



Homeland Security

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties

Indigenous Languages Plan

Goals and Activities for Strengthening
Language Access for Indigenous Persons of Latin America
in DHS Programs and Activities

February 2024

DHS Indigenous Languages Plan

Table of Contents

I.	Introduction and Purpose	1
II.	Summary of Activities to Strengthen Language Access for Indigenous Persons in DHS Programs and Activities	2
III.	Methodology	3
IV.	Demographic Data	4
IV.	Current DHS Practices.....	4
V.	Input and Recommendations from Indigenous Communities	8
VI.	DHS Goals and Activities Fiscal Years 2024-2025	13
VII.	Accountability	15
VIII.	Periodic Review.....	15
IX.	Contact Information and Assistance	16

I. Introduction and Purpose

The U.S. Department of Homeland Security (Department or DHS) Indigenous Languages Plan is a vehicle for strengthening language services for Indigenous persons from Latin America who are encountered and served in DHS programs, activities, and operations.

DHS recognizes the importance of effective communication with persons who are limited English proficient (LEP) across its many missions and functions and is committed to meeting the requirements of Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000).¹

Executive Order 13166 requires that DHS provide meaningful access to its programs, services, and activities to persons who are LEP, consistent with and without unduly burdening the Department's fundamental missions. The Department's updated Language Access Plan, (found at www.dhs.gov/language-access), describes language access requirements and policies to provide such meaningful access for persons who are LEP. This Indigenous Languages Plan details key efforts that DHS will undertake to strengthen language access for Indigenous persons from Latin America and is intended to complement the updated Language Access Plan.

Migration levels in the U.S. from Mexico, Guatemala, and other countries with large Indigenous populations has increased significantly. Reports from various sectors and civil rights complaints from the public in recent years demonstrated the need to examine how DHS can strengthen the provision of language services for Indigenous language speakers of Latin America and speakers of other rare languages.² For this reason, this plan focuses on strengthening DHS's ability to communicate effectively with Indigenous migrant populations from Latin America.

In developing this plan, DHS also examined language access considerations for Indigenous migrant women and girls in support of DHS goals to advance gender equity and prevent gender discrimination in the immigration system.³



Sample of textiles from Indigenous peoples of Latin America. Image courtesy of U.S. Customs and Border Protection

II. Summary of Activities to Strengthen Language Access for Indigenous Persons in DHS Programs and Activities

The following chart provides a snapshot of DHS's current language access activities, which are discussed in Section V of the plan, as well as planned activities to further support language services for individuals who speak Indigenous languages, which are described in Section VI.

Summary of Current Activities	Summary of Planned Activities Fiscal Years 2024-2025
<ul style="list-style-type: none"> • Develop DHS Language Access Plan and DHS Component Language Access Plans 	<ul style="list-style-type: none"> • Strengthen engagement and involvement of Indigenous migrant community leaders
<ul style="list-style-type: none"> • Provide language services through a DHS-Blanket Purchase Agreement 	<ul style="list-style-type: none"> • Develop and/or distribute protocols and methods for identifying primary languages
<ul style="list-style-type: none"> • Provide language services through Component contracts that provide Indigenous language services 	<ul style="list-style-type: none"> • Improve documentation and tracking of Indigenous languages so information on primary language is available to various DHS Components
<ul style="list-style-type: none"> • Develop tools and resources for identifying an individual's primary language 	<ul style="list-style-type: none"> • Develop and offer training to DHS personnel and grant recipients on Indigenous languages
<ul style="list-style-type: none"> • Monitor language access procedures and language services for Indigenous language speakers 	<ul style="list-style-type: none"> • Increase access to vital documents through recorded messages in Indigenous languages
<ul style="list-style-type: none"> • Investigate language access-related complaints 	<ul style="list-style-type: none"> • Develop guidance or instructions for interpreters when interpreting for Indigenous persons in DHS programs
<ul style="list-style-type: none"> • Conduct meetings or trainings on Indigenous languages and cultures 	<ul style="list-style-type: none"> • Examine and address barriers to access to qualified Indigenous language interpreters
<ul style="list-style-type: none"> • Engage with Indigenous migrant leaders and communities 	<ul style="list-style-type: none"> • Increase language monitoring and compliance activities related to Indigenous languages

III. Methodology

The processes and strategies DHS used to develop this plan included convening DHS Component personnel and Indigenous communities, as well as gathering information from a range of sources. Notably, DHS sought to better understand the concerns and interests of Indigenous migrant communities when interacting with DHS. A key part of that effort was engaging with Indigenous communities to learn about Indigenous peoples' languages and cultures and receive their input on what DHS could do to strengthen language access for Indigenous peoples.⁴

DHS first held discussions with Indigenous community members in California in July 2022 and conducted virtual meetings with Indigenous migrant community leaders from various parts of the country in August and September 2022. Following release of the draft plan in February 2023, DHS continued discussions with Indigenous community members through December 2023.⁵

During these discussions, DHS asked community members for input on areas DHS could improve language access for Indigenous persons and considerations for providing language access for Indigenous women and girls. Their feedback on these and other topics is included in Section VI below.

In addition to the processes described above, DHS:

- Convened a subgroup of the DHS Language Access Working Group to bring together Component personnel to collaborate on this plan;
- Examined current demographic data (e.g., Indigenous languages encountered in DHS programs);
- Surveyed existing practices across DHS to provide language access to Indigenous persons;
- Reviewed recommendations on language access from Indigenous organizations to the DHS Family Reunification Task Force;
- Conducted a review of international human rights documents and Non-Governmental Organizations' (NGO) reports;
- Analyzed data on language access complaints filed with the Office for Civil Rights and Civil Liberties (CRCL);
- Reviewed materials from two previous DHS Indigenous languages roundtables that CRCL convened, including one with frontline DHS personnel to better understand the challenges and perspectives of the workforce;
- Examined the current DHS Blanket Purchase Agreement (BPA) for Language Services to understand the requirements for linguists who provide language services to DHS under the BPA;
- Reviewed language access issues raised during DHS equity assessments conducted pursuant to Executive Order 13985, *Advancing Racial Equity and Support for*

Underserved Communities Through the Federal Government (January 20, 2021) and Executive Order 14091, *Further Advancing Racial Equity and Support for Underserved Communities Through the Federal Government* (February 16, 2023); and

- Published a draft of this plan in February 2023 requesting additional feedback and incorporated the feedback received where appropriate.

IV. Demographic Data

DHS Components that interact most with Indigenous persons were asked to identify the most frequently encountered Indigenous languages in their domestic programs and activities. Their responses are detailed in the chart below.

U.S. Customs and Border Protection (CBP)	Federal Emergency Management Agency (FEMA)	U.S. Immigration and Customs Enforcement (ICE)	U.S. Citizenship and Immigration Services (USCIS)
Mam	Quiché/K'iche'	Quichua, Canar Highland	Quichua
Q'eqchi/Kekchi	Mixteco	Quiché/K'iche	Quiché/K'iche
Quiché/K'iche	Mam	Quechua	Mam
Quechua	Zapoteco	Mam	
Akateko/Acateko		Q'eqchi/Kekchi	
Mixteco – Alto		Quichua, Chimborazo Highland	
		Mixteco	

Several Components reported much higher concentrations of need in some languages (e.g., Mam, Q'eqchi, Quiché/K'iche, and Quichua) than others. Examples of other Indigenous languages that Components encountered include the following languages or variants of these languages: Achi (Cubulco variant); Chalchiteka, Chuj de San Mateo (Ixtatán variant), Garifuna, Ixil; Me'Phaa, Miskito, Nahuatl, Pocomam, Pocomchi, Triqui, and Tzotzil.

IV. Current DHS Practices

The following are examples of how DHS is working to improve language access for Indigenous language speakers in its programs and activities:

Language Access Plans, Policies, and Procedures

- DHS Component Language Access Plans describe requirements and processes for effective communication with all persons who are LEP. Several Component plans have specific information about efforts to strengthen language access for Indigenous migrants.⁶

- The DHS Language Access Plan, issued in November 2023, requires that Component plans describe the steps the Component will take to ensure that its policies and practices consider the language needs of Indigenous and rare language speakers. Components will update their language access plans in Fiscal Year 2024.
- In July 2022, the U.S. Border Patrol (USBP) issued an internal procedure to its employees regarding communication with persons who are LEP that includes guidance to make reasonable efforts to ascertain an individual’s primary language to ensure effective communication. Additionally, the procedure explains that not all individuals from Central America speak Spanish fluently, but rather may speak an Indigenous language as their primary language.
- In 2023, CBP completed a new feature in the myCBP mobile app to assist CBP front-line employees in identifying over 20 Indigenous languages or variants of these languages. The app has pre-recorded audio files containing a phrase such as “do you speak [Indigenous language]?” recorded by native speakers of the language. The new feature in the myCBP app can be used online and offline (internet connectivity is not required) and is available to all DHS Components.
- In July 2022, the USCIS Refugee, Asylum, and International Operations Directorate issued a memorandum to Asylum Division staff on *Language Access in Credible Fear Screenings*. The memorandum provides new guidance to Asylum Officers on determining which language to use during credible fear interviews and actions they should take if an interpreter cannot be provided in the preferred language.
- In April 2022, ICE Enforcement and Removal Operations (ERO) issued guidance to its employees reminding them that they must provide language assistance to persons who are LEP, including those who speak Indigenous languages. The guidance also highlighted existing job aids to assist in identification of Indigenous language speakers.
- In 2023, ICE ERO, through its contract for language services with a leading Indigenous-led organization, translated the ERO National Detainee Handbook into K’iche, one of the more commonly encountered Indigenous languages spoken by persons from Guatemala. The translation is in both written and audio form and the written translation and audio files will be posted on ICE.gov.

Contracts for Language Services

- In 2022, DHS established its second BPA to meet the language requirements of all DHS Components. The BPA provides a wide range of language services (e.g., interpretation and translation) and is available for use by all DHS Components.

Vendors on the BPA are expected to be able to provide language services in more than a dozen Indigenous languages.

- In 2022, ICE ERO awarded a contract for language services to a leading Indigenous-led organization. This contract supplements ERO's primary 24/7 telephonic interpreter line; it is a first of its kind for ICE in that it provides for cultural awareness and sensitivity consultation and assistance with the development of training and job aids.

Resources for Identifying an Individual's Primary Language

- DHS has long had posters and booklets to help frontline personnel identify the primary languages of Indigenous and other populations that are LEP. These are posted throughout ICE detention facilities, CBP ports of entry, and Border Patrol facilities.⁷
- ICE had also developed a tool to assist employees to identify Indigenous languages. The tool has written text and audio files for Indigenous language speakers to identify their primary language. The tool was updated in April 2021 to identify the country(ies) where each language is spoken and to include additional languages, including Garifuna. Additionally, with ICE's permission, CBP issued the updated version of this tool as a resource to its employees.
- In 2022, ICE developed a *Tip Sheet* of best practices for identifying and communicating with Indigenous language speakers and a *Language (and Indigenous) Pocket Card* with the "I Speak" phrase in 10 languages on one side, and phonetic spelling of commonly encountered Indigenous languages on the other side. All tools and job aids are typically disseminated to employees electronically and uploaded on ICE ERO's internal webpage. ICE also collaborated with Comunidades Indígenas en Liderazgo (CIELO) to host an Indigenous Cultural Awareness training for ICE staff and informally consulted with the organization on the development of Indigenous-focused job aids.

Monitoring Language Services

- In September and December 2022, employees from CBP's Custody Support and Compliance Division traveled to eight facilities along the Southwest border to observe language access procedures, including Indigenous languages speakers, and met with nonprofit organizations regarding language access for Indigenous migrants. In July 2023, CRCL and CBP conducted a joint visit to the Rio Grande Valley Border Patrol Sector to observe CBP personnel practices for identifying the primary language of migrants and referrals for USCIS credible fears interviews for those migrants in CBP custody.

- In July 2023, through its contract for language services with an Indigenous-led organization with trained and qualified Indigenous language linguists, ICE ERO conducted site visits in the Houston Area of Responsibility that focused on assessing ICE ERO and facility staff's identification of Indigenous speakers from Latin America. ICE ERO plans to conduct additional site visits between October 2023 and September 2024.

COVID-19 Response

- FEMA procured over-the-phone interpretation services to provide access to Indigenous migrants during the COVID response, multi-state Hurricane Ida response and recovery operations, and response to tornadoes that occurred in Kentucky. The interpretation services continue to be made available to FEMA staff in the field and shared with interagency, state, and local government and NGO/voluntary agency partners. Moreover, FEMA provided K'iche written translations in support of Washington Wildfires disaster operations, and as part of its over-the-phone interpretation services, FEMA provided interpretation in Awakateko, K'iche', Mam, Q'anjob'al, Zapoteco, and Quechua/Kichwa.
- ICE developed a COVID-19 informational video to provide basic information to noncitizens in detention on COVID-19 care/precautions. The video is voiced in seven Indigenous languages: Chuj, Mixteco (Guerrero variant), K'iche', Me'Phaa, Mixteco, Q'eqchi, and Zapoteco, with Spanish subtitles.

Complaint Processes

- CRCL receives and investigates complaints alleging a denial of meaningful access to LEP persons in DHS programs and activities.⁸ CRCL's Compliance Branch has investigated allegations regarding language access for Indigenous language speakers in recent years and issued recommendations to several DHS Components. For example, CRCL recommended in September 2019 that CBP review all existing protocols to ensure that Border Patrol agents and Office of Field Operations officers can accurately and properly identify the primary language of individuals in CBP custody, especially Indigenous language speakers. As a result, USBP issued an internal procedure regarding communication with persons who are LEP that includes guidance to make reasonable efforts to ascertain an individual's primary language to ensure effective communication. This procedure addresses identification of Indigenous language speakers.

Language Access Working Group and Subgroup on Indigenous Languages

- CRCL leads a DHS-wide Language Access Working Group to foster collaboration across the Department and exchange information about language access requirements and best practices. In 2022, CRCL convened a subgroup of the

working group to begin work on the Indigenous Languages Plan and monitor its implementation. Members of the subgroup participated in various meetings with Indigenous communities, reviewed and provided comments on the plan, and participated in an Indigenous Languages and Cultures workshop delivered by an Indigenous organization.

Memorandum of Agreement on Native Languages

- On November 8, 2022, DHS signed the Memorandum of Agreement on Native Languages (Native Languages MOA), an agreement among federal agencies, first executed in November 2021, as a supporting agency. DHS agreed to support the Native Languages MOA by recognizing and promoting the use of Native American languages, to the extent practicable. The DHS addendum to the Native Languages MOA states in part:

DHS...recognizes the importance of providing language access to indigenous migrant communities to its programs, services, and operations consistent with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency (August 11, 2000). DHS is developing a plan, in consultation with indigenous migrant communities, to strengthen the provision of language services for indigenous migrant communities throughout DHS mission areas. In so doing, DHS will not only advance civil rights, but honor and respect the rich linguistic and cultural heritage of these indigenous communities.

V. Input and Recommendations from Indigenous Communities

Indigenous migrant community leaders provided the following input and recommendations during discussions with DHS:

Rights of Indigenous Persons

- Several organizations noted that in addition to the need identify and document the language of Indigenous migrants, it is also important to identify migrant individuals' indigeneity and/or membership or citizenship in Indigenous Nations. There is a need for a broader discussion about the rights of Indigenous persons, which should include Indigenous leaders from those Nations just as the U.S. would speak with representatives from other Nations.
- One organization said that it is important that DHS act in accordance with the rights of Indigenous persons under U.S. domestic and international law and as members of Indigenous Nations. U.S. engagement with Indigenous Nations is recommended to enhance Nation-to-Nation relations and internal human rights declarations, including the United Nations Declaration on the Rights of Indigenous Peoples.⁹

- One organizations noted that the National Congress of American Indians (NCAI) passed a resolution in 2019, “Calling to Protect and Advance the Human Rights of Indigenous Peoples Migrating to the U.S.,” which, among other things, calls upon DHS to create an Indigenous Language Advisory Commission, comprising tribal and Indigenous language and cultural experts, to establish an intake process to count Indigenous peoples, develop Indigenous language resources, and develop required trainings for DHS and other federal agency personnel.¹⁰
- Several organizations noted that there are a number of historical issues that have led to a lack of trust between Indigenous groups and the U.S. government. This includes colonialism, involvement in wars in Central America, and abuses by government officials. There is a need to rebuild this trust for any of these efforts on language access to be effective.
- One organization noted that many lessons can be learned from regular consultation processes that take place between the U.S. government and Tribal Nations. DHS could consider using similar practices as it relates to Indigenous peoples from across the border who are in the U.S.

Partnership with Indigenous Organizations

- Several organizations noted that Indigenous community leaders should be included as equal partners in DHS’s future work to improve language access for Indigenous migrants in DHS programs and activities. It is important to bring in Indigenous community leaders to be part of any DHS committee on Indigenous languages to protect migrants’ civil and due process rights. DHS should take into consideration feedback from Indigenous community leaders since they know how to speak directly to their communities and have knowledge of their customs.

Languages and Literacy

- One organization noted that only about one percent of Indigenous peoples have access to higher education in their home countries and those who do read and write these languages tend to be academics. Thus, the organization noted that in most instances, DHS should be prepared to provide interpretation (oral language services), rather than translation (written language services) in these languages. Recorded audio versions of vital documents in the primary languages of Indigenous migrants can also be helpful.

Identifying Primary Language

- Several organizations recommended that DHS establish a protocol for identifying the language from the moment an Indigenous migrant is encountered at the

border, not when interviews begin, and track the migrant's language through their encounters with DHS personnel.

- Several organizations noted that in Guatemala alone, there are 24 different Indigenous communities; 22 of them are Mayan languages. Some Indigenous languages like Mixtec and Zapotec have many variants and some language variants are not mutually understood. Finding out where the migrant is from within their country, such as which *aldea* (or village), may help DHS pinpoint the language needed.
- Several organizations noted that it is important to work with Indigenous migrant leaders to compare and identify variants of languages in order to identify a given language.
- Several organizations noted that Indigenous migrants will sometimes not request interpreters even if they are available. They will not necessarily readily identify as Indigenous. Many Indigenous language speakers in Guatemala or other Central American countries are expected to speak the country's dominant language of Spanish even if they are not proficient in it. As a result, many Indigenous persons may say they speak Spanish even if they are not proficient in the language. Many Indigenous migrants have feared their own governments; they have experienced exploitation and violence and have been denigrated for being Indigenous or speaking an Indigenous language in their home countries.
- Several organizations noted that many Indigenous language speakers do have some knowledge of Spanish, but they are not proficient. There can be profound consequences when they are not proficient in Spanish and continue with the process in Spanish due to stresses related to the journey and fear.
- Several organizations recommended that DHS officials ask open-ended questions to properly assess language needs. This applies to interactions with adults as well as children.

Indigenous Migrant Women and Girls and LGBTQI+ Indigenous Migrants

- Several organizations noted that Indigenous women and girls from Central America and Mexico are especially vulnerable during the migration process. Others noted that women, girls, and LGBTQI+ individuals must be especially protected. Below are some important considerations:
 - They may have been sexually assaulted.
 - Victims of sexual assault need interpreters who speak their own languages so they can communicate what they are feeling and what has occurred.

- Due to the nature of sexual assault, they may be ashamed, embarrassed, and/or less likely to express what happened, and may show resistance when they need to express themselves about these harms.
- Interpreters should be of the same sex or gender as the migrant.

Methods for Effective Communication

- Several organizations noted that the best way to communicate with Indigenous speakers is through interpretation, including relay interpretation, but if that is not possible, another option is to use pre-recordings to convey information (this would be for one-way communication, not interviews).

Information on Becoming Language Vendors

- One organization expressed an interest in learning more about how Indigenous organizations can become language service providers for CBP and ICE.

Interpreter Qualifications

- Several organizations noted that there is no official certification for linguists in Indigenous migrant languages; however, organizations like CIELO train individuals to become interpreters. CIELO holds a two-day conference annually to train interpreters to serve populations of Indigenous migrants and offers a variety of workshops tailored to Indigenous interpreters in real-life interpreting settings.
- One organization recommended that interpreters receive information about the cultural reality of Indigenous peoples. Another organization recommended DHS consider the gender of the interpreter, as many Indigenous women do not want to have male interpreters. LGBTQI+ persons who have already been discriminated against should also have interpreters who are qualified and aware of challenges LGBTQI+ migrants may face.
- Several organizations noted that many Indigenous interpreters do not have the proper legal status to provide language services to private or governmental agencies. One organization recommended DHS consider offering a special visa for Indigenous interpreters and modifying its requirements for linguists.

Cultural Awareness Training for Law Enforcement Agencies

- CIELO explained that it has provided cultural awareness training to the Los Angeles Police Department over the years since a fatal interaction between a law enforcement officer and an Indigenous migrant. According to this organization, similar training for DHS personnel about Indigenous languages and cultures can help strengthen language access for Indigenous migrants in DHS programs.

DHS Support for Migrant and other Organizations

- One organization recommended that the government recognize and support organizations that are already helping Indigenous peoples at the border.

Monitoring

- One organization recommended that CRCL have personnel at CBP sites, processing centers, and detention centers at the border to monitor language access.
- One organization recommended that members of Indigenous migrant community groups should be included in the monitoring of DHS's 2022 Equity Action Plan¹¹ as well as this Indigenous Languages Plan.

Immigration Detention

- One organization recommended that DHS make it less restrictive for Indigenous migrant community leaders to enter ICE detention centers to meet with Indigenous migrants to assist them. According to the organization, ICE detention facilities do not have trained and capable Indigenous language interpreters available to gather needed information from the Indigenous migrants there.

Access to Asylum and Scheduling of CBP One Appointments

- One organization noted that while interpretation in some Indigenous languages is being offered by USCIS for interviews (credible fear and reasonable fear interviews), there are over 30 Indigenous languages that are not currently provided and this can affect due process.¹²
- Other organizations noted that the CBP One feature for scheduling appointments at a CBP Southwest Border Port of Entry is currently only available in English, Spanish, and Haitian Creole.

Language Services Companies

- One organization noted that Indigenous migrant organizations have run across language companies that claim to have speakers of Indigenous languages and that know their communities, but in fact cannot accurately convey what the Indigenous peoples are trying to communicate. DHS should take steps to ensure that the language companies it uses are providing the variants of the languages requested and not making assumptions about the correct variant.

Lawyers Representing Indigenous Migrants

- One organization noted that lawyers and NGOs representing Indigenous migrants are making decisions about what languages are needed, but they are not

necessarily qualified to make these determinations. These NGOs, not just government entities, should also have language access plans.

Consequences of Not Providing Language Services

- Several organizations noted that the consequences of not providing appropriate language services can be the separation of families, a denial of due process, and a matter of life and death. Indigenous persons may be likely to give up trying to access benefits and services, including medical care and immigration benefits, when they cannot communicate in English or Spanish and interpretation in their languages is not available.

VI. DHS Goals and Activities (Fiscal Years 2024-2025)

Based on the input from Indigenous community members and our review of other data described above, DHS plans to take the following steps to strengthen language access for those who speak Indigenous languages in Fiscal Years 2024-2025:

1. Strengthen Engagement with Indigenous Migrant Community Leaders

- DHS will seek to strengthen engagement with Indigenous migrant community leaders on implementation of this plan and other efforts to improve language services for Indigenous persons served by DHS.
- DHS will explore the formation of a formal advisory committee and provide information to Indigenous migrant organizations about the requirements related to such a committee.
- DHS will continue to provide information to Indigenous migrant communities and other members of the public about this plan and receive and address feedback.

2. Develop and/or Distribute Protocols and Methods for Identifying Primary Languages

- Among other actions to ensure Indigenous persons' languages are identified, DHS Components have begun developing improved protocols for identifying the language of Indigenous migrants as soon as practicable during the first encounter (e.g., processing or intake) and throughout their processes. In addition, CRCL will work with Components to explore mechanisms and protocols to identify and document indigeneity.
- During the development of this plan, CBP completed and launched a new feature in the myCBP mobile app to assist CBP front-line employees in identifying over 20 Indigenous languages or variants of these languages. The app has pre-recorded audio files containing a phrase such as “do you speak [Indigenous language]?” recorded by native speakers of the language. The new feature in the myCBP app can be used online and offline (internet connectivity is not required). CRCL will

make this information available to other Components and CRCL will evaluate its use and effectiveness.

- In consultation with Indigenous community organizations, DHS will update DHS Indigenous Languages Identification materials to include additional Indigenous languages, countries, and regions where the languages are spoken, along with the phonetic pronunciation of these languages.

3. Document and Track Language Data

- DHS will review existing data systems to determine which systems support capturing and tracking of language data. To the extent they do not, DHS will explore what systemic changes are needed and ensure all relevant Component policies and/or practices require documenting the primary language of the migrant so that information on the Indigenous language spoken is available to various DHS Components with which Indigenous migrants interact.

4. Develop and/or Offer Training to DHS Personnel, and Grant Recipients

- CRCL, in coordination with Components, will develop and/or offer virtual or on-line training modules on Indigenous languages and cultures and language identification that Components can adapt to their unique programs and operations. New products will be developed in coordination with Components. DHS will also engage with Indigenous community organizations in the development of these resources.
- State, local, and nonprofit agencies that receive grants and other forms of financial assistance from DHS have obligations for language access in their federally supported programs and activities under Title VI of the Civil Rights Act of 1964. Accordingly, CRCL will also seek to leverage the Department's engagement with recipients of DHS financial assistance to offer similar training and resources to these recipients.

5. Increase Access to Vital Documents¹³ through Recorded Messages in the Most Frequently Encountered Indigenous Languages

- Because many speakers of Indigenous languages are not able to read or write in their native language or in Spanish, DHS will explore how it can increase access to information in vital documents by making it available in recorded formats in the most frequently encountered Indigenous languages.

6. Develop Guidance or Instructions for Interpreters in DHS Programs

- DHS will develop guidance or instructions for interpreters who interpret for Indigenous persons across DHS programs and activities. This guidance will include information on human and civil rights issues facing Indigenous persons;

considerations for interpreting for Indigenous women, girls, LGBTQI+ persons, and unaccompanied children; background on U.S. immigration programs and other DHS programs and activities; and DHS terminology. The guidance or instructions will also refer to relay interpreting,¹⁴ which may be needed in order to provide language access.

7. Examine and Address Barriers to Access to Qualified Indigenous Language Interpreters

- DHS will continue to examine barriers to obtaining qualified Indigenous language interpreters in DHS programs and consider appropriate solutions. For example, DHS will continue to review DHS requirements for linguists, including forms of certification and/or qualifications of Indigenous language linguists, and consider alternative ways for using interpreters of Indigenous and other rare languages.¹⁵ DHS will also consider examining Indigenous language skills within its own workforce and opportunities to leverage the language skills of those who are proficient in Indigenous languages.

8. Increase Language Monitoring and Compliance Activities

- CRCL has requested that each DHS Component that interacts with the public provide detailed information about how it will monitor implementation of its updated Language Access Plan. Components will be encouraged to engage with Indigenous migrant community organizations with expertise on Indigenous languages, culture, and migration patterns in their efforts to monitor language access efforts where possible. CRCL will work to connect Components that do not have such pre-existing contacts with these organizations. CRCL will also monitor language access for Indigenous persons in DHS programs and activities and evaluate implementation of this Indigenous Languages Plan.

VII. Accountability

CRCL, in coordination with other DHS Components, will report to the Secretary on progress in implementation of this plan by December 2024. DHS will also share information on accomplishments under the plan and opportunities to provide feedback on implementation of the plan with Indigenous community members, other stakeholders, and the general public.

VIII. Periodic Review

DHS will review and, if necessary, update this plan every two years, taking into account changed migration patterns, lessons learned, Indigenous migrant community feedback, and Components' evolving language needs.

IX. Contact Information and Assistance

Questions about this plan and requests for language assistance may be sent to the DHS Office for Civil Rights and Civil Liberties at crcl@hq.dhs.gov.

¹ See www.lep.gov/executive-order-13166. The Office for Civil Rights and Civil Liberties has delegated authority from the Secretary of Homeland Security to ensure compliance with Executive Order 13166 throughout DHS.

² Other terms used to describe languages that are sometimes referred to as “rare languages” include “minority languages,” “less common languages,” and “languages of lesser diffusion.”

³ National Strategy on Gender Equity and Equality, see [Fact Sheet: National Strategy on Gender Equity and Equality - The White House](#).

⁴ DHS representatives in the subgroup include representatives from U.S. Customs and Border Protection (CBP), Federal Emergency Management Agency (FEMA), U.S. Immigration and Customs Enforcement (ICE), U.S. Citizenship and Immigration Services (USCIS), Office for Civil Rights and Civil Liberties (CRCL), Office of the Immigration Detention Ombudsman (OIDO), Office of Public Engagement (OPE), Office of Citizenship and Immigration Services Ombudsman (CISOMB), and the Blue Campaign program office within the DHS Center to Combat Human Trafficking.

⁵ Representatives from these and other organizations participated in one or more of these meetings: Comunidades Indígenas en Liderazgo (CIELO), Organización Regional de Oaxaca (ORO), Frente Indígena de Organizaciones Binacionales (FIOB), Centro Binacional del Desarrollo Oaxaqueño, Asociación Mayab, The Mayan League, Mixteco/Indigenous Community Organizing Project (MICOP), Binational Center for the Development of Oaxacan Indigenous Communities (CBDIO), Authority of Consejo Nacional de Pueblos Indígenas en la Diáspora-Centro Cultural Techantit, Indigenous Alliance Without Borders (AISF), Indigenous Languages Office (ILO), Comunidad Maya Pixan Ixim, Comunidad Lingüística Chalchitaka, and Indian Law Resource Center. DHS also met with representatives of the governments of Mexico and Guatemala at their embassies in Washington, D.C., several of their consular offices and Indigenous communities in Nebraska, Washington State, and New York, and representatives of the Pastoral Maya Ministry of the U.S. Conference of Catholic Bishops. CRCL and CBP language access coordinators attended and spoke at CIELO’s 2023 National Indigenous Interpreters Conference.

⁶ More information about these plans, policies, and procedures can be found on the [DHS Language Access webpage \(www.dhs.gov/language-access\)](#).

⁷ These materials can be found on the [DHS Language Access webpage \(www.dhs.gov/language-access\)](#).

⁸ Information about filing complaints with CRCL and other Components can be found at [Provide Feedback or Make Complaints to DHS | Homeland Security \(https://www.dhs.gov/file-civil-rights-complaint\)](#). CRCL accepts civil rights allegations in all languages.

⁹ [United Nations Declaration on the Rights of Indigenous Peoples | Division for Inclusive Social Development \(DISD\) \(www.ohcr.org/en/indigenous-people/un-declaration-rights-indigenous-peoples\)](#).

¹⁰ [ncai.org/resources/resolutions/calling-to-protect-and-advance-the-human-rights-of-indigenous-peoples-migrating-to-the-us](#).

¹¹ DHS released its 2022 Equity Action Plan in April 2022, <https://www.dhs.gov/publication/equity>. The DHS 2023 Equity Action Plan will also be available on this webpage.

¹² Current USCIS Asylum Division guidance on language access for credible fear screenings is available on USCIS.gov here: <https://www.uscis.gov/sites/default/files/document/memos/Language-Access-in-Credible-Fear-Screenings.pdf>.

¹³ A vital document, as described in the DHS Updated Language Access Plan, is a document that contains information that is critical for obtaining any aid, benefit, or services or is required by law. Vital documents can include: applications; consent and other forms that require signatures; complaint forms; notices of rights;

notices on the availability of free language assistance; and letters or notices that require a response from the beneficiary, customer, or noncitizen.

¹⁴ Relay interpreting is the practice of interpreting from one language to another through a third language.

¹⁵ An update to the American Society for Testing and Materials (ASTM) F2089, *Practice of Language Interpreting*, is expected to address qualifications in languages for which there is no certification. ASTM F2089 defines the minimum professional standard for quality services in language interpreting.