

I plan to be in Washington, DC, on May 22, 2017, in the morning. I would like to continue this conversation in your office at the Advocacy Day of the National Association of Judicial Interpreters and Translators.

### INTERPRETING AND TRANSLATION ISSUES IN OREGON AND IN THE UNITED STATES

	National	Oregon
Medical	Changes in federal regulations require working with <b>qualified translators and interpreters</b> .	The Oregon Healthcare Authority has <b>updated its certification and qualification requirements</b> for healthcare interpreters in Oregon. This <b>does not cover translation</b> .
Schools	Language Access requirements began as a result of <i>Lau v. Nichols 414 US 563 (1974)</i> , because of issues in the schools. However, <b>schools continue to deny meaningful language access</b> .	In Oregon, <b>certified sign language interpreters are required for deaf students</b> . Though there are certifications for spoken language interpreters in the medical and legal fields, <b>no law requires schools to hire spoken language certified interpreters</b> . There are several schools with cases against them for violation of the Title VI of the Civil Rights Act of 1964.
Immigration	Immigration courts frequently <b>do not work with court certified interpreters</b> .	
Courts	Federal courts frequently <b>do not work with court certified interpreters</b> .	Municipal courts frequently <b>do not work with court certified interpreters</b> .

Problems	Solutions
<ul style="list-style-type: none"> <li>• The provision and the <b>quality of interpreting services is uneven</b> at best.</li> <li>• Poor language access practices in interpreting and translation <b>burn bridges in the community</b> instead of building them.</li> <li>• These problems are repeated in other states.</li> <li>• <b>Federal agencies have inaccurate descriptions of our profession</b> that should be corrected (see list on the next page), which would result in better hiring practices.</li> </ul>	<p>The following associations have excellent resources for the Government to consult when drafting laws and regulations that affect our profession:</p> <ul style="list-style-type: none"> <li>✓ <b>Oregon Society of Translators and Interpreters</b> – <a href="http://www.ostiweb.org">www.ostiweb.org</a></li> <li>✓ <b>National Association of Judiciary Interpreters and Translators</b> – <a href="http://www.najit.org">www.najit.org</a></li> </ul>

## WE BELIEVE THERE IS A ROOT CAUSE BEHIND MANY OF THESE PROBLEMS

Below, we list four different ways in which federal agencies describe what interpreters and translators do and what kind of workers they are considered to be: technicians, communication workers, professionals, and language specialists. Conflicting descriptions lead to conflicting hiring practices and uneven quality of services provided. This puts medical diagnoses/treatment, court cases, and the well-being of our communities at risk because of serious misunderstandings as a result of inadequate language services.

### We request the following:

- To be removed from #1. Historically, translators and interpreters were not included in versions 1 to 4 of this document, and therefore we do not believe that this recent inclusion merits permanent status.
- To be removed from #2, since #4 is a much more accurate description.
- To bring #3 and #4 into alignment with the descriptions supported by various state, national, and international professional associations (“T&I Descriptions,” enclosed). <https://najit.org/wp-content/uploads/2017/01/TI-Descriptions-New.pdf>

### 1) US Department of Labor, Wage and Hour Division, Service Contract Act, Directory of Occupations #30110 & #30130.

These descriptions comingle interpreters with translators and classify them as technicians, together with air traffic controllers and bomb specialists.

[www.dol.gov/whd/regs/compliance/wage/SCADirV5/SCADirectVers5.pdf](http://www.dol.gov/whd/regs/compliance/wage/SCADirV5/SCADirectVers5.pdf)

### 2) US Department of Labor, Bureau of Labor Statistics, Occupational Outlook Handbook, Media and Communication, Interpreters and Translators #27-3091.

These descriptions are slightly better than the SCA ones. Here, interpreters and translators are classified as **communication workers** together with photographers, announcers, camera operators, reporters, editors, etc.

<http://www.bls.gov/ooh/media-and-communication/interpreters-and-translators.htm#tab-1>

### 3) US General Services Administration, Federal Acquisition Service, Professional Services Schedule, Language Services, Special Item Number 382.

While these descriptions are quite confusing, interpreters and translators are classified here as professionals together with legal and financial service providers.

<http://www.gsa.gov/portal/category/108339>

<http://www.gsa.gov/portal/content/245623>

### 4) US Office of Personnel Management (Civil Service), General Schedule Qualification Standards, Language Specialist #1040.

These are the most exhaustive descriptions. Interpreters and translators are classified here as **language specialists**.

<https://www.opm.gov/policy-data-oversight/classification-qualifications/general-schedule-qualification-standards/1000/language-specialist-series-1040/>

Rather than technical, the work of translators and interpreters is predominantly intellectual in character, requiring the consistent exercise of discretion and judgment. Interpreters and translators use their advanced knowledge in both working languages and intercultural communication skills to analyze, interpret, and make deductions from varying facts or circumstances. This advanced knowledge can only be acquired by a “*prolonged course of specialized intellectual instruction.*” The level of professional performance listed on the Interagency Language Roundtable (ILR) Skill Level Descriptions for Interpretation and Translation Performance can only be achieved at a Master’s degree level in the United States (<http://www.govtilr.org>).

Many people outside of our professional community refer to both interpreters and translators as “translators.” This is perhaps understandable in light of the comingled and ill-informed descriptions found in the SCA directory. These are, however, two separate and different professions. Providing accurate and clearly distinguishable descriptions will help our government and the public at large when the need arises to hire these professionals. To this point, we are providing you with a link to a document endorsed by several professional associations with accurate descriptions based on ASTM standards F2575-14 (translation) and F2089-15 (interpreting). You will also find a description for transcriber/translator to address the special needs of certain federal government agencies (e.g. FBI, DEA, ICE, etc.). The descriptions provided herein further demonstrate the imperative to remove interpreters and translators from the SCA list, especially since they are already listed on the Professional Services Categories/Language Services under the General Services Administration (GSA) Schedule Special Item Number (SIN) 382.

<https://najit.org/wp-content/uploads/2017/01/TI-Descriptions-New.pdf>

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