



www.legalaiddc.org
1331 H Street, NW
Suite 350
Washington, DC 20005
(202) 628-1161

**Testimony of Jacob Speidel
Staff Attorney, Public Benefits Law Unit
Legal Aid DC**

**Before the Committee on Public Works and Operations
Council of the District of Columbia**

Public Hearing Regarding:

Bill 26-0570

“Office of Human Rights Rulemaking Authority Amendment Act of 2026”

May 12, 2026

Legal Aid¹ submits the following testimony regarding Bill 26-0570, the Office of Human Rights (OHR) Rulemaking Authority Amendment Act of 2026.

Many of Legal Aid’s clients are limited- or non-English proficient (LEP/NEP) and rely on translation and interpretation to access DC government services. Legal Aid DC is a proud member of the DC Language Access Coalition (DCLAC), a community-powered alliance committed to language justice in the District of Columbia.²

Alongside DCLAC, Legal Aid DC urges the Council to strengthen and pass the Office of Human Rights Rulemaking Authority Amendment Act of 2026, to ensure there is

¹ Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit www.LegalAidDC.org.

² For more information, see <https://www.dclanguageaccesscoalition.org>.

meaningful enforcement and accountability when District agencies and their contractors violate the Language Access Act of 2004.³

District Agencies Regularly Violate the Language Access Act

In its current iteration, the DC Language Access Act lacks an appropriate enforcement mechanism to ensure agencies do not violate the law. As a result, agencies and their contractors have little incentive to follow the law.

Legal Aid's Public Benefits Law Unit regularly interfaces with the DC Department of Human Services (DHS), one of several DC agencies covered by the Language Access Act. Through our practice, we have witnessed countless language access violations that illustrate how the Language Access Act needs a better enforcement mechanism. We share several examples from just the past year below:

Client story 1: *An LEP/NEP Legal Aid client received a notice in English that their health insurance would terminate. Because they could not read the notice, their insurance terminated, and Legal Aid had to file an emergency fair hearing request to get it reinstated.*

Client story 2: *SNAP recipients must complete telephone interviews every year to recertify their SNAP benefits. DHS called a Legal Aid client for their recertification interview without an interpreter, even though the client had always requested services and notices in a language other than English. The client could not understand the call and had to hand their phone to their minor child to speak with the representative. Using children as interpreters can result in inaccurate interpretation, cause stress and trauma for the children, and disrupt the family dynamic.*

Client story 3: *Legal Aid filed a fair hearing request on behalf of an LEP/NEP client to obtain SNAP benefits. After a fair hearing request is filed, DHS is supposed to schedule an Administrative Review Conference (ARC) phone call with the client's attorney. Even though the client's fair hearing request said they had an attorney and they spoke a language other than English, DHS called the client directly with the intention of completing the ARC, without providing an interpreter and without notifying the client's Legal Aid attorney.*

³ DC Code §§ 2-1931 et seq.

There are real consequences for DC's LEP/NEP residents when agencies like DHS fail to follow the Language Access Act. They must jump through additional hoops like calling phone lines and waiting on hold, or waiting in line to visit offices in person, in order to understand English notices. Others must ask friends and family to translate notices and other communications.

These barriers combined make it less likely that DC's LEP/NEP residents will be able to access the government services to which they are entitled. Because of these language access violations, DC's LEP/NEP residents are subject to inequality, even though the Language Access Act was passed to ensure that LEP/NEP residents can be informed of, participate in, and benefit from government services at a level equal to English proficient individuals. The purpose of the Act is frustrated, and the government of the District of Columbia operates less efficiently in serving the city's residents.

The Proposed Bill Will Strengthen the Language Access Act

The Office of Human Rights Rulemaking Authority Amendment Act of 2026 will provide a crucial solution to these access issues that DC's LEP/NEP residents face by allowing for statutory damages to be awarded to complainants whose language access rights were violated.

DC has already successfully enacted a similar fine structure in the Fair Criminal Record Screening Amendment Act of 2014, popularly known as "Ban the Box."⁴ Generally speaking, Ban the Box prohibits employers in the District, including the DC government, from inquiring about job applicants' arrest record, charges, or convictions prior to a conditional offer of employment. People may file complaints with OHR when employers violate this law. If OHR finds the employer has violated the law, the employer may be subject to fines ranging from \$1,000 to \$5,000, with half of the fine awarded to the complainant. Ban the Box has been successful since its enactment because it creates a financial incentive both for people to report violations of the law by filing complaints and for employers to comply with the law.

The Office of Human Rights Rulemaking Authority Amendment Act of 2026 will similarly succeed because it will create the same financial incentives as Ban the Box. Currently, people have little incentive to file language access complaints and engage in a months- or years-long investigation, because they will not receive any financial compensation to make them whole and redress the harm they have experienced. District agencies also currently have little incentive to comply with the law because the only punishment for

⁴ DC Code §§ 32-1341 et seq.

failing to do so is the creation of a corrective action plan. District residents who want to protect others from future violations of the law are disincentivized from filing complaints when agencies are not moved by the available punishments in place. By creating a financial incentive for both complainants to pursue compensation and report violators and for agencies to avoid the same, the Office of Human Rights Rulemaking Authority Amendment Act of 2026 will improve compliance and result in fewer violations of residents' language access rights. The result will be a more efficient and effective government that equitably serves all its residents.

The Council Should Amend the Bill to Improve Enforcement

Legal Aid DC urges the Council to strengthen the Office of Human Rights Rulemaking Authority Amendment Act of 2026 by amending it to include the following changes, which are priorities of the DC Language Access Coalition:

(1) Establish Real Financial Accountability

Impose a \$2,500 fine per violation of the Language Access Act, paid directly to the complainant, with no agency exemptions. In its current iteration, the Bill does not specify a monetary amount for damages.

(2) Strengthen Complaint Procedures

Establish clear timelines for notification, investigation, and resolution of complaints, and create a stronger informal resolution process that ensures services are actually delivered.

(3) Fully Fund the Amendment at Enactment

Ensure that the amendment is funded at the time it is passed so that enforcement is not delayed or repealed due to lack of appropriations.

(4) Trigger Audits for Repeat Violators

Require automatic audits of agencies that violate the law four or more times within one year.

(5) Hold Contractors and Grantees Accountable

Clarify that agencies are responsible for the language access failures of their contractors, subcontractors, and grantees.

(6) Require Data Transparency on Vital Document Translation

Require agencies to submit biennial data showing how they determine which languages require translation and authorize OHR to intervene when agencies fail to comply.

(7) Center Complainants in the Process

Guarantee that complainants have the right to participate in the development of corrective action plans.

(8) Guarantee Public Transparency

Require OHR to publish all findings of non-compliance and corrective actions on a quarterly basis.

Conclusion

Legal Aid DC urges the Council to strengthen, pass, and fully fund the Office of Human Rights Rulemaking Authority Amendment Act of 2026 to improve language access rights in the District. Our NEP/LEP client community, and DC residents with language access needs at large, deserve to have the law enforced in a meaningful way that creates equity.