$0 to \$0

Do not continue with Obvio.

Should add Line Items for:

Axon Cameras \$0 to \$6000

Upgrades to cameras, software, storage and maintenance.

Firearms and Ammunition \$0 to \$5000

Upgrades to handguns and ammunition.

Vehicles \$0 to \$65,000

Vehicles should be a line item in the budget. If we get grant funds for vehicles or vehicles donated, then we can reallocate the funds.

Police Accountability Board (PAB)

Administrative Charging Committee (ACC) \$0 to \$4000

We can set funds aside in anticipation of expenses for the new Police Standards and Accountability if needed or ask the board for funds if a situation arises where funds are needed. For example, if an officer goes to a trial board or hearing the judge/hearing officer will cost \$450 per hour.



INTER-OFFICE MEMORANDUM

Date: 2/27/26

To: Town Counsel of Cottage City

From: Chief of Police David C. Martini

Re: Full time Police Clerk Position

To maximize our public safety presence and ensure fiscal responsibility, I am proposing the hiring of one Full-Time Police Clerk at a pay rate of \$52,000 annually. This allows our officers to conduct proactive patrols and other duties while reducing the long-term financial burden on the city.

Hiring a Police Clerk is not just an administrative upgrade; it is a force multiplier. It allows our sworn personnel to focus on crime prevention and community engagement, the jobs they were specifically recruited and expensive to train for.

Utilizing a sworn officer for clerical work is an inefficient use of town resources. When we hire an officer, the "startup" investment is significant compared to a civilian position. Training an officer costs upwards of \$50,000+ to put through the Academy and Field Training and we don't have the full duty police officer for 6 months to a year. A sworn officer requires roughly \$15,000+ in initial equipment clothing, duty gear, radio, firearms, and ballistic vest. Then the cost associated with of every sworn police officer needing to maintain their Police Certification. A clerk requires only a standard workstation. At the end of the day the town is paying a "premium rate" for skills and certifications that are not being utilized. A full-time clerk puts that officer back on the street, providing a "boots on the ground" presence that the community expects.

A dedicated clerk would manage:

- Front Desk Coverage. Handling walk-in citizens, allowing the station to remain "open" while officers are on the street.
- Records Management. Processing FOIA/public records requests.
- Speed Cameras and Red Light Cameras. Review and handle digital evidence.
- Court Liaison. Managing citations, subpoenas and coordinating with the prosecutor's office.
- Data Entry. UCR crime reporting compliance is met by the state and federal.
- Assist with Community and Town Events.

Hiring our current temp full-time does more than save money. Permanent staff have a greater stake in the department's long-term success and file integrity. A full-time town employee can be granted higher-level access to sensitive databases like CJIS/NCIC that temp agencies often cannot facilitate. It ensures the "front face" of the Police Department remains consistent for our citizens and she becomes part of the community.

Cottage City Police Department
3820 40th Avenue,
Cottage City, MD 20722
Phone: (301)927-9225



Item # 2.

Our department currently utilizes a temporary agency to meet our clerical needs. While this has provided short-term relief, it is fiscally inefficient. By transitioning our current temporary clerk to a permanent, full-time position, the city will realize immediate hourly savings, retain institutional knowledge, and maximize the operational capacity of our sworn officers.

Currently, the town is paying a significant markup to a third-party staffing agency. We are paying \$38.00 an hour to a temp agency for a 30 hour employee, which is the equivalent of \$59,280. The clerk receives \$22.00 an hour. By hiring our clerk directly and paying her \$25.00 for full time employment, which is \$52,000. We eliminate the middleman and save money, while gaining more hours of service.

Cost Component	Current (Temp Agency)	Proposed (Full-Time Hire)	Hourly Savings
Hourly Rate	\$38.00 (30 hours)	\$25.00 (40 hours)	\$13.00
Annualized Cost	\$59,280	\$52,000	\$7,280



INTER-OFFICE MEMORANDUM

Date: 2/27/26

To: Town Counsel of Cottage City
From: Chief of Police David C. Martini *DCM*
Re: Signing Bonus for New Police Hire

I am seeking the implementation of a Signing Bonus program designed to entice new officers to join the Cottage City Police Department. I believe that the fact that I have structured the bonus that will also assist with reducing turnover, preserving institutional knowledge, and decreasing the significant financial burden associated with recruiting and training new officers. Many Police Departments in the DMV are offering Signing Bonuses in a range of \$5000 to upwards of \$20,000. We need to stay competitive. This will create an immediate marketing hook that grabs the attention of qualified lateral transfers and new recruits. It closes the "initial income gap," making it financially viable for a recruit who might otherwise choose a higher-paying department.

I want to implement a signing bonus of \$5000.
It is to be spread out over 3 years.

- Discourages "job hopping" by incentivizing the officer to stay until the final payout.
- Ensures the department recovers its training and outfitting costs before the full bonus is paid.
- Prevents a massive one-time hit to the budget.
- Allows the department to ensure the officer is a "cultural fit" and meets standards before all the bonus is paid.

For a small department, a signing bonus is a tactical investment. It's cheaper to pay a one-time bonus than to raise the entire department's base salary by 5% to stay competitive. A bonus does not affect overtime, holiday pay, etc. Please see the attached cost to hire a new officer.

Year 1

Actual Salary - \$59,400
Bonus rolled into salary - \$2000
Total Salary - \$61,400

Year 2

Actual Salary - \$61,182
Bonus rolled into salary - \$2000
Total Salary - \$63,182

Year 3

Actual Salary - \$63,017
Bonus rolled into salary - \$1000
Total Salary - \$64,017

Costs to Hire a New Officer

- Recruiting Advertising & Marketing. Job boards, social media campaigns, and career fairs.
- Psychological Evaluation
- Medical Exams
- Drug Screening
- Polygraph or Voice Stress Testing
- Background Investigations

- Academy Tuition
- Salaries While Training
- Field Training (FTO) During this time, you are essentially paying two people to do one job.

- Equipment
 - Uniforms & Apparel Duty boots, multiple sets of uniforms, and cold-weather gear.
 - Duty Belt & Tools Handcuffs, flashlight, radio, and body-worn cameras.
 - Ballistic Vest Body armor
 - Firearms & Ammunition

- Benefits Healthcare, dental, vision, and life insurance.
- Pension & Retirement

- Unemployment
- Grievances/Lawsuits



INTER-OFFICE MEMORANDUM

Date: 2/27/26

To: Town Counsel of Cottage City

From: Chief of Police David C. Martin

Re: Retention Longevity Bonus

I am seeking the implementation of a Longevity Bonus program designed to reduce turnover, preserve institutional knowledge, and decrease the significant financial burden associated with recruiting and training new officers.

Retention Longevity Bonus \$500 per year. Paid at 5 year increments.

5 year anniversary \$2500
10 year anniversary \$5000
15 year anniversary \$7500
20 year anniversary \$10,000

Currently, our department faces a "revolving door" challenge. We invest heavily in the recruitment, background investigation, and academy training of new officers, only to lose them to larger neighboring agencies after 2–3 years of service. This creates a perpetual state of "rookie-heavy" staffing and high costs. The cost of replacing a single officer is far higher than the cost of retaining an experienced one. Please see the attached cost to hire a new officer.

A bonus does not affect overtime, holiday pay, retirement, cash outs, etc.

The cost is more than monetary. Veteran officers possess institutional knowledge that isn't in any manual. They understand the specific needs and nuances of our neighborhoods, which reduces liability and improves community relations. Citizens feel safer when they see familiar faces in uniform over several years rather than a rotating door of strangers.

Costs to Hire a New Officer

- Recruiting Advertising & Marketing. Job boards, social media campaigns, and career fairs.
- Psychological Evaluation
- Medical Exams
- Drug Screening
- Polygraph or Voice Stress Testing
- Background Investigations

- Academy Tuition
- Salaries While Training
- Field Training (FTO) During this time, you are essentially paying two people to do one job.

- Equipment
 - Uniforms & Apparel Duty boots, multiple sets of uniforms, and cold-weather gear.
 - Duty Belt & Tools Handcuffs, flashlight, radio, and body-worn cameras.
 - Ballistic Vest Body armor
 - Firearms & Ammunition

- Benefits Healthcare, dental, vision, and life insurance.
- Pension & Retirement

- Unemployment
- Grievances/Lawsuits

**COTTAGE CITY COMMISSION
TOWN OF COTTAGE CITY**

ORDINANCE NO. 2026 - 02

Introduced By: The Cottage City Commission

AN ORDINANCE TO AMEND CHAPTER 10 OF THE TOWN CODE TO ESTABLISH A PERSONNEL SYSTEM WITH CERTAIN GUIDELINES, PAYGRADES, SALARIES, STANDARDS, AND PROCEDURES FOR THE EMPLOYEES OF THE TOWN OF COTTAGE CITY.

WHEREAS, Section 58 of the Town Charter (Authority to Employ Personnel) states that the Town shall have the power to employ such officers and employees as it deems necessary to execute the powers and duties provided by this Charter or other State law and to operate the Town government; and

WHEREAS, Section 59 of the Town Charter (Merit System Authorized) states that the Commission may provide by ordinance for appointments and promotions in the administrative service on the basis of merit and fitness, and to carry out this purpose the Commission shall have the power to adopt such rules and regulations governing the operation of a merit system as it deems advisable, and that any person appointed to a position or office under the terms of such an ordinance shall serve at the pleasure of the appointing authority, unless otherwise provided in the ordinance; and

WHEREAS, Section 60 of the Town Charter (Unclassified and Classified Service) states that the civil service of the Town shall be divided into the unclassified and classified service, with the unclassified service comprising the Commissioners; the Clerk-Treasurer (if any), Town Manager, and the Town Attorney; the heads of all offices, departments, and agencies and members of the Town boards and commissions; part-time, temporary, and unpaid offices and positions, which shall not be included within the merit system; and

WHEREAS, the Commission finds that a merit system is a personnel system, typically pertaining to subordinate employees instead of senior appointees, and created "...to secure the appointment of persons, after examination, suitable and qualified for the positions or offices to which they are applicants, and, second, when after appointment, their efficiency and worth are shown to exist, to place their [arbitrary] removal beyond the control of the appointing power, who might, for political, ..., or other insufficient reasons, be disposed to remove them, and to appoint

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CAPITALS	:	Indicate matter that is existing law
Upper & Lower Case	:	Indicate matter added to existing law
[Brackets]	:	Indicate matter deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

unsuitable and inefficient persons as their successors to the injury and detriment of the public...”
Lilly v. Jones, 158 Md. 260 (1930); and

WHEREAS, the Commission has previously adopted provisions in Chapter 10 of the Town Code relating to personnel matters, and the Commission intends to amend Chapter 10 after Section 10-4 to establish and expand upon a personnel system with certain guidelines, paygrades, salaries, standards, and procedures for the employees of the Town of Cottage City, consistent with the organizational chart adopted by Resolution 2025-02.

NOW, THEREFORE, THE COTTAGE CITY COMMISSION FOR THE TOWN OF COTTAGE CITY, STATE OF MARYLAND, DOES ORDAIN AND ENACT AS FOLLOWS:

SECTION 1. That Chapter 10 of the Town Code is hereby amended by adding new Sections 10-5 through 10-15 after Section 10-4 to read as follows:

CHAPTER 10 PERSONNEL SYSTEM

§ 10-5. Declaration of Policy

A. Except as stated herein, this personnel or limited merit system is established for all present and future employees of the Town, and shall provide the means to recruit, select, develop, advance, and maintain an effective and responsive workforce based on relative ability, knowledge requirements of the citizens of the Town. The limited merit system rules and procedures adopted herein shall not generally apply to the unclassified service as defined in Section 60 of the Town Charter

B. All personnel actions shall be taken without regard to race, color, religion, sex (including pregnancy, sexual orientation, and gender identity), national origin, age, disability, marital status, genetic information, military or veteran status, or political affiliation, and shall be based on merit and performance.

§ 10-6. Scope and Intent

A. The classifications, definitions, policies, and procedures outlined in this ordinance apply to all regular Town staff positions defined by Charter as being within the classified service. Regular Town staff positions include all Town merit positions, including offices of profit, except the following: elected officials (commissioners), the Clerk-Treasurer, Town Manager, Town

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Attorney, heads of offices, departments (e.g., the Chief of Police), or agencies and members of Town boards and commissions, volunteers (including committee members), independent contractors, persons employed on projects of limited duration, unpaid volunteers (including interns and Town committee members), and other persons appointed to serve without pay.

B. All employees who have served less than three (3) months, and all new employees of the Town except sworn police officers, will serve a probationary period of six (6) months. Sworn police employees will serve a probationary period of 18 months. The probationary period may be extended for cause as defined in the employee handbook by the Town. Police officers' probationary periods may be further prescribed by general order.

C. This Ordinance shall be read in conjunction with any employee handbook or manual as duly approved by the Commission, and this Ordinance shall control or supersede any conflicting provision in said handbook.

D. Nothing in this Ordinance shall be deemed to modify or alter the Town's at-will employment relationship with any employee, with the exception of an employment contract approved by the Commission. This subsection shall not apply to any valid employment contracts approved prior to the effective date of this Ordinance.

E. No change to the Town employee handbook shall reduce the vacation accruals of any current employee.

§ 10-7. Regular Town Staff Positions

The annual operating budget shall fund the paid appointed offices and positions and authorize the staffing levels of all departments and positions. No other regular Town staff positions or appointed offices may be included or authorized in the annual operating budget unless approved within the budget ordinance or an amendment. In addition to the Town Charter and any previously enacted ordinances in effect, the supervisory positions and named departments or heads thereof enumerated below are considered to be created and duly authorized by law or otherwise ratified by this Ordinance as existing in conformance with Sections 56 through 64 (personnel) of the Town Charter. The paygrades referenced in this Section are further described in Section 10-12, below, and enumeration of the position as "supervisory" means that the position or office manages one or more other employees. The positions listed herein are consistent with the organizational chart adopted by Resolution 2025-02.

A. Positions within the Town Administration Department:

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- i. Town Manager, supervisory (paygrade __)
- ii. Office Manager, supervisory (paygrade __)
- iii. Grant Manager (contracted/agreement)
- iv. Skilled PW Laborer (paygrade __)
- v. PW Laborer
- vi. Town Attorney (contracted/agreement)
- vii. Treasurer (contract/agreement)

B. Positions within the Town's Police Department:

- i. Police Chief, supervisory (paygrade __)
- ii. Sergeant, supervisory (paygrade __)
- iii. Corporal (paygrade __)
- iv. Private First Class (PFC) (paygrade __)
- v. Private (paygrade __)
- vi. Code Officer (paygrade __)
- vii. Police Clerk (civilian/paygrade __)

§ 10-8. Hiring and Dismissal of Town Employees

A. Positions Requiring Commission Approval: Hiring for any regular Town staff position that entails the head of any office, department, or agency of the Town government as established by the Charter or by ordinance requires approval by a majority vote of the Commission. The appropriate department head with the consent of the Town Manager shall give the Commission notice of the hiring of any non-regular position as listed in Section 10-7 at least one week prior to the start date of the non-regular employee. If hiring for a position for which there is no Commission-approved position description, the entire Commission must approve the position description before the position can be advertised.

B. The process for hiring regular Town staff positions that does not include the head of any office, department, or agency of the Town government is as follows: (1) Any opening for a regular Town staff position should be advertised for at least thirty (30) days on a publicly accessible job-posting website, the Town website, and all Town social media sites. The position advertisement must include, at a minimum, the education and experience requirements for the position, the major responsibilities for the position as outlined in the Position Description, the salary range for the position, required documents to be submitted for an application, and the closing date for applications. All applications must be reviewed and ranked by at least the applicable department head and one Commissioner (or at least a Commissioner and the Chair in the case of a department-

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head position). Any Commissioner expressing a desire to review and rank applications will notify the Commission Chair and Town Manager. Any Commissioner notifying the Chair and Town Manager that they wish to be part of this hiring process shall be incorporated into the process provided that the Maryland Open Meetings Act is followed when required by law. Rankings shall be made without regard to race, sex, religion, national origin, or political affiliation.

(2) If no applications meet the minimum education and experience requirements for the position, the position must be re-advertised for at least fourteen (14) days. If three or more applicants meet the education and experience requirements for the position, then at least the top three qualified applicants must be interviewed within thirty (30) days of the closing of the position advertisement unless a candidate withdraws their application. If less than three (3) applicants meet the education and experience requirements, then all qualified applicants should be interviewed. Interviews must be conducted by at least one Commissioner and the applicable department head including the Town Manager. Any Commissioner desiring to be present for interviews shall notify the Chair and Town Manager. Any Commissioner that has notified the Chair and Town Manager shall be included in the interview process to the extent that they make themselves readily available provided that the Maryland Open Meetings Act is followed when required by law.

(3) After conducting interviews, the interviewers must select an interviewee within 30 days of the last interview or restart the recruitment process. Once the individual selected has been notified of selection and accepted the position, the Town Manager will oversee the verification of any educational or other certifications. The Town Manager must also ensure that all selected candidates undergo appropriate criminal background checks and drug screening procedures prior to starting employment.

(4) All efforts will be made to ensure the hiring process is non-discriminatory on the basis of race, sex, religion, national origin, or political affiliation. Outside hiring assistance may be required to ensure current best practices in non-discriminatory hiring practices are followed.

§ 10-9. Political Activities

A. No regular Town staff employee shall hold an elected office or more than one (1) appointed office; however, nothing herein shall prevent an officer from holding an ex officio office or position. This section shall be further governed by the Maryland Anti-Hatch Act as codified in section 1-303 et seq. Of the LG Art. Of the Md. Ann. Code regarding political activities of employees, and where applicable by the federal Hatch Act codified in 5 U.S.C. §§ 7321–7326, restricting partisan political activity by federal executive branch and local government employees if their principal employment is in connection with programs financed in whole or in part by federal loans or grants.

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B. No official or employee of the Town shall solicit any contributions or service for any political purpose from any Town employee.

C. Nothing herein contained shall affect the right of any employee to hold membership in and support a political party, to vote as they choose, to express themselves publicly or privately on all political subjects and candidates, to maintain political neutrality, and to actively participate in political meetings. Such activities must be engaged in as a private citizen and on the employee's own time.

§ 10-10. Unlawful Acts

A. No person shall make any false statements with regard to any test, certification, or appointment made under any provisions of this Ordinance, or in any manner commit or attempt to commit any fraud preventing the impartial execution of this Ordinance and policies.

B. No person shall, directly or indirectly, give, render, pay, offer, solicit, or accept any money, service, or other valuable consideration for any appointment or employment under this Ordinance, or furnish to any person any special privileged information for the purpose of affecting the rights or prospects of any person with respect to employment with the Town.

§ 10-11. Compensation

A. The Cottage City Commission shall set the compensation of all regular Town staff positions by including a pay chart with the annual budget ordinance enacted in conjunction with the annual operating budget, in accordance with this Section. The pay chart will be drafted by the Town Manager. The pay chart will include eight (8) paygrades, with ten (10) steps in each paygrade. They shall be established by adding the COLA to the base every year. Notwithstanding this COLA increase, every three years or sooner at the discretion of the Commission the paygrade of each employee classification shall be reviewed in comparison to industry standards including consideration of mean, median, and mode for the geographic area and size of the municipality. Each step shall be established as 3% more than the step before it. Therefore step 1 shall be the base salary for the paygrade, step 2 shall be the base salary for that paygrade plus 3% more, continuing to step 10.

B. The annual base pay (Step 1) for each Fiscal Year shall be presented in a pay chart and included in that Fiscal Year's Budget Ordinance.

C. Each fiscal year, the pay chart will be updated and included in the annual budget ordinance, beginning in Fiscal Year 2027, to include a cost-of-living adjustment (COLA) for all paygrades

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CAPITALS	:	Indicate matter that is existing law
Upper & Lower Case	:	Indicate matter added to existing law
[Brackets]	:	Indicate matter deleted from existing law
Asterisks * * *	:	Indicate that text is retained from existing law but omitted herein.

and steps. The Town COLA for each fiscal year will be equal to the total pay increase received at the beginning of the same calendar year by United States Government General-Schedule (GS) civilian employees in the Washington-Baltimore-Arlington-DC-MD-VA-WV-PA Locality Pay Area. If said GS total pay increase is less than 1%, the Town COLA will be 1% for that fiscal year. If said GS total pay increase exceeds 3%, the Town COLA will be 3% for that fiscal year.

(1) Part-time employees will be paid by the hour, at an hourly rate (equal to 1/2080 of the annual rate), as a full-time employee with the same position. Part-time employees will have the same minimum and maximum salaries, eligibility for step and paygrade increases, and annual pay increases as their full-time counterparts for computing their hourly rate.

(2) Employee pay will increase by one step after completing a period of satisfactory service (in a particular paygrade and step) with the Town as follows: Increasing one step after one year of satisfactory service in steps 1 through 3, increasing one step after two years of satisfactory service in steps 4 through 6, and increasing one step after 3 years of satisfactory service in steps 7 through 9. Thus, an employee would take 18 total years to move from step 1 to step 10 within a paygrade.

(3) Town employees shall receive compensation only as outlined in this Section, and any other financial compensation including a pay increase, bonus, or incentive pay must be approved by a majority of the Commission as appropriated in the annual budget ordinance and approved by the detailed budget document.

(4) Upon the approval of the Town's annual budget ordinance, each employee shall be issued a letter signed by the Town Manager and department head stating the employee's annual salary, paygrade, step, and COLA increase for the upcoming fiscal year. A copy of this letter shall also be placed in the employee's personnel file. Employees will also receive such a letter when they receive a paygrade or step increase.

(5) When a new employee is hired, they should be hired at step 1 of their paygrade. If the employee is experienced, human resources, under the direction of the Town Manager, can authorize the employee to be brought on up to step 4 in their paygrade depending on qualifications and/or experience. Commission approval is required before bringing an employee on at step 4 or above.

§ 10-12. Penalties

Violation of any provision of this Ordinance may result in disciplinary action on the part of the Commission up to and including dismissal.

§ 10-13. Town Employee Handbook

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The Cottage City Commission shall set further personnel policies and procedures through approval of the Town Employee Handbook. The handbook shall be reviewed annually and updated at least every three (3) years by Resolution.

§ 10-14. Position Descriptions and Organization Chart

The Cottage City Commission shall set, by Ordinance or written resolution, position descriptions for all regular Town staff that include major duties, minimum education and experience requirements, and minimum and maximum pay in accordance with the pay chart described in Section 10-11, as well as the organizational chain(s) of reporting and responsibilities, including supervisory and/or oversight responsibilities, for each position by separate Ordinance or written resolution adopted from time to time.

§ 10-15. Severability

Should any part of this Ordinance be held invalid, all remaining parts shall remain in effect.

SECTION 2.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Cottage City Commission that any prior ordinances adopting and enacting any provision of this Ordinance or any other ordinance or resolution previously adopted pertaining to a subject or subjects embodied by the title of this Ordinance or the provisions found in conflict herein shall be deemed repealed and superseded by the provisions of this Ordinance, and should a previously enacted ordinance cover a provision or subject that is not covered by this Ordinance, it shall remain in full force and effect unless it directly conflicts with the express language of this Ordinance.

AND BE IT FURTHER ORDAINED AND ENACTED, by the Cottage City Commission that this Ordinance shall become effective at the expiration of twenty (20) calendar days following approval by the Cottage City Commission.

AND BE IT FURTHER ORDAINED AND ENACTED, that severability is intended throughout and within the provisions of this Ordinance, and if any section, subsection, sentence, clause, phrase or portion of this Ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, then that decision shall not affect the validity of the remaining portions of this Ordinance.

Page 8 of 9

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AND BE IT FURTHER ORDAINED AND ENACTED, that Section 1 of this Ordinance shall be codified and included within the Code of the Town of Cottage City, whereby the entirety of the previously enacted and codified portion of Chapter 10 of the Town Code shall be restated and added to the sections and provisions written hereinabove in Section 1.

AND BE IT FURTHER ORDAINED AND ENACTED, that a fair summary of this ordinance shall be published at least once prior to the date of passage in a newspaper or newspapers having general circulation in the city, and a fair summary of this ordinance shall be published at least once within ten days after the date of passage in a newspaper or newspapers having general circulation in the Town.

AND BE IT FURTHER ORDAINED AND ENACTED, that the Commissioner-Chair shall be authorized to sign this Ordinance on behalf of the Commission.

HAVING BEEN INTRODUCED AND HAVING BEEN READ as a regular ordinance and passed by a yea and nay vote of the Cottage City Commission with the affirmative votes of a majority of the whole number of members elected to the legislative body as indicated below at a Public Meeting of the Town of Cottage City held on this ____ day of April 2026, at approximately 7 o'clock p.m., in the Town Hall in Cottage City, Maryland.

I HEREBY CERTIFY that the above Ordinance No. 2026-02 was passed by the required yea and nay votes of the Cottage City Commission on the ____ day of April 2026.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Commissioner-Chair

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the ____ day of April 2026 with _____ Aye votes and ____ Nay votes, the aforesaid Ordinance 2026-02 passed.

John Hoatson, Town Manager

Page 9 of 9

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Town of Cottage City Pay Chart

Paygrade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10
1	\$30,249.00	\$31,263.00	\$32,269.00	\$33,271.00	\$34,274.00	\$34,862.00	\$35,857.00	\$36,859.00	\$36,900.00	\$37,835.00
2	\$34,011.00	\$34,820.00	\$35,948.00	\$36,900.00	\$37,313.00	\$38,410.00	\$39,507.00	\$40,604.00	\$41,701.00	\$42,798.00
3	\$37,112.00	\$38,350.00	\$39,587.00	\$40,825.00	\$42,063.00	\$43,300.00	\$44,538.00	\$45,775.00	\$47,013.00	\$48,251.00
4	\$41,659.00	\$43,048.00	\$44,437.00	\$45,826.00	\$47,215.00	\$48,604.00	\$49,993.00	\$51,382.00	\$52,771.00	\$54,160.00
5	\$46,610.00	\$48,163.00	\$49,717.00	\$51,271.00	\$52,825.00	\$54,378.00	\$55,932.00	\$57,486.00	\$59,039.00	\$60,593.00
6	\$51,957.00	\$53,689.00	\$55,420.00	\$57,152.00	\$58,884.00	\$60,616.00	\$62,348.00	\$64,080.00	\$65,811.00	\$67,543.00
7	\$57,736.00	\$59,661.00	\$61,586.00	\$63,510.00	\$65,435.00	\$67,360.00	\$69,284.00	\$71,209.00	\$73,134.00	\$75,059.00
8	\$63,940.00	\$66,071.00	\$68,202.00	\$70,333.00	\$72,464.00	\$74,595.00	\$76,726.00	\$78,857.00	\$80,988.00	\$83,119.00
9	\$70,623.00	\$72,977.00	\$75,332.00	\$77,687.00	\$80,041.00	\$82,396.00	\$84,751.00	\$87,105.00	\$89,460.00	\$91,815.00
10	\$77,771.00	\$80,363.00	\$82,954.00	\$85,546.00	\$88,138.00	\$90,730.00	\$93,321.00	\$95,913.00	\$98,505.00	\$101,097.00



INTER-OFFICE MEMORANDUM

Date: 2/27/26

To: Town Counsel of Cottage City

From: Chief of Police David C. Martini 

Re: Implementation of a Strategic PayScale and Base Salary Adjustment

To maintain the Cottage City Police Department's (CCPD) competitive standing and ensure the long-term retention of qualified personnel, I am proposing a restructured compensation model. The primary goal is to shift CCPD from a "training ground" for other agencies into a department where officers can build a sustainable, 20-year career. We want the best qualified and retention. This structure creates a powerful "reason to stay." Because the 3% merit steps are compounded, the actual dollar amount of the step increases every year. This rewards tenure and ensures that our most experienced officers, those who have the most institutional knowledge, are the most incentivized to remain with Cottage City.

1. Competitive Base Salary Adjustment. I am requesting a 10% increase to the starting officer salary, moving from the 2024 base of \$54,000 to \$59,400.

- Market Positioning. Based on the attached salary comparison, this adjustment moves CCPD into the "middle range" of regional agencies.
- Recruitment Edge. This increase allows us to remain enticing to high-quality recruits who would otherwise bypass Cottage City for neighboring departments with higher entry-level pay.

2. The 20-Year Step Progression Model. The proposed PayScale introduces a structured 3% annual compound increase, providing a predictable and transparent growth path for all personnel.

- Years 1–10 Annual Steps. Officers progress to the next step every year on their anniversary. This front-loaded growth is critical for retaining officers during the first decade of their career, which is the highest risk period for turnover.
- Years 11–20 Biennial Steps. After the 10th year, progression occurs every two years. This rewards long-term loyalty while managing the department's long-term budget sustainability.

3. Defined Rank Hierarchy and Promotion Incentives. To ensure organizational continuity, I have established set percentage increases between ranks to reflect the increase in responsibility.

- Officer to Private: 6% increase.
- Private to Corporal: 6% increase.
- Corporal to Sergeant: 10% increase.

The 10% jump to Sergeant reflects the significant increase in duty. The Sergeant serves as the primary supervisor for all lower ranks and functions as the Acting Chief in the Chief's absence. This higher percentage justifies the "second-in-command" responsibilities. Because the Chief of Police is an appointed, negotiated position, I have excluded a fixed percentage jump from Sergeant to Chief. This allows the Town Manager and Commission maximum flexibility during future contract negotiations.

Cottage City Police Pay Scale

Rank	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9	Step 10	Step 11	Step 12	Step 13	Step 14	Step 15
Clerk	\$52,000	\$53,560	\$55,167	\$56,822	\$58,526	\$60,282	\$62,091	\$63,953	\$65,872	\$67,848	\$69,884	\$71,980	\$74,140	\$76,364	\$78,655
Officer	\$59,400	\$61,182	\$63,017	\$64,908	\$66,855	\$68,861	\$70,927	\$73,055	\$75,246	\$77,504	\$79,829	\$82,223	\$84,690	\$87,231	\$89,848
Private	\$62,964	\$64,853	\$66,799	\$68,802	\$70,867	\$72,993	\$75,182	\$77,438	\$79,761	\$82,154	\$84,618	\$87,157	\$89,772	\$92,465	\$95,239
Corporal	\$66,742	\$68,744	\$70,807	\$72,931	\$75,119	\$77,372	\$79,693	\$82,084	\$84,547	\$87,083	\$89,696	\$92,387	\$95,158	\$98,013	\$100,953
Sergeant	\$73,416	\$75,618	\$77,887	\$80,224	\$82,630	\$85,109	\$87,663	\$90,292	\$93,001	\$95,791	\$98,665	\$101,625	\$104,674	\$107,814	\$111,048
Chief	\$96,600	\$99,498	\$102,483	\$105,557	\$108,724	\$111,986	\$115,345	\$118,806	\$122,370	\$126,041	\$129,822	\$133,717	\$137,729	\$141,860	\$146,116

Police Department Starting Salaries

Agency	Officer	PFC	Corporal	Sergeant	Captain	Deputy Chief	Chief
Prince George's PD	\$70,257	\$70,976	\$76,032	\$85,535	\$106,311		
University Park PD	\$65,102	\$67,946	\$79,822	\$88,366	\$125,656		\$157,075
Laurel City PD	\$65,064	\$68,967	\$77,492	\$85,241			
Cheverly PD	\$64,788	\$67,380	\$71,422	\$77,136		\$95,032	
Bowie PD	\$62,018						
Greenbelt PD	\$61,568	\$66,435	\$71,656	\$83,408	\$128,043	\$139,113	\$146,751
Mount Rainer PD	\$61,453	\$65,142	\$69,701				
Cottage City PD	\$59,400	\$62,964	\$66,742	\$73,416			\$96,600
Upper Marlboro PD	\$58,411	\$61,687	\$63,870	\$67,582	\$87,344		\$96,460
Colmar Manor PD	\$55,000	\$58,750		\$75,000			
Edmonston PD	\$51,127	\$54,775	\$60,235	\$61,152			

	May 14, 2024	July 1, 2026	%	Difference	10%
Officer	\$54,000	\$59,400	10%	\$5400	
PFC	\$58,000	\$62,964	8.5%	\$4964	
Corporal	\$62,000	\$66,742	7.6%	\$4742	
Sergeant	\$66,000	\$73,416	11.2%	\$7416	
Chief	\$92,000	\$96,600	5%	\$4600	
Total	\$36,000			\$27,122	\$33,200

Costs to Hire a New Officer

- Recruiting Advertising & Marketing. Job boards, social media campaigns, and career fairs.
- Psychological Evaluation
- Medical Exams
- Drug Screening
- Polygraph or Voice Stress Testing
- Background Investigations

- Academy Tuition
- Salaries While Training
- Field Training (FTO) During this time, you are essentially paying two people to do one job

- Equipment
 - Uniforms & Apparel Duty boots, multiple sets of uniforms, and cold-weather gear
 - Duty Belt & Tools Handcuffs, flashlight, radio, and body-worn cameras
 - Ballistic Vest Body armor
 - Firearms & Ammunition

- Benefits Healthcare, dental, vision, and life insurance.
- Pension & Retirement

- Unemployment
- Grievances/Lawsuits

TOWN OF COTTAGE CITY
RESOLUTION 2026-03

Item # 4.

**A RESOLUTION OF THE COMMISSION OF THE TOWN OF COTTAGE CITY
ADOPTING A LANGUAGE ACCESS PLAN TO ENSURE MEANINGFUL ACCESS TO
TOWN PROGRAMS, SERVICES, AND ACTIVITIES FOR INDIVIDUALS WITH
LIMITED ENGLISH PROFICIENCY**

Introduced by: The Cottage City Commission

WHEREAS, the Town of Cottage City is committed to providing equitable, inclusive, and nondiscriminatory access to municipal programs, services, activities, and information for all residents, visitors, and stakeholders; and

WHEREAS, individuals with Limited English Proficiency may experience barriers to accessing government programs and services without reasonable language assistance; and

WHEREAS, Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of national origin by recipients of federal financial assistance, and denial of meaningful access due to language barriers constitutes national origin discrimination; and

WHEREAS, Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, requires public entities receiving federal funds to take reasonable steps to ensure meaningful access to their programs and activities; and

WHEREAS, the United States Department of Agriculture has adopted a comprehensive Language Access Plan dated November 9, 2023, establishing standards, procedures, and best practices to ensure meaningful access for individuals with Limited English Proficiency in federally conducted and federally assisted programs
USDA-language-access-plan [30]; and

WHEREAS, the Town of Cottage City administers and may in the future administer or benefit from federally assisted programs, grants, and activities, and therefore must ensure compliance with applicable federal civil rights and nondiscrimination requirements; and

WHEREAS, adoption of a formal Language Access Plan supports transparency, accountability, community engagement, and compliance with federal requirements while strengthening public trust in municipal government;

NOW, THEREFORE, BE IT RESOLVED BY THE COMMISSION OF THE TOWN OF COTTAGE CITY, MARYLAND, that:

The Town of Cottage City hereby adopts a Language Access Plan consistent with the principles, standards, and requirements set forth in the United States Department of Agriculture Language Access Plan dated November 9, 2023, as guidance for ensuring meaningful access for individuals with Limited English Proficiency.

TOWN OF COTTAGE CITY
RESOLUTION 2026-03

Item # 4.

The Language Access Plan shall apply to all Town-conducted programs, services, activities, communications, and public engagement efforts, and to federally assisted programs administered by or on behalf of the Town, as applicable.

The Cottage City Commission designates the Town Manager, or designee, as the Town's Language Access Coordinator, responsible for oversight, implementation, periodic review, and coordination of language access services.

The Town shall take reasonable steps, based on available resources and community needs, to provide language assistance services including interpretation, translation of vital documents, public notification of language assistance availability, staff training, and outreach to communities with Limited English Proficiency.

The Language Access Plan shall be reviewed periodically and updated as necessary to reflect changes in community demographics, program requirements, funding sources, or applicable federal or state law.

This Resolution shall take effect immediately upon adoption.

ADOPTED this 11th day of March, 2026, by The Cottage City Commission of the Town of Cottage City, Maryland.

ATTEST: TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Ward 3, Commissioner Chair

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 11th day of March 2026 with ____ Aye votes and ____ Nay votes, the aforesaid Resolution 2026-03 passed.

John Hoatson, Town Manager



U.S. DEPARTMENT OF AGRICULTURE

USDA Language Access Plan

November 9, 2023

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B. GENERAL LANGUAGE ACCESS POLICY

1. Policy Statement

- a. Timely¹ and accurate communication with the public is essential to the mission of the U.S. Department of Agriculture (the Department or USDA)—to serve all people in the United States by providing effective, innovative, science-based policy leadership in agriculture, food and nutrition, natural resource protection and management, rural development, and related issues with a commitment to delivering equitable and climate-smart opportunities that inspire and help America thrive. The Department is committed to strengthening its services and programs by ensuring that individuals with limited English proficiency (LEP) receive meaningful access to USDA’s federally conducted and federally assisted² programs and activities in accordance with Executive Orders 13166, 13985, 14031 and 14091.³
- b. Therefore, it is USDA policy that mission areas, agencies, and staff offices (“agencies and offices”), and staff must take reasonable steps to plan for and provide individuals with LEP timely, accurate, and effective communications within all programs or activities conducted by the Department—and must work to ensure that providers of USDA-assisted programs are complying with their corresponding obligations. These policies are based on the principle that it is the Department’s responsibility, and not that of an individual seeking services, to take reasonable steps to ensure meaningful access to all Department programs and activities and to foster equity for individuals who interact, or may interact, with the Department over the phone, in writing, in person, or via electronic methods.⁴

¹ LEP Guidance to USDA recipients of Federal financial assistance provides that “[w]hile there is no single definition for ‘timely’ applicable to all types of interactions at all times by all types of recipients, one clear guide is that the language assistance should be provided at a time and place that avoids the effective denial of the service, benefit, or right at issue or the imposition of an undue burden on or delay in important rights, benefits, or services to the LEP person.” 79 Fed. Reg. 70771 (Nov. 28, 2014), available at <https://www.govinfo.gov/content/pkg/FR-2014-11-28/pdf/2014-27960.pdf>.

² U.S. Department of Justice, Civil Rights Division, *Title VI Legal Manual*, “What is Federal Financial Assistance?” 4 (2021), available at <https://www.justice.gov/crt/book/file/1364106/download>.

³ Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 159, 50121 (Aug. 16, 2000) available at <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>; Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 86 Fed. Reg. 14, 7009 (Jan. 20, 2021) available at <https://www.govinfo.gov/content/pkg/DCPD-202100054/pdf/DCPD-202100054.pdf>; Executive Order 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, 86 Fed. Reg. 105, 29675 (June 3, 2021) available at <https://www.govinfo.gov/content/pkg/FR-2021-06-03/pdf/2021-11792.pdf>; Executive Order 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 88 Fed. Reg. 35, 10825 (Feb. 22, 2023) available at <https://www.govinfo.gov/content/pkg/FR-2023-02-22/pdf/2023-03779.pdf>.

⁴ The Department 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, staff training, procurement, as well as performance and evaluation as established by this Language Access Plan. Other agencies use this term as well, see

- c. Providers of USDA-assisted programs and activities must likewise take reasonable steps to provide individuals with LEP timely, accurate, and effective communications.
- d. Ensuring the quality and accuracy of language assistance services is critical to providing individuals with LEP appropriate access to programs and activities.
- e. Where applicable considering an agency's or office's mission and operations, Department staff shall take reasonable steps to effectively inform the public, in a language they understand, of the availability of language assistance services, and to provide qualified language assistance at no cost to individuals with LEP. Among the steps that shall be taken to meet this requirement, the Department shall establish a Language Access webpage (<https://www.usda.gov/oascr/languageaccess>), which shall be maintained by the Office of the Assistant Secretary for Civil Rights. This webpage shall post appropriate information and documentation, including this Language Access Plan and those of the mission areas or agencies, along with other applicable authorities and resources and contact information of individuals responsible for coordinating/overseeing language access for members of the public seeking information or wishing to request language access services.

2. Purpose

The purpose of this Language Access Plan (LAP or Plan) is to ensure that USDA agencies and offices and staff take reasonable steps to ensure meaningful access to USDA conducted and assisted benefits, services, information, and other important aspects of the Department's programs and activities for individuals with LEP.

3. Coverage

This Plan guides the Department, including both public-facing agencies and offices and administrative offices, as they deliver USDA's federally conducted and federally assisted services, programs, activities, and information.

4. Authority

Executive Order 13166 requires each Federal agency to "examine the services it provides and develop and implement a system by which LEP persons can meaningfully access those services consistent with, and without unduly burdening, the fundamental mission of the agency." Federal agencies shall also "prepare a plan to improve access to its federally

e.g., Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Office of Human Services Policy, *Tips on Equitable Communication Practices in a Policy Context*, available at <https://aspe.hhs.gov/sites/default/files/documents/25db6496702d8ee5dace292f7d3925f0/Tips-Equitable-Comm-Practices.pdf>.

conducted programs and activities ... includ[ing] the steps the agency will take to ensure that eligible LEP persons can meaningfully access the agency's program and activities."

For agencies that provide Federal financial assistance, Executive Order 13166 requires them to work to ensure that recipients of that Federal financial assistance deliver meaningful access to applicants and beneficiaries with LEP. The latter provision is in accordance with the requirements of Title VI of the Civil Rights Act of 1964, which prohibits recipients of Federal financial assistance from discriminating on the basis of national origin.

This Language Access Plan not only ensures the implementation of these language access legal requirements with respect to the Department's programs and activities, but also provides general language access guidance for agencies and offices and sets forth USDA internal policies on the provision of language access.

This Plan establishes guidelines and standards in accordance with:

Generally Applicable Statutes:

Section 601 of the Civil Rights Act of 1964 (42 U.S.C. § 2000d) (Title VI).⁵

Executive Orders:

- a. Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*, 65 Fed. Reg. 159, 50121 (Aug. 16, 2000), available at <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20938.pdf>.⁶
- b. Executive Order 13985, *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 86 Fed. Reg. 14, 7009 (Jan. 20, 2021), available at <https://www.govinfo.gov/content/pkg/FR-2021-01-25/pdf/2021-01753.pdf>.
- c. Executive Order 14031, *Advancing Equity, Justice, and Opportunity for Asian Americans, Native Hawaiians, and Pacific Islanders*, 86 Fed. Reg. 105, 29675 (June 3, 2021), available at <https://www.govinfo.gov/content/pkg/FR-2021-06-03/pdf/2021-11792.pdf>.
- d. Executive Order 14058: *Transforming Federal Customer Experience and Service Delivery to Rebuild Trust in Government*, 86 Fed. Reg. 71357 (December 2021), available at <https://www.govinfo.gov/content/pkg/FR-2021-12-16/pdf/2021-27380.pdf>.
- e. Executive Order 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, 88 Fed. Reg. 10825 (Feb. 16, 2023), available at <https://www.govinfo.gov/content/pkg/FR-2023-02-22/pdf/2023-03779.pdf>.

⁵ Recipients of Federal financial assistance are prohibited from discriminating based on race, color, or national origin in their programs or activities. Denial of meaningful access to an individual with LEP is considered discrimination based on national origin. In *Lau v. Nichols*, 414 U.S. 563, 569 (1974), the Supreme Court held that a federal funding recipient's denial of an education to a group of non-English speakers violated Title VI and its implementing regulations. In its ruling, the Court explained, "[i]t seems obvious that the Chinese-speaking minority receive fewer benefits than the English-speaking majority from respondents' school system which denies them a meaningful opportunity to participate in the educational program—all earmarks of the discrimination banned by the regulations." *Id.* at 568.

⁶ The Department of Justice has determined that EO 13166 applies only to persons who are located within the United States and its territories and does not apply extraterritorially.

DOJ Attorney General directives, and policies:

- a. United States Attorney General’s Memorandum to Heads of Department Components Regarding Language Access Obligations Under Executive Order 13166 (June 28, 2010); available at https://www.justice.gov/sites/default/files/crt/legacy/2012/05/04/language_access_memo.pdf.
- b. United States Attorney General’s Memorandum to Heads of Federal Agencies, General Counsels, and Civil Rights Heads Regarding Federal Government’s Renewed Commitment to Language Access Obligations Under Executive Order 13166 (Feb. 17, 2011), available at https://www.justice.gov/sites/default/files/crt/legacy/2011/02/24/AG_021711_EO%2013166_Memo_to_Agencies_with_Supplement.pdf.
- c. United States Attorney General’s Memorandum for Heads of Federal Agencies, Heads of Civil Rights Offices and General Counsels Regarding Strengthening the Federal Government’s Commitment to Language Access (Nov. 21, 2022), available at <https://www.justice.gov/file/1553196/download>.
- d. DOJ Enforcement of Title VI of the Civil Rights Act of 1964 — National Origin Discrimination Against Persons with Limited English Proficiency (65 Fed. Reg. 50123, 50123-50125 (August 11, 2000), available at <https://www.govinfo.gov/content/pkg/FR-2000-08-16/pdf/00-20867.pdf>.
- e. DOJ Guidance to Federal Financial Recipients Regarding Title VI Prohibition Against National Origin Discrimination Affecting Limited English Proficient Persons (67 Fed. Reg. 41455, 41455-41472 (June 12, 2002), available at <https://www.govinfo.gov/content/pkg/FR-2002-06-18/pdf/02-15207.pdf>.

USDA Statutes, Regulations, and Directives:

- a. Nondiscrimination in Programs or Activities Conducted by the United States Department of Agriculture, 7 C.F.R. § 15d, available at <https://www.ecfr.gov/current/title-7/subtitle-A/part-15d>.
- b. Nondiscrimination in Federally Assisted Programs of the Department of Agriculture, 7 C.F.R. § 15 Subpart A, available at <https://www.ecfr.gov/current/title-7/subtitle-A/part-15a>.
- c. The Food and Nutrition Act of 2008, as amended, Supplemental Nutrition Assistance Program (SNAP), 7 U.S.C. §§ 2011 et seq.⁷
- d. 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), available at <https://www.usda.gov/directives/dr-4330-005>.

⁷ The Food Stamp Act of 1977, 7 U.S.C. §§ 2011 et seq., requires program administrators to use appropriate bilingual personnel and printed materials in the administration of SNAP, formerly the Food Stamp Program, in areas where a substantial number of potentially eligible households speak a language other than English. The Food Stamp Act also requires recipients to establish procedures governing the operation of SNAP offices that best serve households in each State, including households in areas where a substantial number of potentially eligible households speak a language other than English.

- e. USDA DR 4300-003: Equal Opportunity Public Notification Policy (October 17, 2019), available at https://www.usda.gov/sites/default/files/documents/20191017_DR4300-003_EqualOppPublicNotice_Final.pdf.
- f. USDA Departmental Regulation (DR) 4330-02: Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance from the USDA (July 27, 2021), available at <https://tinyurl.com/39xf2phr>.
- g. 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 (Nov. 28, 2014), available at <https://www.govinfo.gov/content/pkg/FR-2014-11-28/pdf/2014-27960.pdf>.
- h. U.S. Department of Agriculture Strategic Plan (Fiscal Years 2022-2026), available at <https://www.usda.gov/sites/default/files/documents/usda-fy-2022-2026-strategic-plan.pdf>.
- i. U.S. Department of Agriculture Equity Action Plans, available at <https://www.usda.gov/equity/action-plan>.

5. Scope of Policy

Part A of this Plan sets out policy, authorities, and roles and responsibilities. Part B addresses several issues for Department-wide governance. Part C constitutes guidance for USDA agencies and offices, regarding what shall be included in each agency- or office-specific LAP to ensure that USDA-wide language access policies, standards, and procedures are implemented consistently across all USDA federally conducted and assisted programs and activities.⁸

The guidance included in this Plan is intended to improve the internal management of the Department's language access program, and does not create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers or employees, or any person. Because this document is intended for the internal management of the Department's language access program, it is not intended to be cited in any judicial or administrative proceeding. Administration of the programs discussed herein is within the sole discretion of the Department and its agencies and offices.

6. Definitions

The terms used in this Plan are defined in Appendix A.

⁸ For more information on what constitutes federally conducted and federally assisted programs and activities, see *Commonly Asked Questions & Answers Regarding Executive Order 13166*, (2019), <https://www.justice.gov/crt/eo-13166>.

7. Roles and Responsibilities

This Plan is chiefly carried out by the Office of the Assistant Secretary for Civil Rights (OASCR); the Department’s Language Access Coordinator (USDA LAC), who sits within OASCR, the USDA Language Access Coordinating Committee (USDA LACC), and agency and office staff. Their roles and responsibilities, and those of other units, are included in this section.

In this Plan, “agency and office,” encompasses all USDA units—including mission areas, agencies, and staff offices—that provide programs, activities, or communication with the public. This Plan uses the phrase “administrative office” to encompass other USDA offices, which do not provide public programs, activities, or communications. It is up to mission area, agency, and office heads whether they choose to carry out their obligations under this Plan in separate administrative units or jointly. For example, mission area leadership may decide that their mission area should have one shared Language Access Plan or that each of the mission area’s component agencies should have its own Language Access Plan. This decision shall be clearly specified in the relevant plan.

a. Office of the Assistant Secretary for Civil Rights (OASCR)

OASCR will provide oversight of all Language Access/LEP program functions within USDA. Accordingly, OASCR will:

- i. Provide overall leadership, coordination, and direction for the USDA Language Access program, including language access guidance for Department-level staff offices;
- ii. Ensure that USDA mission areas, agencies, and staff offices actively support and adhere to requirements of federal statutes and authorities that prohibit discrimination, including national origin, under any program or activity conducted by USDA;
- iii. Provide training and disseminate information on best practices for LEP access;
- iv. Enforce English proficiency and plain language standards;
- v. Provide technical assistance on LEP and national origin discrimination matters to employees and managers so that USDA demonstrates and maintains the highest level of technical competence, skills, knowledge, and abilities;
- vi. Proactively promote meaningful access to USDA’s programs and activities for persons with LEP and provide guidance to mission areas, subagencies, and recipients; and
- vii. Issue policies, directives, procedures, rules, and regulations as necessary to ensure that USDA fully achieves its language access compliance and monitoring obligations.

b. USDA Language Access Coordinator

The USDA Language Access Coordinator sits in the Office of the Assistant Secretary for Civil Rights, and is responsible for:

- i. Developing a Department-wide initiative on language access.

- ii. Developing, leading, and promoting uniformity of policies and best practices relating to language access within the Department, including providing templates and resources for agency and office use.
- iii. Ensuring consistent Department-wide compliance with EO 13166, and Department-wide mandates on language access in the Department's Equity Action Plan, EO 13985, EO 14091, and any other relevant directive.
- iv. Leading the implementation and regular review of the USDA LAP and supporting the implementation and review of agencies and offices' language access plans.
- v. Streamlining access to, and overseeing the expansion and centralization of, language assistance services within the Department to improve agency/office access to interpreting and translation services, including through the creation and maintenance of a Departmental one-stop-shop containing relevant internal resources.⁹
- vi. Developing and promoting internal guidance, resources, and materials to expand language access across the Department.
- vii. Providing guidance and technical assistance for USDA agencies and offices, as appropriate, on their ongoing language access needs.
- viii. Researching and incorporating innovative approaches to engaging, collaborating with, and serving individuals with LEP from a people-centered approach.
- ix. Collaborating with the DOJ Civil Rights Division and other Federal agencies regarding issues related to language access.
- x. Facilitating Department-wide engagement with external stakeholders to strengthen access to USDA and other government services by individuals with LEP.

c. USDA Language Access Coordinating Committee

The Language Access Coordinating Committee is led by the Assistant Secretary for Civil Rights or senior designee, with the collaboration of the Department's Senior Designee for Equity under Executive Order 14091, and is composed of representatives from both public-facing USDA agencies and offices, and administrative offices. The USDA LACC meets at least quarterly to:

- i. Support agencies and offices in meeting USDA's language access obligations under this Plan and the USDA Equity Action Plan.
- ii. Increase awareness of language access requirements and best practices.
- iii. Contribute to the development of quality control measures and policy/implementation improvements for language assistance services.
- iv. Perform other duties as specified in this Plan.

⁹ This includes: an internal repository of commonly translated documents; a Department-wide translation glossary of common technical terms in the top languages spoken by LEP individuals; standard language assistance notices, flyers, and posters for the Department's agencies and offices to use; template web pages or web standards to help agencies and offices post translated content; and guidance on identifying documents for translation and targeting languages for translation.

d. Department Agencies and Offices

Consistent with the requirements and obligations above, and where appropriate considering each agency/office's unique mission and operations, Department agencies and offices shall take reasonable steps to ensure meaningful access to both federally conducted and federally assisted programs and activities by:

- i. Ensuring compliance with EO 13166 and other Departmental language access obligations.
- ii. Maintaining, reviewing, and updating agency/office-specific LAPs, as needed, in accordance with this Department-wide plan.
- iii. For federally conducted programs:
 - Planning for and providing meaningful access to programs or activities for individuals with LEP.
 - Identifying and addressing any gaps in language assistance services for individuals with LEP.
 - Training staff according to the agency, office, or USDA's LAP.
 - Notifying individuals with LEP in a language they understand, about the availability of language assistance services through websites, social media, and other outreach initiatives.
 - Consulting with communities with LEP about the development and implementation of the agency/office's applicable programs and activities, funding opportunities, and regulations.
 - Designating an agency/office Language Access Coordinator, and at least one agency/office representative to serve on the USDA LACC.
 - With assistance from the LAC, working to align agency/office policies and programs with language access best practices.
- iv. For federally assisted programs:
 - Informing recipients of Federal financial assistance about their obligation to provide meaningful access to programs and activities for individuals with LEP and offering appropriate training.
 - Monitoring federally assisted programs to identify and work to address gaps in language assistance services for individuals with LEP.
 - Ensuring technical assistance manuals developed for recipients of Federal financial assistance that cover automated systems, digital services, and review tools include sufficient language access criteria and data collection points to facilitate meaningful access for individuals with LEP.
 - Consulting with LEP communities about the development and implementation of the agency/office's applicable programs and activities, funding opportunities, and regulations.

Each Department agency and office shall designate both a senior accountable official responsible for ensuring that the agency or staff office has a documented plan for LAP delivery, whose scope of authority is sufficient to meet this task's needs, and an agency/office language access coordinator, whose role is described in part A.7.e.

e. Agency and Office Language Access Coordinator

The agency and office language access coordinators (LACs) shall:

- i. Lead the development and implementation of the agency/office language access plan;
- ii. Lead the agency/office with respect to the collection and reporting of language access data;
- iii. Lead the agency/office with respect to conducting outreach and engagement with communities with LEP, and entities that represent their interests;

In order to fulfill this role, each agency/office LAC shall develop appropriate expertise and familiarity with federal and Departmental law, regulation, and guidance, and with best and promising practices across the Department and the federal government; and shall coordinate within their own agency/office and consult as appropriate with the Department Language Access Coordinator. Where an agency/office LAC is not on the staff of the agency's civil rights office, the LAC shall regularly consult and coordinate with their agency's civil rights staff.

f. USDA Agency and Office Staff

Agency and office staff that interact with individuals with LEP shall:

- i. Familiarize themselves with Executive Orders 13166, 13985, 14091, this Plan, and their agency/office's language access plan.
- ii. Familiarize themselves with the standards for effective and accessible communication.
- iii. Take reasonable steps to provide meaningful access to Department programs or services to individuals with LEP; and
- iv. Be prepared to effectively use language assistance services when they encounter or have reason to believe that they may encounter individuals with LEP while fulfilling their agency/office's mission, or upon request by a person with LEP who wishes to access Department programs or activities.

g. Office of Budget and Program Analysis (OBPA)

OBPA serves a supporting function on language access and will:

- i. Work with agencies and offices to understand resource and staffing needs to support LEP program functions;

- ii. Incorporate related questions and needs into the budget formulation process; and
- iii. Support the development or revisions of Departmental directives needed to support language access.

h. Office of the Chief Information Officer (OCIO)

OCIO serves a supporting function on language access for individuals with LEP, and will:

- i. Work to develop a common repository to store, visualize, and analyze language access data;
- ii. (With OCP) lead the acquisition and management of any enterprise-wide technology to support language access services; and
- iii. Work with OC on machine translation issues.

i. Office of Communications (OC)

OC serves a supporting function on language access for individuals with LEP, and will:

- i. Model appropriate language accessibility in USDA communications, including plain language standards, Section 508 compliance, and notifying the public of the availability of free language assistance.
- ii. Working with OCIO, implement a language access tool on usda.gov to provide real-time, on-demand automated translations of web pages from English to multiple other languages (i.e., Spanish, Korean, Tagalog, etc.), with a mechanism to facilitate human translation of "vital" web pages;
- iii. Ensure appropriate translation of Departmental communications such as press releases and statements that target areas where English is not the primary language; and
- iv. Maintain and host language access information and resources on usda.gov.

j. Office of the Chief Diversity and Inclusion Officer (OCDIO)

OCDIO serves a supporting function on language access and will offer technical expertise and consultation on promising and best practices relating to inclusive hiring (for example of multilingual individuals), including appropriate data collection.

k. Office of Contracting and Procurement (OCP)

OCP serves a supporting function on language access and will (with OCIO) lead the acquisition and management of any enterprise-wide technology to support language access services.

l. Office of Human Resources Management (OHRM)

OHRM serves a supporting function on language access and will lead the coordination of relevant HR policy and resource development.

m. Office of Customer Experience (OCX)

OCX serves a supporting function on language access and will:

- i. Incorporate related customer research and data needed to support LEP program functions;
- ii. Work with agencies and offices to understand resources and data available to inform design approach to LEP support;
- iii. Ensure that the AskUSDA contact center provides robust language access services—both translation and interpretation (via telephone, email, and chat), and work with agencies and offices to incorporate their LEP needs via the AskUSDA contact center.

C. DEPARTMENT-WIDE PROCESSES AND POLICY**1. Enterprise-Level Development and Inter-Agency Cooperation**

USDA is committed to sharing promising practices and exploring Department-wide and interagency initiatives that could potentially streamline and improve our ability to provide meaningful access to individuals with LEP. To that end, the USDA LAC, with the participation of the LACC, shall identify, develop, and distribute useful resources and materials, and shall, as needed, create subcommittees to focus on cross-cutting areas of concern regarding implementation. In addition, agencies and offices are encouraged to collaborate with each other and other Federal agencies to share resources, implement best practices, improve efficiency, and standardize Federal terminology. Agencies and offices may engage in reimbursable agreements for services and utilize interagency agreements to obtain services from other government agencies.

USDA will implement a process to assess which language access activities should be conducted at the enterprise level, rather than by agencies and offices acting independently. A Department-wide approach may, in appropriate circumstances, improve the services offered or their efficiency. To that end, within six months from the effective date of this

plan, the USDA LAC and LACC shall develop a process to consider which LEP activities are best executed at the agency/office level and which at the enterprise level. This process shall include assessment of the benefits and drawbacks of enterprise management when multiple agencies and offices have similar needs, including pricing advantages that might accrue to larger contracts, access of smaller agencies and offices to a fuller scope of services, and the possibility of eliminating costs altogether by sharing existing resources such as training.

On training in particular, agencies and offices should share training resources, where applicable. In addition, the LAC and LACC shall (a) review available training across the Department and (b) work to assemble or create shareable training on:

- Understanding the laws and requirements governing language access;
- USDA’s language access plan and procedures;
- Developing a language access plan at the mission area/agency level;
- Conducting a self-assessment of LEP needs; and
- Roles and responsibilities in mission areas/agencies, with respect to the availability of language services, including requirements and best practices for public outreach and notification related to language accessibility.

2. Emerging Technology Considerations

The Department will continually evaluate emerging technologies relevant to supporting language translation and interpretation. Our priority remains ensuring that persons with LEP have meaningful access to Department programs and activities through timely and accurate language assistance services, including both translation or interpretation, while seeking to improve language access by increasing productivity of multilingual staff, reducing costs by sharing existing knowledge and work across the enterprise, and increasing access to language services through remote interpretation. For the next three (3) to five (5) years, key technology solutions may include (but not be limited to):

- Providing large-scale commercial cloud-based machine translation and computer aided applications through—
 - Artificial Intelligence (AI) and machine learning (e.g., Natural Language Processing).
 - Embedded productivity toolsets (e.g., Office365 translation services).
 - Storage and indexing of previous translation work.
- Leveraging real-time chat translation interfaces to allow customers easier remote access to interpreters and domain subject experts.

The focus of the Department’s consideration of technologies for language access will encompass three principal applications:

- Machine translation, by which staff utilize computers and automation to provide a computer-generated translation.

- Computer-aided translation, by which translators utilize digital tools to assist in providing and capturing human-certified translations, including facilitating corrections to machine-generated translations.
- Virtual (video) & remote (audio/text) interpretation, by which qualified interpreters provide services from remote locations.

Any Department organization using emerging technologies for the above applications through third-party services, direct government procurement, or modifying existing services must consult with the USDA LAC, and must 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
- Origins of source data utilized for machine-generated and computer-assisted applications

Additionally, Executive Branch guidance for AI is a key source of clarity with respect to AI governance, innovation, procurement, and algorithmic risk.¹⁰

Consideration and development may occur at the agency/office or enterprise level, as instructed by the parameters in section 1, above.

3. Human Resources Management

After coordination with the USDA LAC and LACC, USDA's Office of Human Resources Management (OHRM) shall, by the close of Fiscal Year 2024, provide language-access-related guidance, such as templates and references, to assist agencies and offices when they seek to hire or assess qualifications for positions that require non-English language proficiency. In addition, in partnership with mission area/agency Chief Operating Officers and Chief Human Capital Officers, OHRM shall review and benchmark the types and grades of position within USDA for which non-English language proficiency is helpful, to determine if there are variations in pay based on individual agency criteria and if there is a

¹⁰ See Executive Order 14110, *Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence* (Nov. 1, 2023), available at <https://www.govinfo.gov/content/pkg/FR-2023-11-01/pdf/2023-24283.pdf>; Fact Sheet: *Biden-Harris Administration Announces New Actions to Promote Responsible AI Innovation that Protects Americans' Rights and Safety* (May 4, 2023), available at <https://www.whitehouse.gov/briefing-room/statements-releases/2023/05/04/fact-sheet-biden-harris-administration-announces-new-actions-to-promote-responsible-ai-innovation-that-protects-americans-rights-and-safety/>.

need for an established pay differential for such proficiency, in accordance with Office of Personnel Management guidelines.

4. Monitoring

Using the submissions and data referenced in Part C, Guideline 12, Self-Assessment and Monitoring, the Department will monitor the effectiveness of agency and office Language Access Plans to ensure that LEP individuals continue to receive meaningful access to USDA programs and activities. Through this process, USDA will:

- Assess agency and office plans to ensure that the scope and nature of language assistance services provided reflect current information on relevant LEP populations and their language access needs;
- Gather information about the quality, timeliness, and cost of language assistance services to ensure resources are allocated appropriately;
- Identify access barriers and gaps in services for LEP individuals; and
- Assess whether agencies and offices are monitoring entities that are provided Federal financial assistance in order to determine whether these recipients take reasonable steps to ensure meaningful access to federally assisted programs and activities.

The USDA LAC shall compile data received from the various agencies and offices into an annual report, which it shall share with the LACC for comment prior to finalization. The final report shall make recommendations for language access at particular agencies/offices, and at the Department as a whole, including proposing revisions to agency/office LAPs or their implementation.

OASCR also may, at its discretion, choose to use its separate authority and processes under DR 4330-006, Civil Rights Compliance Reviews, available at <https://www.usda.gov/directives/dr-4330-006>, to review language access issues within any agency or office.

5. Language Access Plan Review and Update

Beginning the year following the first Tri-Annual Self-Assessments described in C.12, this Department-wide LAP must be reassessed every three years and updated as needed; the project shall be led by the USDA LAC, in consultation with the USDA LACC, OASCR, and other internal stakeholders. Reassessment should also include significant engagement with relevant community stakeholders.

D. GUIDELINES FOR PLANNING AND PROVIDING MEANINGFUL ACCESS

Every day, contact between USDA agency or departmental offices and the public may involve persons with LEP. Keeping in mind their missions, operations, and levels of interaction with the public, agencies and offices shall consider the needs of individuals with

LEP early in the process of designing programs and activities. There is no “one size fits all” solution for language access.

The obligation to provide meaningful language access is fact-dependent and is generally evaluated using a four factor analysis: (1) the number or proportion of LEP persons eligible to be served or likely to be encountered by a program; (2) the frequency with which LEP individuals come into contact with the program; (3) the nature and importance of the program, activity or service provided by the recipient to its beneficiaries; and (4) the resources available and the costs of language access services.

As a general matter, USDA agencies and offices should use the four-factor analysis and also should proactively provide language access services (for example, in-advance translation of vital documents) for any language spoken by more than 5 percent of the eligible population; what languages this includes will depend on the region of the office in question. See C.1, below, for a discussion of “top languages.”

Agencies and offices are required to prepare an agency-specific language access plan within three months of the effective date of this Department-wide Language Access Plan, and those agency/office plans shall set out implementation timelines that begin implementation of (not merely planning about) the substantive requirements in this Departmental Plan within three months after their effective date. By one month after the effective date of this Department Plan, each USDA agency head and staff office director shall designate: a senior accountable official who will be responsible for ensuring that the agency or staff office has a documented plan for LAP delivery, whose scope of authority is sufficient to meet this task’s needs, and a Language Access Coordinator (LAC) to lead Plan development and implementation, including collection and reporting of language access data.

The following thirteen topics are essential elements of language access program planning. Each topic shall be addressed in agency- and office-specific language access plans with regards to each agency and office’s nature and operations.

1. Identification of Communities with LEP and their Interaction with USDA
2. Identification of Individuals with LEP and their Primary Language or Method of Communication
3. Outreach and Engagement with Communities with LEP
4. Procurement
5. Quality Assurance and Control
6. Allocation of Resources
7. Notification of the Availability of Language Assistance Services
8. Provision of Language Assistance Services
9. Multilingual Digital Content
10. Staff Training
11. Hiring Practices and Access to Multilingual Staff
12. Self-Assessment and Monitoring
13. Federally Assisted Activities

1. Identification of Communities with LEP and their Interaction with USDA

The USDA LAC, in consultation with the USDA LACC, shall identify the top languages for USDA as a whole, including whether the appropriate number of such languages is 5, 6, or more. In addition, to plan for and effectively provide meaningful access to individuals with LEP, agencies and offices shall supplement this general determination by identifying any additional top languages spoken by the communities they serve or may serve.

According to the American Community Survey, the top five languages spoken in the United States by individuals with LEP are Spanish, Chinese (including the spoken languages of Mandarin and Cantonese and the written languages of Simplified and Traditional Chinese), Vietnamese, Korean, and Tagalog (including Filipino).¹¹ Each agency or office staff shall at least every three years identify the top languages spoken by individuals with LEP based on their program objectives, constituency, and/or geographic region, using language access data collected by the USDA agency or office, language access data collected from recipient agencies that administer USDA-assisted programs and activities, or any or all of the following tools and resources:

- **Language Maps and Data on Communities with LEP**
 - **LEP.gov/Maps** is a DOJ-maintained website with national, state, and judicial district maps of the U.S. population with LEP by number and concentration. However, Census language categories used in those maps are limited and do not include disaggregated data or information on individuals who speak languages that are rare in the U.S., or some Indigenous, Native American, and Native Hawaiian languages, and/or language variants.
 - Data from other Federal, state, and local government agencies, or from community organizations can also be helpful to supplement Census data or obtain more granular details on the languages used by a specific community or region, including intersectional or disaggregated data.
- **Consultation with community members with LEP and organizations that serve those individuals** as described in guideline 4 below.
- **DOJ Language Access Self-Assessment Tool**,¹² which can assist agencies and offices in identifying the different points of interaction with individuals with LEP, historic usage of programs and activities by individuals with LEP, and effective service-delivery strategies.

¹¹ This broad listing of top languages spoken by individuals with LEP is a guide for agencies and offices and does not replace agency/office responsibility to ensure that individuals with LEP, regardless of languages spoken, are afforded meaningful access, particularly with respect to individual specific communications, including correspondence. See also U.S. Census Bureau, *American Community Survey 5-Year Estimate*, available at <https://data.census.gov/all?d=ACS+1-Year+Estimates+Detailed+Tables&q=B16>.

¹² Department of Justice, *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs*, 8 (2011), available at https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.

For assistance in identifying communities with LEP, agencies and offices may seek support from their agency LAC or the USDA LAC.

2. Identification of Individuals with LEP and their Primary Language or Method of Communication

Agency or office staff shall, at the point of first contact with an individual with LEP, make reasonable efforts to conduct or arrange for an initial assessment of the need for language assistance services.

Agency/office staff can determine whether a person needs language assistance in several ways:

- Voluntary self-identification by the individual with LEP or their companion;
- Affirmative inquiry regarding the primary language of the individual if they have self-identified as needing language assistance services;
- Engagement by a qualified multilingual staff or qualified interpreter to verify an individual's primary language; or
- Use of an "I Speak" language identification card or poster.¹³

In determining an individual's primary language or preferred method of communication, it is important to allow the individual to convey the language in which they most effectively communicate, particularly in consideration of any potential sensitivity or trauma relating to a situation or subject matter discussed, the context in which the interaction is taking place, and the method of communicating (i.e., oral versus written), among other factors.

Agency/office staff should not make assumptions about an individual's primary language based on race, color, or national origin.

Additional considerations when identifying language include:

- In instances where identification of the LEP individual's language is challenging, asking the individual about their region, municipality, village, or specific community can help to identify the correct language.
- The USDA LAC shall identify resources and develop templates for agency and office staff to use to help with conducting their four-factor analysis.

3. Quality Assurance and Control

Agencies and offices shall take reasonable steps to ensure that qualified multilingual staff 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, impartial, or incorrect interpretation, and is discouraged.

¹³ See, e.g., USDA *I-Speak Statements*, available at <https://fns-prod.azureedge.us/sites/default/files/cnd/Ispeak.pdf>; United States Census, *Language Identification Flashcard* (2004), available at <http://www.justice.gov/crt/lep/resources/ISpeakCards2004.pdf>.

Absent exigent circumstances, Department staff shall avoid using the following individuals to provide language assistance services:

- Staff who are not qualified
- Family members (especially minor children)¹⁴
- Neighbors
- Friends
- Acquaintances or bystanders¹⁵

Considerations of competency for qualified multilingual staff or contracted personnel may include:

- Demonstrated proficiency in and ability to communicate information accurately in both English and the other language.
- Using the appropriate mode of interpreting (e.g., consecutive, simultaneous, or sight translation).
- Accurately interpreting or translating materials and rendering meaning using appropriate terminology particular to an agency/office's program or activity into the language used by the individual with LEP.
- Understanding and following Department and other applicable confidentiality, impartiality, and ethical rules in compliance with Department expectations.
- Ability to understand and maintain the role and observing professional standards for interpreters, translators, or multilingual staff.
- Understanding the appropriate use of current technologies for providing language assistance, including the proper review and use of machine translation.

Agencies and offices providing interpretive services should be aware of potential interpreter fatigue and the possibility that such fatigue can result in errors. Agencies and offices shall consider strategies to address interpreter fatigue for longer proceedings, where possible, including frequent breaks for the interpreter or the use of multiple interpreters.

Staff shall also be mindful of asking community-based organizations or other volunteers to provide free language assistance services. Such 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 staff 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. §1342.¹⁶ Agencies and

¹⁴ Use of minor children as interpreters shall be avoided in all but the most exigent situations. Absent exigent circumstances, use of adult family members as interpreters shall be allowed only if the individual with LEP is offered a qualified interpreter and declines that interpreter, in writing.

¹⁵ Agencies and offices shall provide staff with further guidance regarding circumstances that would rise to the level of "exigent" and procedures for providing language assistance services under those circumstances.

¹⁶ 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

offices should consult their ethics officer on a case-by-case basis when a volunteer provides language assistance services.

Agencies and offices shall make efforts to have a process in place to review translated documents for accuracy.

4. Outreach and Engagement with Communities with LEP

Effective outreach and engagement with communities with LEP, and entities that represent their interests, is critical to language access planning efforts to increase access to USDA programs and activities for these communities and to receive regular feedback on the implementation of Department and agency/office language access plans or language assistance services.¹⁷

Agency and office LACs shall, at least annually, convene appropriate staff to consider:

- Establishing and maintaining relationships with a variety of entities representing the interests of individuals with LEP, and of those communities who have traditionally been marginalized because of their limited ability to speak English.
- Conducting appropriate outreach efforts designed to inform communities and individuals with LEP about USDA agencies and office programs and activities.
- Communicating clearly through written, video and/or audio means about the nature, scope, and availability of language assistance services and how to request them.¹⁸
- Increasing efforts to encourage participation from local communities in, for example, Department consultations, focus groups, and/or listening sessions, with the goal of learning about their concerns, needs, and perspectives.
- 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.
- Creating and maintaining lists of non-English press to disseminate information about USDA programs and activities.
- Disseminating information about agency/office programs and activities in non-English languages.
- Reaching out and partnering with stakeholders to amplify agency/office communications to specific communities that may include individuals with LEP.

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.

¹⁷ Department of Justice, Civil Rights Division, *Ten Tips For Conducting Effective Community Outreach* (2015), available at <https://www.justice.gov/archives/crt/fcs/newsletter/Winter-2015/10Tips>.

¹⁸ This may include visible signage in agencies’ and offices’ public spaces announcing the availability of language assistance services, translated promotional material (flyers, registration forms, etc.) with information about the availability of interpreting services during the event by request. For additional information about notice of language assistance services, see *Notification about Available Language Assistance Services* section below.

- Establishing formal and easily accessible mechanisms to receive feedback about the quality of the agency/office's language assistance services.

For agencies and offices that have a significant presence in Puerto Rico, the group shall include someone with expertise in needs and activities there.

5. Procurement

When crafting requirements for vendors, agencies and offices seeking to procure language assistance services shall work closely with their agency/office LAC, Contracting Officer, Contracting Officer Representative, budget and/or procurement office and, as needed, with the USDA LAC. (The USDA LAC shall be consulted in any Department-wide procurement.) Agencies and offices may also consult with OCP's representative on the LACC to identify existing agency contract vehicles they can utilize.

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

If an agency/office elects to procure language assistance services, the agency/office's procurement office shall ensure that any Request for Proposals or contracts specify the agency/office's needs and vendor responsibilities to include quality control and assurance procedures, assign liability, and contain dispute resolution provisions.

At a minimum, contracts for language assistance services should include:

- Civil rights assurance clauses;
- Methods for ensuring that interpreters and translators are fluent in both English and the relevant language, and qualified for the particular type of services needed (e.g., to interpret or translate communication that is formal, casual, specialized, or regional, as needed);
- Mechanisms to ensure confidentiality and avoid conflicts of interest;
- Ability to meet the agencies' and offices' demand for interpreters;
- Ability to meet the agencies' and offices' demand for translation, including the delivery of translations in editable electronic or other required formats;
- Reasonable cancellation fees;
- On-time service delivery;
- Acceptable emergency response time;
- Reasonable scheduling of qualified interpreters;
- Requirements for tracking usage;
- Rapid rates of connection to interpreters via telephone, video, or electronically; and
- Effective complaint resolution when translation or interpretation errors occur.

Refer to the government-wide Language Services Procurement Committee's Foreign Language Services Ordering Guide for additional information regarding ensuring quality and accuracy in purchasing language assistance services.¹⁹

The LAC, in coordination with the LACC, shall develop similar guidelines for language assistance services provided through cooperative agreements. In addition, the LAC may, in coordination with OCP, work to share professional standards and criteria for contract interpretation and translation services and recommended quality control mechanisms.

6. Allocation of Resources

Informed by the four-factor analysis, agencies and offices shall consider the appropriate resources needed for language access planning, outreach, and assistance services based on the range of interactions they may have with individuals with LEP.²⁰ As permitted by resource availability, agencies and offices should aim to allocate resources in proportion to the level of current and projected interaction that they have, or may have, with individuals with LEP, including any projected expansion of language assistance services.

7. 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 agencies and offices programs and activities. As a result, many individuals with LEP may not seek out agencies' and offices' benefits, programs, information, and services; may not offer vital assistance in investigations or information that would help determine entitlement or eligibility for benefits; and may be unable to file complaints.

Where applicable, considering agencies' and offices' missions and operations, each agency and office shall take reasonable steps to provide public notification of how to obtain free language assistance services and how to offer feedback or make complaints about the availability of such services. This includes affirmatively notifying the public about the availability of language services at the AskUSDA contact center (<https://ask.usda.gov>, 1-833-663-USDA, askusda@usda.gov). This information shall be offered in different mediums (for example, printed and electronic material, social media, radio, etc.) in consultation with program, outreach, public affairs personnel as well as impacted communities. It shall be offered in the top language(s) spoken by individuals with LEP, and more if appropriate based on the agency's or office's four-factor analysis. Agencies and offices should respond promptly to feedback and complaints.

¹⁹ Language Services Procurement Committee, Interagency Working Group on Limited English Proficiency, *Foreign Language Services Ordering Guide* (Jul. 2020), available at https://www.gsa.gov/cdnstatic/Foreign_Language_Services_%281%29.pdf.

²⁰ Agencies and offices may want to consult with the USDA Language Access Coordinator for tips and tools on projecting and planning for language assistance services.

In public-facing materials, agencies and offices are encouraged to include multilingual taglines²¹ to allow individuals, including those who do not speak the top identified languages, to be informed about the availability of language assistance services.²²

Agencies and offices shall post their agency- and office-specific language access plans or policies on their website. A copy of the Department's Language Access Plan, and links to all the agency- and office-specific plans shall be publicly accessible from the Department's website, at <https://usda.gov/oascr/languageaccess>.

8. Provision of Language Assistance Services

The need for customer-facing language assistance services will vary by agency/office. Each agency or office shall therefore provide tailored guidance to their staff on how to secure language access services that are responsive to the needs of the agency's or office's customers. Where appropriate, agencies and offices shall consider using a combination of language assistance services to provide meaningful access. There are three ways in which agency/office staff may provide language assistance: direct in-language services, interpretation, and translation.

a. Direct In-Language Services

Absent exigent circumstances, agencies and offices are strongly discouraged from allowing employees who have not been formally assessed for their multilingual skills to provide direct services in-language. (Agency and office staff are free to use multilingual skills for general greetings in a foreign language and basic communication for the purposes of language identification.) Unqualified staff could provide incorrect information, introduce conflicts of interest or other ethical concerns, or experience other potentially negative consequences for the Department and/or the individual with LEP.

b. Interpretation

When appropriate, considering the agency and office mission and operations, agencies and offices shall 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.²³ This includes preparation for communication with individuals with LEP who also have communications disabilities.

²¹ As in DR 4300-003, *Equal Opportunity Public Notification Policy* (Oct. 17, 2019), available at https://www.usda.gov/sites/default/files/documents/20191017_DR4300-003_EqualOppPublicNotice_Final.pdf, space availability may be considered in developing the appropriate tagline and notice.

²² See FNS, *Assistance Tagline Translations*, at <https://www.fns.usda.gov/cr/assistance-tagline-translations>. Another sample tagline is available at lep.gov/translation. Using QR codes is encouraged and considered an optimal practice to facilitate access to these notifications and other digital content. A resource for using QR codes is available at <https://digital.gov/resources/introduction-to-qr-codes/>.

²³ Agency or office staff or contractors shall utilize the mode of interpreting that is most appropriate for the situation: consecutive, simultaneous, or sight-translation. For more information on the different modes of interpreting and when they are used, see District of Columbia Office of Human Rights, *Reference Guide: Types of*

While individuals with LEP have the right to refuse language assistance services, agency and office staff 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.

When arranging or requesting interpreting language assistance services, agency and office staff shall 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. USDA has contracts with vendors to provide interpretation in multiple languages. Agencies and offices may consult with the USDA Language Access Coordinator to obtain information about these services.

c. Translation

The Department prioritizes the translation of vital documents and also recognizes the importance of making available routine program material in regularly encountered languages other than English.

Classification of a document as "vital" depends upon the importance of the program, information, encounter, or service involved, and the consequence to the individual with LEP if the information in question is not provided accurately or in a timely manner. Agencies and offices have discretion to determine what documents are considered "vital" for language translation services.

There are two types of vital documents: (1) those that are meant for the general public or a broad audience, and (2) those that are specific communications regarding a case or matter between an individual and the Department.

Vital documents intended for the general public or a broad audience may appear on webpages, social media, apps, or texts; they include, but are not limited to:

- Claim or application forms including their instructions.
- Forms or written material related to individual rights.
- Notices of outreach or community meetings or trainings.
- Press releases announcing activities or matters that affect communities with LEP.
- Notices regarding the availability of language assistance services provided by the agency/office at no cost to individuals with LEP, where applicable considering the agency's or office's mission and operations.

Agencies and offices are encouraged to translate vital documents for the general public into their top languages, as needed, and to consider translating into other languages as appropriate based on the application of the four-factor test, given program objectives, constituencies, and/or geographic regions.

Interpretation, available at https://ohr.dc.gov/sites/default/files/dc/sites/ohr/publication/attachments/Ref%20guide_Types%20of%20interpretation.pdf. Information to help staff 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.

Vital documents specific to a matter between an individual and the Department may include, but are not limited to:

- Administrative complaints, release, or waiver forms
- Letters of findings
- Letters or notices pertaining to statutes of limitation, referrals to other federal agencies, a decision to decline to investigate a case or matter, or closure of an investigation, case, or matter
- Written notices of rights, denial, loss, or decreases in benefits or services, parole, and other hearings

Under most circumstances, materials primarily directed to courts, attorneys, court advocates, or other professionals are not considered “vital” for these purposes.

Each agency and office shall develop its own criteria for identifying vital documents and prioritizing languages for their translation. For vital documents aimed at a national audience, agencies and offices should begin by translating vital information in the top languages spoken by individuals with LEP. Agencies and offices are encouraged to reassess these criteria each time they review and update their language access plans. Even where public outreach or educational materials are not deemed “vital,” they are also very important to translate.

Non-vital information includes documents that are not critical to access benefits and services. Although meaningful access to a program requires an awareness of the program’s existence, it would be impossible, from a practical and cost-based perspective, to translate every piece of outreach material into every language. This is not required.

Agencies and offices shall also ensure that all translations are completed by qualified translators (see Guideline 3, Quality Assurance and Control). Agencies and offices shall avoid using machine translation alone without appropriate human review and quality control. In particular, machine translation is discouraged when information communicated is vital to a person’s rights or benefits, when accuracy is essential, or when the source materials use non-literal language (like slang or metaphors), have unclear grammar or structure, contain abbreviations or acronyms, or are complicated, technical, or wordy.

Individuals with LEP wanting to access services from USDA may not be literate in their country of origin's prevalent written language, or their languages might not have a written form, and thus translated material will not be an effective way of communicating with them. For those individuals with LEP, agencies and offices may want to consider sight translation, interpretation, or audio/video communication.

Recognizing that translating vital documents can be costly and time-intensive, agencies and offices are encouraged to seek stakeholder input in determining which documents should be prioritized for translation. And recognizing the importance of accurate and accessible translation, agencies and offices should include on translated documents a method by which customers can provide feedback or make complaints about the quality of the translation, and should promptly respond to such contacts.

9. Multilingual Digital Content

Agencies and offices shall take reasonable steps to provide meaningful access to individuals with LEP to digital content produced by the agency/office, including multilingual and accessible content on public websites and electronic documents containing information about:

- An agency/office's mission
- Contact information, including how to communicate with the Department or agency/office
- How to file a complaint, including forms and instructions to fill out those forms
- Press releases and important announcements impacting communities with LEP
- Educational material for individuals or communities about their rights under the law

Agencies and offices are encouraged to work with their internal web content staff and the Office of the Chief Information Officer (OCIO) to routinely and periodically assess and monitor translated digital content to improve meaningful access for persons with LEP. Consistent with U.S. Web Design System guidance, this assessment and resulting improvements should pursue the “consistent placement, interface, and behavior of the language selection component [that] allows users to easily find and access content in the language the user is most comfortable in,”²⁴ and should utilize other appropriate federal resources as guidance.²⁵ 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 the agency/office's language assistance services.

The Department and its agencies and offices 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. Agencies and offices shall work with their OCIO to ensure that translated digital content meets Section 508 requirements.

²⁴ U.S. Web Design System, USWDS, *Language Selector*, available at <https://designsystem.digital.gov/components/language-selector/>.

²⁵ For further resources on Multilingual Digital Content, see LEP.Gov, *Improving Access to Public Websites and Digital Services for Limited English Proficient (LEP) Persons* (2021), available at https://www.lep.gov/sites/lep/files/media/document/2021-12/2021_12_07_Website_Language_Access_Guide_508.pdf; General Services Administration, *Language Connections: Tips to Create, Maintain, and Present Non-English Digital Content* (2022), available at <https://digital.gov/event/2022/02/24/language-connections-tips-to-create-maintain-and-present-non-english-digital-content/>; *10 Tips to Create, Maintain, and Present Non-English Digital Content* (2022), available at <https://digital.gov/2022/05/23/10-tips-to-create-maintain-and-present-non-english-digital-content-a-qa-with-michael-mule/>; *Top 10 Best Practices for Multilingual Websites* (2022), available at <https://digital.gov/resources/top-10-best-practices-for-multilingual-websites/?dg>. The Consumer Financial Protection Bureau may also be a resource for multilingual user testing to ensure individuals with LEP have meaningful access to USDA web content. Consumer Financial Protection Bureau, *Strengthening information accessibility for consumers with limited English proficiency* (2023), available at <https://www.consumerfinance.gov/about-us/blog/strengthening-information-accessibility-for-consumers-limited-english-proficiency/>.

10. Staff Training

Department staff (including contractors who perform customer-facing roles) need to know how to provide language assistance services. For policies and procedures to be effective, agencies and offices shall ensure that appropriate new and existing agency/office staff members periodically receive language access and effective communication training relevant to their job duties. Agencies and offices shall remember language access training needs when assessing professional development requirements for all staff.

Where applicable, considering the agency/office's mission and operations, staff shall be trained on:

- Identification of individuals with LEP and specific language needs
- Legal requirements relating to language access for individuals with LEP
- USDA and agency/office language access policies and plans, including how and when to access language assistance services
- Accessing and providing language assistance services through qualified multilingual staff, in-house interpreters and translators, or contracted qualified personnel
- Use of plain language²⁶
- Best practices for working with interpreters in person, over the telephone, or via video remote platforms
- Best practices for working with translators
- Interpreter ethics
- Cultural competency
- Best practices for recording and tracking the use of language assistance services
- Best practices for providing meaningful language assistance to individuals with LEP

Agencies and offices are encouraged to offer technical training (e.g., interpreter ethics, interactive online language access courses, etc.) to qualified multilingual staff to maintain and improve their language assistance skills.

The USDA LAC, in collaboration with the USDA LACC, shall update USDA's basic language access training²⁷ that agencies and offices may use to train staff who have the potential to interact or communicate with such individuals, as appropriate. Training for customer-facing staff should be no less than every three years.

²⁶ The Plain Language Act of 2010, 5 U.S.C. § 105, requires government agencies to provide any information to the general public in clear, easy to understand language. The US government provides resources on plain language at <https://www.plainlanguage.gov>.

²⁷ A video training series, *Providing Meaningful Access for Limited English Proficient Individuals*, and other training videos are available at <https://www.lep.gov/videos>.

Agencies and offices shall assess the most effective methods for offering staff training, and the amount and frequency of training required based on the agency/office staff's level of interaction with individuals with LEP.²⁸

Many Department tasks and functions are conducted by contracted staff and, consequently, contracted staff may interact with individuals with LEP. Agencies and offices shall notify contracted staff of the obligation to ensure nondiscrimination, including compliance with Executive Order 13166. Agencies and offices shall consider contractors and interns having contact with individuals with LEP when determining who needs to be briefed and trained on their roles and responsibilities under the Department's language access policy or guidance until they prepare an agency-specific LAP, which shall encompass contractors as well as federal employees.

11. Hiring Practices and Access to Multilingual Staff

The Department values the multilingual skills of its employees. Qualified multilingual staff can assist USDA in meeting Title VI and Executive Order 13166 requirements for federally conducted and federally assisted programs and activities. They can also assist USDA's recipients of Federal financial assistance to meet Title VI requirements to ensure meaningful access to LEP persons. The qualified multilingual employees include staff whose job descriptions include provision of direct in-language communication and language assistance, and personnel who volunteer to use their assessed language skills on behalf of the Department.

When making decisions about hiring or utilizing multilingual staff, USDA agencies and offices in collaboration with their respective Human Resource office shall:

- Assess the extent to which non-English language proficiency in particular languages is necessary or desired for particular positions or to fulfill the agency/office's mission.²⁹
- 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 agency/office language needs.
- Collaborate with OHRM with respect to standard classification language that can be appended to existing position descriptions to aid in hiring positions with language requirements.

Department staff shall be mindful of the professional responsibility and ethical implications of relying on multilingual internal staff to provide language assistance services in select

²⁸ For example, agency or office staff who interact with individuals with LEP daily and are responsible for arranging language assistance services, as well as managers of such staff, shall receive regular training. Other tools and materials may be developed by agencies and offices to provide information on fundamental language access requirements, standards, and best practices to staff who may encounter individuals with LEP, but do not do so as a regular part of their duties.

²⁹ 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 Staff Language Service Program*, available at https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Effective_Language_Program.pdf.

cases. If USDA agencies and offices decide to use employees whose job duties do not already include the provision of spoken language assistance services to provide such services, they shall consult with the USDA LAC and establish resources for language testing, language assessment processes, and establish agency/office specific qualification requirements.³⁰

USDA agencies/offices shall track the composition of existing and newly qualified multilingual staff by non-English languages spoken and level of oral and written proficiency. Maintaining an inventory of qualified multilingual staff can be useful for resource-sharing initiatives within and among agencies and offices. Managers shall consider the amount of time an employee has spent providing language assistance services when assessing workload and productivity.

In addition, USDA agencies/offices shall consult with the 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.

12. 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. To this end, agencies and offices shall collect, track and monitor language access data.

In particular, each agency and office shall develop a method for recording and tracking all languages spoken and all language assistance services provided at the point of contact with individuals with LEP. Each agency and office shall itself evaluate this data, and shall report the data to the USDA LAC, as described below.

Quality language access data is the cornerstone of an effective language access plan. Knowing the languages spoken by individuals with LEP within a service area, the frequency of encounters with them, and the resources available to serve them will better prepare USDA and its agencies and offices to provide qualified and competent language assistance services that avoids delay or denial of access to any USDA program or activity. This data will help USDA review and improve its language access efforts.

Language access data allows USDA to assess whether agencies and offices are using qualified multilingual personnel or telephonic interpreter services; whether webpages,

³⁰ A validated language test provides valid and reliable measurement of language proficiency. For example, a language test that assesses speaking shall measure someone's ability to speak a language. The results of the test are used to determine if a person can speak a language. Based on results, the examinee can be expected to be able to perform certain speaking tasks in the language relevant to the test results. See D'Este, Claudia, *New Views of Validity in Language Testing*. Linguistica Language Education. 1. 10.14277/2280-6792/5p (2012), available at https://www.researchgate.net/publication/308782753_New_views_of_validity_in_language_testing. For further explanation on what certification could mean, see *What Does It Mean to be a Certified Linguist?*, https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Trust_Me_Im_Certified.pdf.

digital services, and customer service voice mail menus intended for public use are accessible to individuals with LEP; whether vital documents and information are translated into frequently encountered languages, and whether agencies and offices are notifying the public about the availability of free language assistance services in a language that they can understand.

To assess language access needs and services, each agency and office shall record and track the language spoken and the language assistance service provided at the point of contact with individuals with LEP. Any personal identifiable information (PII) collected during any stage of this data collection, tracking, and reporting, must be kept confidential and accessible only to authorized personnel.

Agencies and staff offices shall report certain language access data to the USDA LAC semi-annually, and additional data annually. This data shall be provided electronically to the USDA LAC, as the LAC directs. The semi-annual and annual requests may be revised by the LAC, but until such revision, they shall include the items listed in Appendix B. OCIO shall collaborate with the LAC, in consultation with the LACC, to develop a common repository to store the data, and tools to visualize and analyze it.

Tri-Annual Self-Assessment:

Every three years, each agency/office shall conduct a self-assessment of its language access needs and services and shall share that self-assessment with the USDA LAC and the LACC. The first such self-assessment shall be due within two years of the effective date of this Plan, unless the USDA LAC sets an earlier date. In consultation with the LACC, the LAC may update the requirements of the self-assessment described below as needed, without formally modifying this Plan. But absent such update, the self-assessment shall include each of the following:

- The process to assess the language assistance services needs of individuals with LEP in the service area.
- The process for collecting, tracking, and monitoring the language assistance services provided to determine if individuals with LEP have meaningful access to programs and activities.
- The strategy, if any, for recruitment and employment of qualified multilingual staff.
- The quality control and skills qualification standards for language assistance services (contract interpreters and translators, multilingual staff, and volunteers).
- The language assistance resources (qualified interpreters and translators, both telephonic, contract, in-person, and video remote interpreting) available to personnel and instructions on how to access these resources.
- The policy that restricts use of family members, friends, and children as interpreters.
- The plan for identifying and translating vital documents and information into languages frequently encountered in the service area.
- The instructions to employees on how to request translations of information.
- The strategy to ensure meaningful access to websites and digital services.

- The method that ensures the accuracy of information translated by machine translation software, if such software is utilized.
- The plan to ensure voice mail menu options on customer service lines are available in frequently encountered languages.
- The plan for ensuring employees receive effective training on their language access requirements, including how to obtain and work with interpreters.
- The method for identifying individuals with LEP at the point of contact.
- The method for notifying members of the public about the availability of free language assistance services in languages that individuals with LEP in the service area can understand.
- The process to ensure public service announcements and outreach strategies reach individuals with LEP.
- If applicable, the method for ensuring recipients of Federal financial assistance take reasonable steps to ensure meaningful access to USDA programs and activities for individuals with LEP.
- The strategy to involve stakeholders in the implementation of the agency's or mission area's language access efforts.

For each topic of the self-assessment, the agency/office 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 agency/office's Language Access Plan.

If the answer is yes, with respect to any topic of the self-assessment, the agency/office shall inform the USDA LAC, providing details, and shall report back within three months on the change to the policy, implementation, and/or Language Access Plan, and on efforts to obtain additional resources.

13. Federally Assisted Activities

Guidance for the providers (referred to as "recipients," because they receive federal support to provide the programs) of USDA-assisted programs in meeting their existing obligations to provide meaningful access for persons with LEP is found at 79 Fed. Reg. 70771 (Nov. 28, 2014), available at <https://www.govinfo.gov/app/details/FR-2014-11-28/2014-27960>. The guidance requires at a minimum that providers complete the four-factor analysis to determine what language assistance services may be necessary for their USDA-assisted program, and that they plan and be prepared to provide both oral and written language assistance, as necessary.

The guidance explains that most providers "should develop an implementation plan to address the identified needs of the LEP populations," and catalogs the benefits of this approach. However, it also recognizes that "certain USDA recipients, such as recipients serving very few LEP persons and recipients with very limited resources, may choose not to develop a written LEP plan," emphasizing 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.”

For most providers of federally assisted programs, a plan is crucial, and the guidance includes the key elements:

- Identifying LEP Persons Who Need Language Assistance
- Language Assistance Measures
- Training Staff
- Providing Notice to LEP Persons
- Ensuring Online Automation Services
- Monitoring and Updating the LEP Plan

It adds, “In addition to these six elements, effective plans set clear goals, management accountability, and opportunities for community input and planning throughout the process.”

USDA and its agencies and offices are not responsible for providing language assistance services on behalf of entities delivering USDA-assisted programs and activities. However, for USDA programs that provide federal support to state and local governments and other entities, whether through funding, in-kind assistance, training, detail of personnel, or other assistance, USDA agencies’ and offices’ LAPs shall include how they will work to ensure appropriate language access in those programs.

Among the items that shall be included in the agency and office plans, with respect to federally assisted programs:

- How the agency/office will inform recipients of Federal financial assistance about their obligations to provide meaningful access to programs and activities for individuals with LEP, and offering appropriate training.
- How the agency/office will resolve complaints and non-compliance.
- Standard terms and assurances in the agency/office agreements with recipients of Federal financial assistance, including periodic review to assess whether to implement updates or improvements to those terms and assurances.
- Record-keeping requirements, and related information-sharing. (Applicable federal regulations explain that collection of language access data from recipients of Federal financial assistance is necessary to ensure compliance with Title VI.³¹)
- Any other activities undertaken to monitor federally assisted programs to identify and work to address gaps in language assistance services for individuals with LEP.
- How the agency/office will consult—at least annually—with communities with LEP about the development and implementation of the agency/office’s applicable programs and activities and funding opportunities.

³¹ See, e.g., 28 C.F.R. § 42.406. *Data and information collection*, available at <https://www.ecfr.gov/current/title-28/chapter-I/part-42/subpart-F/section-42.406>.

APPENDIX A: DEFINITIONS

The Department uses the following terms as defined below for the purposes of this plan:

- a. **Agency.** A major program organizational unit of the Department with delegated authorities to deliver programs, activities, benefits, and services.
- b. **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.
- c. **Agency and office, or agency/office.** All USDA units—including mission areas, agencies, and staff offices—that provide programs, activities, or communication with the public.
- d. **Direct in-language services.** Monolingual communication in a language other than English between multilingual staff and a person with LEP (e.g., Korean to Korean).
- e. **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.³²
- f. **Federally conducted programs and activities.** Program services, benefits, resources, or information delivered directly to the public by USDA. This means that the agency staff directly interacts with the intended beneficiaries (program users and communities) and the agency is responsible to implement a language access plan to serve the intended beneficiaries.
- g. **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 to provide 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.
- h. **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 of 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.

³² 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>.

- i. **Interpretation.** The process by which the spoken word is used—generally in real-time—when transferring meaning between languages.
- j. **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.
- k. **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 needing assistance.
- l. **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).
- m. **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.
- n. **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.
- o. **Qualified multilingual staff.** 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.
- p. **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.
- q. **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.
- r. **Quality assurance.** The process to ensure accuracy, consistency, quality, and reliability of language assistance services.

- s. **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.
- t. **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.
- u. **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.³³
- v. **Transcreation.** A translation-related activity that combines translation, cultural adaptation and (re-)creation of text in order 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.
- w. **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.³⁴
- x. **Vital document.** Paper or electronic written material that contains information that is critical for accessing an agency/office's programs or activities or is required by law. Translation of vital documents is required if requested. For more information, see C.8.c.

³³ LEP.gov, *Federal Agency Translated Taglines*, available at <https://www.lep.gov/translation#toc-taglines>.

³⁴ American Translators Association, *Translator vs. Interpreter: What's the difference?*, available at <https://www.atanet.org/client-assistance/translator-vs-interpreter/>.

APPENDIX B: REPORTING

See Part C.12.

Semi-Annual Data Reporting:

The semi-annual request may be revised by the LAC, but until such revision, it shall include:

- Number of written translation requests, by language.
- Description of all new documents or websites and all updated documents translated, by language..
- Number of oral interpretation requests, by language.
- For oral interpretation: number of each type of language assistance service provided, by language, by:
 - Qualified Bilingual Personnel
 - Qualified In-house Interpreters
 - Qualified Contracted Interpreters
 - Qualified Telephonic Interpretation Services
 - Video interpretation services
 - Language bank or dedicated pool of qualified interpreters
 - Qualified volunteer interpreters
 - Other
- Description of all public service announcements (PSAs) issued in non-English languages, including the languages.
- Description of all program discrimination complaints involving language access, including the languages.
- The effectiveness of both services and technologies used for language assistance services.
- Additional resources needed to ensure meaningful access.
- Best practices or effective, model strategies newly implemented.

Additional Annual Data Reporting:

- The name and contact information for the agency/office's Language Access Coordinator.
- The language assistance services (interpretation and translation) available to the organization's personnel for communicating with individuals with LEP, and how these services are accessed.
- In particular, which of the following are accessible, and how:
 - Qualified bilingual staff
 - Qualified interpreters (oral)
 - In-house
 - Contracted, in-person
 - Contracted, telephonic
 - Contracted, video
 - Language bank or dedicated pool

- Volunteer
 - Borrowed from another agency
 - Other
- Qualified translators (written)
 - In-house
 - Contracted, in-person
 - Language bank or dedicated pool
 - Volunteer
 - Borrowed from another agency
 - Other
- The number of staff who work full-time (count as 1 FTE) or part-time (count as a portion of 1 FTE) on language access/LEP issues, including the offices they work in.
- Any newly issued or revised regulations, policies, directives, or guidance regarding language access, including the agency/office Language Access Plan.
- Description of each language access training provided to personnel, including whether it is required, who is the intended audience, how many federal employees, contractors, and others are required to complete each training, and how many have done so.
- The number of bilingual/multilingual staff employed by the organization and the languages they speak fluently.
- Contract Vehicles Used: For each such contract vehicle:
 - Description of services
 - Name of vendor
 - Obligations
 - Expenditures
 - Blanket Purchase Agreement (BPA)?
 - If yes, ceiling?
 - Can other agencies/offices use the BPA?
- With respect to oral interpretation:
 - Fiscal year expenditures, distinguishing between on-demand language lines and other interpretive services.
 - Most common challenges
 - Solutions to challenges
 - Lessons learned
- With respect to written translation and transcreation:
 - Fiscal year expenditures, distinguishing between generally available information and communications, and individual communications, and between translation and transcreation.
 - Most common challenges
 - Solutions to challenges
 - Lessons learned
- The agency/office's plan for language access expenditures for the next fiscal year, including plans for obtaining new multilingual personnel, contracts, or other services.
- Whether the agency/office is using machine translation software, and if so, how it is ensuring the adequacy of the translation for vital communications.

- How the agency/office's website displays multilingual notices informing individuals with LEP about the availability of free language assistance services and how to request these services.

APPENDIX C: RESOURCES

- U.S. Census Bureau, [American Community Survey 5-Year Estimate](#).
- U.S. Census Bureau, *Language Identification Flashcard* (2004), available at <http://www.justice.gov/crt/lep/resources/ISpeakCards2004.pdf>.
- Department of Justice, *Language Access Assessment and Planning Tool for Federally Conducted and Federally Assisted Programs* (2011), available at https://www.lep.gov/sites/lep/files/resources/2011_Language_Access_Assessment_and_Planning_Tool.pdf.
- Department of Health and Human Services, Assistant Secretary for Planning and Evaluation, Offices of Human Services Policy, *Tips on Equitable Communication Practices in a Policy Context*, available at <https://aspe.hhs.gov/sites/default/files/documents/25db6496702d8ee5dace292f7d3925f0/Tips-Equitable-Comm-Practices.pdf>.
- LEP.gov tools and tips:
 - *Providing Meaningful Access for Limited English Proficient Individuals*, and other training videos, available at <https://www.lep.gov/videos>.
 - *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.
 - *TIPS on Building an Effective Staff Language Service Program*, available at https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Effective_Language_Program.pdf.
 - LEP.gov, *Translation, Federal Agency Translated Taglines*, available at <https://www.lep.gov/translation#toc-taglines>.
 - *TIPS for Working with Telephone Interpreters*, available at https://www.lep.gov/sites/lep/files/media/document/2020-03/TIPS_Telephone_Interpreters_0.pdf.

TOWN OF COTTAGE CITY
RESOLUTION 2026-04

Item # 5.

A RESOLUTION TO APPROVE AND GRANT PERMISSION TO THE PRINCE GEORGE’S COUNTY DEPARTMENT OF THE ENVIRONMENT, AND ITS AUTHORIZED AGENTS OR ASSIGNS, TO ALLOW ACCESS AND ENTRY TO MUNICIPAL PROPERTIES AND RIGHTS OF WAY WITHIN THE TOWN OF COTTAGE CITY, IN ORDER TO DESIGN, SURVEY, LOCATE UTILITIES, TEST SOIL, LOCATE AND PLANT TREES, AND PERFORM OTHER DUTIES IN CONNECTION WITH THE INSTALLATION AND ESTABLISHMENT OF A VARIETY OF NATIVE TREES AND PLANTS.

Introduced by: The Cottage City Commission

WHEREAS, the General Assembly of Maryland established policies supporting large-scale urban tree planting and environmental restoration efforts, with goals to expand tree canopy coverage in underserved communities and along public rights of way; and

WHEREAS, the Prince George’s County Department of the Environment’s mission includes supporting municipalities through large scale tree plantings and other nature-based solutions which enhance climate resilience and quality of life; and

WHEREAS, Prince George’s County tree programs align with County Climate Action Mitigation Implementation Strategy 11, Maintain a climate-resilient equitable forest and tree canopy cover as well as Adaptation Implementation Strategy 7: Reduce Exposure of vulnerable populations to extreme heat, and

WHEREAS, the Prince George’s County Urban Tree Program allows for the planning, design, surveying, utility location, soil testing, installation, and establishment of native urban street trees within municipal public spaces and rights of way; and

WHEREAS, the Town of Cottage City desires to participate in this initiative as a sub-recipient through the receipt of work product, infrastructure improvements, and environmental assets delivered by the County, while incurring no direct financial obligation; and

WHEREAS, similar programs have been successfully implemented in other municipalities within Prince George’s County, generating substantial real-world environmental, infrastructure, and community benefits; and

TOWN OF COTTAGE CITY
RESOLUTION 2026-04

Item # 5.

WHEREAS, the Town of Cottage City maintains authority and control over public rights of way, streets, and municipal properties within its corporate limits, subject to applicable State and County jurisdiction; and

WHEREAS, the Town Commission desire to formally authorize access to municipal properties and rights of way to allow for the lawful and coordinated implementation of this urban tree planting initiative.

NOW, THEREFORE, BE IT RESOLVED by the Commission of the Town of Cottage City, Maryland, that the Town hereby approves participation in the Prince George's County Urban Tree Program and grants permission to the Prince George's County Department of the Environment, its contractors, agents, and assigns, to access and enter designated municipal properties and rights of way within the Town of Cottage City for the purpose of designing, surveying, locating utilities, testing soil, locating and planting trees, and performing other duties necessary for the installation and establishment of urban street trees.

BE IT FURTHER RESOLVED that the Commission is hereby authorized to execute any necessary documents, access agreements, or related instruments required to facilitate this program on behalf of the Town, subject to legal sufficiency.

BE IT FURTHER RESOLVED that the Town's participation in this program shall not require the expenditure of Town funds and shall instead be received as environmental, infrastructure, and public benefit improvements delivered through the County initiative.

BE IT FURTHER RESOLVED that the Commission acknowledges that coordination with the County and its implementation partners will be facilitated on behalf of the Town to ensure the successful planning and implementation of this program.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately upon its adoption.

ADOPTED this 11th day of March, 2026, by The Cottage City Commission of the Town of Cottage City, Maryland.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Ward 3, Commissioner Chair

TOWN OF COTTAGE CITY
RESOLUTION 2026-04

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 11th day of March 2026 with ____ Aye votes and ____ Nay votes, the aforesaid Resolution 2026-04 passed.

John Hoatson, Town Manager

TOWN OF COTTAGE CITY
RESOLUTION 2026-05

Item # 6.

A RESOLUTION TO APPROVE A TOWN HEALTH & LIFE INSURANCE POLICY FOR EMPLOYEES OF THE TOWN OF COTTAGE CITY

WHEREAS, the Commission of the Town of Cottage City recognize the importance of providing comprehensive and affordable Health & Life Insurance benefits to its employees; and

WHEREAS, offering Health & Life Insurance promotes employee well-being, supports recruitment and retention, and enhances the Town’s ability to provide high-quality public services; and

WHEREAS, the Town has reviewed available health & Life Insurance options and determined that establishing an official Town health & Life Insurance policy is in the best interest of the employees and the residents of The Town Cottage City;

NOW, THEREFORE, BE IT RESOLVED, by the Commission of the Town of Cottage City that:

- 1. The Town hereby approves and adopts a Town Health & Life Insurance Policy for eligible employees.
- 2. The Town of Cottage City will pay up to the first \$1,000.00 for eligible employees enrolled in the Town approved Health & Life Insurance Plan.

BE IT FURTHER RESOLVED that this Resolution shall take effect July 1, 2026, as part of the FY27 Budget.

ADOPTED this 11th day of March, 2026, by the Cottage City Commission of the Town of Cottage City, Maryland.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Ward 3, Commissioner Chair

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 11th day of March 2026 with ____ Aye votes and ____ Nay votes, the aforesaid Resolution 2026-05 passed.

John Hoatson, Town Manager

TOWN OF COTTAGE CITY
RESOLUTION 2026-06

Item # 7.

A RESOLUTION OF THE COTTAGE CITY COMMISSION OF THE TOWN OF COTTAGE CITY TO AMEND THE OFFICIAL TOWN HOLIDAY SCHEDULE TO INCLUDE PRESIDENTS DAY, NATIVE AMERICAN DAY, AND VETERANS DAY, AND TO UPDATE HOLIDAY OBSERVANCES TO SUPPORT EMPLOYEE MORALE AND RETENTION

Introduced by: The Cottage City Commission

WHEREAS, the Cottage City Commission of the Town of Cottage City recognize the importance of supporting employee morale, wellness, and retention through meaningful workplace policies; and

WHEREAS, the observance of federal and culturally significant holidays reflects the Town's commitment to honoring the history, service, and contributions of diverse communities and the nation; and

WHEREAS, the Town currently recognizes the following holidays:

- New Year's Day
- Martin Luther King Jr. Day
- Memorial Day
- Juneteenth
- Independence Day
- Labor Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

WHEREAS, the Cottage City Commission desire to expand and clarify the Town's recognized holidays to include additional observances of national and cultural significance;

NOW, THEREFORE, BE IT RESOLVED

The Cottage City Commission of the Town of Cottage City that the official Town holiday schedule is hereby amended to include the following recognized holidays:

OFFICIAL TOWN HOLIDAYS

- New Year's Day
- Martin Luther King, Jr. 's Birthday
- Inauguration Day (every four years)
- Presidents Day

TOWN OF COTTAGE CITY
RESOLUTION 2026-06

Item # 7.

- Memorial Day
- Juneteenth Day
- Independence Day
- Labor Day
- Native American Day
- Veterans Day
- Thanksgiving Day
- Day After Thanksgiving
- Christmas Day

BE IT FURTHER RESOLVED,

That the addition of Presidents Day, Native American Day, and Veterans Day is intended to:

- Honor the service and contributions of veterans and Native American communities
- Recognize national leadership and civic history
- Promote inclusivity and cultural awareness
- Improve employee morale and strengthen workforce retention

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately upon adoption and shall apply to all eligible Town employees in accordance with the Town's personnel policies.

ADOPTED this 11th day of March, 2026, by The Cottage City Commission of the Town of Cottage City, Maryland.

ATTEST:

TOWN OF COTTAGE CITY, MARYLAND

John Hoatson, Town Manager

By: _____
Wanda Wheatley, Ward 3, Commissioner Chair

CERTIFICATION

I, HEREBY CERTIFY, as the duly appointed Town Manager of the Town of Cottage City, Maryland, that on the 11th day of March 2026 with ____ Aye votes and ____ Nay votes, the aforesaid Resolution 2026-06 passed.

John Hoatson, Town Manager



PLACEMAKERS * PLACESAVERS * CULTURAL INFLUENCERS

A CORPORATE BOARD-MANAGED ARCHITECTURAL FIRM

Item # 8.

Dale Glenwood Green is the Managing Partner, Chairman of the Board and CEO of SCB & G | A Green Company, an outgrowth of one of the oldest African American architecture firms founded in the United States. Stewarding over \$15 billion in projects nationwide across a family of Black Legacy Architectural firms working together towards a more equitable future in placemaking and placesaving. The firm is headquartered in Washington, DC - Baltimore, MD metro.

Its roots date back to 1964, when the original founders chartered a architecture firm in the nations capitol. SCB & G | A Green Company, Inc. was rebranded in its 60th year in 2024. The firms restructure was led by its fourth generation Visionary, Dale Glenwood Green, whom has postured the firm to carry on the legacy and tradition of trailblazing work on high-profile projects in a field challenged with diversity and inclusion.

Green leads the firms market sector across multiple major cities spanning the East Coast to the West Coast, from DC, Baltimore, Philadelphia, NYC and Boston to Miami, Atlanta, Chicago, Detroit and Los Angeles. Green serves as the Visionary, Face and Voice of the Firm as Majority Owner and is engaged in presenting directly to both Clients and the Community, orchestrating the firms projects from Inception through Close-out.

Principal and Senior Architect, Marie-Therese (Mimi) Giguere, AIA, APT, NCARB is a Licensed Architect and serves as Chief Operating Officer responsible for the firms' operations and coordination of all project efforts, administrative and technical, to ensure the most efficient and cost-effective execution of the firms' projects.

Principal and Senior Architect, Jonathan Uel Harden, AIA, NCARB, LEED AP is a Licensed Architect and serves as Chief Architect and is the firms "designated architect" with the overall responsibility for the firm's architectural practice; supervising, reviewing and stamping the firms projects.

Leadership

Dale Glenwood Green
Chairman of the Board
Chief Executive Officer

Management

Mimi Giguere (License #8797)
Director of Operations
Chief Operating Officer

Production

Jonathan Harden (License #17482)
Director of Architecture
Chief Architect



SCB & G | A GREEN COMPANY, INC.

PLACEMAKERS * PLACESAVERS * CULTURAL INFLUENCE

A CORPORATE BOARD-MANAGED ARCHITECTURAL FIRM | THE TRIFECTA

Key Directors & Officers

Item # 8.



Dale Glenwood Green

LEADERSHIP

Chairman of the Board
Chief Executive Officer

Visionary, Face and Voice of the Firm | Majority Owner.
Engage and Present directly to the Clients and the Community.
Orchestrates projects from the Inception through Close-out.

ARCHITECT-CORPORATION

Firm Permit

(Registration #22615)



Mimi Giguere, AIA, NCARB
Architect

Mimi Giguere
(License #8797)

MANAGEMENT

Director of Operation
Chief Operating Officer

Principal and Senior Architect, a Licensed Architect and serves as Chief Operating Officer responsible for the firms' operations and coordination of all project efforts, administrative and technical, to ensure the most efficient and cost-effective execution of the firms' projects.

Jonathan Harden
(License #17482)

PRODUCTION

Director of Architecture
Chief Architect Officer

Principal and Senior Architect, a Licensed Architect and serves as Chief Architect and is the firms "designated architect" with the overall responsibility for the firm's architectural practice; supervising, reviewing and stamping the firms' projects.



Jonathan Harden, AIA, NCARB
Architect



SCB & G | A GREEN COMPANY, INC.

PLACEMAKERS * PLACESAVERS * CULTURAL INFLUENCE

11/26/2025

6,551,254

STATE BOARD OF ARCHITECTS

Item # 8.

21 06 22615
MESSAGE(S) :

SCB&G, INC.

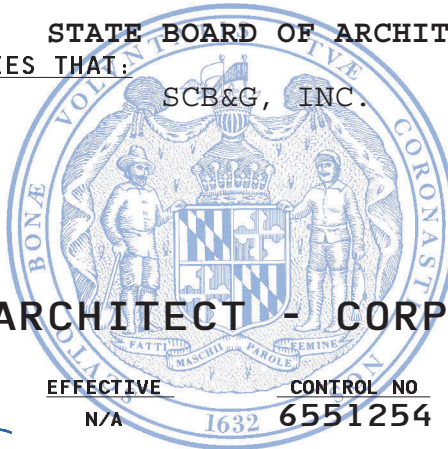
6148 11-25-2025



LICENSE * REGISTRATION * CERTIFICATION * PERMIT
STATE OF MARYLAND
MARYLAND DEPARTMENT OF LABOR

Wes Moore
Governor
Aruna Miller
Lt. Governor
Portia Wu
Secretary

STATE BOARD OF ARCHITECTS
CERTIFIES THAT:
SCB&G, INC.



IS AN AUTHORIZED: 06 - ARCHITECT - CORPORATION

LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
22615	11-25-2027	N/A	6551254

Signature of Bearer

Secretary

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

21 06 22615

6,551,254

STATE BOARD OF ARCHITECTS
100 S. CHARLES ST, TOWER 1
BALTIMORE, MD 21201

SCB&G, INC.
400 EAST PRATT STREET DOWNTOWN
8TH FLOOR

BALTIMORE

MD 21202

LICENSE * REGISTRATION * CERTIFICATION * PERMIT			
STATE OF MARYLAND			
MARYLAND DEPARTMENT OF LABOR			
STATE BOARD OF ARCHITECTS			
CERTIFIES THAT:			
SCB&G, INC.			
IS AN AUTHORIZED: 06 - ARCHITECT - CORPORATION			
LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
22615	11-25-2027	N/A	6551254
Signature of Bearer		Secretary	

10/17/2025

6,523,314

STATE BOARD OF ARCHITECTS

Item # 8.

21 04 8797 MARIE-THERESE GIGUERE
MESSAGE(S):

6108 10-16-2025

RENEWAL CYCLE BIENNIAL; 24 HOURS OF CONTINUING EDUCATION IN HEALTH,
SAFETY AND WELFARE (HSW) REQUIRED. 12 HSW CE HOURS PER YEAR.

RENEWAL DEADLINE IS LICENSURE DATE.

LICENSEES WHO ARE AUDITED SHALL PROVIDE WITHIN 30 DAYS OF RECEIPT
OF NOTICE OF AUDIT, ALL DOCUMENTATION REQUESTED BY THE BOARD.



LICENSE * REGISTRATION * CERTIFICATION * PERMIT
STATE OF MARYLAND
MARYLAND DEPARTMENT OF LABOR

Wes Moore
Governor
Aruna Miller
Lt. Governor
Portia Wu
Secretary

STATE BOARD OF ARCHITECTS
CERTIFIES THAT:
MARIE-THERESE GIGUERE

IS AN AUTHORIZED: 04 - ARCHITECT

LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
8797 <i>Marie-Therese Giguere</i>	10-30-2027	N/A	6523314

Signature of Bearer

Portia Wu
Secretary

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

21 04 8797

6,523,314

STATE BOARD OF ARCHITECTS
100 S. CHARLES ST, TOWER 1
BALTIMORE, MD 21201

MARIE-THERESE GIGUERE
838 EVESHAM AVENUE

BALTIMORE

MD 21212

LICENSE * REGISTRATION * CERTIFICATION * PERMIT			
STATE OF MARYLAND			
MARYLAND DEPARTMENT OF LABOR			
STATE BOARD OF ARCHITECTS CERTIFIES THAT: MARIE-THERESE GIGUERE			
IS AN AUTHORIZED: 04 - ARCHITECT			
LIC/REG/CERT	EXPIRATION	EFFECTIVE	CONTROL NO
8797 <i>Marie-Therese Giguere</i>	10-30-2027	N/A	6523314
Signature of Bearer		Secretary	

STATE BOARD OF ARCHITECTS

Item # 8.

21 04 17482

JONATHAN U. HARDEN

6084 09-22-2025

MESSAGE (S) :

RENEWAL CYCLE BIENNIAL; 24 HOURS OF CONTINUING EDUCATION IN HEALTH, SAFETY AND WELFARE (HSW) REQUIRED. 12 HSW CE HOURS PER YEAR.

RENEWAL DEADLINE IS LICENSURE DATE.

LICENSEES WHO ARE AUDITED SHALL PROVIDE WITHIN 30 DAYS OF RECEIPT OF NOTICE OF AUDIT, ALL DOCUMENTATION REQUESTED BY THE BOARD.



LICENSE * REGISTRATION * CERTIFICATION * PERMIT
STATE OF MARYLAND
MARYLAND DEPARTMENT OF LABOR

Wes Moore
Governor
 Aruna Miller
Lt. Governor
 Portia Wu
Secretary

STATE BOARD OF ARCHITECTS
CERTIFIES THAT:

JONATHAN U. HARDEN

IS AN AUTHORIZED: **04 - ARCHITECT**

<u>LIC/REG/CERT</u>	<u>EXPIRATION</u>	<u>EFFECTIVE</u>	<u>CONTROL NO</u>
17482	09-26-2027	N/A	6511409

Signature of Bearer

Secretary

WHERE REQUIRED BY LAW THIS MUST BE CONSPICUOUSLY DISPLAYED IN OFFICE TO WHICH IT APPLIES

21 04 17482

6,511,409

STATE BOARD OF ARCHITECTS
 100 S. CHARLES ST, TOWER 1
 BALTIMORE, MD 21201

JONATHAN U. HARDEN
 2615 4TH ST NE
 #207

WASHINGTON

DC 20002

		LICENSE * REGISTRATION * CERTIFICATION * PERMIT STATE OF MARYLAND MARYLAND DEPARTMENT OF LABOR		Wes Moore Governor Aruna Miller Lt. Governor Portia Wu Secretary
STATE BOARD OF ARCHITECTS <u>CERTIFIES THAT:</u> JONATHAN U. HARDEN				
IS AN AUTHORIZED: 04 - ARCHITECT				
<u>LIC/REG/CERT</u>	<u>EXPIRATION</u>	<u>EFFECTIVE</u>	<u>CONTROL NO</u>	
17482	09-26-2027	N/A	6511409	
Signature of Bearer		Secretary		



PLACEMAKERS * PLACESAVERS * CULTURAL INFLUENCERS



TOWN OF COTTAGE CITY
Architectural & Engineering Services
Cottage City Old Firehouse /
Community Outreach Center
FISCAL YEAR 2026

Town of Cottage City
3820 40th Avenue
Cottage City, Maryland 20722
301-779-2161

RFP # CC-2026-01

TOWN OF COTTAGE CITY

REQUEST FOR PROPOSALS (RFP)

Architectural & Engineering Services

Cottage City Fire House / Community Outreach Center

RFP # CC-2026-01

Project Background and Overview: The Town of Cottage City, an historic municipality located along the Anacostia River in Prince George's County, Maryland, acquired the former site of the Cottage City & Colmar Manor Fire Department building (c. 1925) from the Brentwood Volunteer Fire Department at 3801 38th Avenue on July 2, 2021. This approximately 1,188 gross square feet (GSF) structure, with potential for expansion, is being renovated and adaptively reused as a Community Outreach Center.

The project may be funded in part by a \$500,000.00 Maryland State Bond Initiative for acquisition, planning, design, construction, repair, renovation, reconstruction, site improvement, and capital equipping. \$190,000.00 matching funds are required by the Town of Cottage City. This project is further partially funded by the Maryland Historical Trust and must comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties. It also has received funding from DHCD (Department of Housing and Community Development) and MHAA (Maryland Heritage Area Association)

- SOURCES OF FUNDS:
- \$190,000.00 "Matching Funds" Town of Cottage City
- \$500,000.00 Bond Bill
- \$90,000.00 MHAA
- \$100,000.00 MHT
- \$185,000.00 MD DHCD
- \$1,065,000.00 Total Sources of Funds (Awarded)

The Town of Cottage City is seeking qualified Architectural & Engineering (A/E) firms to provide professional services for the restoration and adaptive reuse of the Historic Cottage City Fire House (c. 1925) into a Community Outreach Center of approximately 2,000 gross square feet (GSF). The project will restore the structure to its period of significance (1925) while adapting the building for modern community use.

This project has a tentative target completion date of June 30, 2028, and this RFP is a re-solicitation. The Town seeks qualified Architectural & Engineering (A/E) firms experienced in historic preservation to provide professional services compliant with the Maryland Historical Trust (MHT) and the Secretary of the Interior's Standards for the Treatment of Historic Properties. The project is also subject to Davis-Bacon wage requirements. The center will provide services and programs including:

- Health and Wellness Classes
- Mental Health Programs
- Food, Clothing, and Housing Assistance
- Job Readiness Programs
- Youth and Senior Programs/Activities
- Police Explorer Program

- Citizen Police Academy
- Neighborhood Watch/Community Safety/CERT/Emergency Readiness Training

Scope of Project: The selected firm shall provide comprehensive services, including but not limited to:

Task 1 — Existing Conditions & Assessment

- Site and building evaluation
- Structural, mechanical, electrical, and plumbing assessment
- Historic materials and features documentation

Task 2 — Design & Documentation

- Conceptual design options
- Historic preservation approach
- Construction drawings and specifications
- Compliance with ADA, life safety, and building codes

Task 3 — Bidding & Construction Support

- Assistance with contractor bidding process
- Bid tabulation and review
- Construction administration and site visits
- Certification of completed work

Confidentiality: Vendors must treat any designated documents and information provided by the Town as confidential. The Town will treat all proposals received and the information contained therein as confidential until a negotiated contract is executed, or all proposals are rejected.

Public Statement: No vendor shall make any public statement about this RFP without prior written consent from the Town.

General Conditions: The following general conditions apply:

- The Town may not necessarily accept the lowest cost proposal but will strive to select the best and most responsive proposal.
- The Town may cancel this RFP or amend its contents at any time before acceptance of a proposal.
- If no proposal is acceptable, then the Town may either re-issue the request for proposal or negotiate with one or more vendors for a satisfactory offer.
- The award of a proposal shall not be deemed final unless and until a contract is successfully negotiated and approved by the Town.
- This project is partially funded by the Maryland Historical Trust and must comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties.
- Equal Opportunity/Non-Discrimination: The Town encourages proposals from minority-owned, women-owned, and disadvantaged business enterprises. Vendors must comply with federal and state non-discrimination laws.
- Indemnification: The selected firm shall indemnify and hold harmless the Town from claims arising from the firm's negligence.
- This project is subject to Davis-Bacon wage requirements.

Compensation: State the compensation required for services, specifying minimum billing increments. Itemized monthly bills must include subject matter, date, time, and description. Provide a breakdown of costs by task, including any proposed retainer (e.g., for initial design concepts).

Submission Requirements: Submit proposals in PDF format, including:

- Title page (project title, proposer's contact information, total proposed cost).
- Firm qualifications, including experience with historic preservation projects (provide 3 examples).
- Resumes of key team members.
- Architectural/Engineering Cost Estimate, broken down by task.
- Proposed timeline aligning with June 30, 2028 completion.
- Proof of licensing and insurance.
- Minimum 3 client references (company name, contact, email, phone, description of work).
- Acknowledgment of compliance with MHT, Secretary's Standards, and Davis-Bacon.

Insurance: The bidder must obtain at its own cost and expense and keep in force and effect during the term of the contract, including all extensions and renewals, the insurance specified below, with an insurance company licensed or qualified to do business in the state of Maryland. A certificate of insurance must be submitted to the Town prior to the commencement of any work under the contract and prior to any contract modification extending the term of the contract as evidence of compliance with this provision. The Town of Cottage City must be named as an additional insured on all liability policies. A minimum of thirty (30) days written notice to the Town of cancellation or material change in any of the policies is required. In no event may the insurance coverage be less than that shown below, unless the requirements of this section are waived, in whole or in part, in writing by the Town Manager.

Coverage Amount or Limits: Workers Compensation: Bodily injury by Accident (each) \$100,000, Disease (policy limits) \$500,000, Disease (each employee), \$100,000. Commercial General Liability: \$500,000 (Minimum combined single limit for bodily injury and property damage per occurrence, including contractual liability, premises and operations, and independent contractors.) Minimum Automobile Liability (Including owned, hired, and non-owned automobiles): Bodily injury, each person \$250,000, Bodily injury, each occurrence \$500,000, Property damage, each occurrence \$300,000. Professional Liability: \$1,000,000 for errors, omissions, and negligent acts, per claim and Aggregate, Professional Liability (for professional services contracts): \$1,000,000.00 (For errors, omission, and negligent acts, per claim and Aggregate, with one-year discovery period and a maximum deductible of \$25,000).

Client References: Each bidder-applicant and each subcontractor (if applicable) shall have performed similar work for a minimum period of five (5) years. Each applicant and each subcontractor (if applicable) must provide a minimum of three (3) clients and references that can substantiate past work performance and experience in the type of work required for this contract. For each reference provide company name, contact name, email addresses, phone numbers, and description of work performed. The Town may make such investigations as it deems necessary to determine the ability of the bidder to perform the work.

Rejection of Submissions: The Town reserves the right to do the following: reject any or all submissions, waive informalities and irregularities in the submissions received, and accept any portion of any submission if deemed in the best interest of the Town.

Incurring Cost: The Town will not be liable for any cost incurred by entities or proposers prior to executing a contract or purchase order.

Anti-Lobbying Provision: Vendors must indicate through written promise within the proposal cover letter that Proposer's officers, employees, agents, consultants, or lobbyists will not attempt to lobby or influence a vote or recommendation related to the Vendor's proposal submitted in response to this RFP; directly or indirectly, through any contact with Town Commissioner or other Town officials between the date that the request is sent out and the date the contract resulting here from is awarded by the Board of Town Commissioners. Such behavior may be an immediate cause for rejection of the Vendor's proposal.

EVALUATION & AWARD: The Town of Cottage City will evaluate proposals based on:

- Qualifications and experience
- Understanding of historic preservation requirements
- Technical approach
- Cost reasonableness
- Ability to meet schedule

The Town reserves the right to reject any and all proposals, and the contract will be awarded to the lowest responsive and competent proposer.

Point of Contact: John Hoatson, Town Manager, can be reached at 240-544-8725 or 301-779-2161. Email: Townmanager@cottagecitymd.gov with any questions.

Question Deadline: If you have questions, please submit them by **Friday, March 27, 2026, By 5:00 PM**

Submission Deadline: Responses to this RFP are to be submitted **NO LATER THAN Friday, April 10, 2026**, by 5:00 PM

- **By Mail:** Town of Cottage City, 3820 40th Avenue Cottage City, Maryland 20722
- **By Email:** townmanager@cottagecitymd.gov
- **In-Person:** Cottage City Town Hall, 3820 40th Avenue Cottage City, Maryland 20722

Selection Process and Criteria: Town Elected Officials will participate in the process of selecting the appropriate firm. The Town may interview shortlisted firms or conduct site visits. Award to the most responsive, competent proposer providing best value.

Thank you for your interest in this Request for Proposals for the Town of Cottage City.

John Hoatson
Town Manager
Town of Cottage City

SHAMROCK LAWN MAINTENANCE
PO BOX 703
Glenn Dale, MD 20769
PROPOSAL

<u>Submitted to:</u>	<u>Work to be performed at:</u>
Town of Cottage City	Town Hall and Town Common areas and Town maintained properties

We hereby propose to perform the following:

Town Hall(AREA 1):

Grass Cutting:

Minimum of Twenty-six (26) grass cuttings at 3-3.5" per season of property, includes line trimming and clean-up of trash and debris. Cutting approximately every 7-12 days (April-December).

****Lawns areas will not be serviced during extremely dry conditions if this will cause damage to turf areas crews will still visit and ensure all edges, trimming and beds and lawns are clean from debris and trash.**

Twelve (12)- Eighteen(18) Stick-edgings of all curbs and sidewalks and clean up

Trash and Debris cleaned before and after each mowing.

Spring Mulching and Clean-up

One (1) full spring clean-up of leaves, debris and trash.

Shrub Trimming and Tree pruning

Spring Cleaning includes trim back perennials, edging, weeding and mulching of all mulched areas. 2" Shredded hardwood dyed black mulch applied. Chemical weed barrier applied to beds AKA Preen

Weed Control/Fertilizer:

Two(2) spring pre-emergent weed and crabgrass control.

Three (3) Summer post emergent and broadleaf weed control application to lawns.

One (1) Fall pelletized lime and winter feed Application.

Minimum Four (4) Sprayings of unwanted weeds/grass in mulch beds, sidewalks parking lots and drive areas. (as needed)

Fall Clean up: One (1) fall shrub trimming, grasses and perennials cut back and cleaned.

LEAF CLEAN-UP: Leaf clean-ups will be performed as needed and on-going throughout fall and as needed during winter. Minimum of five (5) leaf clean-ups.

Shrub and Tree Care: Shrubs and perennials will be cleaned and cut back as needed during growing months.

Trees: Low growth and suckers will be trimmed back as needed.

Trees and shrubs: will be fertilized during Spring clean-up/Mulching.

Aeration/Seeding: Fall core aeration and over-seeding will be performed 3 lbs of fine tall fescue(no contractor grade) seed per 1000 Square feet. Thatch cleaned raked and removed as needed.

Winter visits: Visits will be performed two times per month December through March to clean-up leaves, trash debris etc to ensure a tidy off season appearance. (Weather Permitting)

AREAS 2-9(Town Maintained Areas):

Grass Cutting:

Minimum of Twenty-six (26) grass cuttings at 3-3.5" per season of property, includes line trimming and clean-up of trash and debris. Cutting approximately every 7-12 days (April-December).

Twelve (12) Stick-edgings of all curbs and sidewalks(where Required).

Trash and Debris cleaned before and after each mowing.

Leaf clean up as needed cleaned through December.

Winter visits: Visits will be performed two times per month December through March to clean up leaves, trash and debris etc. (Weather Permitting)

All material is guaranteed to be performed as specified, and in accordance for the specifications submitted for the above work, and completed in a substantial workmanlike manner for the sum of **\$10,000.00 per year**, with payments to be made as follows: Twelve(12) **payments of \$833.33 per month** . 3/1/26 through 3/31/27.

Respectfully Submitted: George Rogers, Owner, Shamrock Lawn Maintenance

Any alteration or deviation from above specifications involving extra costs will be executed upon written or verbal order, will become an extra charge over and above the estimate. All agreements are contingent upon strikes, accidents and delays beyond our control. Liability Insurance carried through Nationwide Mutual Insurance Co.

ACCEPTANCE OF PROPOSAL

The above prices and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payments will be made as outlined above.

DATE_____

Signature/Title_____



American Landscaping Inc.

15530 Peach Orchard Road • Silver Spring, MD 20905 • Phone: 301-384-4486 • Fax: 301-384-7937
www.AmericanLandscapingInc.net • AmericanLandInc@verizon.net

Item # 9.

CONTRACT #2512012

December 1, 2025

Town of Cottage City
c/o Mr. John Hoatson
3820 40th Avenue
Cottage City, Md. 20722

Properties:
Various Addresses

301 779-2161

GROUNDS MAINTENANCE CONTRACT

I. General Support Specifications

Work shall include all labor, materials, equipment, and supplies necessary to maintain areas listed in accord with our service schedule set forth below, and in a condition agreeably suitable to the approving agent and the contractor during the contract period.

Area 1 includes all listed services.
Areas 2 through 9 include II A 1-3 only.

Areas:

1. Area around and in front of Town Hall
2. Common areas on Cottage Terrace
3. Garden area and area at dead end
4. Small lot across street from 3709 38th Street
5. Cottage Terrace and 38th Street (old fire house) along walk and hill
6. Area from 3705 Cottage Terrace up to stop sign at 38th Street
7. Triangle bump-out on Bladensburg Road
8. Path at railroad tracks up to stop sign at 38th Street.
9. 3813 Cottage Terrace

II. Maintenance Specifications

A. Lawn Areas

- 1) Lawn areas are to be mowed at a maximum height of 3" to 3 1/2" and maintained at this height throughout the season. Mowing shall be performed every 6-14 days as weather conditions dictate. Police property and pick up all light trash prior to mowing.
- 2) In conjunction with mowing, trimming shall be performed around building, trees, fences, etc. where mowers won't reach
- 3) Sweep all hard surfaces free of grass clippings following each mowing.

- 4) Weed flowerbeds around Town Hall of major weeds in-conjunction with mowing services. Remove any trash and debris from beds.

B. Sidewalks and Curbs

- 1) Edge all accessible sidewalks once each month in conjunction with mowing visits. Resulting debris from edging shall be removed from site.
- 2) Spray weed killer in cracks in sidewalks, driveways, etc. four times during the contract period.

C. Shrubbery

- 1) Trim all shrubs two times during the contract period to maintain shape.
- 2) Mulch all existing tree and shrub beds with a minimum of 2" shredded hardwood black dyed mulch once during the contract period. All beds will be edged to define prior to mulching. Apply Preen to beds to help control weed growth.

D. Lawn Treatments: Required Pesticide License #2008, Professional Fertilizer License MDA-F 0877

- 1) Apply crabgrass pre-emergent control and fertilizer to lawn areas in the spring to help control crabgrass and apply Nutrients.
- 2) Fertilize entire lawn twice in the fall based on soil analysis.
- 3) Apply broadleaf weed control to lawn area three times during the contract period to help control broadleaf weeds.
- 4) Take soil analysis to determine fertilizer requirements as required by Nutrient Management Laws. Test will also give lime recommendations. Test is good for three years.

E. General Clean Up

- 1) Spring clean-up. Clean leaves and small sticks from lawn and beds prior to first mowing when possible and in conjunction with mulching. Cut back grasses and perennials.

AMERICAN LANDSCAPING INC.

CONTRACT #2512012 - TOWN OF COTTAGE CITY

PAGE 3 OF 4

F. Insects and Disease

Price to be based at \$70.00 per hour for application plus chemicals. \$105.00 minimum labor charge. Property will be inspected regularly. If there are any problems detected, property manager will be notified to obtain authorization for any treatment.

III. Notices and License Information and agreements

The estimated start date is based on the maintenance items you select. Work will be performed accordingly over the contract period at the appropriate times.

Due to the nature of our work, starting and completion dates are dependent on weather and ground conditions and on material availability. Time is not of the essence. All work to be completed in a workmanlike manner according to standard practices. All material is guaranteed to be as specified. All agreements are contingent upon material availability and delays beyond our control. We are not responsible for damage to underground wiring, piping, or shallow cable wiring that is not marked because it is impossible to see what is underground. We will exercise all care to prevent such damage. If we see that we have damaged any wiring or pipes, then we will leave the area exposed and notify customer. Once the repair has been made by others we will return to fill in the area if needed.

Maryland Department of Agricultural Pesticide Regulation Section Ornamentals and Turf and Industrial Weed Categories. Pesticide Business License #2008. Pest Control Applicator Certificate #2008-9090.

State of Maryland Department of Natural Resources Forest Services Licensed Tree Expert License #830.

State of Maryland Construction and Traders License #15345219.

Professional Fertilizer License #MDA F-0877

Our workers are covered by Workman's Compensation Insurance.

We carry General Liability and Automobile Insurance.

A service charge of 2% per month will be added to overdue balances until paid. In the event it becomes necessary to take legal action for collection the person(s) signing this contract either personally or as a representative agree(s) to pay this debt in full along with all reasonable legal fees, clerical fees of no less than \$75.00 and court costs. This agreement shall be governed by the laws of Maryland, and signer(s) consents to Maryland jurisdiction.

This proposal may be withdrawn if not accepted within 30 days.

TO ACCEPT RETURN ONE SIGNED AND DATED COPY OF THIS CONTRACT WITH DEPOSIT IF REQUIRED.

Please read all specifications thoroughly. If there is anything you wanted done that is not listed please ask for a revised proposal that specifically states the work you want included. Do not sign the proposal if the work listed is in any way different from what you want. If this proposal was based on a drive by and an estimator did not meet you on site directly then we will only be bound by the boundaries and above specifications that we believed were to be included in this contract.

AMERICAN LANDSCAPING INC.

CONTRACT #2512012 – TOWN OF COTTAGE CITY

PAGE 4 OF 4

IV. MAINTENANCE PRICE SCHEDULE

Service	Price Each	Approx. per Season	Yearly	Accept
II A 1-3 Mowing	370.00	24	8,880.00	
II A 4 Weeding	15.00	24	360.00	
II B 1 Edging	10.00	7	70.00	
II B 2 Hard Surfaces - Weed Control	35.00	4	140.00	
II C 1 Shrub Trimming	675.00	2	1,350.00	
II C 2 Edge and Mulch	1682.00	1	1,682.00	
II D 1 Crabgrass Control & Fertilizer	170.00	1	170.00	
II D 2 Lawn Fertilizer	148.00	2	296.00	
II D 3 Broadleaf Weed Control	106.00	3	318.00	
II D 4 Soil test	22.00	1	22.00	
II E 1 Spring Clean-Up	Included	1	included	
II F Insect & Disease		As needed		
If all items are accepted Total Estimated Annual Charges			13,288.00	

NOTE: NUMBER OF MOWINGS WILL BE DETERMINED BY WEATHER CONDITIONS.

INITIAL BESIDE EACH ITEM YOU DESIRED TO HAVE INCLUDED.

IF CONTRACT IS SIGNED WITHOUT ITEMS BEING INITIALED IT WILL BE CONSIDERED THAT ALL ITEMS ARE BEING ACCEPTED.

QUANTITIES LISTED CAN BE ADJUSTED BASED ON SEASONAL CONDITIONS

*ITEMS ARE BASED ON DOING IN CONJUNCTION WITH OTHER WORK.

A FUEL SURCHARGE MAY BE ADDED IF FUEL PRICES EXCEED \$4.00 PER GALLON.

V. CONTRACT AGREEMENT

Contract shall begin February 15, 2026 and continue through December 20, 2026

Completed work will be billed once monthly and payable net 20 days.

Eleven or twelve equal monthly payments can be made if desired.

A service charge of 2% per month will be added to overdue invoices.

Contract may be cancelled with 20 days written notice.

Via E-Mail 12/1/2025
 KAREN MARTINS, PRESIDENT DATE

Note: Contracts may be accepted via e-mail but will carry the same weight as if personally signed.

AUTHORIZED ACCEPTANCE PRINT NAME DATE

TITLE



Getting Started with America in Bloom

America in Bloom helps towns and cities of all sizes strengthen civic pride, beautify public spaces, and build lasting community connections. This document provides everything you need to learn about the program, how it works, and how your community can get involved.

Helping Communities Flourish

Communities that are more welcoming and vibrant have a competitive advantage in stimulating economic development, creating a thriving place for people to work and live, and attracting tourists. Success starts with colorful plants and trees, clean and healthy environments, community vitality, and help from America in Bloom.

America in Bloom (AIB) has been helping to transform communities into beautiful and vibrant places for more than 25 years. Our mission is to assist towns and cities of all sizes to enjoy the economic, environmental, and quality of life benefits that come from community beautification efforts, heritage preservation, environmental initiatives, and civic pride. The AIB program inspires people to work together to enhance their community by focusing on key areas that improve the quality of life.

Nearly 400 communities from across the country have been involved in America in Bloom.

Action and Recognition

The Advisors' written report is an action plan that includes observations and suggestions in the seven AIB areas of impact (see right). This action plan is a valuable roadmap and planning tool for projects and improvements you can implement right away. AIB provides a roadmap for success by acknowledging and celebrating the big and small things you are doing to transform your community.

Benefits

There are immediate and long-term benefits of participating in the AIB program because residents, businesses, organizations, and the municipality come together to collaborate on common goals that benefit the whole community:

- **Greater economic development**
- **Improved quality of life**
- **Strengthened civic pride**
- **Beautified public spaces**
- **Increased tourism**
- **Enhanced community vitality**

Key Elements of the Program

Participating communities are visited by trained Advisors who provide constructive feedback and evaluate the community in:

- | | |
|--|--|
|  Community vitality |  Heritage preservation |
|  Flowers and landscaping |  Overall impression |
|  Urban forestry |  Community involvement |
|  Environmental initiatives | |

The Advisors Report: Your Roadmap to Success

The team of Advisors that visits your community will provide a written evaluation report that will serve as a catalyst for community transformation. We've been told you could hire consultants for \$50,000 and not get the type of report you get from the AIB Advisors. You can expect from the report:

- 1 Customized, Actionable Feedback:** The report offers tailored recommendations specific to the community's strengths, opportunities, and challenges. These practical suggestions span AIB's core criteria (like floral and landscapes, environmental efforts, heritage preservation, community vitality, and more) and are designed to guide future improvement efforts through the eyes of visitors and potential investors.
- 2 An Outside Perspective from Experts:** Advisors bring a fresh, experienced viewpoint. Their insights often reveal potential or issues local leaders may overlook, helping the community see itself through the eyes of visitors, potential investors, and residents.
- 3 Recognition of Strengths and Successes:** The report highlights what the community is doing well, celebrating achievements and encouraging continued progress. This affirmation can boost morale and provide a foundation for marketing and grant applications.
- 4 Strategic Planning Resource:** Many communities use the report as a planning tool. It can inform long-term goals, support comprehensive planning efforts, and help prioritize projects across departments and partners.
- 5 Stronger Community Engagement:** By sharing the findings with residents, civic groups, and local leaders, communities can foster dialogue, build momentum, and rally volunteers and stakeholders around common goals for improvement and pride of place.

Recipe for Success: Six Easy Steps to Being Involved with America in Bloom

Participants in the America in Bloom Program include communities of all sizes, business districts, college and university campuses, and military installations. There's a category just right for your community.

Step 1: Register for the program by February 28.

Step 2: Form a local "In Bloom" committee:

Committees may include a member of the municipal council, members of service groups, businesses, garden clubs, historical societies, youth groups, faith communities, or others interested in horticulture, heritage, and improving community life, volunteers of all types, and media. Engage municipal departments, such as parks and recreation, public works, economic development, and tourism, as well.

Step 3: Survey, plan, implement:

Inventory your community's assets, interests, and abilities in each of the areas America in Bloom Advisors will evaluate: Community Vitality, Flowers and Landscapes, Urban Forestry, Environmental Initiatives, Heritage Preservation, and Overall Impression.

- Encourage volunteers of every demographic to participate.
- Inform and engage the media.
- Prepare a community profile that summarizes your achievements in the evaluated area (a template will be provided).
- Develop an itinerary for the Advisors' tour.

Step 4: Host the Advisors for two days:

Two specially trained, experienced advisors will visit your community for two full days. They offer suggestions based on successes they've seen in other cities that can be adapted to your community. Provide lodging for up to three nights and provide a comprehensive tour for them.

Step 5: Attend the Symposium & Awards Program.

At the Symposium & Awards Program, you will get ideas by networking with other participants. Learn from outstanding speakers and tours. Celebrate your achievements. Be recognized for the efforts of everyone who helped to make a difference.

Step 6: After the Symposium & Awards Program

Review the Advisors' evaluation report. It provides useful, practical, and personalized ideas for improvements. Use it as an action plan and springboard for new projects and programs.

Want more information?

✉ aib@americainbloom.org

☎ 614-453-0744

🌸 AmericanBloom.org



The Town of Cottage City
 3820 40th Avenue,
 Cottage City, MD 20722
 Phone: (301)-779-2161 Fax: (301) 779-3525

MEMORANDUM

TO: Cottage City Commissioners

FROM: Town Manager

DATE: February 20, 2026

SUBJECT: Request for Government Sponsorship Letter – Drone Operations at 3342 Bladensburg Rd.

Executive Summary:

The Town has received a request from Drone Drafting, a vendor based in Brooklyn, NY, seeking a formal letter of government sponsorship. This letter is a federal requirement to allow a drone flight within the restricted airspace (7 nautical miles) of Ronald Reagan Washington National Airport (DCA). The purpose of the flight is to create high-accuracy maps of the rooftop at 3342 Bladensburg Rd (WareSpace) to facilitate the design and installation of a solar array.

Project Justification:

- **Green Energy Support:** The mission directly aids the construction of rooftop solar systems within Cottage City.
- **Technical Need:** Standard satellite imagery and manned aircraft photography do not provide the granular detail necessary for accurate engineering and design.
- **Non-Recreational:** This is a strictly commercial, professional operation that cannot be performed by conventional manned aircraft.

Safety and Regulatory Compliance:

Due to the proximity to DCA, the applicant must adhere to the following strict TSA and FAA protocols:

- **Personnel:** The operation will include a licensed Drone Operator, an onsite communicator, and a Law Enforcement Officer (LEO).
- **Waivers:** The flight is contingent upon the applicant securing a specific FAA/TSA waiver.
- **Security:** The vendor has briefed staff and confirmed they will follow all necessary security precautions for this sensitive airspace.

Staff Recommendations for Disposition:

Staff suggests the Commission consider approving the sponsorship letter with the following stipulations:

1. **Advance Notice:** The applicant must provide the Town with the specific flight date once the federal waiver is granted.
2. **Limited Duration:** The authorization is valid for a single day within a 6-month window.
3. **Local Contacts:** The draft letter must be finalized with the correct local government signatory information.

Action Requested

Finalize the Government Sponsor Letter for the Town Manager's signature to support this green energy initiative

