

Pursuant to Executive Order 13985 (January 20, 2021) on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government"


Equity Action Plan Summary

U.S. Department of Homeland Security

The Department of Homeland Security (DHS) works to prevent attacks against the United States and our allies, responds to natural and man-made disasters, and advances American prosperity and economic security. DHS's homeland security missions include countering threats to the American homeland, securing the nation's borders and operating a humane and orderly immigration system, advancing cybersecurity and protecting critical infrastructure, preserving and upholding the nation's economic security and national transportation systems, and strengthening emergency preparedness and resilience.

Delivering equity through DHS

As the nation's largest law enforcement agency, DHS has a vital role to play in keeping Americans safe while also advancing equity and safeguarding civil rights and civil liberties. To deliver its mission of securing the homeland, DHS is focused on addressing the threats that underserved communities face, especially from racially motivated domestic violent extremism. Over the past year, DHS has worked to address threats to Asian American communities stemming from anti-Asian bias and xenophobia while addressing the continuing threats that domestic violent extremism poses to all Americans, including threats targeting communities of color and religious communities. DHS is committed to combatting all forms of terrorism and targeted violence, including terrorism and targeted violence meant to intimidate or coerce specific populations on the basis of their ethnicity, national origin, religion, gender, sexual orientation, gender identity, or political views.



DHS also has a vital role to play in advancing equity in our nation's immigration system. DHS is focused on expanding access to humanitarian protection during immigration processing, addressing barriers underserved communities face in the naturalization process, and ensuring that the agency's policies do not cause undue fear among immigrant communities or present other obstacles to immigrants and their families accessing public services available to them.

New strategies to advance equity

- **Address barriers underserved communities face in the naturalization process**

Naturalization is the most significant immigration benefit the United States offers. Over the last decade, United States Citizenship and Immigration Services (USCIS) welcomed more than 8 million naturalized citizens. Naturalization and citizenship encourage full participation in our civic life and democracy and promote integration and inclusion. Rights associated with citizenship include the right to vote, the right to run for elected office, and more. However, USCIS has identified potential barriers to equity for underserved communities that could affect otherwise-eligible individuals' ability to access naturalization services. Those barriers include a lack of resources for individuals with limited English proficiency or individuals with disabilities, complex and lengthy forms that are hard to complete, applications that create barriers for transgender and non-binary individuals, and limited financial resources to assist those seeking naturalization services. These barriers disproportionately impact members of underserved and historically marginalized communities who are seeking U.S. citizenship, in particular individuals of certain national origins and people who live in underserved geographic areas, including rural areas. USCIS is conducting an ongoing comprehensive review of policies, regulations, forms, and operations to identify barriers that may impede access to naturalization by underserved communities and make recommendations on how to remove these barriers.

- **Expand access to humanitarian protection during immigration processing**

U.S. immigration law provides a number of different forms of humanitarian protection, allowing individuals who qualify and are approved to remain in the United States for certain periods of time. For noncitizens fleeing persecution, torture, and other harms, they afford protection from dangerous or life-threatening circumstances. Despite tremendous strides this Administration has made in advancing such protections, barriers to accessing such relief persist, particularly for individuals who speak an indigenous language as their primary language or who are deaf or

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hard-of-hearing. DHS will improve access to humanitarian protection during immigration processing by improving language access and translation programs, and by addressing gaps in providing reasonable accommodations to individuals with disabilities, in addition to promoting the availability of sign language interpretation and video relay services for detained noncitizens who are deaf or hard of hearing.

- **Promote economic opportunity for underserved communities through DHS contracting and procurement**

DHS aims to expand federal contracting opportunities for companies that are owned by members of underserved communities, including women, people of color, individuals with disabilities, and individuals with arrest and conviction records, and to ensure that rural communities benefit from DHS contracting and procurement opportunities. DHS has identified that small disadvantaged businesses (SDBs) face unique barriers in accessing DHS contracts, including limited awareness of how to navigate the contracting process and challenges with breaking into areas where existing contracts already exist. To address these barriers, DHS will improve engagement with SDBs through outreach activities and will monitor and increase small business goals.

- **Counter Domestic Violent Extremism (DVE) and targeted violence**

U.S.-based lone actors and small groups, including homegrown violent extremists and domestic violent extremists (DVEs) who are inspired by a broad range of ideological motivations, pose the most significant and persistent terrorism-related threat to our country. Their ideas are made especially lethal by their easy access to assault weapons and high-capacity magazines and loopholes in the federal gun background check system. DVEs are motivated by various factors, including racial bias, and among DVEs, racially or ethnically motivated violent extremists, including white supremacists, will likely remain the most lethal DVE movement in the homeland. Domestic Violent Extremism and targeted violence are barriers to underserved communities' full participation in society at large. They

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pose not just a threat to life and property, but also to the ability of persons in the U.S. to safely exercise their civil rights and civil liberties, especially for religious, ethnic, and racial minority communities. For example, there has been a troubling increase recently in violence toward Asian American communities, the Jewish community, African Americans, and other racial minorities. Similarly, synagogues, mosques, and Black churches have been targets of violent attacks. To address the threat of DVE, DHS will augment efforts to address domestic violent extremism and targeted violence by enhancing programs to empower communities to prevent targeted violence and terrorism, build resilience among communities, and improve the efficiency and effectiveness of ongoing domestic violent extremism programs.

● **Improve the process to file complaints and seek redress in DHS programs and activities**

DHS has procedures in place that enable members of the public to file complaints regarding DHS programs—including allegations of unlawful discrimination in a departmental activity or profiling on the basis of race, national origin, language proficiency, gender, gender identity, disability, or religion—and to seek redress without retaliation. Members of the public may be confused or have insufficient information about their options for filing complaints and seeking redress in DHS programs. Populations disproportionately impacted may include migrant and immigrant communities, persons with limited English proficiency, disaster survivors, persons with disabilities, persons who are unfamiliar with government processes, those with limited access to technology, noncitizens in detention or otherwise in DHS custody, or those who may fear retaliation or other negative impact from filing a complaint. To address these barriers, DHS will enhance communication with the public regarding the right to file complaints concerning DHS programs and to seek redress without retaliation, how these processes work, and what individuals can expect from these processes. In implementing these changes, DHS will work toward providing seamless and comprehensive language access

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to complaint and redress procedures, as well as greater transparency in complaint and redress mechanisms. DHS will also conduct robust and inclusive stakeholder engagement.

- **Ensure underserved communities are equitably served in airport screenings**

Airport security screening is the largest public-facing program operated by the Transportation Security Administration (TSA). Members of the public, especially those from underserved and historically marginalized communities, continue to report concerns regarding racial, ethnic, and religious profiling during the screening process at airport screening checkpoints. Limitations in current screening technology sometimes result in the need for additional screening for individuals wearing religious headwear or with certain hairstyles and individuals with disabilities who are carrying medically necessary liquids. Tribal Nations continue to report that their federally recognized tribal IDs are not consistently accepted by transportation security officers. LGBTQI+ persons and individuals with disabilities face challenges as a result of current screening-technology limitations and security-screening procedures. Currently, on-person screening technology is limited to the binary-gender construct, which may lead to additional—and sometimes more invasive—screening for transgender or gender-nonconforming individuals. To address these barriers, TSA will enhance and standardize training for officers on supporting travelers from multiple underserved and historically marginalized communities, improve screening-technology capabilities to keep travelers safe while also advancing equity for members of underserved communities, and engage with multicultural advocacy and community-based organizations.

- **Expand access to Trusted Traveler Programs**

Millions of travelers pass through U.S. airports of entry every day. Over 10 million travelers are currently enrolled in TSA PreCheck. However, the current application process may limit access for some transgender and non-binary travelers because the form offers only binary gender options,

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and travelers with disabilities report facing accessibility barriers in some PreCheck airport lanes. Additionally, 9.6 million are enrolled in Custom and Border Patrol's (CBP) four trusted traveler programs. However, CBP's trusted traveler application may present difficulties for individuals with limited English proficiency, and CBP is aware of ongoing concerns about inequities in the granting, denial, and revocation of Global Entry membership, including to individuals with arrest and conviction records. DHS has identified several actions to improve equity in these programs while continuing to ensure the safety and security of the traveling public. DHS will improve access to TSA PreCheck for LGBTQI+ persons by expanding gender-identification options so they are no longer binary, ensure that TSA PreCheck lanes at airports are consistently accessible, enhance access to CBP's trusted traveler programs for individuals with limited English proficiency, and address concerns about inequities in membership revocations.

Building on DHS's progress

This equity action plan builds on DHS's progress delivering on equity and racial justice in the first year of the Biden-Harris Administration.

- **Reversing the Public Charge rule**

On April 12, 2021, the acting Director of U.S. Citizenship and Immigration Services (USCIS) released a letter to interagency partners seeking their support in communicating to the public that the 2019 public charge rule was no longer in effect. The 2019 rule had a chilling effect on immigrants of color and individuals with disabilities with respect to their willingness to seek any form of assistance from the federal government. DHS intends to ensure that the future regulatory proposal does not cause undue fear among immigrant communities or present other obstacles to immigrants and their families accessing public services available to them.

- **Protecting communities against targeted violence**

Although racially and ethnically motivated violent extremism has existed for a long time, it has manifested in new and terrible ways in recent years and has become one of the most lethal threats to the homeland. The Office for Civil Rights and Civil Liberties has worked closely with DHS intelligence, policy, and law enforcement agencies and offices to ensure that DHS's resources can achieve this mission. The National Terrorism Advisory System has issued several bulletins since January 2021 to address the threat of racially motivated violent extremism and recommitted DHS to preventing violent acts meant to intimidate or coerce specific populations on the basis of race, ethnicity, national origin, religion, gender, sexual orientation, gender identity, or political views.

- **Addressing anti-Asian bias, xenophobia, and violence**

In March 2021, DHS launched the DHS Asian American, Native Hawaiian, and Pacific Islander (AA and NHPI) Task Force, led by the Office for Civil Rights and Civil Liberties, in response to concerns raised by AA and NHPI communities after the tragic Atlanta spa shootings. Now known as the Domestic Violent Extremism Equity Task Force, it is composed of senior-

Building on DHS's progress

level officials from across DHS. The task force developed an initial package of 16 deliverables to address anti-Asian violent extremism and expand equity and opportunities for AA and NHPI communities. The task force will continue to address the concerns of communities facing the largest threats from domestic violent extremism.

● **Establishing a Law Enforcement Coordination Council**

Secretary Mayorkas announced the establishment of the DHS Law Enforcement Coordination Council – the Department’s first unified law enforcement coordination body – to promote best practices in its law enforcement activities. DHS is the largest law enforcement agency in the federal government, and the Council will ensure more fair, equitable, and impartial policing, as well as officer and community safety. Central to the Council’s efforts are equity considerations, including adhering to rigorous protection of civil rights and civil liberties. The Council will also employ a data-driven focus on preventing implicit bias, assessing use of force, and advancing policies that support mental health and increased community trust.

● **Advancing equity in CBP and ICE operations near protected areas**

Secretary Mayorkas issued a new comprehensive policy limiting enforcement actions by Immigration and Customs Enforcement (ICE) and CBP in or near certain protected areas. The memorandum explains, “We can accomplish our enforcement mission without denying or limiting individuals’ access to needed medical care, children access to their schools, the displaced access to food and shelter, people of faith access to their places of worship, and more.” Under this first-ever policy for both CBP and ICE, enforcement actions should not be taken in or near a location that would restrain people’s access to essential services or engagement in essential activities.

Building on DHS's progress

- **Promoting respectful personal search procedures**

On April 19, 2021, CBP promulgated an updated Personal Search Handbook and issued an accompanying memorandum to law enforcement personnel summarizing the substantive changes, including new guidance on searches of gender nonconforming, intersex, and transgender individuals; addressing the needs of travelers with disabilities; and accommodating religious beliefs.

- **Supporting employment for noncitizens seeking U visa status**

On June 14, 2021, USCIS issued new policy guidance on employment authorization and deferred action for noncitizens seeking U nonimmigrant status (U visa) with pending, bona fide petitions. USCIS anticipates this process will reduce the amount of time U visa petitioners living in the United States wait before receiving an initial adjudication from USCIS and will provide critical benefits to bona fide victims with pending U visa petitions. U visa petitioners are often members of underserved communities.

- **Advancing a victim-centered approach**

Secretary Mayorkas issued a memorandum directing DHS agencies and offices to integrate a victim-centered approach into all Department policies and activities involving victims of crimes. A disproportionate number of victims of human trafficking are people of color or belong to other underserved communities.