



Disability Access Plan for Public-Facing Programs and Activities

June 19, 2019



U.S. Customs and
Border Protection

MESSAGE FROM THE ACTING COMMISSIONER

On behalf of U.S. Customs and Border Protection (CBP), I am pleased to present the CBP Disability Access Plan, which creates a comprehensive, agency-wide initiative to embed nondiscrimination for individuals with disabilities in all CBP programs and activities that impact the public. The goal of this initiative is to ensure that CBP accomplishes its homeland security mission while respecting the civil rights of individuals with disabilities in accordance with Department of Homeland Security (DHS) policy and regulations related to Section 504 of the Rehabilitation Act of 1973, as amended, and related laws.



CBP's comprehensive approach to border control and management, combining customs, immigration, border security, and agricultural protection into one coordinated and supportive activity requires CBP to interact with diverse communities of individuals, both domestic and foreign, which includes persons with disabilities.

Our employees strive to ensure that all persons with whom they interact are afforded equal access to programs and activities regardless of their ability. CBP takes pride in having developed multiple resources and strategies to provide disability access in program accessibility, physical access, and effective communication.

We continue to evaluate current policies and procedures to develop and implement best practices to strengthen access to CBP-conducted programs and activities by qualified individuals with disabilities. I have every confidence in CBP's personnel whose professionalism and dedication to integrity, service, and vigilance ensures that individuals with disabilities have an equal opportunity to benefit from CBP programs, services, and activities.

A handwritten signature in black ink that reads "John P. Sanders". The signature is written in a cursive, flowing style.

John P. Sanders
Acting Commissioner

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CBP Mission Statement

To safeguard America's borders thereby protecting the public from dangerous people and materials while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel.

Purpose

This Disability Access Plan (the "Plan") creates a comprehensive, agency-wide initiative to embed nondiscrimination for individuals with disabilities in all CBP programs and activities that impact the public. The goal of this initiative is to ensure that CBP accomplishes its homeland security mission while respecting the civil rights of individuals with disabilities in accordance with DHS policy and regulations related to Section 504 of the Rehabilitation Act of 1973, as amended (Section 504) and related laws. As such, this Plan addresses the areas of opportunity to strengthen access to CBP-conducted programs and activities by qualified individuals with disabilities; documents CBP's policies on disability access; and identifies procedures for providing reasonable accommodations and modifications for qualified individuals with disabilities encountered in CBP-conducted programs and activities.

Scope

This Plan applies to all CBP offices that interact with members of the public except for programs or activities conducted outside the United States that do not involve individuals with a disability in the United States. Covered interactions include, but are not limited to, those programs and activities described below in *Element 3: Program Interactions*. As CBP operates within a law enforcement mission space, these covered interactions include, among others, interviewing witnesses; providing emergency services; enforcing laws; and inspecting, arresting, processing, and holding individuals in custody. CBP's employment-related programs and activities are not covered in this plan.

Key Terms

- A. Auxiliary Aids and Services:** Services or devices that enable qualified individuals with disabilities to have an equal opportunity to participate in, and enjoy the benefits of, programs or activities conducted by CBP. Not all of the auxiliary aids and services listed below are required. They include, but are not limited to:
1. Qualified interpreters on-site or through video remote interpreting (VRI) services; note takers; real-time computer-aided transcription services; written materials; exchange of written notes; telephone handset amplifiers; assistive listening devices; assistive listening systems; telephones compatible with hearing aids; closed caption decoders; open and closed captioning, including real-time captioning; voice, text, and video-based telecommunications products and systems, including text telephones (TTYs),

videophones, and captioned telephones, or equally effective telecommunications devices; videotext displays; accessible Information and Communication Technology (ICT); or other effective methods of making aurally delivered information available to individuals who are deaf or hard of hearing;

2. Qualified readers; taped texts; audio recordings; Brailled materials and displays; screen reader software; magnification software; optical readers; secondary auditory programs (SAP); large print materials; accessible ICT; or other effective methods of making visually delivered materials available to individuals who are blind or have low vision;
3. Acquisition or modification of equipment or devices; and
4. Other similar services and actions.

B. Conducted Programs and Activities: All CBP programs and activities, including those carried out through contractual arrangements, except for programs and activities conducted outside the United States that do not involve individuals with a disability in the United States.

C. Fundamental Alteration: Modifications to essential aspects of programs, expansions to or retractions from the substantive scope of a program, or eliminations or modifications of program eligibility requirements as determined by the Secretary of Homeland Security (or his or her designee).

D. Individual With a Disability: An individual who has a physical or mental impairment that substantially limits one or more major life activities; or has a record of such an impairment; or is regarded as having such an impairment.¹

E. Interactive Process: The process by which the individual with a disability requesting an accommodation and CBP engage with each other about the request for accommodation, the process for determining whether an accommodation can be provided, and the identification of alternative accommodations.

F. Major Life Activities: Basic activities that the average person in the general population can perform with little or no difficulty, such as (but not limited to) caring for oneself, performing manual tasks, walking, seeing, hearing, speaking, breathing, learning, concentrating, thinking, interacting with others, and working. A major life activity can also include the operation of a major bodily function.

G. Qualified Individual with a Disability: An individual who can meet the essential eligibility requirements for receipt of services or participation in a CBP program, activity or service with, or without, (1) reasonable modifications to CBP's rules, policies, or practices; (2) removal of architectural, communication, or transportation barriers; or (3) provision of auxiliary aids and services.

¹ When encountering persons with a disability, CBP employees will most frequently interact with persons who have a current impairment to one, or more, major life activities.

- H. Qualified Interpreter:** A person who, via a video remote interpreting (VRI) service or an on-site appearance, is able to interpret effectively, accurately, and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include, but are not limited to, sign language interpreters, oral transliterators, and cued-language transliterators.
- I. Qualified Reader:** A person who is able to read effectively, accurately, and impartially using any specialized vocabulary. A CBP Officer or Border Patrol Agent may serve as a qualified reader if he or she has the ability to fulfill this function.
- J. Reasonable Accommodation or Modification:** A change or modification in a program or operation that would enable a qualified individual with a disability to enjoy an equal opportunity to participate in, and benefit from, a program or activity and that would not result in a fundamental alteration, or financial and administrative burdens. Reasonable advance notice may be requested from people requesting aids or services based on the length of time needed to acquire the aid or service, but excessive advance notice requirements should not be imposed. Additionally, “walk-in” requests for aids and services should also be honored to the extent possible.
- K. Section 504:** Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. § 794) (*hereafter*, “*Section 504*”), as amended. Section 504 prohibits discrimination based on disability in federally assisted and federally conducted programs or activities in the United States, including employment programs.
- L. Section 508:** Section 508 of the Rehabilitation Act of 1973 (*hereafter*, “*Section 508*”), as amended, mandates that Federal agencies “develop, procure, maintain, or use” Information and Communication Technology (ICT) in a manner that ensures Federal employees with disabilities have comparable access to, and use of, such information and data relative to other Federal employees, unless doing so would impose an undue burden. 29 U.S.C. § 794d. Section 508 also requires Federal agencies to ensure that members of the public with disabilities have comparable access to publicly available information and services unless doing so would impose an undue burden on the agency.
- M. Undue Burdens:** Those financial and administrative burdens that entail significant difficulty or expense or add significant new administrative responsibilities, when assessed in comparison to all CBP resources available for use in the funding and operation of the conducted program or activity, as determined by the Secretary of Homeland Security (or his or her designee).
- N. Video Remote Interpreting (VRI) Service:** An interpreting service that uses video conference technology over dedicated lines or wireless technology offering high-speed, wide-bandwidth video connection that delivers high-quality video images as provided in 28 C.F.R. § 35.160(d).

Policy

CBP has adopted the DHS policy on disability access contained in [Directive Number: 065-01](#), *Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment)* (September 25, 2013). As such, it is the policy of CBP to provide equal opportunity for qualified individuals with disabilities encountered in CBP-conducted programs and activities, through:

1. Program accessibility, including by providing equal opportunity to access programs, services, and activities and delivering these in the most integrated setting appropriate to the individual's needs;
2. Physical access, including by providing accessible new construction and alterations in accordance with the Architectural Barriers Act of 1968 (as amended) and the Department's Section 504 regulation; and
3. Effective communication, including by providing auxiliary aids and services for persons who are deaf or hard of hearing or are blind or have low vision, and by modifying practices and materials to ensure effective communication with persons with intellectual or developmental disabilities.

It is CBP's policy to provide any necessary modifications to afford a qualified individual with a disability full enjoyment of the program or activity, unless modifications of policies, practices, and procedures would fundamentally alter the nature of the program, service or activity, or result in undue financial and administrative burdens to CBP.² Additionally, it is CBP's policy to engage in an interactive and individualized process to identify reasonable accommodations and modifications to allow participation in CBP's programs and activities. Moreover, in ensuring effective communication with individuals with disabilities, it is CBP's policy to give primary consideration to the auxiliary aid requested by the individual with the disability.

Background

This Plan furthers compliance with DHS Directive Number: 065-01, and the accompanying DHS [Instruction Number: 065-01-001](#), *Instruction on Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment)* and [Guide Number: 065-01-001-01](#), *Component Self-Evaluation and Planning Reference Guide*, which are consistent with the requirements of Title 6 of the Code of Federal Regulations part 15 and Sections 504 and 508 of the Rehabilitation Act of 1973. Section 504 requires that CBP's programs and activities are accessible to individuals with disabilities and do not constitute lesser, segregated, or different programs and activities than those offered to non-disabled members of the public. Moreover, Section 504 requires that reasonable accommodations and modifications be provided to individuals with disabilities to allow them to participate fully in CBP-conducted

² This responsibility includes the provision of reasonable and necessary modifications in activities or programs that involve persons in CBP custody as a result of its law enforcement mission.

programs and activities. Section 508 requires CBP to provide individuals with disabilities equal access to electronic information and data comparable to those who do not have disabilities, unless an undue burden would be imposed on the agency

During Fiscal Year 2017, CBP conducted a self-evaluation to assess CBP at two levels: policies and procedures at the headquarters level, and implementation of policies and procedures at the field level. The self-evaluation was designed to (1) identify opportunities to enhance access through review of existing policies, communication mechanisms, and physical spaces; (2) identify opportunities to enhance existing CBP policies or procedures for providing reasonable accommodations and modifications to qualified individuals with disabilities; and (3) provide a holistic picture of how CBP provides access to individuals with disabilities within its programs and activities; and areas requiring strengthening for compliance with Section 504.

CBP's self-evaluation indicated that CBP staff follow effective practices to ensure individuals with disabilities have access to CBP-conducted programs and activities, and that facilities and electronic and information technology are readily accessible for their use. Additionally, the self-evaluation found that all CBP activities are conducted in fully integrated settings that do not segregate persons with disabilities.

The self-evaluation also identified opportunities to enhance existing disability access policies, procedures, and training. Such opportunities include the development of an agency-wide policy for providing meaningful access to individuals with disabilities to CBP-conducted programs and activities, development of comprehensive standardized training regarding Section 504 compliance, and development of job aids to assist CBP employees to provide reasonable accommodations and modifications to qualified individuals with disabilities.

The results of the self-evaluation were used to develop this Plan to strengthen access to CBP-conducted programs and activities by qualified individuals with disabilities. Plan development has been ongoing since FY 2017 and CBP has implemented Plan elements, where able, during the development process.

CBP Disability Access Plan

Pursuant to DHS Instruction Number: 065-01-001, each Component Plan shall address the opportunities identified in the self-evaluation to strengthen disability access and contain, at a minimum, 13 elements. CBP's Plan contains all 13 of these elements, while including one additional element regarding strategically leveraging technology assets to meet CBP's objective to ensure nondiscrimination based on disability in CBP-conducted programs and activities. CBP's Plan enumerates these elements and explains how CBP is currently addressing each element while outlining additional planned activities, where applicable, that CBP will undertake to strengthen compliance with Section 504.

Element 1: Responsible Staff: The Commissioner, U.S. Customs and Border Protection is responsible for overseeing implementation of the policy and requirements of DHS Directive 065-01. The Executive Director, Privacy and Diversity Office (PDO), is the senior management official responsible for implementing this Plan and for establishing an agency-wide policy for

ensuring nondiscrimination for individuals with disabilities encountered by CBP personnel or utilizing CBP-conducted programs and activities. On or about September 25, 2013, a Lead Disability Access Coordinator was designated in the PDO, to coordinate efforts to implement this Plan across the agency. Additionally, on November 3, 2015, CBP established a Disability Access Implementation Committee, which is comprised of representatives from the program offices that interact with members of the public. The committee members serve as the Supporting Disability Access Coordinators. The relevant operational offices are responsible for developing and implementing operational procedures to comply with agency policy.

Element 2: Component Overview: With more than 60,000 employees, CBP is one of the world's largest law enforcement organizations, tasked with the responsibility of safeguarding America's borders and protecting the public from dangerous people and materials, while enhancing the Nation's global economic competitiveness by enabling legitimate trade and travel. As the United States' unified border entity, CBP takes a comprehensive approach to border management and control, combining customs, immigration, border security, and agricultural protection into one coordinated activity. The men and women of CBP are responsible for enforcing hundreds of U.S. laws and regulations. On a typical day, CBP welcomes nearly one million visitors, screens more than 67,000 cargo containers, arrests more than 1,100 individuals, and seizes nearly 6 tons of illicit drugs. Annually, CBP facilitates an average of more than three trillion dollars in legitimate trade while enforcing U.S. trade laws.

CBP conducts its mission in more than 2,000 physical locations covering all fifty states of the U.S. Air and Marine Operations (AMO) operates in facilities comprised of air branches, marine branches, and operations centers. U.S. Border Patrol (USBP) operates in facilities comprising sectors and stations. The Office of Field Operations (OFO) operates in facilities comprising field offices and ports of entry. The Office of Facilities and Assets Management (OFAM) operates additional facilities.

Element 3: Program Interactions: CBP conducted an analysis of its operations and identified the following points at which it encounters and processes individuals with disabilities in its programs and activities:

- Preventing the entry of terrorists and their weapons into the U.S. at and between CBP ports of entry;
- Inspecting persons and goods seeking to enter or exit the United States through ports of entry;
- Providing key information directly to CBP customers and stakeholders through print and other visual media, social media, and electronic media;
- Building and maintaining partnerships between CBP and community stakeholders as well as state and local governments;
- Ensuring the care of those in CBP custody and taking measures to protect the health, welfare, security, and safety of everyone in custody; and
- Coordinating contacts between interest groups and CBP.

The specific offices with public interactions and descriptions of those interactions are below:

- **Office of Acquisition (OA):** OA ensures that CBP acquires the best possible goods and services to safeguard the American homeland and interests. It works to strengthen CBP's expertise and effectiveness in acquisition, procurement and program management. OA's principal public contact is with suppliers and contractors.
- **Air and Marine Operations (AMO):** AMO uses its sophisticated fleets to detect, sort, intercept, track and apprehend criminals in diverse environments at and beyond U.S. borders, utilizing advanced aeronautical and maritime capabilities to preserve America's security interests. AMO's principal public contact is in law enforcement activities and includes interactions with persons in CBP custody.
- **U.S. Border Patrol (USBP):** USBP is the primary federal law enforcement organization responsible for preventing terrorists and their weapons from entering the United States between ports of entry. USBP is also responsible for preventing the illicit trafficking of people and contraband between ports of entry. USBP's principal public contact is in law enforcement activities and includes interactions with persons in CBP custody.
- **Office of Field Operations (OFO):** OFO is the primary federal law enforcement organization responsible for preventing terrorists and their weapons from entering the United States at the ports of entry. OFO plays a vital role in protecting national security and ensuring economic prosperity by inspecting all persons and goods seeking to enter or exit the U.S. at our Ports of Entry. OFO has public contact in its trade, travel, and law enforcement activities and includes interactions with persons in CBP custody.
- **Office of Information and Technology (OIT):** OIT manages CBP's technology infrastructure and information and technology operations to enable CBP mission readiness. OIT manages CBP's public facing website that provides CBP's principal public information source.
- **Intergovernmental Public Liaison (IPL):** IPL advises the Commissioner, Deputy Commissioner, and program offices regarding the impact of CBP policies and initiatives on state, local, tribal and nongovernmental stakeholders. IPL informs these stakeholders of current and proposed CBP programs, addresses stakeholder concerns with CBP programs, and assists in building and maintaining partnerships between CBP and state, local, and tribal governments, as well as nongovernmental stakeholders. IPL also oversees management of the CBP Information Center, which is responsible for fielding and responding to incoming inquiries, complaints, and other requests from the public.
- **Office of Professional Responsibility (OPR):** OPR educates employees concerning ethical standards and integrity responsibilities; conducts inquiries into employee misconduct allegations; and evaluates security threats to CBP employees, facilities, and sensitive information. OPR has public contact with informants, witnesses, and persons seeking to provide information to OPR.

- **Office of Public Affairs (OPA):** OPA is responsible for providing key information to the public, including to CBP customers and stakeholders through print and other visual media, social media, and electronic media.
- **Office of Trade Relations (OTR):** OTR is responsible for managing CBP's outreach and communications with the international trade community. OTR serves as CBP's voice to the trade community and works to improve communications regarding operational programs that impact trade. OTR also organizes and presents formal CBP outreach efforts to the trade community.

Element 4: Disability Access Policy: CBP has developed and implemented the following policies to ensure equal access to programs and activities for qualified individuals with disabilities:

- CBP Directive 2130-021: *Roles and Responsibilities of U.S. Customs and Border Protection Component Offices and Employees Regarding Civil Rights and Civil Liberties Matters.* This policy defines the roles and responsibilities of CBP offices and personnel with regard to civil rights and civil liberties allegations filed by members of the public and requires all CBP employees to abide by CBP policy to treat all individuals in a non-discriminatory manner, with respect to all forms of protected status under federal law, regulations, Executive Order, or policy.
- CBP Directive 51735-013A: *Standards of Conduct.* This policy prohibits employees to act or fail to act on an official matter in a manner that improperly takes into consideration an individual's race, color, age, sexual orientation, religion, sex, national origin, disability, union membership, or union activities.
- CBP Directive 5510-040A: *Electronic and Information Technology Accessibility under Section 508 of the Rehabilitation Act.* This policy establishes guidance regarding the requirement for Federal agencies to provide members of the public with disabilities access to information and data that is comparable to the access available to those without disabilities.
- *CBP Policy on Zero Tolerance of Sexual Abuse and Assault* (March 11, 2015). This policy stipulates that CBP will provide reasonable accommodations to individuals in CBP custody with disabilities.
- *CBP National Standards on Transport, Escort, Detention, and Search* (October 2015). This policy stipulates that CBP will provide reasonable accommodations to individuals in CBP custody, who have known or reported mental and/or physical disabilities, to include additional care and oversight in CBP holding facilities. It also requires specific accommodations to prevent, detect, and respond to sexual abuse.
- CBP Directive 03340-044: *Customs And Border Protection's Guidelines During United States Visitor Immigrant Status Indicator (Us-Visit) Biometric Enrollment For Air, Sea, And Land Ports Of Entry.* This policy stipulates that CBP will make every reasonable

effort to accommodate any person with physical limitations that prevent the collection of biometric information.

- CBP Directive 2130-030: *Prevention, Detection and Response to Sexual Abuse and/or Assault in CBP Holding Facilities*. This policy stipulates that CBP will ensure effective communication with persons with disabilities and ensure their access to CBP efforts to prevent, detect, and respond to sexual abuse and/or assault.
- CBP Directive 5270-009A: *Leasehold Interest in Real Property*. This policy requires that all leases entered into by CBP comply with the Architectural Barriers Act (ABA).

Additional Planned Activities:

- Develop a comprehensive agency wide policy to provide clear and concise guidance to ensure nondiscrimination based on disability in CBP-conducted programs and activities where feasible through: program accessibility, physical access, effective communication, and necessary modifications to afford a qualified individual with a disability full enjoyment of CBP programs and activities.

Element 5: Program Accessibility: CBP complies with all Architectural Barriers Act (ABA) requirements in new construction and when modifications occur to existing structures. CBP acquires leased facilities in accordance with CBP Directive 5270-009A: *Leasehold Interest in Real Property*. This directive requires that all leases entered into by CBP comply with the ABA.

CBP uses the Facility Condition Assessment (FCA) review of agency owned facilities to evaluate physical accessibility of CBP facilities. Identified inaccessible elements are entered in the Tririga electronic tracking system to schedule and document corrective actions taken. The Tririga system tracks corrective actions for CBP leased facilities. Remediation is currently underway at various facilities of non-compliant elements such as automatic entry doors, bathrooms, ramps, curb cuts, and parking. Additionally, the annual CBP Self-Inspection program includes a worksheet designed to ensure that CBP directly-leased, CBP-owned, and General Services Administration (GSA) leased properties are accessible and in compliance with Architectural Barriers Act Accessibility Standard (ABAAS) and the Americans with Disabilities Act and to develop a plan to take corrective action when not in compliance.

CBP has instituted dedicated disability access pedestrian lanes in passenger processing at some ports of entry.

CBP complies with Section 508 requirements to provide members of the public with disabilities with access to information and data that is comparable to the access available to individuals without disabilities.

CBP has developed an Information Center response for inquiries from the public to the Office of Field Operations for information on how to obtain disability accommodation.

Additional Planned Activities:

- Request that GSA provide ABA inspection records for leased facility locations to determine whether physical barriers exist.
- Track corrective actions for ABA deficiencies in leased facilities, where applicable.
- Develop an action plan to remediate CBP-owned facilities that are not ABA compliant.
- Develop effective practices to ensure that meetings and conference calls are accessible to individuals with disabilities to include methods for persons with disabilities to request accommodation. Disseminate those practices to the workforce.
- Develop effective practices, for use where operationally feasible, for informing individuals using service animals of the location(s) of relief areas for their service animal. Disseminate those practices to the workforce.
- Where practical, evaluate the need for creation or expansion of dedicated disability pedestrian and/or vehicular passenger processing lanes at ports of entry.

Element 6: Interaction Procedures/Protocols: To provide access for individuals during processing, CBP policy includes mechanisms for accommodations, such as installing adjustable camera mountings and fingerprint readers to allow for processing at multiple heights, including when seated.

To provide employees with information on how to communicate with persons with disabilities, CBP disseminated on several occasions the DHS publication, *A Guide for Interacting with People who have Disabilities*.

Additional Planned Activities:

- Produce job aids to assist CBP employees to engage in effective communication and to provide reasonable accommodations and modifications to qualified individuals with disabilities encountered in CBP-conducted programs and activities. Disseminate the job aids to the workforce.
- Develop effective practices for providing information to visitors who attend meetings at CBP about emergency exits and emergency evacuation procedures. Disseminate those practices to the workforce.
- Evaluate the need to procure equipment and/or devices for emergency evacuation of visitors with disabilities. Acquire and deploy equipment and/or devices where needed.
- Evaluate the need to include requirements in Performance Work Statements for contractors that have direct contact with the public to ensure the provision of disability access. Develop and include requirements where needed.

- Develop and disseminate guidance/training on provision of reasonable accommodation for contract employees who may engage with or encounter individuals with disabilities in the course of carrying out their duties.
- Create or expand dedicated disability priority lanes, where needed.

Element 7: Reasonable Accommodation Policies/Procedures: In collaboration with Supporting Disability Access Coordinators and/or CBP offices with public interactions, CBP's Lead Disability Access Coordinator will develop agency-wide policy and/or procedures for providing reasonable accommodations and modifications to qualified individuals with disabilities. CBP program offices, as applicable, will develop mission-specific supporting SOPs for providing reasonable accommodations and modifications for qualified individuals with disabilities.

Additional Planned Activities:

- Evaluate the need to develop OFO and USBP office-specific SOPs (or subsume within a larger SOP exploring other law enforcement topics) to assist officers and agents in their interactions with persons with disabilities and with the provision of reasonable accommodations or modifications for qualified individuals with disabilities. Develop SOPs where/if needed.
- Conduct periodic reviews to assess how well CBP policies and procedures for receiving and processing accommodation requests are working and to determine which areas, if any, need additional training and/or support.

Element 8: Auxiliary Aids Policies/Procedures:

CBP currently provides auxiliary aids and services on an individualized case-by-case basis when requests are received. CBP utilizes the Federal Relay Service to assist persons who are deaf or hard of hearing. CBP collaborates with industry partners at airports and seaports to provide wheelchairs, mobility assistance, readers, and sign language interpreters (the latter to be used only for basic communications on a case-by-case basis). At some ports of entry, CBP has installed lowered counter heights to facilitate access for persons in wheelchairs or who need to sit during processing.

Additional Planned Activities:

- Provide notification to OFO and USBP that the Lead Disability Access Coordinator may be contacted to respond to questions about providing auxiliary aids and services (e.g. sign language interpreters, CART, video remote interpreting) for interactions with the public, including but not limited to, law enforcement encounters (e.g., questioning, processing, etc.).

- Pursuant to evaluation by the individual program offices, determine the individual office needs for video remote sign language interpretation.
- Select service provider(s) for remote sign language interpretation, as needed.
- Disseminate the steps to take to obtain sign language interpreters, including video remote sign language interpreters, if applicable, to OFO and USBP employees, as needed.

Element 9: Dissemination of Policies and Procedures: The following information is readily available on the CBP Intranet [website](#) to all CBP personnel interacting with or providing information to the public:

- DHS Directive Number: 065-01, *Nondiscrimination for Individuals with Disabilities in DHS-Conducted Programs and Activities (Non-Employment)*;
- CBP procedures for processing complaints for individuals alleging discrimination on the basis of disability, consistent with the DHS Section 504 regulation (6 C.F.R. Part 15);
- The link to the DHS publication, *A Guide for Interacting with People who have Disabilities*;
- The link to the DHS Disability Access website hosted by the DHS Office for Civil Rights and Civil Liberties; and
- The CBP Disability Access Plan developed in accordance with DHS Directive 065-01.

To disseminate policies and protocols to the workforce, on November 18, 2013, CBP disseminated DHS Directive Number: 065-01 to all employees via *CBP Central*. On March 29, 2017, CBP also disseminated the link to the DHS Disability Access website and the DHS publication *A Guide For Interacting With People Who Have Disabilities* to all employees via *CBP Central*. On April 17, 2017, this information was also included in a PDO e-Newsletter article posted on the CBP Intranet website and issued to the workforce via *CBP Central*.

Additional Planned Activities:

- Develop and implement a communication plan to enhance employees' awareness of DHS and CBP policies and procedures and available resources regarding provision of reasonable accommodation to members of the public.

Element 10: Training: Contact information for CBP's Lead Disability Access Coordinator is readily available to all CBP personnel on the CBP Intranet [website](#). Additionally, to provide managers, supervisors, and employees training on disability access policies and procedures, CBP has developed training courses titled *Section 508 Awareness* (Course Number: 069001) and *Preventing and Addressing Sexual Abuse and Assault of Individuals in CBP Custody* (Course Number: G0797004-01) available on the DHS Performance and Learning Management System (PALMS). Additionally, on July 27, 2017, OFO delivered professionalism musters to their

workforce nationwide titled *Communicating with Persons Who Stutter and Reasonable Accommodation for Persons With Non-Obvious Disabilities in CBP Public Facing Programs and Activities*. These musters are readily available to all CBP personnel on the CBP Intranet website CBP periodically launches a communication campaign titled *Operation No One Left Behind* to convey evacuation practices applicable to both employees and visitors with disabilities.

Additional Planned Activities:

- Develop and deliver a professionalism muster to CBP Officers and Agricultural Specialists nationwide on provision of reasonable accommodation for persons who are deaf or hard of hearing.
- Develop and issue a job aid to provide guidance to officers and agents on communicating effectively with persons with disabilities pursuant to the *DHS Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities*.
- Develop and deliver a muster to Border Patrol Agents regarding provision of reasonable accommodation to persons in custody for law enforcement purposes.
- Develop and integrate disability awareness training for law enforcement professionals into basic academy training for uniformed officers and agents.
- Develop a PALMS-based training course (or subsume within a larger course exploring other law enforcement topics) for completion by uniformed officers and agents on a biennial basis, on compliance with Section 504, implementation of CBP policies and procedures regarding the receipt and processing of requests for accommodations, and communication in law enforcement settings with individuals who have intellectual disabilities or mental illness.

Element 11: Notification to the Public: OFO has implemented the Professionalism Service Managers (PSM) Program to provide a resource for the public, employees and managers on a variety of topics. Additionally, CBP has posted an [Accessibility](#) statement on its public website affirming the agency commitment to making its electronic and information technologies accessible to individuals with disabilities. CBP has also posted information on its public [website](#) about how members of the public may file a disability accommodation complaint under Section 504.

Additional Planned Activities:

- Develop and provide a standard response to the CBP Information Center for passengers seeking information about how to request reasonable accommodations at Ports of Entry.
- Post information on CBP's public Internet website regarding the public's rights under Section 504 and how they may request reasonable accommodations and modifications.

- When the PSM poster is updated, it will include information regarding how members of the public may request a reasonable accommodation.
- Conduct outreach to stakeholder organizations in the disability community to publicize the public's rights under Section 504 and how they may request reasonable accommodations and modifications to participate in and benefit from CBP-conducted programs and activities.

Element 12: Resources: OFO has access to sign language interpreter services through airport/carrier partners. CBP utilizes sign language assistance from commercial air carriers for basic communication on a case-by-case basis.

Additional Planned Activities:

- Establish contracts for sign language interpreter services, including Video Remote Interpretation if requested by the funding program office, and track interpreter usage.

Element 13: Implementation Steps: The timeframes, milestones and responsible parties for steps to be taken to implement this Plan are contained [Appendix A](#). The Plan timeframes will be updated as needed.

Element 14: Technology: CBP leverages technology assets to assist in providing disability access as follows:

- Automated Passport Control (APC) kiosks are accessible through braille (blind passengers can also request assistance from the airport authority or CBP to complete the CBP inspection).
- Cameras in APC kiosks are adjustable for persons at wheelchair height.
- Global Entry (GE) kiosks are either height adjustable or set at a height that allows access by persons in wheelchairs depending on the manufacturer.
- GE and Automated Passport Control kiosks are equipped with headphone jacks and volume controls.
- The Mobile Passport Control application to submit Customs forms electronically by smartphone allows the traveler to adjust the text size as needed.

Additional Planned Activities:

- Seek to expand use of internet-based applications and mobile tablets and phones to provide video remote sign language interpretation.
- Coordinate with application developers to seek modifications to mobile applications such as *Border Wait Time* and *Mobile Passport Control* to make them Section 508 compliant.

Appendix A: Implementation Steps

Action Plan to Enhance Disability Access in CBP-Conducted Programs and Activities (Non-Employment)						
Element	Action Item	Deliverable(s)	Lead Office(s)	Support Office(s)	Targeted Completion Date	Status/ Comments
Element 1 Responsible Staff	Identify responsible staff.	<p>The Executive Director, Privacy and Diversity Office, is the senior management official with responsibility for implementation of the CBP Disability Access Plan.</p> <p>CBP appointed a Lead Disability Access Coordinator, tasked with coordinating the agency efforts to implement the CBP Disability Access Plan.</p> <p>On November 3, 2015, CBP constituted a Disability Access Implementation Committee comprised of representatives from the program offices that interact with the public. The committee members serve as the Supporting Disability Access Coordinators.</p> <p>The relevant operational offices are responsible for developing and implementing operational procedures to comply with agency policy.</p>	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OCC	FY 2016, Q1	Complete FY 2016, Q1
Element 2 Component Overview	Provide Component overview.	Provide Component overview in the Disability Access Plan.	PDO	PDO	FY 2017, Q4	Complete FY 2017, Q4
Element 3 Program Interactions	Provide program interactions.	Outline program interactions in the Disability Access Plan.	PDO	PDO	FY 2017, Q4	Complete FY 2017, Q4

Element 4 Disability Access Policy	Develop a comprehensive agency wide policy to provide clear and concise guidance to ensure nondiscrimination based on disability in CBP-conducted programs and activities when feasible through: program accessibility, physical access, effective communication, and necessary modifications to afford a qualified individual with a disability full enjoyment of CBP programs and activities.	CBP Directive <i>-Nondiscrimination for Individuals with Disabilities in CBP-conducted Programs and Activities (Non-Employment)</i>	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2020, Q2	
Element 5 Program Accessibility	Request GSA provide ABA inspection records for leased facility locations to determine whether physical barriers exist.	Verify ABA compliance in leased facilities.	OFAM	PDO	FY 2019, Q3	Complete FY 2019, Q3
	Track corrective actions for ABA deficiencies in leased facilities, where applicable.	Develop verification process to track corrective actions taken for ABA deficiencies in leased facilities.	OFAM	PDO OA	FY 2019, Q4	Complete FY 2019, Q1
	Develop an action plan to remediate CBP owned facilities that are not ABA compliant.	Improve physical accessibility at CBP owned facilities.	OFAM	USBP OFO AMO OA	FY 2019, Q1	Complete FY 2019, Q1
	Develop effective practices for ensuring that meetings and conference calls are accessible to individuals with disabilities to include methods for persons with disabilities to request accommodation. Disseminate those practices to the workforce.	Develop effective practices.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD	FY 2018, Q4	Complete FY 2018, Q4

				OCC		
		Disseminate the practices to the workforce.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2019, Q1	Complete FY2019, Q1
	Develop effective practices, for use where operationally feasible, for informing individuals using service animals of the location(s) of relief areas for their service animal. Disseminate those practices to the workforce.	Develop effective practices.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2018, Q4	Complete FY 2018, Q4
		Disseminate the practices to the workforce.	PDO		FY 2019, Q1	Complete FY2019, Q1
	Where practical, evaluate the need for creation or expansion of dedicated disability pedestrian	Evaluate the need for creation or expansion of dedicated disability priority passenger processing lanes at ports of entry.	OFO	OFAM	FY 2020, Q2	

	and/or vehicular processing lanes at ports of entry.					
	Create or expand dedicated disability priority lanes, where needed.	Create or expand dedicated disability priority lanes, where needed.	OFO	PDO	FY 2020, Q4	
Element 6 Interaction Procedures/ Protocols	Produce job aids to assist CBP employees to engage in effective communication and to provide reasonable accommodations and modifications to qualified individuals with disabilities encountered in CBP-conducted programs and activities. Disseminate the job aids to the workforce.	Produce job aids.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2019, Q1	Complete FY2019, Q1
		Disseminate job aids to the workforce.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2020, Q2	Complete FY2019, Q1

	Develop effective practices for providing information to visitors who attend meetings at CBP about emergency exits and emergency evacuation procedures. Disseminate those practices to the workforce.	Develop effective practices.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2019, Q1	Complete FY2019, Q1
		Disseminate practices to the workforce.	PDO	OPR OPA IPL OTR OIT HRM OA AMO USBP OFO OFAM PD OCC	FY 2019, Q2	Complete FY2019, Q1
	Evaluate the need to procure equipment and/or devices for emergency evacuation of visitors with disabilities. Acquire and deploy equipment and/or devices where needed.	Evaluate the need to procure equipment and/or devices.	OFAM	All Offices	FY 2020, Q2	
	Acquire and deploy equipment and/or devices where needed.	TBD (Responsible Program Office)	OFAM	FY 2020, Q4		

	Evaluate the need to include requirements in Performance Work Statements for contractors that have direct contact with the public to ensure the provision of disability access. Develop and include requirements where needed.	Complete the evaluation of contractor requirements.	OA	OFO USBP	FY 2020, Q2	
		Develop and include requirements where needed.	OA	OFO USBP	FY 2020, Q4	
	Develop and disseminate guidance/training on provision of reasonable accommodation for contract employees who may engage with or encounter individuals with disabilities in the course of carrying out their duties.	Develop guidance/training materials.	PDO	USBP OFO OCC	FY 2019, Q4	
		Disseminate guidance/training to contractors.	OA		FY 2020, Q1	
Element 7 Reasonable Accommodation Policies/ Procedures	Evaluate the need to develop OFO and USBP office-specific SOPs (or subsume within a larger SOP exploring other law enforcement topics) to assist officers and agents in their interactions with persons with disabilities and with the provision of reasonable accommodations or modifications for qualified individuals with a disability. Develop SOPs where/if needed.	Evaluate the need to develop OFO SOP.	OFO	PDO OCC	FY 2020, Q2	
		Develop OFO SOP if needed.	OFO	PDO OCC	FY 2020, Q3	
		Disseminate OFO SOP to the workforce.	OFO	PDO OPA	FY 2020, Q4	
		Evaluate the need to develop USBP SOP	USBP	PDO OCC	FY 2020, Q2	
		Develop USBP SOP if needed.	USBP	PDO OCC	FY 2020, Q3	
		Disseminate USBP SOP to the workforce	USBP	PDO OPA	FY 2020, Q4	
	Conduct periodic reviews to assess how well CBP policies and procedures for receiving and processing accommodation	Conduct periodic review(s).	PDO	OPR OPA IPL OTR	FY 2020, Q4	

	requests are working and to determine which areas, if any, need additional training and/or support.			OIT HRM OA AMO USBP OFO PD		
Element 8 Auxiliary Aids Policies/ Procedures	Provide notification to OFO and USBP that the Lead Disability Access Coordinator may be contacted to respond to questions about providing auxiliary aids and services (e.g. sign language interpreters, CART, video remote interpreting) for interactions with the public, including but not limited to, law enforcement encounters (e.g., questioning, processing, etc.).	Provide notification to OFO	PDO	OFO	FY 2019, Q3	Complete FY2019, Q3
		Provide notification to USBP	PDO	USBP	FY 2019, Q3	Complete FY 2019, Q3
	Determine needs within OFO and USBP for video remote sign language interpretation.	Coordinate with the field, if needed, to determine needs.	OFO	PDO	FY 2020, Q2	
		Coordinate with field, if needed, to determine needs.	USBP	PDO	FY 2020, Q2	
	Select service provider for sign language interpretation	Select service provider(s)	OFO	PDO	FY 2020, Q3	
		Select service provider(s)	USBP	PDO	FY 2020, Q3	
	Disseminate the steps to take to obtain sign language interpreters, including video remote sign language interpreters, if applicable, to OFO and USBP employees, as needed.	Develop OFO guidance on how to obtain sign language interpretation services.	OFO	PDO OA	FY 2020, Q4	
		Disseminate OFO guidance to the workforce.	OFO	PDO	FY 2020, Q4	
		Develop USBP guidance on how to obtain sign language interpretation services.	USBP	PDO OA	FY 2020, Q4	
		Disseminate USBP guidance to the workforce.	USBP	PDO	FY 2020, Q4	

Element 9 Dissemination of Policies/ Procedures	Develop and implement a communication plan to enhance employees' awareness of DHS and CBP policies and procedures and available resources regarding provision of reasonable accommodation to members of the public.	Communication plan (e.g., payroll notice statement, CBPnet web article; Manager's E-Tips Article; PDO e-Newsletter Article; Information Display System (IDS) slides)	PDO	OPA OFO USBP OCC	FY 2019, Q3	Complete FY 2019, Q2
Element 10 Training	Develop and deliver a professionalism muster to CBP Officers and Agricultural Specialists nationwide on provision of reasonable accommodation for persons with non-obvious disabilities.	Develop and deliver "Reasonable Accommodation for Persons with Non-Obvious Disabilities in CBP Public Facing Programs and Activities" muster module.	OFO	PDO OCC	FY 2017, Q4	Complete FY 2017, Q4
	Develop and deliver a professionalism muster to CBP Officers and Agricultural Specialists nationwide on communicating with persons who stutter.	Develop and deliver "Communicating with Persons Who Stutter" muster module.	OFO	PDO OCC	FY 2017, Q4	Complete FY 2017, Q4
	Develop and deliver a professionalism muster for CBP Officers and Agricultural Specialists nationwide on the topic of reasonable accommodation for persons who are deaf or hard of hearing.	Develop "Reasonable Accommodation for Persons who are Deaf or Hard of Hearing" muster module.	OFO	PDO OCC	FY 2018, Q4	Complete FY 2018, Q3
		Deliver "Reasonable Accommodation for Persons who are Deaf or Hard of Hearing" muster module.	OFO	PDO OCC	FY 2018, Q4	Complete FY 2018, Q4
	Develop and deliver a muster to Border Patrol Agents regarding provision of reasonable accommodation to members of	Develop a muster module on the provision of reasonable accommodation.	USBP	PDO OCC	FY 2019, Q3	Complete FY 2019, Q2
		Deliver a muster module on the provision of reasonable accommodation.	USBP	PDO	FY 2019, Q4	

	the traveling public detained for law enforcement purposes.					
	Develop and issue a job aid to provide guidance to officers and agents on communicating effectively with detainees with disabilities pursuant to the DHS Standards to Prevent, Detect, and Respond to Sexual Abuse and Assault in Confinement Facilities.	Develop job aid.	OFO USBP	PDO OCC	FY 2019, Q2	Complete FY 2019, Q2
		Issue job aid to officers and agents.	OFO USBP	PDO	FY 2019, Q2	Complete FY 2019, Q2
	Develop and integrate disability awareness training for law enforcement professionals into basic academy training for uniformed officers and agents.	Collaborate and integrate into basic academy training.	OTD	PDO OFO USBP AMO OCC	FY 2020, Q4	
	Develop a PALMS-based training course (or subsume within a larger course exploring other law enforcement topics) for completion by uniformed officers and agents on a biennial basis, on compliance with Section 504, implementation of CBP policies and procedures regarding the receipt and processing of requests for accommodations, and communication in law enforcement settings with individuals who have intellectual disabilities or mental illness.	Develop a PALMS based training course.	OTD	PDO OFO USBP AMO OCC	FY 2020, Q4	
Element 11 Notice to the Public	Develop and provide a standard response to the CBP Information Center for passengers seeking information about how to request	Develop the response.	PDO	OFO	FY 2018, Q2	Complete FY 2018, Q2
		Provide the response to the CBP Information Center.	PDO		FY 2018, Q2	Complete FY 2018, Q2

	reasonable accommodations at Ports of Entry.					
	Post information on CBP's public Internet website regarding the public's rights under Section 504 and how they may request reasonable accommodations and modifications.	Post information on CBP's public Internet website relative to CBP's responsibility to provide reasonable accommodation to individuals with disabilities to access CBP programs and activities.	OPA	PDO OFO USBP	FY 2018, Q4	Complete FY 2018, Q4
	When the Professionalism Service Manager (PSM) poster is updated, include information regarding how members of the public may request a reasonable accommodation.	Update PSM poster.	OFO	OPA PDO	TBD (Next poster update)	
	Conduct outreach to stakeholder organizations in the disability community to publicize the public's rights under Section 504 and how they may request reasonable accommodations and modifications to participate in and benefit from CBP-conduct programs and activities.	Conduct outreach to stakeholder organizations in the disability community.	IPL	PDO	FY 2020, Q2	
Element 12 Resources	Establish contracts for sign language interpreter services, including Video Remote Interpretation if requested by the funding program office, and track interpreter usage.	Upon request of the funding program office, establish contracts for sign language interpreter services, including Remote Video Interpretation.	OA	OFO USBP PDO	FY 2020, Q1	
		Track interpreter usage.	OA	OFO USBP	FY 2020, Q4	
Element 13 Implementation Steps	Identify the timeframes, milestones and responsible parties for steps to be taken to implement this Plan	The timeframes, milestones, and responsible parties for implementation of this Plan are laid out in this Implementation Steps Chart. The Plan timeframes will be updated as needed.	PDO	OPR OPA IPL OTR OIT HRM OA	FY 2019, Q1	Complete FY 2018, Q4

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Element 14 Technology	Seek to expand use of Internet based applications and mobile tablets and phones to provide video remote sign language interpretation.	Evaluate expanding the use of Lync, Skype, WebEx, mobile tablets, and mobile phones to provide remote ASL interpretation.	OIT	PDO OFO USBP	FY 2020, Q2	
		Develop protocol for use of Lync, mobile tablets, and mobile phones to provide remote ASL interpretations and disseminate the protocols to the workforce if needed.	OIT	PDO OFO USBP	FY 2020, Q3	
	Coordinate with application developers to seek modifications to mobile applications such as <i>Border Wait Times</i> and <i>Mobile Passport Control</i> to make the applications Section 508 compliant.	Evaluate the need for mobile applications such as <i>Border Wait Time</i> and <i>Mobile Passport Control</i> to be made Section 508 accessible.	OIT	PDO OFO USBP	FY 2019, Q3	Complete FY 2019, Q1
		Upon confirmation of need, coordinate with application product developers to ensure Section 508 accessibility.	OIT	PDO	FY 2020, Q3	

Appendix B: Acronyms

ABA	Architectural Barriers Act
ABAAS	Architectural Barriers Act Accessibility Standard
APC	Automated Passport Control
CBP	U.S. Customs and Border Protection
CRCL	Office for Civil Rights and Civil Liberties
DHS	U.S. Department of Homeland Security
EIT	Electronic and Information Technology
FCA	Facility Condition Assessment
GE	Global Entry
GSA	General Services Administration
HRM	Office of Human Resources Management
USBP	U.S. Border Patrol
OA	Office of Acquisition
OF	Office of Finance
OFAM	Office of Facilities and Assets Management
OFO	Office of Field Operations
OIT	Office of Information and Technology
OPA	Office of Public Affairs
OPR	Office of Professional Responsibility
OTD	Office of Training and Development
PALMS	Performance and Learning Management System
PDO	Privacy and Diversity Office
TBD	To Be Determined
VRI	Video Remote Interpreting Services

