



U.S. Department of Homeland Security

Equity Action Plan

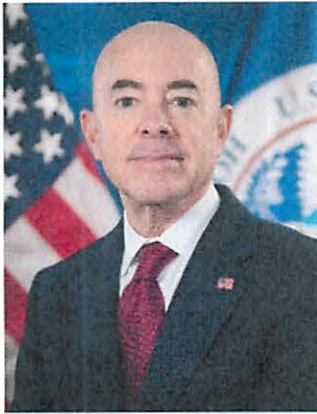
2023 Update

Pursuant to Executive Order 14091



Homeland
Security

Message from Secretary of Homeland Security Alejandro N. Mayorkas



When President Biden, on his first day in office, issued Executive Order (EO) 13985, *Advancing Racial Equity and Support for Underserved Communities through the Federal Government*, the Department of Homeland Security (DHS) answered the call to embed equity at the center of policy, operations, and decision-making throughout the Department. At its core, equity calls for the government to treat all individuals in a fair, just, and impartial manner—with the recognition that many communities have often been denied such treatment in the past, resulting in disparities today. To underscore the priority I place on this work and secure commitments to advance equity in the Department’s programs

and activities, in March 2021 I convened the DHS Equity Task Force, headed by the Officer for Civil Rights and Civil Liberties, including members from all the Department’s operational agencies and Headquarters offices.

In April 2022, DHS released its [inaugural Equity Action Plan](#), setting forth strategies and concrete action items to advance equity in seven key homeland security programs: (1) applying for naturalization; (2) accessing humanitarian protection during immigration processing; (3) bidding on DHS contracts; (4) countering domestic violent extremism and targeted violence; (5) filing complaints and seeking redress in DHS programs and activities; (6) airport screening; and (7) accessing Trusted Traveler Programs. The Federal Emergency Management Agency (FEMA) issued its own [Equity Action Plan](#), focusing on strategies to advance equity in high-impact, public-facing programs: Public Assistance, Individual Assistance, the Nonprofit Security Grant Program, and Procurement.

The Equity Task Force worked across the Department to further the aims of other equity-based executive orders, including EO 13988, *Preventing and Combating Discrimination on the Basis of Gender Identity or Sexual Orientation*; EO 14008, *Tackling the Climate Crisis at Home and Abroad*; and EO 14020, *Executive Order on Establishment of the White House Gender Policy Council*. For example, in furtherance of EO 13988, U.S. Citizenship and Immigration Services (USCIS) issued updated policy guidance removing the requirement that people requesting immigration benefits submit proof of their gender identity when seeking to change their gender marker, thereby allowing individuals requesting benefits to choose their self-identified gender marker, regardless of the marker displayed on supporting documentation. Pursuant to EO 14008, DHS continued implementing the Civil Rights Evaluation Tool, a data collection and technical assistance tool that helps conduct and advance civil rights compliance evaluations of federally assisted recipients, including environmental justice concerns and civil rights policies and procedures for public-facing programs and activities that have human health or environmental impacts. In furtherance of EO 14020, DHS developed an action plan in furtherance of the U.S. National Strategy on Gender Equity and Equality and co-chaired

the Emergency Preparedness and Crisis Response (Pillar 6) working group in support of the U.S. National Plan to End Gender-Based Violence.

Following the issuance of EO 14091, *Further Advancing Racial Equity and Support for Underserved Communities through the Federal Government*, DHS reaffirmed and strengthened its commitment to advance equity in programs and activities across the homeland security enterprise, and the Equity Task Force sought opportunities to build on our progress from the inaugural plan and extend our commitment to advance equity in additional programs and activities. The 2023 Update to the DHS Equity Action Plan reflects DHS's unwavering commitment to advancing equity, highlighting the Department's recent accomplishments, and sets forth strategies and action items to advance equity in nine program areas over the coming year.

As EO 14091 makes clear, advancing equity is a multigenerational, sustained commitment and requires embedding equity at the center of the agency's mission. DHS will continue to seek ways to deliver more equitable outcomes for all who interact with the Department, including members of underserved communities, not just in the specific program areas of focus in this plan, but in all programs and activities spanning the Department's varied homeland security missions.

Sincerely,



Alejandro N. Mayorkas
Secretary

I. Advancing Equity Through Agency Mission

DHS and its homeland security mission are born from the commitment and resolve of the American people across the United States in the wake of the September 11th attacks. In those darkest hours, we witnessed true heroism, self-sacrifice, and unified resolve against evil. We rallied together for our common defense, and we pledged to stand united against the threats attacking our great nation, fellow Americans, and way of life. Today, as we continue to face new and emerging threats against the Homeland, we remain resilient, striving to prevent future attacks against the United States and our allies, responding decisively to natural and man-made disasters, and advancing American prosperity and economic security long into the future. By working to advance equity throughout the Department, we embody our commitment to the DHS mission: *With honor and integrity, we safeguard the American people, our homeland, and our values*. As part of his [priorities for the Department](#), Secretary of Homeland Security Alejandro N. Mayorkas stated that his goal is to enhance openness and transparency, to build greater trust with the American people, and ensure the protection of the privacy, civil rights, civil liberties, and human rights of the communities we serve. Inherent in that vital role is an unwavering commitment to uphold the American values of advancing equity and safeguarding civil rights and civil liberties for all people, especially members of underserved communities. We strive to treat all people in a fair, just, and impartial manner.

II. Executive Summary of the DHS Equity Action Plan

Pursuant to EO 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*, the 2023 Update to the DHS Equity Action Plan includes an update on the Department's progress in advancing equity; identifies potential barriers that underserved communities may face in accessing and benefiting from DHS policies, programs, and activities; sets forth strategies to address those potential barriers; and describes our commitment to meaningfully engage with underserved communities. This plan does not include an exhaustive list of programs where DHS is working to advance equity, and DHS remains committed to centering equity in decision and policy making throughout the Department.

One of the cornerstones of DHS's approach to equity is a strong commitment to stakeholder and community engagement—to understand concerns about barriers faced by members of underserved communities in DHS's programs and to assess the effectiveness of DHS's efforts to address those barriers. Over the past year, DHS hosted engagements specific to the areas of focus in this plan. For example, in August 2022, the Office for Civil Rights and Civil Liberties (CRCL) led a listening session to hear directly from Arab, Middle Eastern, Muslim, and South Asian (AMEMSA) faith-based and community leaders regarding civil rights and civil liberties concerns. The discussion focused on DHS policies and practices, particularly with respect to screening and redress. In February 2023, the Office of Partnership and Engagement (OPE) held a listening session with diverse faith leaders in Dearborn, Michigan to better understand the threat landscape and share DHS information and resources. In June 2023, CRCL led a listening session regarding DHS's use of artificial intelligence (AI) to understand stakeholders' concerns about disparate

impacts on members of underserved communities. In July 2023, OPE led a Tribal consultation to better understand potential barriers that Tribal Nations and their citizens face, and discuss opportunities for DHS to deliver more equitable outcomes. In conducting these types of engagements, DHS also sought opportunities to consider the input of individuals who belong to two or more underserved communities, who often face greater barriers to equity. DHS will continue to maintain robust engagement with affected communities to inform efforts to deliver more equitable outcomes.

In examining its equity work enterprise-wide, and for purposes of this plan, DHS has identified nine key program areas to assess potential barriers facing underserved communities and develop strategies to address those barriers:

(1) Reduce barriers to citizenship and naturalization through continued evaluation of programs, policies, and outreach opportunities.

- There is a significant gap between the annual naturalization rate and the annual size of the population eligible to naturalize. Commonly cited barriers to naturalization include: a lack of understanding about the naturalization process; a real or perceived inability to meet the English language requirement that is part of the naturalization process; a lack of ability to pay application fees; and a lack of understanding about reduced fees and fee waiver options.
- To address these barriers, USCIS will strengthen efforts to promote naturalization through citizenship education and outreach, capacity building efforts, and more streamlined naturalization application services.

(2) Promote equitable use of AI technology across the Department through the development and application of new guidance as well as intra-agency coordination.

- With increased use of AI in carrying out DHS's homeland security mission, members of underserved communities may face disproportionate or disparate impacts, such as additional scrutiny or denial of benefits based on the potential for algorithms to operate in a manner that exhibits inappropriate biases in violation of law and DHS policy.
- To address these barriers, DHS will implement Department-wide policy guidance regarding the equitable use and implementation of AI technology and leverage the ongoing work of the Artificial Intelligence Task Force (AITF) and other internal working groups to establish a framework for trustworthy and responsible AI.

(3) Counter domestic violent extremism (DVE) and targeted violence through a public health-informed approach.

- As the Department continues to tackle DVE threats, members of certain underserved communities (e.g., AMEMSA, Jewish, LGBTQI+ and Black communities) continue to have concerns about DVE threats that impact their communities.
- To address these barriers, DHS will build the capacity of prevention professionals, so that they can better understand and use data-driven information on how underserved communities are often the targets and victims of domestic terrorists;

strengthen the public health-informed approach to targeted violence and terrorism prevention and raise awareness through a public communications strategy; further analyze threats posed to underserved communities; and conduct research to better understand pathways to decrease radicalization and targeted violence in all communities across all recognized violent extremist subcategories.

(4) Advance equity for persons who are limited English proficient by strengthening language access programs.

- In carrying out its varied homeland security mission, DHS encounters millions of members of the public every day, many of whom are limited English proficient (LEP) and may experience communication challenges or barriers in accessing DHS programs. Although DHS has language access policies in place, DHS has opportunities to strengthen language access across its programs and activities for persons who are LEP. Many individuals who are LEP are members of underserved communities, including racial and ethnic minority groups, individuals with disabilities, LGBTQI+ persons, and others who face poverty or persecution.
- To address these barriers, DHS will apply customer experience principles and practices in advancing language access and implement the [DHS Language Access Plan](#), updated in November 2023, and the DHS Indigenous Languages Plan to ensure that the Department's language access programs are effective.

(5) Advance equity in DHS's screening activities through updates to training, policy, and procedures.

- Members of the public, including those from underserved communities (e.g., AMEMSA communities and individuals with disabilities) continue to report concerns regarding their experiences when undergoing screening, including allegations of racial and ethnic profiling and improper treatment of persons with disabilities.
- To address these barriers, DHS will develop training to enhance knowledge and cultural competency of the Transportation Security Administration (TSA) frontline workforce, and expand and streamline the TSA Passenger Support Specialist program, which provides previously scheduled and on-the-spot assistance to travelers who need assistance; develop a U.S. Customs and Border Protection (CBP) directive to define the roles and responsibilities of CBP offices and personnel and provide religious accommodations for members of the public during CBP-conducted services, programs, and activities; and assess and propose updates to the Department's nondiscrimination policies for external activities.

(6) Advance equity for the 574 federally recognized Tribal Nations and their citizens by ensuring appropriate Tribal consideration and representation in the Department's work.

- During consultations, Tribal Nations have reported equity concerns about inaccessibility and unfairness of grant and contract opportunities, screening and handling of sacred items, lack of DHS staff and other resources dedicated to fulfilling DHS responsibilities to the Tribal Nations, lack of representation on some

advisory councils and committees, and uncertainty that DHS would pursue modifications to unfair practices that might require legislative fixes.

- To address these barriers, DHS will conduct a review of contract opportunities and grant funding opportunity announcements prior to release to determine how equitable access for tribes can be furthered; examine policy and procedures to identify updates in furtherance of security and the appropriate handling of sacred, ceremonial, or cultural items and conduct training on the same; pursue adequate staffing and other resources where needed to ensure equitable service delivery; ensure Tribal representation in DHS advisory councils, committees, and other groups; and pursue modifications to service delivery, including where legislative fixes are needed.

(7) Advance equity for persons seeking humanitarian protection during immigration processing by strengthening programs available to assist them.

- Stakeholders continue to report concerns about processing delays and access to resources.
- To address these barriers, USCIS will enhance processing efficiency by leveraging technology, increasing access, and seeking opportunities to reduce fees; and DHS will strengthen resources for non-detained noncitizens released on an alternative to detention program and create process efficiencies across the board.

(8) Advance equity in the FEMA Individual Assistance (IA) program to increase participation of undeserved communities.

- In response to FEMA's 2021 Request for Information (RFI) on FEMA Programs, Regulations, and Policies and associated public meetings, members of the public suggested changes to the IA program. All relevant comments received in response to the RFI, including those received during the public meetings, have been posted to the [public rulemaking docket](#) on the Federal eRulemaking portal.
- To address barriers and suggested changes raised by stakeholders, FEMA will publish an Interim Final Rule (IFR) amending its regulations governing the IA program to increase equity by simplifying processes, removing barriers to entry, and increasing eligibility for certain types of assistance under the program.

(9) Advance equity through Community Disaster Resilience Zones.

- [FEMA's National Advisory Council](#) has found that smaller, less affluent communities with fewer resources cannot access funding to appropriately prepare for a disaster, which leads to inadequate response and recovery and little opportunity for mitigation.
- To address this barrier, FEMA will enhance and expand Building Resilient Infrastructure and Communities (BRIC) Program technical assistance; implement Benefit-Cost Analysis (BCA) enhancements for all relevant mitigation programs, including incorporating equity weights into BCA; and develop a Recovery and Resilience Resource Portal, which provides ideas and information on available funding opportunities for state, local, Tribal, and territorial (SLTT) partners and community decision-makers.

In developing these key program areas, DHS considered concerns and other input raised by community stakeholders and members of the public during stakeholder engagements in addition to examining applicable quantitative data and reviewing relevant literature. As previously stated, sustained stakeholder engagement has been, and will continue to be, a cornerstone of the Department's equity work going forward.

III. Equity Progress Update and Accomplishments

A. 2022 Equity Action Plan Update (pursuant to EO 13985)

Since the release of the inaugural DHS Equity Action Plan in 2022, program offices across the Department have been working to deliver on the commitments set forth in each of the plan's seven program areas of focus. FEMA has been working to fulfill the promises set forth in the FEMA Equity Action Plan; these accomplishments are reflected in this overall DHS report. Key accomplishments in each program area are outlined below.

1. Applying for Naturalization. USCIS began a comprehensive review of policies, regulations, forms, and operations to identify barriers that may impede access to naturalization by underserved communities and is undertaking efforts to reduce or eliminate those barriers.

- In October 2022, USCIS updated Form N-648 (Medical Certification for Disability Exceptions) and related Policy Manual [guidance](#). Applicants for naturalization with physical or developmental disability or mental impairments may request an exception to the English and civics testing requirements for naturalization. This form and Policy Manual update streamline the process for applicants to claim and substantiate a disability by eliminating unnecessary and duplicative questions.
- In March 2023, USCIS updated Policy Manual [guidance](#) to allow individuals requesting immigration benefits to self-select their gender marker ("Male" or "Female") without the need to provide proof of their gender identity or to match the gender listed on their supporting documentation. This update reflects an important step toward reducing administrative burdens on applicants and increasing accessibility to immigration benefits and services.

2. Accessing Humanitarian Protection During Immigration Processing. DHS improved access to humanitarian protection during immigration processing by addressing language and disability access gaps and enhancing access to legal information and resources.

- In July 2022, USCIS issued [new language access guidance](#) to ensure that LEP individuals seeking asylum who cannot be interviewed in the credible fear screening process are placed into removal proceedings where an immigration judge can apply appropriate language access safeguards as that individual seeks relief.
- The USCIS Language Services Branch (LSB) has prioritized reaching the most vulnerable populations, including victims of trafficking, in their languages and in a culturally appropriate manner. This work, which spanned two fiscal years and involved multiple language specialists, resulted in approximately 1,000 pages of translation. Additionally, in close collaboration with the Asylum Division and the

Office of Policy and Strategy, LSB has translated the instructions of the Form I-589 (Application for Asylum and for Withholding of Removal) into Arabic, Spanish, Haitian Creole, Portuguese, and Mandarin for language access use by ICE with detained individuals.¹

- In May 2022, CBP implemented an online training course titled “Disability Access Training for Law Enforcement Professionals” to educate uniformed officers and agents about their roles and responsibilities for ensuring nondiscrimination in CBP-conducted services, programs, and activities for members of the public with disabilities. CBP’s uniformed officers and agents will be required to complete the training on a biennial basis.
- In January 2023, DHS announced a [streamlined process](#) for noncitizens in labor agency investigations to request deferred action consistent with [Policy Statement 065-06](#), *Worksite Enforcement: The Strategy to Protect the American Labor Market, the Conditions of the American Worksite, and the Dignity of the Individual*. Deferred action protects noncitizen workers from threats of immigration-related retaliation from exploitative employers. These improvements advance the Biden-Harris Administration’s commitment to empowering workers and improving workplace conditions by enabling all workers, including noncitizens, to assert their legal rights.

3. Bidding on a DHS Contract. DHS strengthened efforts to engage small businesses, including those owned by members of underserved communities such as women, minorities, and individuals with disabilities, through various outreach activities.

- In Fiscal Year (FY) 2022, DHS exceeded all small business prime and socioeconomic goals as negotiated with the Small Business Administration, equating to \$9 billion awarded to small businesses, including \$4 billion to small, disadvantaged businesses. DHS is the largest spending agency to have this level of goal achievement.
- In FY 2022, the DHS Office of Small and Disadvantaged Business Utilization (OSDBU) launched Small-to-Small Business Vendor Outreach Matchmaking Events (VOMEs), facilitating business-to-business meetings to encourage new entrants, explore subcontracting and teaming opportunities, and assist with decreasing gaps in small business capabilities. The VOME is another federal best practice and a first for federal OSDBU offices. Three VOMEs were held in FY 2022, garnering 1,100 registrants and nearly 800 meetings. Three VOMEs were also held in FY 2023, resulting in over 1,500 small business registrations and over 500 meetings.
- In FY 2023, OSDBU has hosted 10 Vendor Outreach Sessions to include four specifically reserved for underserved groups (e.g., service-disabled veteran-owned, women-owned, and HUBZone firms).

4. Countering Domestic Violent Extremism and Targeted Violence. DHS augmented efforts to address DVE and targeted violence by enhancing programs that empower

¹ These translations are considered unofficial and are not available to the public. ICE uses them to assist detained noncitizens who are limited English proficient.

communities to prevent targeted violence and terrorism, build resilience among communities, and improve the efficiency and effectiveness of ongoing DVE programs.

- The DHS Center for Prevention Programs and Partnerships (CP3) conducted targeted outreach to additional local and underserved communities, providing technical assistance and support to those stakeholders. The Targeted Violence and Terrorism Prevention (TVTP) Grant Program provides funding for state, local, Tribal, and territorial governments, nonprofits, and institutions of higher education to establish or enhance capabilities to prevent targeted violence and terrorism. In FY 2022, CP3 reached 49 new organizations and over 900 people, resulting in 31 applications from, and 11 awards to, organizations representing underserved communities.
- In response to a wave of bomb threats targeting Historically Black Colleges and Universities (HBCUs) in 2022, the Cybersecurity and Infrastructure Security Agency (CISA) Office for Bombing Prevention (OBP) conducted 27 courses for HBCU students and faculty in prevention and building resilience, trained more than 1,200 participants, delivered over 1,500 products, and saw a 54 percent increase in the more than 24,000 training video completions. Additional courses are ongoing.
- In 2022, CRCL, the DHS Office of State and Local Law Enforcement (OSLLE), and the White House Initiative on Advancing Educational Equity, Excellence, and Economic Opportunity through HBCUs, sponsored full-day courses at five HBCUs to help equip campus leaders and other community stakeholders with the problem-solving skills to prevent, protect, and mitigate the effects of, respond to, and recover from active shooter situations.
- Since July 2022, DHS has led multiple engagements focused on addressing community concerns related to DVE, Department strategy, and incidents of hate targeting specific communities. In April 2023, OPE hosted a virtual Ramadan engagement with American Muslim community leaders to solicit their feedback, concerns, and insights on DHS policies and programs.
- In March 2023, DHS launched the [Prevention Resource Finder](#), providing stakeholders with information on the resources needed to help prepare for and prevent targeted violence and terrorism across our country.

5. Filing Complaints and Seeking Redress in DHS Programs and Activities.

DHS continues to enhance communication with the public regarding the ability to file complaints concerning DHS programs and seek redress without retaliation, how these processes work, and what individuals can expect from these processes.

- OPE, CRCL, and the DHS Office of the Immigration Detention Ombudsman (OIDO) continue to hold engagement events for the public, including underserved communities, to provide more information about the various DHS complaint processes.
- In March 2023, CRCL launched a new [online complaint portal](#), with prompts available in 10 languages. The portal accepts complaints in any language and also notes the availability of interpreters and translators for any language.
- In accordance with Section 9(c) of Executive Order 14074, *Advancing Effective Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety*, DHS law enforcement agencies will continue to ensure that effective

procedures are in place for receiving, investigating, and responding meaningfully to complaints alleging improper profiling or bias by law enforcement officers and agents. DHS agencies will be reviewing and adopting new, or updating as necessary, procedures that, at a minimum, address the intake, investigation, and response to complaints.

- 6. Airport Screening.** In furtherance of TSA's mission to protect the Nation's transportation systems and facilitate lawful travel, TSA has enhanced and standardized training for its screening officers and has improved its screening technology capabilities to reduce the possibility of bias against travelers and increase safety.
 - TSA deployed new Advanced Imaging Technology (AIT) software for screening systems at airports across the country. This update eliminates the need for Transportation Security Officers to determine a passenger's gender prior to AIT screening and is projected to reduce the instances of enhanced screening for transgender persons and members of other underserved communities.
 - TSA has held multiple community engagements to enhance communication with the traveling public and increase awareness of security procedures.
- 7. Trusted Traveler Programs.** DHS has taken steps to advance equity in its Trusted Traveler Programs.
 - TSA updated the PreCheck® application process by allowing individuals to select their gender marker based on self-attestation, regardless of sex assigned at birth. The application was updated to include additional gender marker options to better serve non-binary and gender non-conforming travelers.
- 8. Public Assistance.** FEMA has advanced equity as a foundation for public assistance.
 - In August 2022, FEMA's Office for Public Assistance released the Operational Draft of the [Public Assistance Program Delivery Guide](#), which included considerations for FEMA recipients and applicants to conduct response and recovery efforts in an equitable manner. The Guide includes a performance metric for the prioritization of communities rated as highly socially vulnerable, including underserved rural areas.
 - From April 2021 through August 2022, FEMA's Office for Equal Rights worked with the Office for Public Assistance on its mission to ensure an equitable response to the COVID-19 pandemic. FEMA established the [Civil Rights Advisory Group](#) as part of the agency's commitment to the COVID-19 vaccination mission amid the ongoing battle against the pandemic. The advisory group's mission is to evaluate the policies, practices, strategies, and plans in place to ensure equity in vaccine access and administration.
- 9. Achieving Equitable Outcomes for Disaster Survivors.** FEMA continues to advance equitable outcomes for disaster survivors.
 - FEMA is working to identify and include considerations for traditionally underserved or marginalized communities in the forms, processes, and online Grants Portal system that the agency uses to support applicants.

- FEMA is redeveloping the way it collects, documents, and processes information from applicants to be less burdensome, more effective, and more equitable in the distribution of Public Assistance.
- Moving forward, FEMA will work to clarify the recipient’s legal responsibility and to structure a more comprehensive reporting process so that recipients and subrecipients clearly understand their obligations to develop and report on their strategies for equitable response and recovery.
- The Office of Management and Budget (OMB) selected Recovering from a Disaster as a [Life Experience Project](#) in 2022. Discovery work was completed to inform how FEMA could create an equitable and less frustrating experience to survivors while they are enduring trauma. Based on recommendations made from the discovery work, the General Services Administration is currently partnering with FEMA to measure end-to-end burden placed on natural disaster survivors.

10. Nonprofit Security Grant Program (NSGP). NSGP provides funding for physical security enhancements to nonprofit organizations, including houses of worship, that are at high risk of terrorist attack. FEMA has improved equitable access to NSGP funding by improving participation from nonprofit organizations serving underserved communities and embedding equity considerations in the grant review process.

- FEMA continues to engage in robust outreach and engagement efforts throughout the NSGP lifecycle to ensure that nonprofit organizations have the information they need to apply. In FY 2022, NSGP held 82 events, including webinars, with over 18,039 unique participants to increase understanding of the application process and eligibility for subrecipients. In June 2023, FEMA published an informative video about applying to the NSGP, available both on [YouTube.com](#) and [FEMA.gov](#). FEMA has collaborated with other federal and nonprofit partners to further amplify this engagement and messaging, including the DHS Center for Faith-Based and Neighborhood Partnerships, Department of Justice (DOJ) Community Relations Service, religious and cultural organizations, HBCUs, and Minority Serving Institutions.
- In FY 2023, FEMA advanced considerations of equity in awarding NSGP grant funding by adding up to 15 additional points to the scores of organizations that demonstrate how they serve an underserved community or population or that are located within an underserved community. Additionally, applicants who had never received NSGP funding had 15 points added to their project score (a scoring metric continued from FY 2022).

11. Environmental Justice Scorecard (pursuant to section 223 of EO 14008)

In April 2023, the Biden-Harris Administration announced the first-ever [Environmental Justice \(EJ\) Scorecard](#) to assess the federal government’s progress in advancing environmental justice, providing public transparency, and increasing accountability for federal agencies. The Phase One scorecard focused on three areas: [the Justice40 Initiative](#), Environmental and Civil Rights Protection, and Institutionalizing Environmental Justice. The [DHS EJ Scorecard](#) details DHS’s performance in these areas in FY 2022.

FEMA will prioritize assistance for eligible entities that request technical assistance support for resilience or mitigation activities within, or that primarily benefit, a Justice40 community, including a Federally Recognized Tribe or Tribal entity, as identified by the [Climate and Economic Justice Screening Tool](#), an Economically Disadvantaged Rural Community (as defined in 42 U.S.C. § 5133(a) as a small, impoverished community), and/or a Community Disaster Resilience Zone (as defined in 42 U.S.C. § 5136(a)(1)).

Part of these efforts include leveraging the Building Resilient Infrastructure and Communities Direct Technical Assistance (BRIC DTA) initiative to integrate climate change adaptation and disaster loss reduction into broader community and economic development initiatives in selected underserved communities through partnerships. For example, for the FY 2022 BRIC DTA cycle, FEMA selected the following projects that reflect FEMA’s commitment to investing in resilience in disadvantaged communities:

- Illinois: \$23 million federal cost share with Village of DePue Wastewater Treatment Plant (WWTP) Rebuild. After heavy rain in 2008, several neighborhood roads in the Village of DePue, an Economically Disadvantaged Rural Community, were flooded. The increased flow at the WWTP caused raw sewage to back up into the basements of homes. Through BRIC DTA, DePue will build a new WWTP on village property outside of the floodway and floodplain. The old plant will be demolished and left as open space.
- Arkansas: \$2.51 million federal cost share with Danville School District Safe Room. The Danville School District, also located in an Economically Disadvantaged Rural Community, has no protection for its students during severe wind and tornado events. Through BRIC DTA, Danville will build an Americans with Disabilities Act-compliant, multi-purpose safe room next to the elementary school, with space for 1,126 students and staff, including six wheelchair spaces, during dangerous storms. The project should also help improve stormwater management and reduce future risk of flash flooding by including nature-based solutions, such as permeable pavement.

C. Additional Efforts to Advance Equity

DHS’s commitment to advancing equity for members of underserved communities extends beyond the program areas of focus and strategies set forth in the inaugural DHS and FEMA Equity Action Plans. In 2022 and 2023, DHS built on the Department’s initial accomplishments in delivering more equitable outcomes across DHS’s varied homeland security missions. Below are summaries of just a few of these efforts.

Expanded Application of Anti-Profilng Standards

On May 25, 2023, Secretary Mayorkas issued [Policy Statement 500-02](#), *Reaffirming the Commitment to Nondiscrimination in Department of Homeland Security Activities*, adopting the May 2023 DOJ *Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, Gender Identity, and Disability* as it applies to federal law enforcement personnel and federal non-law enforcement personnel in the Department’s covered law enforcement activities.

Expanded application of the anti-profiling standards to security screening activities by federal law enforcement agencies, such as those performed by Protective Security Officers employed by the Federal Protective Service, is among several notable policy changes resulting from DHS adoption of the updated DOJ guidance.

Advancing Language Access

In 2022, after assessing DHS agency language access plans, CRCL requested that all agencies and offices interacting with the public review and update their language access plans in Fiscal Year 2023, noting that addressing language barriers advances compliance with civil rights and promotes the efficiency and integrity of homeland security operations and programs. These plans will be finalized in Fiscal Year 2024.

In May 2023, CRCL transmitted an update of the Department's Language Access Plan to DOJ, pursuant to the November 2022 Memorandum from the Attorney General, *Strengthening the Federal Government's Commitment to Language Access*. The [DHS Language Access Plan](#), finalized and issued in November 2023, incorporates recommendations from DHS agencies and offices, highlights language access accomplishments, and affirms the Department's commitment to ensuring meaningful access to persons and communities who are limited English proficient and whom DHS serves and encounters.

CRCL administers the DHS Civil Rights Evaluation Tool, a data collection and technical assistance tool, which assists the approximately 3,000 DHS grant recipients in meeting and understanding their civil rights responsibilities including [language access obligations](#) under Title VI of the Civil Rights Act of 1964 and other civil rights requirements.

The Office of the Citizenship and Immigration Services Ombudsman (CIS Ombudsman) offers case assistance (free of charge), and conducts stakeholder outreach to marginalized and vulnerable communities, such as nonprofit organizations advocating for victims of trafficking, domestic violence, and other crimes; farmworkers; refugees; asylees; humanitarian parolees; individuals requesting Deferred Action for Childhood Arrivals, Temporary Protected Status, asylum, parole, and victim protection, or experiencing statelessness. The CIS Ombudsman is implementing a multilingual strategy to expand the office's reach to individuals with limited English proficiency, complete with infographics, that are available in 11 languages: English, Spanish, French, Portuguese, Simplified Chinese, Haitian Creole, Vietnamese, Russian, Arabic, Somali, and Ukrainian.

U.S. Coast Guard (USCG) is procuring portable handheld tools that provide real-time translation at sea to augment in-person translators. The tools are currently being developed by two vendors to meet specific USCG requirements and are in different phases of development. The portable translators are expected to provide instant off-line translations at sea for 16 different languages, including, but not limited to: Arabic, Chinese-Mandarin, German, French, Haitian-Creole, Indonesian, Japanese, Korean, Persian-Iranian, Portuguese, Russian, Spanish, Tagalog, Thai, Ukrainian, and Vietnamese. In addition, the tools will have the capability to translate documents (text-to-voice).

Equity in Floodplain Management

In May 2023, the FEMA Floodplain Management Division published the FY 2023 Community Assistance Program-State Support Services Element (CAP-SSSE) Notice of Funding Opportunity (NOFO). The CAP-SSSE program provides funding to states to deliver technical assistance to communities in the National Flood Insurance Program (NFIP), and to evaluate community performance in implementing NFIP floodplain management activities. The NOFO requires states to consider equity in program delivery and assist vulnerable populations disproportionately impacted by disasters. Furthermore, the CAP-SSSE Tiered State Framework includes several characteristics used to summarize the strength of a state’s NFIP Coordinating Agency program. One characteristic is “Addressing Equity in Floodplain Management,” which considers how states plan, prioritize, and track floodplain management activities for underserved communities and populations.

Services for Noncitizens in the Case Management Pilot Program

In March 2023, DHS published the Privacy Impact Assessment for ICE alternatives to detention programs, including an Appendix that addresses the Case Management Pilot Program (CMPP). CMPP leads to more equitable outcomes for program participants, many of whom are racial minorities, by providing services that include, but are not limited to, mental health services, trafficking screening, legal orientation programs, cultural orientation programs, connections to social services, and departure planning and reintegration services for individuals returning to their home countries. The Privacy Impact Assessment describes the application of privacy mitigation measures to the CMPP, including the limits of data sharing between CRCL and ICE regarding program participants. CMPP enrollments in Houston began in April 2023 and enrollments in New York began in May 2023. As of November 2023, there are 248 enrolled participants. Enrollments will continue throughout the year. CMPP plans to add more service providers later in calendar year 2023 via FY 2022 appropriated funds of \$15 million that were awarded as a grant to the CMPP National Board in July 2023. The National Board began the solicitation process in July 2023 to award those funds to service providers.

Supporting Victims of Gender-Based Violence

In March 2022, the DHS Blue Campaign developed an online [Gender-Based Violence \(GBV\) Awareness Course](#) to help airport and private aviation industry personnel define the concept of GBV; identify its various forms, including human trafficking; and describe ways to support victims and survivors.

In March 2023, USCIS announced the opening of the [Humanitarian, Adjustment, Removing Conditions, and Travel Documents \(HART\) Service Center](#). This new Service Center focuses on adjudication of humanitarian-based immigration relief, including Violence Against Women Act (VAWA) self-petitions and petitions for U nonimmigrant status for eligible victims of qualifying crimes, and will significantly increase the number

of adjudicators to positively impact the timeliness and scale of USCIS' humanitarian processing abilities, particularly for women and girls pursuing these avenues of humanitarian protection. In support of this announcement, USCIS held a national stakeholder engagement in April 2023, and provided briefings on the new service center to several stakeholder groups.

Advancing Equity Through Science and Technology

The DHS Science and Technology Directorate (S&T) developed two complementary technological approaches to facilitate safe, no touch TSA screening of passengers with disabilities who use assistive devices. The goal is to improve convenience and throughput at TSA checkpoints for passengers with limited mobility, while maintaining their dignity during security and threat detection procedures. Working prototypes of a handheld screening tool and AI-enabled algorithms for AIT systems are expected to be evaluated by the Transportation Security Laboratory in FY 2023-2024.

S&T sponsors the National Institute of Standards and Technology (NIST) Face Recognition Vendor Test and performs scenario evaluations of integrated biometric systems. This research informs the development of DHS and interagency oversight and best practices and underpins the development of international standards. For example, S&T led the development of an International Organization for Standardization (ISO) technical report on the differential impact of demographic factors in biometric systems (ISO/IEC TR 22116) and is currently leading the development of a new performance testing standard on measuring demographic differentials in biometric systems (ISO/IEC 19795-10).

S&T's [Homeland Security Startup Studio \(HSSS\)](#) pairs the next generation of entrepreneurs with federally-funded, cutting-edge homeland security technologies to help move them from the lab to the market. In the 2023 cycle, HSSS received applications from 185 entrepreneurs, with 66 percent coming from those identifying as Black, Indigenous, or persons of color, and 29 percent coming from those identifying as women. Of the 30 entrepreneurs selected for the 2023 HSSS cohort, 30 percent identified as female and 57 percent identified as Black, Indigenous, or Persons of Color.

S&T's Coastal Resilience Center (CRC), a DHS Center of Excellence led by the University of North Carolina at Chapel Hill, leads projects to advance equity in resilience, emergency planning, and response and recovery. Ongoing CRC projects examine how social vulnerability indicators are incorporated into emergency planning to promote social equity as a component of building national resilience against natural disasters. CRC has created and institutionalized successful and expanding educational programs at several Minority Serving Institutions to include Jackson State University, Tougaloo College, Johnson C. Smith University, and the University of Puerto Rico Mayaguez. These educational programs serve to train the next generation of coastal resilience professionals in coastal infrastructure resilience, disaster studies, and coastal studies.

S&T's Minority Serving Institution Program serves to foster and cultivate diverse, university-based research capacity building and workforce development opportunities. These opportunities prepare motivated students and faculty at Minority Service Institutions to grow and develop through research contributions to the homeland security enterprise. In 2023, S&T awarded approximately \$9.7 million dollars to 20 Minority Serving Institutions to support these goals.

Enhancing Customer Experience for Members of Underserved Communities

The DHS Customer Experience Directorate (CXD) took on several initiatives aimed at simplifying the experience of noncitizens navigating the immigration system, with the goal of improving case management and compliance. The team partnered with ICE to deliver designs for a website, tentatively called the "ICE Portal," providing consolidated information to noncitizens regarding required check-ins, court dates, and other important information. User research will be conducted internally and in partnership with nongovernmental organizations (NGO) to ensure that the website is usable and meets the needs of the intended audience, including individuals who are LEP and individuals with disabilities. Partnering with community organizations to gather user feedback on the design, language, and accessibility helps to understand the needs of noncitizens. CXD has also partnered with CBP to improve the user experience of the CBP One mobile application, by enabling noncitizens to schedule appointments prior to arriving at a port of entry. Finally, CXD convened a multi-agency working group to work on the Secretary's priority to develop and implement a research-driven framework for communications to ensure noncitizens understand what their status and responsibilities are while in removal proceedings.

Engagement with Diverse Communities and Other Stakeholders

DHS regularly engages with underserved communities and stakeholder groups, including those representing diverse racial, ethnic, and religious communities; the LGBTQI+ community; persons who are limited English proficient; individuals with disabilities; and others. For example, in September 2022, Secretary Mayorkas [announced the appointment of 25 members to the reinvigorated Faith-Based Security Advisory Council](#). The Council's membership, with representatives from the Christian, Hindu, Jewish, Muslim, and Sikh faith communities, as well as law enforcement, has met three times and has issued recommendations on enhancing information sharing with faith-based organizations, improving the accessibility of DHS grants and resources, and building trust and partnerships with faith-based communities.

Since 2021, DHS has been leading U.S. government efforts to engage victims of transnational repression, which describes the act of a foreign repressive government targeting individuals beyond their borders to silence them. Through a series of ongoing listening sessions and meetings, DHS and its interagency partners have highlighted the threat of transnational repression to members of targeted communities, shared available federal resources to help mitigate threats, and encouraged victims to report all incidents.

OPE regularly facilitates listening sessions with the White House, USCIS, and DHS leadership in response to requests to engage on Temporary Protected Status redesignations and renewals.

CRCL routinely engages with diverse racial, ethnic, and religious communities whose civil rights and civil liberties may be affected by Department activities. For example, in September 2022, the DHS Council on Combatting Gender-Based Violence hosted a listening session with community members, faith leaders, and advocates to hear feedback about the Department's efforts in combatting female genital mutilation and cutting.

The Alternatives, Rehabilitation, and Reentry (ARC) Strategic Plan

In April 2023, the Biden-Harris Administration published an evidence-informed, multi-year Alternatives, Rehabilitation, and Reentry Strategic Plan to strengthen public safety by reducing unnecessary criminal justice system interactions so police officers can focus on fighting crime, supporting rehabilitation during incarceration, and facilitating successful reentry. DHS has committed to carry out the plan's goals of supporting rehabilitation during incarceration and facilitating successful reentry into society for individuals leaving incarceration. Workers who need access to secure areas of the nation's maritime facilities and vessels, such as ports, port facilities and warehouses, outer continental shelf facilities, certain manufacturing facilities, and certain vessels must have a Transportation Worker Identification Credential (TWIC), as required by the Maritime Transportation Security Act. However, people with criminal history records may be unsure of their eligibility for the TWIC or may be unaware that they can seek redress if they believe their application for a TWIC was initially denied based upon incorrect information. DHS has electronically published general information on the TWIC, guidance on TWIC eligibility (including for those with criminal history records), how to apply for a TWIC, and opportunities to seek redress if a TWIC is initially denied.

IV. Strategies to Advance Equity in FY 2024

(1) Reduce barriers to citizenship and naturalization through continued evaluation of programs, policies, and outreach opportunities.

Whole-of-Government Equity Objective(s):

- Civil Rights

Collaborating Agencies: DHS is collaborating with 15 federal agencies who participate in the Interagency Naturalization Working Group (NWG) to promote naturalization within each of their spheres of influence.² As part of this effort, USCIS is leading the implementation of the [Interagency Strategy for Promoting Naturalization](#) and continues to work with its NWG federal partners to hold virtual information sessions on the naturalization process for their staff and agency partners. In addition, USCIS continues to engage with state and local governments on the promotion of naturalization and conducts targeted naturalization outreach with foreign embassies and consulates.

Barriers to Equity:

- Naturalization applications and naturalizations have risen over time, but each year, only about 10 percent of eligible individuals naturalize. This [trend has persisted for decades](#). Commonly cited barriers to naturalization include a lack of understanding about the naturalization process, a real or perceived inability to meet the English language requirement that is part of the naturalization process, a belief that the civics test is too difficult, a lack of time to prepare for the naturalization test and interview, a lack of ability to pay application fees, and a lack of understanding about reduced fees and fee waiver options.³
- About 3.5 percent of all Form N-400s (Applications for Naturalization) are currently accompanied by at least one Form N-648 (Medical Certification for Disability Exception).⁴ The public has commented on the limited list of medical professionals who are eligible to certify Form N-648. Members of the public have recommended expanding the list to include nurse practitioners, thereby allowing for greater access for people living in rural areas, people with limited financial resources and time, and people who may otherwise have barriers with utilizing the current list of medical professionals.
- Form N-648 continues to pose obstacles for people with disabilities based on its length and complexity, sometimes deterring eligible people from filing, deterring

² Departments of Homeland Security, Justice, Labor, State, Agriculture, Defense, Education, Health and Human Services, Housing and Urban Development, Interior (National Park Service), and Veterans Affairs; U.S. Small Business Administration; U.S. Social Security Administration; The Institute of Museum and Library Services; The National Endowment for the Arts; and The National Endowment for the Humanities.

³ Collins, Laura. "Citizenship Matters: Encouraging Immigrants to Become Americans." The George W. Bush Institute. January 2021. Available online at:

<https://gwbcenter.imgix.net/Publications/Resources/Immigration/gwbi-immigration-whitepapers-naturalization.pdf>;

Gonzalez-Barrera, Ana, et al. "The Path Not Taken: Two-thirds of legal Mexican immigrants are not U.S. citizens." Pew Research Center. 4 Feb 2013. Available online at:

<https://www.pewresearch.org/hispanic/2013/02/04/the-path-not-taken>.

⁴ There are 27,472 Form N-400, out of a total of 789,119 Form N-400, that had at least one Form N-648.

medical professionals from agreeing to fill it out or causing them to charge fees for filling it out, and resulting in applications being denied.

- Eligible lawful permanent residents (LPR) who do not naturalize tend to be older, Latino, and less proficient in speaking English, with limited educational attainment and lower incomes.⁵ USCIS considers these eligible LPR groups as underserved and has placed emphasis on reaching these populations through outreach and partnerships. There are times when eligible LPRs may consider applying for naturalization but are often unaware of opportunities or programs that may be helpful in the application process.

Evidence Base to Support Strategy:

- There are proven beneficial economic and civic outcomes for immigrants who become citizens, including increased homeownership and lower levels of poverty.⁶ Some research offers evidence of economic benefits to noncitizens who naturalize, including higher earnings.⁷ These earning gains from naturalization translate to greater city, state, and Federal tax revenues. Such impacts can be considerable when aggregated to the national level.⁸
- Each fiscal year, about 41 percent, or an average of 30,175 of the total denials for the educational requirements for naturalization are based at least in part on the inability to read, speak, write, or understand English.⁹
- During a CIS Ombudsman outreach event, members of the public identified barriers to naturalization, including the “complexity of the English language requirement” and “naturalization test – speaking portion.”

Actions to Achieve Equity: To address these barriers, USCIS will:

- Award and administer \$25 million in grants to provide high-quality citizenship instruction classes and provide naturalization application services within the authorized practice of immigration law. Specifically, grantees will help LPRs understand the naturalization process, improve their English language skills, prepare for and study for the civics test, understand what to expect with the naturalization test and interview, and understand qualifications for reduced fees or a fee waiver.
- Evaluate Form N-648 for burden reduction, assess the possibility of allowing additional medical professionals to certify N-648s, and implement any appropriate changes.
- Consider efforts to redesign parts of the naturalization test. One of the goals of the proposed redesign is to reduce barriers to citizenship by creating a more fair and transparent speaking test.

⁵ Le, Thai V., et al. “Paths to Citizenship: Using Data to Understand and Promote Naturalization.” USC Dornsife: Center for the Study of Immigrant Integration. January 2019. Available online at: https://dornsife.usc.edu/assets/sites/731/docs/PathsToCitizenship_Full_Report_CSIL.pdf.

⁶ See Straut-Eppsteiner, Holly. “U.S. Naturalization Policy.” Congressional Research Service. May 2021. Available online at: <https://crsreports.congress.gov/product/pdf/R/R43366>.

⁷ Ibid.

⁸ Ibid.

⁹ USCIS, Policy and Research Division (PRD) data pulled on September 19, 2022, from ELIS and C4.

- In partnership with the White House Task Force on New Americans and the Interagency NWG, bring together professionals with equities in immigrant integration and citizenship education from the National Immigrant Integration & Citizenship Education Conference to provide access and inclusion.
- In FY 2024, expand the number of Citizenship Ambassadors, who help demystify the naturalization process and increase awareness of the life-changing impact of U.S. citizenship, and explore the possibility of hiring a private vendor to conduct various marketing activities to promote naturalization.
- Annually track the number and percentage of successful applicants from groups of LPRs who have historically been less likely to apply for naturalization to review factors that contributed to increased access to the naturalization process.

Proposed Metrics:

Near- to Medium-Term:

- Year-over-year increase in the number and percentage of individuals who are successful in naturalization proceedings (i.e., pass English and civics tests, respond to Requests for Evidence, navigate the legal eligibility review during the naturalization interview, and become citizens).
- Annual percentage increase of the number of enrollees in grantee programs (e.g., citizenship courses and assistance in completing naturalization forms).
- Percentage of enrolled students who post-test (i.e., complete courses), percentage of enrolled students who demonstrate learning gains between pre-test and post-test, number of individuals who received a naturalization eligibility screening, number of enrollees who file a Form N-400 and a Form G-28 (Notice of Entry of Appearance as Attorney or Accredited Representative), and number of enrollees who file a fee waiver.
- Year-over-year increase in the number of medical professionals eligible to fill out Form N-648.
- Reduction in time and expense related to applicants' completion of Form N-648.

Longer-Term:

- Increases in the rate of naturalization among different communities, including marginalized and underserved communities.
- Changes in the number and type of accommodations granted to persons with disabilities to determine success in naturalization proceedings.
- Increase in access to medical evaluations for naturalization applications.

Public Participation and Community Engagement:

- To develop its outreach and engagement strategy, USCIS considered input from several recent engagements:
 - On November 1, 2022, USCIS held a stakeholder engagement to provide an overview and gather stakeholder feedback on the new Form N-648 and its corresponding policy. USCIS collected comments related to improvements that USCIS can legally make through a regulation or policy, and any form changes, regulatory provisions or USCIS policies related to the N-648 that were a source

of confusion and/or that make the process and requirements unnecessarily complicated or burdensome.

- On January 11, 2023, USCIS hosted a national listening session on the Proposed Rule to Adjust Certain Immigration Fees. USCIS provided an overview of the proposed rule and reviewed how to submit formal comments.
- On May 16, 2023, USCIS participated in an engagement hosted by the U.S. Department of Agriculture (USDA) to educate USDA employees about “Equity and Nutrition Security Among Eligible Immigrant Families.” During the engagement USCIS educated USDA staff about the barriers and challenges facing immigrant families in accessing federal programs and highlighted the role USCIS plays through outreach and engagements to ensure stakeholders are well informed about the Final Public Charge Rule.
- USCIS held stakeholder engagements on January 12, March 3, April 28, and May 31, 2023, to address questions and gather feedback on the naturalization test redesign initiative.
- For FY 2023, USCIS scheduled and conducted in-person Adult Citizenship Education Training in areas where there are large numbers of LPRs who are eligible to naturalize and areas that are underserved.
- USCIS will continue to engage with the public, including members of underserved communities; relevant stakeholders; state and local government; and other federal agencies to seek input on ways to further advance equity in applying for naturalization. As part of this effort, USCIS will utilize its expanded cadre of citizenship ambassadors to share information about the naturalization process and how to access information and support.
- Further, CRCL, in collaboration with USCIS/NWG, will periodically disseminate messaging regarding citizenship and naturalization initiatives to CRCL’s network of community stakeholders through the GovDelivery system and monthly CRCL newsletter with an audience of over 10,000 members of the public. Additionally, CRCL, in collaboration with USCIS/NWG, will host a series of Naturalization Test Redesign Information and Listening Sessions with CRCL’s network of community stakeholders.

(2) Promote equitable use of AI technology across the Department through the development and application of new guidance as well as intra-agency coordination.

Whole-of-Government Equity Objective:

- Civil Rights

Collaborating Agencies: Department-wide.

Barriers to Equity:

- Given increased reliance on AI within DHS’s homeland security missions, members of underserved communities (among them, members of certain racial and religious groups) may face disproportionate or disparate treatment or impacts, such as unmerited additional scrutiny or improper denial of benefits based on erroneous

reliance on algorithms, or on the potential for algorithms to operate in a manner that exhibits inappropriate biases in violation of law and DHS policy. For instance, facial recognition systems enabled by AI may have difficulty with identifying individuals who have darker skin tones, which in turn may disproportionately impact communities of color when facial recognition systems are relied upon for identification purposes.

Evidence Base to Support Strategy:

- During a June 2023 stakeholder listening session on AI and Equity at DHS, stakeholders raised concerns about transparency and disparate impact in DHS’s use of AI. Stakeholders also recommended enhancing community engagement on the use and application of AI going forward to build greater trust with communities.
- Staff consultation with the Privacy and Civil Liberties Oversight Board, policy development engagement dating back to the 2014-15 White House Big Data Papers, literature study, and interagency engagement with colleagues who have faced similar challenges and developed ethical codes and best practices in response, provide a basis for anticipating the challenges to ensuring compliance with applicable law and policy and in using AI to advance equity across all DHS missions. To encourage accountability and responsible use of AI in government programs and processes, the U.S. Government Accountability Office (GAO) developed an [AI accountability framework](#) ensuring AI is responsible, equitable, traceable, reliable, and governable.
- According to NIST, how accurately face recognition software tools identify people of varied sex, age, and racial backgrounds depends in part on the algorithm and data used. Results captured in the NIST report, *Face Recognition Vendor Test (FRVT) Part 3: Demographic Effects* (NISTIR 8280), found empirical evidence for the existence of demographic differentials across algorithms and developers, with the most accurate algorithms producing many fewer errors; NIST expects those algorithms to have smaller demographic differentials. A key goal of the Department’s use of facial recognition technology is identifying and eliminating, to the extent it exists, any improper bias.
- The Final Report of the National Security Commission on Artificial Intelligence (2021) determined that “unintended bias can be introduced during many stages of the machine learning (ML) process, which can lead to disparate impacts in American society, a problem that has been documented in law enforcement contexts.” Commission recommendations include the establishment of “a task force to assess the privacy and civil liberties implications of AI and emerging technologies” and “empower DHS Offices of Privacy and Civil Rights and Civil Liberties ... [to] play an integral role in the legal and approval processes for the procurement and use of AI-enabled systems.”

Actions to Achieve Equity in DHS AI Implementation: To address these barriers, DHS will:

- Continue to implement the recently issued a [Department-wide Policy Statement](#), signed by the Secretary, regarding the use and implementation of AI technology,

which includes explicit privacy, civil rights, civil liberties, and equity guidelines (including nondiscrimination provisions).

- Issue application-specific policy, as appropriate, including a Department-wide policy on facial recognition and facial detection technologies, requiring and enabling the minimization of improper bias in operational use and safeguarding of individuals against disproportionate or disparate impacts based on protected characteristics.
- Build on the principles articulated in EO 13960, *Promoting the Use of Trustworthy Artificial Intelligence in the Federal Government*, and leverage the ongoing work of the DHS AI Task Force (AITF) and the DHS AI Policy Working Group by establishing a DHS-specific AI risk management framework, including a focus on trustworthy and responsible AI that protects privacy, civil rights, and civil liberties and advances equity. Where reliance on an algorithm is likely to have a substantial effect on individuals, DHS will enable effective oversight through disclosure of algorithms relied upon, where appropriate; reliance on explainable algorithms when feasible; and placing an emphasis in policy and oversight activities on accountability.
- Sponsor a CRCL-led Responsible Use Group within the DHS AITF, to establish close coordination between the DHS AITF, the Privacy Office, and the operational and technical staff charged with leading the innovative AI projects sponsored by the AITF. The Responsible Use Group will ensure projects receive timely, tailored compliance and equity-enhancing policy advice and oversight scrutiny. Additionally it will work with the Department's AI Policy Working Group to leverage the lessons learned from this grass roots implementation work to inform policy and practices guiding the AITF projects, and Department-level AI governance policy, respectively.
- Examine the use and value of AI in meeting language access needs in DHS programs and operations through a new initiative on AI and Language Access. CRCL will convene a symposium on AI and Language Access in Fiscal Year 2024 to explore how various technologies (e.g., large language models) could address DHS mission needs for quality translation and access services while mitigating any potential harm on underserved populations.
- Incorporate forthcoming OMB government-wide guidance on AI implementation, including review of affected DHS policies protecting the individual rights and safety of the public and our employees, and updating civil rights and general individual protective policies and processes to incorporate additional protections, where appropriate.
- Over the next five years, continue to engage with members of underserved communities and stakeholder groups to assess the extent to which they report progressively fewer concerns about privacy and disparate treatment and impacts from DHS's AI technology, and address any lingering or novel concerns through additional policy updates.

Proposed Metrics: The evolving nature of DHS use of AI makes it challenging to quantify outcomes at this stage. However, we have identified some benchmarks for responsible and equitable use of AI:

- Within two-to-four years, ensure that the equitable AI policy and responsible AI framework are adopted.
- Ensure that all DHS employees who develop, manage, or use AI that is likely to affect individuals' privacy, civil rights, civil liberties, or safety, are trained on responsible use policies, such that they can be implemented effectively.

Public Participation and Community Engagement:

- On June 8, 2023, CRCL, in partnership with the DHS Equity Task Force, hosted a virtual stakeholder listening session on AI and Equity at DHS. Community and industry leaders provided direct feedback and insights regarding concerns and suggestions in this space to aid the Department in the development of an equitable AI strategy.
- On June 30, 2023, DHS held a launch meeting of the AI Task Force. DHS agencies and offices presented or provided direct feedback on AI at DHS.
- DHS will continue to engage with relevant stakeholders to seek opportunities to advance equity in this space.

(3) Counter domestic violent extremism (DVE) and targeted violence through a public health-informed approach.

Whole-of-Government Equity Objective(s):

- Civil Rights

Collaborating Agencies: Department-wide.

Barriers to Equity:

- As the Department continues to tackle the threat of DVE, members of certain underserved communities (e.g., AMEMSA, Jewish, LGBTQI+ and Black communities) continue to have concerns about being targeted for additional scrutiny by DHS. Additional emphasis will be shown to premeditated hate-fueled violence and terrorism surrounding negative stereotyping directed toward anti-Asian, anti-LGBTQI+, anti-Black sentiments, as well as religious targeting and profiling.

Evidence Base to Support Strategy:

- DHS routinely engages with members of underserved communities regarding concerns related to targeted violence and domestic violent extremism. During these engagements, stakeholders have suggested strengthening and increasing DHS's communication about the public health-informed approach with communities that have expressed concern about prior prevention approaches.
- Existing literature proposes addressing violent extremism in a public health framework. This approach focuses on creating evidence-based prevention resources and helping prevention providers build protective factors at the individual, family, and community levels to decrease the risk of targeted violence, such as school or workplace violence, premeditated hate-fueled violence, and terrorism. The focus of a public health-informed approach is on the health, safety,

and well-being of entire populations. The public health approach offers opportunities for multi-purpose programming, avoiding stigma, and leveraging existing public health resources.¹⁰

Actions to Achieve Equity: To address these barriers, DHS, led by CP3, will:

- Build capacity of prevention professionals/providers by developing evidence-based trainings and technical packages, including data-driven information on how underserved communities are often the targets and victims of domestic terrorists.
- Enhance equity in the CP3 TVTP Grant Program by investing in the diversification of grant applications for the FY 2024 grant cycle through an intentional outreach campaign to underrepresented groups and communities.
- Strengthen the public health-informed approach to targeted violence and terrorism prevention and raise awareness of this approach through a public communications strategy.
- Prioritize and expand education programs regarding tools and resources available for combatting DVE threats to underserved communities.

Proposed Metrics:

Near- to Medium-Term:

- Number of new TVTP grantees representing underserved community organizations.
- Number of training sessions on threat assessments and management capabilities for prevention professionals.
- Number of equity-focused and cultural competency training sessions conducted by community members for frontline practitioners and mental health specialists.
- Incorporation of public health focused frameworks in local law enforcement and mental health systems tracking DVE risk identification and mitigation to improve the capacity of community prevention professionals.
- Number of public education sessions regarding targeted violence prevention concerning diversity and equity related issues.

Longer-Term:

- Increased trust index based on frequency, rate, and depth of engagements, as well as feedback activity and completion of get-backs from engagements.
- Increased multidisciplinary teams to support communities in preventing, identifying, and managing potential threats.
- Increased networks of local social services and programs that address DVE risk factors and support threat management.

Public Participation and Community Engagement:

¹⁰ Weine, S., et al. "Addressing Violent Extremism as Public Health Policy and Practice." June 2016. Behavioral Sciences of Terrorism and Political Aggression. Available online at: <https://www.tandfonline.com/doi/abs/10.1080/19434472.2016.1198413>.

- To develop this strategy, DHS considered input from 2022 and 2023 engagements conducted by CRCL, OPE, the DHS Office for Faith-Based and Neighborhood Partnerships, and other offices, seeking input from affected communities regarding their concerns related to DVE.
- In furtherance of the National Strategy to Counter Antisemitism, DHS will conduct a series of regional workshops on countering antisemitic and other forms of hate-motivated violence against communities impacted by targeted violence—including antisemitic violence, gender-based violence, violence against the LGBTQI+ community, and Islamophobic violence—to help DHS identify additional ways to assist these communities.

(4) Advance equity for persons who are limited English proficient by strengthening language access programs.

Whole-of-Government Equity Objective(s):

- Civil Rights

Collaborating Agencies: The DOJ Civil Rights Division provides guidance to DHS in implementing Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*. DHS will also collaborate with other federal agencies to exchange best practices, leverage existing resources to serve the same or similar LEP persons or populations, and conduct joint Title VI reviews or investigations, when appropriate.

Barriers to Equity:

- In carrying out its varied homeland security missions, DHS encounters millions of members of the public every day, many of whom are limited English proficient. While DHS has many language access policies in place, DHS still has opportunities to strengthen language access across its programs and activities for persons who are LEP. Many individuals who are LEP are members of racial minority groups, individuals with disabilities, LGBTQI+ persons, and others who are facing persistent poverty or persecution and this intersectionality can create additional barriers.
- Stakeholders report concerns about the limited availability of legal access for detained noncitizens and language access resources to provide interpretation and translation services for Indigenous noncitizens who are LEP and who speak Indigenous languages.
- Indigenous language speakers may not understand processing by CBP officers and agents, including opportunities to pursue avenues of humanitarian protection, as a result of a language barrier. CBP officers and agents need an efficient mechanism to determine the primary language of an Indigenous language speaker prior to the processing of that individual.

Evidence Base to Support Strategy:

- Complaints to CRCL about language access in DHS programs and activities and recommendations to DHS agencies resulting from complaint investigations (over five to 10 years).
- According to the 2019 Center for American Progress Report [*Language Access Has Life-or-Death Consequences for Migrants*](#), DHS comes into contact with the broadest range of foreign-language speakers of any federal agency. Following the deaths in Border Patrol custody of two children whose families spoke Indigenous languages, the report indicated DHS needs to be far more proactive in providing interpretation and translation services for Indigenous language speakers.
- According to the 2023 Center for American Progress Report [*Improving Language Access in the U.S. Asylum System*](#), the languages that migrants and asylum-seekers speak have diversified in recent years. It is reported the lack of adequate interpretation and translation services for asylum-seekers who are not proficient in English impedes their ability to navigate the complex immigration system.

Actions to Achieve Equity: To address these barriers, DHS, led by CRCL, will:

- Implement the DHS Language Access Plan and the DHS Indigenous Languages Plan to ensure that the Department’s language access programs are effective. The DHS Language Access Plan applies to all DHS employees and applicable contractors that interact with members of the public.
- Integrate language access considerations when assessing potential barriers that underserved communities may face in accessing and benefitting from the agency’s programs and activities and developing strategies to address the identified barriers.
- Explore how limited English proficiency impacts access to DHS programs and activities for members of underserved communities, including but not limited to Black, Latino, Indigenous and Native American, Native Hawaiian, and Pacific Islander persons, Indigenous migrants of Latin America, and persons with disabilities, and seek to address barriers for individuals who are LEP and belong to multiple such communities.
- Identify staff member(s) within CRCL to carry out ombudsman-type functions, including regularly interacting with the public, promptly responding to concerns and questions about language access, and coordinating with DHS agencies and other federal agencies.
- Apply customer experience (CX) principles and practices in advancing language access, establish a schedule of CX initiatives that involve user research, usability testing, and other types of qualitative research. This includes examining touchpoints with the public, including those who are limited English proficient.
- Disseminate guidance and a framework for all DHS agencies on conducting in-language engagements with persons and communities that are limited English proficient from diverse communities and providing vital documents or materials in these languages to have more meaningful dialogue and effective information sharing for the LEP community.
- Improve language access for persons seeking humanitarian protection.
- Advance meaningful language access for Indigenous migrant communities through the following:

- Advance meaningful language access to ICE and CBP programs, activities, and operations for Indigenous noncitizens encountered by ICE and CBP who are LEP and who speak Indigenous languages.
- Collaborate with the ICE Personnel Security Division to explore and implement approaches in the ICE clearance process that could increase the pool of possible Indigenous-speaking candidates submitted by the language services vendor(s).
- Coordinate with language services vendor(s) to enhance recruitment efforts and capacity for Indigenous-speaking linguists and increase overall provision of language services.
- Conduct detention facility assessment(s) to determine gaps in the identification of Indigenous language speakers and provision of language services in detention.
- Facilitate development of Indigenous cultural awareness and competency education materials, such as training and/or job aids.
- Participate in listening sessions and other engagements with national and community-based Indigenous organizations and develop strategic partnerships where possible.
- Expand the number of Indigenous languages included in the myCBP mobile application, allowing CBP officers and agents to use their mobile devices to identify the Indigenous language spoken by the individual being processed and then engage the interpretation service as appropriate.

Proposed Metrics:

Near- to Medium-Term:

- Number of engagements or meetings with individuals who are LEP, and the language services provided to support these engagement activities, with the goal to improve delivery of language access services across the Department.
- Improved response and resolution times for complaints about language access issues.
- Number of individuals who are LEP who interact with CRCL when ombudsman-type functions are executed to issue spot and review complaint trends.
- Patterns and trends of language access barriers alleged in complaints or raised during engagements with communities, including the unavailability of language access in DHS programs, services, and activities.
- Survey and conduct focus groups of NGOs representing the concerns of LEP communities and LEP persons themselves, for recommendations on the effectiveness of public campaigns or messaging in languages other than English (e.g., Blue Campaign materials educating the public on indicators of human trafficking and how to get help).
- Number of ICE detention facility Indigenous language access assessment(s) conducted.
- Number of uses of the expanded set of languages in the myCBP mobile application.

Longer-Term:

- Increased website traffic to translated information on DHS and agency sites.

- Number and types of complaints concerning language access that are filed with DHS and the resolution of these complaints.
- Recommendations implemented from language access complaints and issues raised during community engagements.
- Track the increase in language services vendors' Indigenous language request fulfillment rates.
- Track improvements in the identification of Indigenous speakers and provision of language services in ICE detention.
- Track the reduction in language access-related complaint activity specific to encountered Indigenous languages and/or communications.
- Assess CBP officers' and agents' feedback on the effectiveness of the myCBP Indigenous Language Identification feature.
- Number of CBP Information Center complaints relating to religious accommodations concerns to determine whether complaints decrease on a year-to-year basis.

Public Participation and Community Engagement:

- In the summer and fall 2022, representatives from CRCL's Community Engagement Section, along with several DHS agencies, conducted in-person and virtual engagements with Indigenous migrant community leaders, continuing its trend of convening these roundtables with experts on Indigenous cultures and language, in order to strengthen the provision of Indigenous language services in DHS programs, services, and operations.
- On March 29, 2023, CRCL held a national listening session to receive feedback on its updates to the DHS Language Access Plan, and for other suggestions on strengthening language access across DHS. Over 200 individuals participated in the listening session, including representatives from local governmental organizations, community-based and nongovernmental organizations, and language industry professionals. Representatives from across DHS agencies and offices were also in attendance.
- ICE Enforcement and Removal Operations (ERO) participated in several listening sessions held with national and community-based Indigenous organizations. ICE ERO has continued to consult one of these organizations on materials and initiatives.
- CBP will work with CRCL's Community Engagement Section to participate and speak at future events.

(5) Advance equity in DHS's screening activities through updates to training, policy, and procedures.

Whole-of-Government Equity Objective(s):

- Civil Rights

Collaborating Agencies: DHS Agencies (CBP, U.S. Immigration and Customs Enforcement (ICE) Homeland Security Investigations (HSI), and TSA).

Barriers to Equity:

- Members of the public, including those from underserved communities (e.g., AMEMSA communities and individuals with disabilities), continue to report concerns regarding their experiences at airport screening checkpoints and during inspection by CBP, including allegations of racial and ethnic profiling and improper treatment of persons with disabilities. TSA routinely engages with advocacy groups that represent multiple underserved communities through the TSA Disability and Multicultural Coalition. These groups have raised concerns about treatment of members of underserved communities, including members of certain racial minorities and religious groups, persons with disabilities, and LGBTQI+ persons. Additional training and an expansion of the Passenger Support Specialist program are among the suggestions that advocacy groups have raised. Analysis of complaints received by TSA from members of the public alleging discrimination during airport security screening has shown that these concerns remain.

Evidence Base to Support Strategy:

- In a 2022 report, GAO found that while TSA has established procedures and training to prevent the potential for discrimination in its airline passenger screening practices, it has not assessed the extent to which these practices may result in certain passengers being referred for additional screening more often than others. TSA officials in all four airports GAO visited and representatives from the seven stakeholder organizations GAO interviewed stated that TSA's advanced imaging technology or other practices could result in certain passengers being referred for additional screening based on perception of their status as transgender and/or having a visible disability or wearing religious headwear. The [report](#) noted that stakeholders and passengers are often unaware of how to file a discrimination complaint.
- CBP senior management engaged directly with NGOs representing members of religious minorities through the CBP Office of Intergovernmental Public Liaison (IPL) Team to ascertain the perceived problems of inequitable screening practices based on national origin.

Actions to Achieve Equity: To address these barriers, DHS will:

- Assess and propose updates to the Department's nondiscrimination policies for external activities, ensuring application of the requirements of the 2023 DOJ Guidance to all covered DHS law enforcement activities, as well as ensuring consistent standards and requirements for law enforcement activities excluded from, or not governed, by the 2023 DOJ Guidance, and other DHS activities as appropriate.
- Train and ensure DHS law enforcement personnel comply and adhere to the 2023 DOJ Guidance, DHS Policy Statement 500-02, and any subsequent policy reaffirming nondiscrimination and prohibiting profiling on the basis of protected individual characteristics in all DHS law enforcement and security activities.
- Collaborate with community groups to develop training modules to enhance knowledge and cultural competency of frontline workforce.

- Expand and streamline the TSA Passenger Support Specialist program, which provides previously scheduled and on-the-spot assistance to travelers requiring accommodations or those who have concerns about the airport security screening process, in order to ensure consistency at airports across the nation.
- CBP will develop an agency-wide directive to define the roles and responsibilities of CBP offices and personnel to provide religious accommodations for members of the public during CBP-conducted services, programs, and activities. To address the equity barrier as it relates to travelers seeking admission at ports of entry, the directive should contain provisions addressing the handling of religious items during inspection. Once the directive is completed, CBP will develop a training and a communication plan to educate the CBP workforce on the roles and responsibilities in the directive.

Proposed Metrics:

Near- to Medium-Term:

- Number of TSA frontline employees who take the training modules.
- Changes in complaints filed regarding allegations of inequitable treatment during the screening process.
- Number of requests for Passenger Support Specialist assistance, as an effort to provide the needed process improvements that will, in time, decrease the number of these passenger complaints due to the improvements.

Longer-Term:

- Trends of complaints received by TSA, to indicate a decrease in allegations of inequitable treatment from ethnic, religious, and racial communities, and to improve the customer experience.
- Changes in the type of passenger complaints alleging, for example, misuse of TSA Advanced Imaging Technology, TSA pat-down screening, religious accommodations, and Fourth Amendment concerns, to inform TSA Security Operations to provide additional training for front-line Transportation Security Officers, with a goal of process improvement.
- Training retention survey data at the conclusion of the CBP religious accommodations for members of the public training (to be developed).

Public Participation and Community Engagement:

- To develop this strategy, TSA engaged in multiple sessions to better understand the barriers experienced by underserved communities. TSA will continue its engagement with these organizations to enhance community trust.
- The CBP IPL Team, its leadership, and the Commissioner and Acting Commissioner have held several recent meetings with a diverse representation of religious groups and other underrepresented communities, including the Sikh, Jewish, Muslim, Chaldean, and Coptic communities, regarding concerns in this area.

(6) Advance equity for the 574 federally recognized Tribal Nations and their citizens by ensuring appropriate Tribal consideration and representation in the Department’s work.

Whole-of-Government Equity Objective(s):

- Economic Justice: Global Equality
- Environmental Justice

Collaborating Agencies: Department-wide.

Barriers to Equity:

- Tribal Nations tend to be located in very rural areas with varying degrees of capacity and infrastructure. For many Tribal Nations, even access to internet, phones, and utilities is a challenge, underscoring the depth of the digital divide and resulting in limited access to government services and information.
- During consultations, Tribal Nations have reported equity concerns about inaccessibility and unfairness of contract and grant opportunities, screening and handling of sacred items, a lack of DHS staff and other resources dedicated to fulfilling DHS responsibilities to the Nations, a lack of representation on some advisory councils and committees, and uncertainty that DHS would pursue modifications to unfair practices that might require legislative fixes.

Evidence Base to Support Strategy:

- DHS agencies routinely engage with Tribal Nations, including a July 2023 consultation specifically for this Plan, where the Nations have made requests with respect to funding, grants, contracts, screening and handling of sacred items, staffing and other resources committed to fulfilling responsibilities to Tribal Nations, appropriate representation on advisory bodies, and modifications to DHS practices to include legislative fixes.
- OMB has highlighted the unique burdens Tribes face in [accessing grant opportunities](#) and offered considerations for reducing their burden. Highlighted considerations (potential activities to implement) include streamlining processes and reducing administrative burdens.

Actions to Achieve Equity: To address these barriers, DHS will:

- Conduct a review of contract opportunities and grant funding opportunity announcements prior to release to determine if equity can be furthered through design, Tribal set-asides, funding allotments to account for smaller Tribes, outreach and technical assistance, cost-sharing requirements, streamlining application and reporting requirements, or consideration of multi-year funding or other issues.
- Examine policies and procedures to determine whether, consistent with mission constraints, they provide for the respectful handling of sacred and cultural items. Train locally and nationally within DHS agencies that handle these sacred and cultural items.
- Pursue adequate staffing and resources where needed to meet Tribal Nations’ needs and ensure equitable service delivery.

- Ensure Tribal representation in DHS advisory councils, committees, or other groups.
- Pursue modifications to service delivery, including where legislative fixes are needed.
- Utilize the Secretary’s Tribal Homeland Security Advisory Council’s forthcoming recommendations on ways to enhance equitable access to the Department’s programs and resources, including grant opportunities.

Proposed Metrics:

Near- to Medium-Term:

- Number of DHS grant funds awarded to Tribal Nations.
- Number of Tribal consultations to expand partnerships and disseminate technical assistance for grant awards.
- Number of complaints alleging mishandling of Tribal sacred, ceremonial, or cultural items.
- Training sessions conducted on appropriate handling of Tribal sacred, ceremonial or cultural items.
- Number of Tribal Nation representatives participating in advisory councils and committees.

Longer-Term:

- Changes in the number of Tribal governments accessing federal grants.
- Increased Tribal Nation capacity and infrastructure dedicated to obtaining federal resources.
- Changes in administrative burdens reported and experienced by Tribes through the grant application process.
- Changes in annual amount of grant funds awarded to Tribes.

Public Participation and Community Engagement:

- To develop this strategy, DHS reviewed prior Tribal engagements and consultations and engaged with DHS subject matter experts. DHS held a virtual Tribal consultation on July 6, 2023, and received written comments through August 7, 2023.
- DHS will continue to engage and consult with Tribal Nations to seek opportunities to deliver more equitable outcomes.

(7) Advance equity for persons seeking humanitarian protection during immigration processing by strengthening programs available to assist them.

Whole-of-Government Equity Objective(s):

- Civil Rights

Collaborating Agencies: DHS, CRCL, and USCIS.

Barriers to Equity:

- Benefit applicants, both overseas and domestic, sometimes have difficulty attending USCIS appointments when the distance needed to travel is long. There are barriers related to transportation, health and safety, and finances. In FY 2023, USCIS's Refugee, Asylum, and International Operations (RAIO) began increasing the use of video technology to conduct I-589 asylum interviews domestically, and I-590 refugee interviews internationally, so that applicants living in remote locations will not have to wait so long or travel so far. USCIS is currently drafting a proposed rule that would codify RAIO's flexibility to conduct remote interviews with refugee applicants abroad. In March 2023, USCIS published an extension to the Asylum Interpreter Temporary Final Rule (TFR) that allowed USCIS to provide telephonic interpreters for asylum applicants who speak one of 47 listed languages through September 12, 2023. Telephonic interpreters can also be connected to video interviews so that remote interviews can be completed. The TFR temporarily reduced barriers for asylum applicants to attend and complete their interviews.
- There is a significant backlog of pending petitions for U nonimmigrant status due, in part, to the annual statutory cap limiting approvals to 10,000 principal petitions per fiscal year. As this backlog of over 250,000 filings are solely filed via paper and postal mail, USCIS is considering ways to leverage technology to improve processing to provide Employment Authorization Documents and deferred action for U petitioners and their derivatives with pending filings.
- As noted in the U.S. National Plan to End Gender-Based Violence, immigrant survivors face increased barriers to economic stability. They often encounter delayed processing times when applying for special immigration remedies for GBV victims that were established through VAWA and the Trafficking Victims Protection Act, such as the VAWA self-petition, the U nonimmigrant status for eligible victims of domestic violence, sexual assault, and qualifying eligible crimes, and the T nonimmigrant status for eligible victims of a severe form of trafficking in persons. Delays in access to work authorization and public benefits for which an individual is potentially eligible, such as housing assistance or health care, can increase vulnerabilities to abuse and undermine recovery and healing.
- For refugees living in many parts of the world to access the US Refugee Admissions Program, they need to be interviewed and processed by USCIS while they are overseas, which presents many logistical and travel challenges for both the refugees and USCIS staff. When USCIS has no permanent presence in a geographic area, processing occurs when USCIS has the staff to make several international trips to complete different processing steps, thereby increasing the processing time.
- There are numerous steps involved in processing benefits for refugee populations, such as medical exams, refugee interviews, finalization of the decision, and assurances for placement with domestic resettlement agencies. These steps typically take place sequentially and may take a long time in between steps.
- Noncitizen workers are particularly vulnerable to workplace abuses including unpaid wages, discrimination, health and safety violations, and reprisals for seeking to improve working conditions. In addition, noncitizen workers are often afraid to report violations to labor enforcement agencies or participate in labor standards investigations for fear of immigration-related retaliation or threats of deportation by their employers.

Evidence Base to Support Strategy:

- The Trafficking Victims Protection Reauthorization Act requires DHS to permit certain categories of requestors filing petitions and applications to apply for fee waivers, including for “any fees associated with filing an application for relief through final adjudication of the adjustment of status.”¹¹
- On September 27, 2022, President Biden issued the [Memorandum on Presidential Determination on Refugee Admissions for Fiscal Year 2023](#), setting the refugee ceiling at 125,000.
- Research indicates that whole-person case management (including additional services such as cultural orientation, human trafficking screening, mental health, and other social services) and community programming can lead to positive compliance, better case resolution, and positive health and wellbeing outcomes by stabilizing vulnerable noncitizens in transit.¹²

Actions to Achieve Equity: To address these barriers, DHS will:

- Reduce barriers to humanitarian benefits by leveraging technology, increasing access, enhancing process efficiencies, and seeking opportunities to reduce fees.
- Strengthen resources for non-detained noncitizens released on an alternative to detention by building on existing case management programs, like the Case Management Pilot Program, which provides case management, legal information and screening, trafficking screening, and connection to a range of social services, including pro se counsel, to noncitizens on ATD.
- As enumerated in DHS’s National Action Plan to implement the Gender Policy Council Strategy, USCIS and ICE will work to expand access to T and U nonimmigrant statuses and VAWA protections. These benefits offer critical protection for many of our most vulnerable noncitizens—those who have been victims of severe forms of trafficking in persons and other specified crimes, and those who are victims of battery or extreme cruelty by an abusive spouse or other family member. All three benefits are crucial in stabilizing victims by providing a potential pathway to lawful permanent residence. The Department will explore how to prevent instances of domestic abuse, gender-based violence, human trafficking, and other criminal activity by raising awareness of and expanding access to potentially eligible noncitizens, including women of color, who may be particularly vulnerable. USCIS leads this effort and has set goals to guide its backlog-reduction efforts.
- Strengthen the [centralized process for workers](#) within the scope of labor agency investigations to request deferred action. Deferred action is a critical tool to assist

¹¹ See title II, subtitle A, sec. 201(d)(3), Pub. L 110-457, 122 Stat. 5044 (2008); INA sec. 245(l)(7), 8 U.S.C. 1255(l)(7).

¹² See, for example: Bilges, T., et al. “The Impact of Detention on the Health of Asylum Seekers: A Systematic Review.” *Systematic Reviews*, Vol 11, No. 1, 2015, pp. 1–104.; Hodes, M., “The Mental Health of Detained Asylum Seeking Children.” *European Child & Adolescent Psychiatry*, Vol. 19, 2010, pp. 621–623.; International Detention Coalition, 2015; Patler, C. and Gonzalez, G. “Compounded Vulnerability: The Consequences of Immigration Detention for Institutional Attachment and System Avoidance in Mixed-Immigration-Status Families.” 2021. *Social Problems*.; and International Detention Coalition (IDC). “There Are Alternatives: A Handbook for Preventing Unnecessary Immigration Detention.” 2015.

federal and state labor agencies by addressing the immigration-related fears of exploited workers and facilitating their participation in the investigations and prosecution of exploitative employers. Having a centralized process clarifies the role of labor agencies, streamlines evidentiary requirements and application procedures, and promotes greater consistency across DHS, resulting in labor agencies' enhanced ability to fulfill their missions by providing greater access to noncitizen workers as cooperating witnesses in their investigations and prosecutions.

- Continue to host, directly with workers and the community organizations that serve them, regular public engagements about the centralized process for workers within the scope of labor agency investigations to request deferred action, including engagements with Spanish interpretation. Work to enhance access to legal counsel for workers so that they can be better informed about their options, including eligibility for deferred action through the centralized process and other forms of humanitarian relief such as T and U nonimmigrant status, by engaging with relevant stakeholders.

Proposed Metrics:

Near- to Medium-Term:

- Year-over-year change in number or proportion of applicant cases in compliance (e.g., has properly applied for asylum, is determined to be a refugee as defined under section 101(a)(42)(A) of the Immigration and Nationality Act, as amended, and is not “barred” from receiving asylum).
- Year-over-year increase in the number of cases adjudicated by USCIS.
- Track the proportion of “reopens” that are granted asylum or other form of relief.
- Decrease in processing time from USCIS interview to admission to the U.S. (goal is down to three months).
- Increase in the number of supporting letters provided by labor agencies on behalf of workers at worksites they are investigating.

Longer-Term:

- Annually track application processing time by applicant type (rendering of final decision) controlling for location and other factors.
- Cost savings to relevant applicants; reduced burden on USCIS to adjudicate fee waiver requests likely to be approved.
- Increase in the percentage of virtual asylum orientation sessions.
- Increase in the number of workers requesting deferred action through the centralized process.

Public Participation and Community Engagement:

- CRCL, USCIS, and ICE have conducted regular public engagements in 2023 to educate labor agencies and impacted workers about the centralized process to request deferred action, and will continue to do so.

(8) Advance equity in the FEMA Individual Assistance (IA) program to increase participation of undeserved communities.

Whole-of-Government Equity Objective(s):

- Housing Justice and Community Investment

Collaborating Agency: Small Business Administration

Barriers to Equity:

- In response to FEMA’s 2021 RFI on FEMA Programs, Regulations, and Policies, and associated public meetings, members of the public suggested changes to the IA program, generally focused on ways to advance equity, including suggestions to expand eligibility within the program and to improve transparency regarding eligibility requirements to those applying for assistance.
- In response to RFI comments, FEMA updated its policies to accept additional forms of documentation to verify occupancy and ownership requirements to reduce barriers to access experienced by underserved populations.
- Disaster survivors who have serious needs for emergency food, water, infant formula, diapers, or other essentials may experience a period of hardship due to a lack of access to credit or savings. FEMA will publish an IFR that will establish additional eligible assistance for serious needs.
- All relevant comments received in response to the request for information, including those received during the public meetings, have been posted to the [public rulemaking docket](#) on the Federal rulemaking portal.

Actions to Achieve Equity: To address these barriers, FEMA will publish an IFR advancing equity in IA, which will:

- Increase eligibility for home repair assistance by amending the definitions and application of the terms safe, sanitary, and functional, allowing assistance for certain accessibility-related items, and amending its approach to evaluating insurance proceeds.
- Allow for the re-opening of the applicant registration period when the President adds new counties to the major disaster declaration.
- Simplify the documentation requirements for continued temporary housing assistance.
- Simplify the appeals process.
- Simplify the process to request approval for a late registration.
- Remove the requirement to apply for a Small Business Administration loan as a condition of eligibility for Other Needs Assistance (ONA); and
- Establish additional eligible assistance under ONA for serious needs, displacement, disaster-damaged computing devices, and essential tools for self-employed individuals.

FEMA revisions will also reflect changes to statutory authority that have not yet been implemented in regulation, to include provisions for utility and security deposit payments, lease and repair of multi-family rental housing, childcare assistance, maximum assistance

limits, and waiver authority. See [IA Program Equity Unified Agenda](#). In FY 2024, FEMA is restructuring and updating the guidance for assigning Public Assistance Program Delivery Managers to ensure better technical assistance for historically underserved and vulnerable applicants.¹³

Proposed Metrics:

Near- to Medium-Term:

- Number of individual households deemed eligible for IA resulting in more equitable outcomes for members of underserved communities, including those facing persistent poverty.
- Results from multiple disaster survivor surveys (including a longitudinal survey) to assess outcomes.

Longer-Term:

- Changes in the communication of the application process.
- Overall trends in individuals successfully receiving IA.

Public Participation and Community Engagement:

- On April 22, 2021, FEMA published an RFI on FEMA programs, regulations, and policies. FEMA sought public input on its programs, regulations, collections of information, and policies for the agency to ensure that its programs, regulations, and policies contain necessary, properly tailored, and up-to-date requirements that effectively achieve FEMA’s mission in a manner that furthers the goals of advancing equity for all, including those in underserved communities; bolstering resilience from the impacts of climate change, particularly for those disproportionately impacted by climate change; and environmental justice. FEMA held public meetings and extended the comment period on the RFI to ensure all interested parties had sufficient opportunity to provide comments on FEMA's programs. All relevant comments received in response to the request for information, including those received during the public meetings, have been posted to the public rulemaking docket on the Federal eRulemaking portal. It is anticipated FEMA will conduct additional engagements regarding the RFI input received.
- FEMA will consider public input provided during the comment period.

(9) Advance equity through Community Disaster Resilience Zones.

Whole-of-Government Equity Objective(s):

- Environmental Justice

Collaborating Agency: OMB.

¹³ Beyond the EAP, DHS is taking action to reduce barriers through Pillar 6 of the U.S. National Plan to End Gender-Based Violence. FEMA will partner with CRCL and OPE to conduct two webinars for FEMA first responders and emergency managers on GBV, how disasters exacerbate situations, as well as providing assistance to GBV victims and survivors. This training is scheduled to be completed by May 2024.

Barriers to Equity:

- [FEMA’s 2020 National Advisory Council Report to the Administrator](#) underscores the importance to “Use Equity as the Foundation,” as stated on page 12: “[b]y perpetually assisting larger communities that already have considerable resources, the smaller, less resource-rich, less-affluent communities cannot access funding to appropriately prepare for a disaster, leading to inadequate response and recovery, and little opportunity for mitigation.”
- As noted in the U.S. National Plan to End Gender-Based Violence, natural disasters, public health crises, and other emergencies also reinforce preexisting social, political, and economic inequalities, including access to food, water, health care, transportation, and social services. Survivors may face additional barriers accessing essential services, including GBV-related assistance.

Evidence Base to Support Strategy:

- A growing body of research has shown that vulnerable communities are the most impacted and least likely to recover after a disaster, including, but not limited to: 1) “Disaster Recovery: School Districts in Socially Vulnerable Communities Faced Heightened Challenges after Recent Natural Disasters” ([GAO-22-104606](#)); 2) “Disaster Recovery: Efforts to Identify and Address Barriers to Receiving Federal Recovery Assistance” ([GAO-22-155488](#)); 3) “Disaster Recovery: Additional Actions Needed to Identify and Address Potential Recovery Barriers” ([GAO-22-104039](#)); 4) “Disaster Recovery: Actions Needed to Improve the Federal Approach” ([GAO-23-104956](#)); 5) [Study: Let the Rich Be Flooded: The Distribution of Financial Aid and Distress after Hurricane Harvey](#); and 6) [Study: As Disaster Costs Rise, So Does Inequality](#).
- A growing body of research has shown the need to improve communities’ ability to access hazard mitigation grant funding to assist recovery efforts, including but not limited to: 1) “Disaster Resilience: FEMA Should Take Additional Steps to Streamline Hazard Mitigation Grants and Assess Program Effects” ([GAO-21-140](#)); 2) “Disaster Assistance: Action Needed to Improve Resilience, Response, and Recovery” ([GAO-23-106544](#)); 3) [FEMA’s 2022 National Advisory Council Report to the Administrator, Chapter 1](#); and 4) [Study: Damages Done: The Longitudinal Impacts of Natural Hazards on Wealth Inequality in the United States](#).

Actions to Achieve Equity: To address these barriers, FEMA will:

- Identify disadvantaged census tracts most at risk from natural hazards through implementation of the [CDRZ Act of 2022](#), including underserved rural areas, and provide targeted support to communities within or containing CDRZ census tracts to support them in resilience planning and project scoping, in addition to making other programmatic changes to remove barriers to accessing and leveraging FEMA grants.
- Enhance and expand [direct technical assistance for the BRIC program](#). CDRZ communities can request direct technical assistance to begin climate resilience planning and project solution design, increasing their capacity to design holistic, equitable climate adaptation solutions that advance community-driven objectives.

- Implement Benefit-Cost Analysis (BCA) enhancements for all relevant mitigation programs, including incorporating equity weights into BCA. The BCA has been routinely [cited as a significant barrier](#) to accessing FEMA grants, particularly for under resourced communities. FEMA, in partnership with OMB, is pursuing methodological changes to account for economic inequities within the BCA and is providing additional assistance to help under-resourced communities complete the BCA.
- Develop a Recovery and Resilience Resource Portal, with ideas and information on available funding opportunities for SLTT partners and community decision-makers. A central resource hub will improve accessibility of information, making it easier and more equitable for under-resourced communities to learn about federal programs that can support their resilience needs.

Proposed Metrics:

Near- to Medium-Term:

- Number of disadvantaged communities receiving Direct Technical Assistance.

Longer-Term:

- Percent of benefits flowing to disadvantaged communities from Justice 40 covered programs.

Public Participation and Community Engagement:

- FEMA released an [RFI](#) to solicit public input on the implementation of the CDRZ Act that will contribute to how FEMA implements this strategy. The comment period for this RFI ended on July 25, 2023.