

**BUILDING A DIVERSE AND INCLUSIVE WORK-
FORCE TO MEET THE HOMELAND SECURITY
MISSION**

HEARING

BEFORE THE

**SUBCOMMITTEE ON
OVERSIGHT, MANAGEMENT,
AND ACCOUNTABILITY**

OF THE

**COMMITTEE ON HOMELAND SECURITY
HOUSE OF REPRESENTATIVES**

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BUILDING A DIVERSE AND INCLUSIVE WORK- FORCE TO MEET THE HOMELAND SECURITY MISSION

Thursday, February 27, 2020

U.S. HOUSE OF REPRESENTATIVES,
COMMITTEE ON HOMELAND SECURITY,
SUBCOMMITTEE ON OVERSIGHT, MANAGEMENT,
AND ACCOUNTABILITY,
Washington, DC.

The subcommittee met, pursuant to notice, at 3 p.m., in room 310, Cannon House Office Building, Hon. Xochitl Torres Small [Chairwoman of the subcommittee] presiding.

Present: Representatives Torres Small, Barragán, and Crenshaw.

Ms. TORRES SMALL. The Subcommittee on Oversight, Management, and Accountability will come to order. Thank you so much for your patience as we had to move this around a bit because of votes.

Good afternoon. We are here today to discuss the Department of Homeland Security—DHS's—effort to cultivate a diverse and inclusive work force. Across the Department's wide and varied missions, one thing remains constant: The importance of a work force that is as diverse as the homeland it seeks to protect.

The committee last held a hearing on this topic in 2009 after learning that racial minorities constituted only 20 percent of the DHS work force and 10 percent of leadership positions. At that time the committee heard from the Department about some of its efforts to recruit and retain a more diverse talent.

Ten years later, those numbers have improved, with higher representation of minorities, women, and people with disabilities in the DHS work force. But the Department still has a way to go to achieve equal representation across the Department and increase the number of minorities and women in leadership positions.

Vital to ensuring that these goals are met is a commitment to better understanding the barriers and developing plans to address those barriers.

In some areas, the Department has taken steps to do this. In 2014, a DHS review of women in law enforcement found that the Department employed fewer female law enforcement officers than the rest of the Federal Government. The review found that some women felt the working environment forced them to choose between their career and their families.

Additionally, a 2018 study of why women leave the United States Coast Guard found that women were leaving the component at

much higher rates than men. The study noted that this was due in part to gender bias and the belief that women had to work twice as hard to prove themselves as men and were not given the same advancement opportunities.

In response, DHS began implementing a mentorship program for women in law enforcement positions last year and had 36 pairs of mentors and mentees.

Currently, women hold on average 25 percent of the positions in DHS law enforcement agencies. So I look forward to seeing if this new mentorship program helps the Department retain and promote more women in these positions.

The Department also struggles to ensure its most crucial mission areas incorporate the views of traditionally underserved populations. In areas like emergency management, border security, and domestic terrorism prevention, it is vital that the Department proactively consider and directly communicate with all communities. Confusion, miscommunication, and distrust in emergency situations can lead to unnecessary loss of life.

Unfortunately, we saw this play out in the delayed disaster assistance in Puerto Rico after Hurricane Maria due to an insufficient number of bilingual employees. FEMA's lack of Spanish-speaking employees caused problems throughout the disaster response and contributed to delays in getting assistance to people who needed it most.

This serves as a reminder of the importance of including people with diverse backgrounds in the formulation of plans, policies, and procedures. DHS's mission is best served by ensuring that women, minorities, and people with disabilities not only have the opportunity to participate but also to lead.

I look forward to hearing from our witnesses today about how DHS is working to identify the various challenges its components face in creating a diverse and inclusive working environment and how the Department is meeting those challenges.

[The statement of Chairwoman Torres Small follows:]

STATEMENT OF CHAIRWOMAN XOCHITL TORRES SMALL

FEBRUARY 27, 2020

We are here today to discuss the Department of Homeland Security's (DHS) efforts to cultivate a diverse and inclusive workforce. Across the Department's wide and varied missions one thing remains constant: The importance of a workforce that is as diverse as the homeland it seeks to protect.

The committee last held a hearing on this topic in 2009 after learning that racial minorities constituted only 20 percent of the DHS workforce and 10 percent of leadership positions. At that time the committee heard from the Department about some of its efforts to recruit and retain more diverse talent.

Ten years later those numbers have improved, with higher representation of minorities, women, and people with disabilities in the DHS workforce. But the Department still has a way to go to achieve equal representation across the Department and increase the number of minorities and women in leadership positions.

Vital to ensuring that these goals are met is a commitment to better understanding the barriers and developing plans to address them. In some areas, the Department has taken steps to do this. In 2014, a DHS review of women in law enforcement found that the Department employed fewer female law enforcement officers than the rest of the Federal Government. The review found that some women felt the working environment forced them to choose between their career and having a family.

Additionally, a 2018 study of why women leave the U.S. Coast Guard found that women were leaving the component at much higher rates than men. The study

noted that this was due in part to gender bias and a belief that women had to work twice as hard to prove themselves as men, and were not given the same advancement opportunities.

In response, DHS began implementing a mentorship program for women in law enforcement positions last year and had 36 pairs of mentors/mentees. Currently women hold, on average, 25 percent of positions in DHS law enforcement agencies so I look forward to seeing if this new mentorship program helps the Department retain and promote more women in those positions.

The Department also struggles to ensure that its most crucial mission areas incorporate the views of traditionally underserved populations. In areas like emergency management, border security, and domestic terrorism prevention, it's vital that the Department proactively consider and directly communicate with all communities. Confusion, miscommunication, and distrust in emergency situations can lead to unnecessary loss of life.

Unfortunately we saw this play out in the delayed disaster assistance in Puerto Rico after Hurricane Maria due to an insufficient number of bilingual employees. FEMA's lack of Spanish-speaking employees caused problems throughout the disaster response, and contributed to delays in getting assistance to the people who needed it most. This serves as a reminder of the importance of including people with diverse backgrounds in the formulation of plans, policies, and procedures.

DHS's mission is best served by ensuring that women, minorities, and people with disabilities not only have the opportunity to participate but to lead.

I look forward to hearing from our witnesses today about how DHS is working to identify the various challenges its components face in creating a diverse and inclusive working environment and how the Department is meeting those challenges.

Ms. TORRES SMALL. The Chair now recognizes the Ranking Member of the subcommittee, the gentleman from Texas, Mr. Crenshaw, for an opening statement.

Mr. CRENSHAW. Thank you, Chairwoman Torres Small, and I appreciate the opportunity to discuss diversity at the Department of Homeland Security.

As we all know, the more than 200,000 people that work at DHS carry out a wide-ranging and increasingly difficult mission to protect Americans and our way of life. It is their dedication to protecting the homeland and the American people that drives the success of DHS as a whole.

It is for that reason that we must continue to ensure that the DHS work force is prepared for the job at hand.

America is a diverse country, and American citizens have a wide range of backgrounds and experiences. DHS has stated that to perform its mission well, it must rely on a work force as diverse as our country itself. DHS has put in place many initiatives and programs to accomplish that goal.

Fostering a sense of inclusion within DHS helps the agency promote collaboration, creativity, innovation, and high performance. This helps detect blind spots, empowers employees to lead and trust their teammates, and fosters a devotion to the mission at DHS.

Since its inception in 2003, DHS has come a long way in fostering a diverse work force that includes a strong representative population from all minority groups, as well as women and veterans.

As of January 2020, the DHS work force is made up of 22 percent Hispanic or Latino, 16 percent Black or African American, and 8 percent American Indian or Alaska Native and Native Hawaiian or Pacific Islander. Of the nearly 200,000 employees, 35 percent are women and more than 25 percent are veterans.

Current efforts at DHS, like developing robust internship programs, recruiting at minority-serving institutions, and veterans

hiring initiatives will all help in continuing this progress, especially at Senior Executive Services levels.

I look forward to hearing more about the recruitment efforts and how the Department is working to promote diversity throughout its policies from the Chief Human Capital Officer.

Policies and procedures at DHS are also part of a holistic approach to diversity at DHS. The Government Accountability Office has reviewed how DHS manages equal employment opportunity policies that include training, leadership development, and other efforts to create an inclusive workplace.

The review included 6 recommendations to DHS, and DHS concurred with all 6. The implementation process for these recommendations at DHS is currently under way, and I look forward to discussing the progress today.

Diversity in the workplace can help DHS with its underlying mission of protecting Americans. Congress has an important role to play in ensuring that they have the tools they need to meet this goal.

We also must recognize that painting DHS employees as bad people, uncaring, or saying the Department should be dissolved altogether is counter to this goal. Mean-spirited politics and the demonization of the DHS work force undermines the goal of hiring a more diverse work force.

I hope that we can work together productively to identify opportunities for improvement across DHS's efforts at today's hearing.

I yield back the balance of my time.

[The statement of Ranking Member Crenshaw follows:]

STATEMENT OF RANKING MEMBER DAN CRENSHAW

FEB. 27, 2020

Thank you, Chairwoman Torres-Small.

I appreciate the opportunity to discuss diversity at the Department of Homeland Security. As we all know, the more than 200,000 people that work at DHS carry out a wide-ranging and increasingly difficult mission to protect Americans and our way of life. It is their dedication to protecting the homeland and the American people that drives the success of DHS as a whole. It is for that reason, that we must continue to ensure the DHS workforce is prepared for the job at hand.

America is a diverse country and American citizens have a wide range of backgrounds and experiences. DHS has stated that to perform its mission well, it must rely on a workforce as diverse as our country itself. DHS has put in place many initiatives and programs to accomplish that goal.

Fostering a sense of inclusion within DHS helps the agency promote collaboration, creativity and innovation, high performance. This helps detect blind spots, empowers employees to lead and trust their teammates, and foster a devotion to the mission of DHS.

Since its creation in 2003, DHS has come a long way in fostering a diverse workforce that includes strong representative populations from all minority groups, as well as women and veterans. As of January 2020, the DHS workforce was made up of 22 percent Hispanic or Latino, 16 percent Black or African American, and 8 percent American Indian or Alaska Native, and Native Hawaiian or Pacific Islander. Of the nearly 200,000 employees, 35 percent are women and more than 25 percent are veterans.

Current efforts at DHS—like developing robust internship programs, recruiting at minority-serving institutions, and veterans hiring initiatives will all help in continuing this progress, especially at Senior Executive Services level. I look forward to hearing more about recruitment efforts and how the Department is working to promote diversity throughout its policies from the chief human capital officer.

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equal employment opportunity policies that include training, leadership development, and other efforts to create an inclusive workplace. Their review included 6 recommendations to DHS, and DHS concurred with all 6. The implementation process for these recommendations at DHS is currently under way and I look forward to discussing the progress today.

Diversity in the workforce can help DHS with its underlying mission of protecting Americans. Congress has an important role to play in ensuring DHS has the tools its needs to meet this goal. But we must also recognize that painting DHS employees as bad people, uncaring, or saying that the Department should be dissolved altogether, is counter to this goal. Mean-spirited politics and demonization of the DHS workforce undermines the goal of hiring a more diverse workforce. I hope that we can work together, productively, to identify opportunities for improvement across DHS's efforts at today's hearing. I yield back my time.

Ms. TORRES SMALL. Thank you, Mr. Crenshaw.

Other Members of the committee are reminded that under the committee rules opening statements may be submitted for the record.

[The statement of Chairman Thompson follows:]

STATEMENT OF CHAIRMAN BENNIE G. THOMPSON

FEBRUARY 27, 2020

The last time the committee held a hearing on diversity and inclusivity at the Department of Homeland Security (DHS) was over a decade ago, when Democrats were last in the Majority. While representation of minorities, women, and people with disabilities has increased, I remain concerned about the Department's failure to develop an inclusive workforce. The homeland is best served by a workforce that is representative of our great country.

Yet, DHS data shows—

- Women make up only 35 percent of the Department's workforce;
- People with disabilities make up a mere 11 percent and are leaving the Department at higher than expected rates;
- Minorities hold only 22 percent of the Department's most senior leadership positions.

Moreover, a closer look at the data shows that the diversity that does exist at DHS is concentrated in just a few of its components. Building an inclusive workforce is not just about ensuring the numbers look good. It is about better serving the American people by considering the wide variety of challenges facing different communities.

In short, it is about building a Department of Homeland Security that is focused on protecting all of America. That is why it is crucial that the Department promote and advance a workforce to meet those challenges.

It's simply not enough to hire diverse candidates at lower pay grades. Those populations must have leadership opportunities as well. Currently, leadership positions at DHS are still predominantly filled by white men, even in components that have a diverse workforce overall. The Transportation Security Administration, for example, has a workforce comprised of 55 percent racial minorities, yet only 21 percent of senior leadership positions are filled by minorities.

A lack of diverse leadership can have a direct, adverse effect on hiring, retention, and promotion of diverse candidates. A key step toward resolving this issue is ensuring the entire Department is committed to identifying barriers to employment equality and implementing plans to address those barriers.

The Department must work toward better addressing the challenges it faces in creating a more equitable employment environment and thereby a stronger DHS. I hope to hear from Chief Human Capital Officer Bailey about the efforts the Department is undertaking to recruit more diverse candidates and retain those employees once hired.

Ms. TORRES SMALL. I now welcome our panel of witnesses, and thank you for joining us today.

First, welcome back to Ms. Angela Bailey, the chief human capital officer of the Department of Homeland Security. In that role, she is responsible for the Department's Human Capital Program, including human resource policy, recruitment and hiring, and em-

ployee development. She has dedicated more than 38 years to a career in public service, with 32 of those years in human resources. Ms. Bailey was appointed to her current position in January 2016.

Our second witness, Ms. Yvonne Jones, is the director in the Government Accountability Office's Strategic Issues Team. She joined GAO in November 2003. Ms. Jones oversees human capital management issues, including diversity and inclusion issues, such as the participation rate of individuals with disabilities and the employment satisfaction of veterans in Federal service. She also leads GAO's work on Government-wide adoption of enhanced program and project management.

Without objection, the witnesses' full statements will be inserted in the record.

I now ask each witness to summarize her statement for 5 minutes, beginning with Ms. Angela Bailey.

STATEMENT OF ANGELA BAILEY, CHIEF HUMAN CAPITAL OFFICER, U.S. DEPARTMENT OF HOMELAND SECURITY

Ms. BAILEY. Thank you. Chairwoman Torres Small, Ranking Member Crenshaw, and distinguished Members of the subcommittee, thank you for the opportunity to appear before you today to discuss inclusive diversity at the U.S. Department of Homeland Security.

DHS is one of the most ethnically and racially diverse agencies across the Federal Government, far surpassing Government-wide work force diversity percentages. Nearly 1 out of every 2 employees has identified themselves with a diverse racial or ethnic group. Almost one-third of DHS employees are millennials and over 50 percent of them identify as diverse.

DHS has the largest percentage of Hispanics in the Federal work force by a large margin, 22 percent, higher than 9 percent working in the rest of the Federal Government or in private-sector occupations comparable to our positions.

Women comprise 35 percent of the DHS work force overall. In our non-law enforcement positions, women make up almost 50 percent.

This diversity is also reflected in our executives. Twenty-two percent of our senior executives identify with a diverse racial or ethnic group, a number that is on par with the rest of the Federal work force. At DHS, women comprise nearly 30 percent of our SES.

DHS also strives to be a model employer for individuals with disabilities. Even regarding employees with the most severe disabilities, we have made tremendous progress and we have exceeded Federal hiring goals last quarter.

Finally, I am extremely proud to talk about our veterans hiring at DHS. We are one of the leaders across the Federal Government. We have received the Council on Veterans Employment's highest rating of "exemplary" for the last 4 years. Almost one-third of our employees are veterans, and 10 percent of them live with a disability every single day, making us No. 1 among the agencies of similar sizes.

While we have an exemplary record, we would like to do more. Our Enhanced Hiring Act proposal is designed to streamline our

ability to hire veterans. We look forward to working with you to make this proposal a reality.

Getting to these successful results has taken time and innovative thinking. In 2016, the Department shifted to a new way of thinking, moving from traditional diversity and inclusion to the concept of inclusive diversity. Inclusive diversity, which includes behaviors that promote collaboration and high performance, creativity and innovation, fairness and respect, is about deliberately and thoughtfully creating an environment where employees know they belong and where they feel their supervisor or someone at work cares about them.

The concepts of caring and compassion are not new, but recognizing the importance in the effects they play on the operational readiness is groundbreaking in the Federal Government.

DHS's commitment to inclusion is reflected in our 5 percent increase in the past 4 years on the Inclusion Index, a part of the FEVS. To continue this progress, we are investing and synchronizing our inclusion, engagement, and leadership development efforts.

As I testified last month before this subcommittee, DHS has strengthened its agency-wide leadership development programs by providing more opportunities for lower-grade employees to begin their leadership journey.

We know that these approaches help employees feel valued, and the cornerstone of our engagement, retention, and inclusion efforts is our Employee and Family Readiness program. DHS currently has 7 suites of programs in place all designed to deepen employees' sense of belonging, connection, and being cared for and within the Department.

In closing, engaging the entire work force and sustaining the highest levels of integrity, accountability, and professionalism is paramount to promote and achieve the strategic vision we have for inclusive diversity. We understand that while we have made significant progress, we still have more work to do to achieve a fully inclusive culture.

As we move forward, we will continue to embrace workplace cultures that are fair and respectful and value the unique contributions of each employee to enable all employees to achieve their full potential.

Thank you again for this opportunity to testify today, and I look forward to your questions.

[The prepared statement of Ms. Bailey follows:]

PREPARED STATEMENT OF ANGELA BAILEY

FEBRUARY 27, 2020

INTRODUCTION

Chairwoman Torres Small, Ranking Member Crenshaw, and distinguished Members of the subcommittee, thank you for the opportunity to appear before you today to discuss inclusive diversity at the U.S. Department of Homeland Security (DHS or the Department).

I am Angela Bailey, the Department's chief human capital officer. I joined DHS in January 2016 as a career Federal executive and have more than 38 years of service, 32 of those in human resources.

The Department's compelling mission to make a difference in the lives of our fellow citizens encourages our workforce and draws candidates seeking to join the

team, even though the threats and challenges facing DHS and the Nation are complex and constantly evolving. As a result, DHS is one of the most ethnically and racially diverse agencies across the Federal Government. Forty-seven percent of the DHS workforce identifies with a diverse racial or ethnic group, compared to 37 percent for the broader Federal workforce.

As the chief human capital officer, inclusive diversity is one of my highest priorities and is taken seriously across DHS. Inclusion connects employees and diversity reflects the public we serve and helps build bridges with communities where we work. Our success, and the protection of the homeland, requires the engagement of all of us: Senior leaders, managers, and employees. DHS has made notable progress in its diversity and inclusion efforts, yet opportunities remain for continued improvement.

Our DHS commitment to inclusion is reflected in our 5 percentage-point increase in the past 4 years on the Inclusion Index, a part of the Federal Employee Viewpoint Survey (FEVS) that measures the extent to which employees believe they are recognized, valued, and respected. And, we will continue to do more.

Diversity within the Department is also notable. Again, the DHS workforce is ethnically and racially diverse, far surpassing Government-wide workforce diversity percentages. DHS has the largest percentage of Hispanics in the Federal workforce by a large margin—22 percent versus just under 9 percent—and higher than the 9 percent of Hispanics working in private-sector occupations analogous to our positions. Women comprise 35 percent of the DHS workforce overall, but in our non-law enforcement workforce, women comprise 46 percent of our workforce, slightly higher than the Government-wide number of 43 percent.

This diversity is also reflected in our executives. Twenty-two percent of our Senior Executives (SES) identify with a diverse racial or ethnic group, a number that is on par with the rest of the Federal workforce. At DHS, women comprise nearly 29 percent of our SESs, just slightly below the average for the total Federal workforce.

DHS also strives to be a model employer for individuals with disabilities. Historically, individuals with disabilities comprised less than 10 percent of the DHS workforce. However, our determined focus in this area has been a significant driver for increases among new hires.

In the first quarter of this fiscal year, just over 12 percent of new hires across DHS were individuals with disabilities, but several components have new hire rates well above 20 percent. Even regarding employment of individuals with targeted disabilities, or those with the most severe disabilities, we have made tremendous progress and hired over 2 percent in this quarter, exceeding the Federal goal.

Finally, I am extremely proud to talk about our veterans hiring at DHS, which is considered one of the leaders across the Federal Government. We have received the Council on Veterans Employment's highest rating of "Exemplary" for 3 straight years and expect to achieve a fourth straight Exemplary rating for our efforts in fiscal year 2019. On-board at DHS, we have 26 percent veterans (a total of 56,209 employees) and 10 percent veterans with disabilities—making us No. 1 among the agencies of similar size, i.e., Health and Human Services and the Departments of Justice, Treasury, and Agriculture. Already this fiscal year, more than 1 in 5 new hires were veterans and 8 percent were veterans with disabilities.

A NEW PARADIGM

Getting to these successful results has taken time and innovative thinking. In 2016, the Department shifted to a new way of thinking, moving from the traditional Diversity and Inclusion (D&I) paradigm to the concept of inclusive diversity. While the original D&I paradigm focused on elements such as race, ethnicity, and gender, inclusive diversity reaches beyond these characteristics to a broader swath of diversity such as generational status and neurodiversity. Inclusive diversity also emphasizes the essential role of the work environment and the importance of building inclusive workplaces.

Specifically, inclusive diversity is comprised of a set of behaviors that promote collaboration and high performance, creativity and innovation, fairness and respect, and an environment where employees believe they belong. It empowers employees at every level and builds a culture of trust within teams. Inclusive diversity is comprised of people's perceptions of fairness and respect, i.e., are their experiences similar to others' in terms of opportunities, pay, and evaluation; do they feel value and belonging, which focuses more on the uniqueness of each person; whether they are part of formal and informal networks; and whether they have a voice in decision making.

We recognize that inclusive diversity is critical to the way we attract and retain our workforce. For example, diversity helps guide many of our recruitment efforts,

including our webinars, campus visits, and hiring events across the Nation at Minority-Serving Institutions (MSIs), including Historically Black Colleges and Universities (HBCUs), Hispanic-Serving Institutions, Asian American and Native American Pacific Islander-Serving Institutions, and Tribal Colleges and Universities.

The Department has participated in the Congressional Black Caucus Foundation's Annual Legislative Conference and Career Fair, where in 2019, DHS recruiters shared information about our mission and current job opportunities with 350 potential candidates. In 2019, we also attended Chairman Thompson's College and Career Fair in Mississippi. At this event in Greenville, DHS recruiters spoke collectively with 1,170 students. At the most recent Career Expo for Individuals with Disabilities, recruiters spoke to 250 potential candidates and conducted on-site interviews. The Department conducts joint hiring events on military bases to highlight our veterans hiring and we hold events focused on recruiting more women into law enforcement. Finally, we use cyber-focused recruiting events to help build a cybersecurity workforce that is strong because of its diversity.

In total, in fiscal year 2019, DHS hosted over 2,500 people on recruiting webinars and attended 5,099 recruiting events in order to attract a workforce that mirrors the public we serve, including visiting 223 MSIs (716 events) and 46 HBCUs (100 events).

The Department has internship programs that attract hundreds of diverse students, teaching them about work at DHS, with the goal of hiring them after graduation. Our Pathways Programs supports hundreds of these interns as well as recent graduates and Presidential Management Fellows, and uses partnerships like the Urban Alliance, the CyberCorps: Scholarship for Service, and the Mayor Marion S. Barry Summer Youth Employment Program. Last year, we had 600 participants in these programs, but we want to do even more to attract diverse applicants to DHS. Our legislative proposal that has been submitted to Congress, the Enhanced Hiring Act, would build on these efforts and give DHS broad flexibility to determine how to recruit and provide public notice for mission-critical positions through more effective means, such as social media and campus recruitment (e.g., MSIs, HBCUs), as well as on military installations to reach even more potential applicants.

While diversity hiring is key to our efforts, focusing only on hiring can cause a revolving door where we are constantly recruiting and hiring, and not looking at ensuring employees are included, engaged, and motivated to stay. Because we value the whole person, we use a three-pronged approach to retain employees and ensure they feel respected.

Our exceptional inclusion and engagement efforts are one way to help with engagement, productivity, and innovation. For example, we have built a framework to help executive leaders identify measurable actions and activities to implement and cultivate a continued commitment to, and accountability for, inclusive diversity. We continue to build on a successful pilot program launching a Department-wide rollout of the Inclusive Diversity Dialogues Program, modeled after successful programs at the National Aeronautics and Space Administration, Department of Justice, and Office of Personnel Management. We provide unconscious bias awareness training for hiring managers, inclusive diversity training for executive leaders, and FEVS Inclusion Index-based train-the-trainer sessions to build a cadre of qualified trainers across the Department.

As I testified last month before this subcommittee, DHS has also strengthened its agency-wide leadership development programs by providing more opportunities for lower-grade employees to begin their leadership journeys, have additional rotational experiences, and gain further career path guidance. We know that these approaches help employees feel valued. Examples include our brand-new leader development strategy, called the "Leadership Bridges Program," introduced in fiscal year 2019. Instead of waiting to develop leadership skills at each level, this new program establishes a variety of products and tools for employees seeking to increase their capabilities and aspiring to higher leadership levels.

Part of the Bridges program includes innovative, self-paced program training that meets the needs of our geographically-dispersed workforce and provides motivated employees—at any grade level—with a set of curated activities central to the development of essential supervisory leadership competencies. This training helps our front-line employees who are not in Washington, DC. The Bridges program is also piloting a 6-month Supervisory Leadership Bridges Cohort program that will guide participants in specific job series through a rigorous process to identify traits validated as predictive of leadership success and build on those traits with classroom, mentoring, and experiential learning.

The third prong of our engagement, retention, and inclusion efforts is our Employee and Family Readiness (EFR) program. DHS currently has 7 suites of programs in place, all designed to deepen employees' sense of belonging, inclusion, and

value inside the Department. Today we provide mindfulness courses to strengthen employee resilience and reduce stress; a financial literacy campaign to build financial wellness; stronger bonds training to improve relationships and communication; increased services for child and dependent care; a mental health initiative and resource center to help reduce stigma and increase utilization; and affinity groups for employees and spouses to build social connectedness with others who share the same background, challenges, or interests.

Because all 7 EFR efforts are based on input received from DHS employees themselves, we are confident they will be successful both as specific subjects and as a reflection of the fact that DHS cared enough to listen. This innovative EFR program, combined with the Department's leadership development and diversity hiring efforts, as well as our inclusion activities, makes the DHS inclusive diversity program a balanced and robust model for the Federal Government.

CONCLUSION

As the Department works to secure our Nation, an inclusive and diverse workforce is critical to foster innovation, cultivate creativity, and elevate operational effectiveness. Together, these characteristics enhance our capabilities in all mission areas. Moreover, it is important that we have an agile workforce that can work across organizational and interpersonal boundaries and collaborate to address the Department's most complex and challenging issues.

We must continue our efforts to build inclusive diversity across DHS to ensure we create a workplace where employees believe they belong, that we leverage unique employee talents, that we listen, and help build networks of shared experience while respecting individual uniqueness. We will further embed these principles into our broader strategies and initiatives by raising the bar on inclusive diversity, mindfulness, accountability, and transparency.

In closing, engaging the entire workforce and sustaining the highest levels of integrity, accountability, and professionalism is paramount to promote and achieve the strategic vision we have for inclusive diversity. We understand that, while we have made significant progress, we still have more work to do to achieve a fully inclusive culture. As we move forward, we will continue to embrace workplace cultures that are fair, respectful, and value the unique contributions of each employee to enable all employees to reach their full potential. Rest assured that while each of our components has its own distinct homeland security mission and history, we are unified and steadfast in our goal—to safeguard the American people, our homeland, and our values, including embracing inclusive diversity in all its facets.

Thank you again for the opportunity to testify today and I look forward to your questions.

Ms. TORRES SMALL. Thank you for your testimony.

I now recognize Ms. Jones to summarize her statement for 5 minutes.

STATEMENT OF YVONNE D. JONES, DIRECTOR, STRATEGIC ISSUES, U.S. GOVERNMENT ACCOUNTABILITY OFFICE

Ms. JONES. Thank you. Chairwoman Torres Small, Ranking Member Crenshaw, Members of the subcommittee, thank you for the opportunity to be here today to discuss our work on the Department of Homeland Security's—DHS—efforts to ensure equal employment opportunity—EEO—in its work force.

The Equal Employment Opportunity Commission—EEOC—requires that annually each Executive agency assess and report its efforts to promote EEO by completing Management Directive 715—MD-715—report. DHS analyzes its work force data to help identify indicators of potential EEO barriers and DHS reports some improvements in representation of minorities and women and in employee engagement.

DHS officials told us that minority representation was up 3 percent and female representation was up 2 percent from 2015 to 2019. Further, DHS's employee engagement scores increased from 54 percent in 2014 to 60 percent in 2017.

Recruitment is an important way to ensure an agency's work force reflects the relevant civilian labor force. Effectively, agencies need to examine applicant flow data. In July 2017, EEOC informed DHS that the agency's applicant flow data were incomplete, which makes it difficult to pinpoint barriers.

Officials of DHS's Civil Rights and Civil Liberties Office—CRCL—told us that DHS is developing a new system to integrate applicant flow data Department-wide. However, they could not tell us when they expect the system to be completed.

DHS does not have complete performance metrics for tracking progress toward eliminating its EEO barriers. CRCL officials stated they are not required to establish performance metrics beyond what is included in the Department-wide MD-715 report. But EEOC guidance states that agencies are not prevented from establishing additional practices that exceed its requirements. Implementing performance metrics could help DHS better assess its progress in eliminating EEO barriers.

DHS and its components lack adequate staffing to address EEO program deficiencies because they do not have formal staffing models to assess staffing needs. However, MD-715 guidance states that an agency must provide its EEO program with sufficient budget and staffing. Developing and utilizing formal staffing models for their EEO programs could help DHS and its components to better identify, request, and obtain the staff they need.

From 2014 through 2017, EEOC found areas of noncompliance in DHS and its component EEO programs. We found that DHS components had not responded timely and completely to noncompliance identified in EEOC feedback letters.

According to CRCL officials, they do not have policies and procedures to ensure that components have addressed EEOC's feedback letters completely and timely. However, MD-715 guidance states that an agency's EEO director ultimately is responsible for ensuring equal opportunity throughout the agency.

CRCL officials said they lack authority to ensure components' compliance with the EEOC requirements. But DHS has not taken steps to analyze options to address EEO program management weaknesses to ensure DHS components comply with MD-715 guidance.

While DHS has weaknesses, it has taken steps to address EEOC and GAO recommendations.

In conclusion, as the third-largest U.S. Government department, the challenges DHS has faced to fully implement effective EEO programs may result in wide-spread negative consequences, such as monetary expenses borne by the agency due to workplace disputes and decreased morale.

We found areas for improvements in DHS and its components' EEO programs that could help ensure success in compliance with MD-715. The commitment of DHS's leadership is essential to successfully addressing these issues.

Chairwoman Torres Small, Ranking Member Crenshaw, Members of the subcommittee, this completes my prepared statement. I would be pleased to respond to any questions you may have at this time.

[The prepared statement of Ms. Jones follows:]

PREPARED STATEMENT OF YVONNE D. JONES

FEBRUARY 27, 2020

GAO HIGHLIGHTS

Highlights of GAO–20–450T, a testimony before the Subcommittee on Oversight, Management, and Accountability, Committee on Homeland Security, House of Representatives.

Why GAO Did This Study

EEOC's Management Directive 715 requires that, to attract and retain top talent, Federal agencies are to identify EEO barriers in their workforces and deficiencies in their EEO programs, execute plans to address them, and report annually to EEOC. GAO reported in 2009 on DHS's opportunities to address barriers to EEO in its workforce and in 2019 on DHS's challenges to ensuring EEO in its workforce.

GAO was asked to testify on the steps DHS has taken to: (1) identify and address barriers to EEO in its workforce, (2) identify and address EEO program deficiencies, (3) address areas of noncompliance in its EEO program identified by EEOC, and (4) oversee and support components' EEO programs. To do so, GAO summarized the findings discussed in its July 2019 report on DHS's EEO efforts and reported on DHS's actions taken to address recommendations. To obtain updates on actions taken by DHS, GAO reviewed relevant documentation and interviewed DHS EEO officials.

What GAO Recommends

In its July 2019 report, GAO recommended that DHS take 6 actions, including develop performance metrics for the Department's EEO program; develop DHS and component formal staffing models; and analyze options for granting additional authorities to the most senior official for EEO and Diversity. DHS concurred with the 6 recommendations and described actions the Department plans to take to address them.

EQUAL EMPLOYMENT OPPORTUNITY.—DHS COULD BETTER ADDRESS CHALLENGES TO ENSURING EEO IN ITS WORKFORCE

What GAO Found

The Department of Homeland Security (DHS) uses multiple information sources to identify potential barriers to equal employment opportunity (EEO), but lacks performance metrics for tracking its progress toward eliminating identified barriers. DHS generally uses the information sources that the Equal Employment Opportunity Commission (EEOC) guidance recommends, such as employee survey results, to help identify potential barriers. While DHS reports some improvements in employee engagement and representation of minorities and women from fiscal years 2014 through 2018, it does not have complete performance metrics, such as the retention rate of women in law enforcement positions. Using performance metrics could help DHS assess its progress in eliminating barriers.

DHS and its components have identified various deficiencies in their EEO programs, but lack policies and procedures for developing action plans and formal staffing models to address deficiencies. For example, in each of the fiscal years 2015 through 2018, DHS reported that senior managers at DHS components did not successfully implement EEO action plans and incorporate EEO action plan objectives into agency strategic plans. Further, DHS components lacked action plans to address nearly half (179 out of 369) of the deficiencies self-reported by all components from fiscal years 2014 through 2017. For example, in fiscal year 2017, 4 DHS components did not have action plans to ensure that their EEO directors report directly to their agency heads, as required by EEOC guidance. Developing policies and procedures to help ensure components' EEO programs have action plans for addressing deficiencies could help DHS components better comply with EEOC requirements.

In addition, developing and using formal staffing models—a tool to determine the number of staff required—for their EEO programs could help DHS and its components to identify, request, and obtain the staff they need. For example, DHS and its components reported that staffing challenges contributed to some of their program deficiencies, and acknowledged they did not have formal staffing models for their EEO programs.

DHS has plans to address 9 areas of noncompliance in its EEO program identified by EEOC. In its July 2017 review of DHS compliance with EEOC requirements, EEOC found that DHS did not provide complete demographic data on new hires and

promotions in its fiscal year 2016 report to EEOC. DHS reported to EEOC that it had collected and analyzed such demographic data beginning in fiscal year 2019.

DHS's EEO and human capital offices assist and support DHS components in identifying and addressing EEO barriers. However, DHS's EEO office lacks policies and procedures to ensure components respond timely and completely to areas of noncompliance identified in EEOC feedback letters. Additionally, DHS EEO officials said they lack authority to ensure components' compliance with EEOC requirements. Without addressing these issues, DHS may not be effectively positioned to manage its EEO program.

Madam Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee: Thank you for the opportunity to be here today to discuss our work on the Department of Homeland Security's (DHS) efforts to ensure equal employment opportunity (EEO) in its workforce. Since DHS began operations in 2003, we designated implementing and transforming the agency as high-risk because it had to transform 22 agencies—several with major management challenges—into one department. In 2013, we narrowed the scope of this high-risk area and focused on DHS's continued need to strengthen and integrate its management functions, including human capital management.

DHS must attract, develop, and retain a high-quality workforce that can deliver security and results for the American people, and ensure the continued growth and prosperity of the Nation. Federal agencies, including DHS, must make full use of our Nation's talent by promoting workplaces that provide a fair and level playing field and the opportunity for employees to achieve their fullest potential. Equal Employment Opportunity Commission's (EEOC) Management Directive 715 (MD-715) requires that, to attract and retain top talent, Federal agencies are to identify EEO barriers in their workforces and deficiencies in their EEO programs, execute plans to address them, and report annually to EEOC.¹

In 2009, we reported that DHS had opportunities to better identify and address barriers to EEO in its workforce.² Specifically, we found that DHS was not regularly including employee input in identifying potential barriers. We also found that it had not yet met most of its target completion dates for planned activities to address barriers. We recommended that DHS: (1) Develop a strategy to regularly include employee input in identifying potential barriers to EEO, and (2) establish interim milestones for completing planned activities to address identified barriers. By 2013, DHS had responded to our recommendations by including a strategy to regularly use employee input to identify barriers, and by identifying essential activities and establishing interim milestones to address barriers identified in its MD-715 reports.

This testimony is based primarily on our report that we recently issued entitled, *Equal Employment Opportunity: DHS Could Better Address Challenges to Ensuring EEO in Its Workforce*.³ It also includes selective updates we obtained in February 2020. I will discuss steps DHS has taken to: (1) Identify and address barriers to EEO in its workforce, (2) identify and address EEO program deficiencies, (3) address areas of noncompliance in its EEO program identified by EEOC, and (4) oversee and support components' EEO programs.⁴ For the report, we reviewed DHS's and its components' policies, procedures, practices, and reports for their EEO programs for fiscal years 2014 through 2018; interviewed DHS and its component EEO officials; and assessed DHS employee survey results. We also reviewed EEOC's feedback on DHS's and its components' EEO programs, and interviewed EEOC officials. Our report contains a more detailed discussion of our objectives, scope, and methodology. For the updates, we reviewed documentation from DHS and interviewed Office for Civil Rights and Civil Liberties (CRCL) officials on the actions DHS has taken to

¹EEOC, Equal Employment Opportunity, Management Directive 715 (Oct. 1, 2003). EEOC defines a barrier as an agency policy, procedure, practice, or condition that limits or tends to limit employment opportunities for members of a particular gender, race, or ethnic background, or for individuals based on disability status.

²GAO, *Equal Employment Opportunity: DHS Has Opportunities to Better Identify and Address Barriers to EEO in Its Workforce*, GAO-09-639 (Washington, DC: Aug. 31, 2009).

³GAO, *Equal Employment Opportunity: DHS Could Better Address Challenges to Ensuring EEO in Its Workforce*, GAO-19-573 (Washington, DC: July 24, 2019).

⁴As of fiscal year 2018, the 9 components that are required to submit their own MD-715 reports to EEOC are U.S. Customs and Border Protection, Federal Emergency Management Agency, Federal Law Enforcement Training Centers, DHS Headquarters EEO Office, U.S. Immigration and Customs Enforcement, U.S. Citizenship and Immigration Services, U.S. Coast Guard, U.S. Secret Service, and Transportation Security Administration.

implement the recommendations from our July 2019 report.⁵ We also added information from DHS's fiscal year 2018 MD-715 report to reflect the most current fiscal year data and status of the Department's EEO efforts.⁶

We conducted the work on which this statement is based in accordance with generally accepted Government auditing standards. Those standards require that we plan and perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

DHS USES MULTIPLE INFORMATION SOURCES TO IDENTIFY POTENTIAL EEO BARRIERS

DHS generally uses the information sources that EEOC guidance recommends to help identify potential barriers. As directed by EEOC guidance, DHS analyzes its workforce data to help identify triggers or indicators of potential EEO barriers by comparing the racial, National origin, gender, and disability profiles of its total workforce, and for various occupational categories to relevant civilian labor workforce data. In addition to analyzing workforce data, in each of the fiscal years 2014 through 2017, DHS utilized the U.S. Office of Personnel Management's Federal Employee Viewpoint Survey and DHS's employee exit survey results to help identify and address barriers.⁷

To further help identify barriers, EEOC guidance states that agencies must solicit input from agency employee and advocacy groups, and union officials. During our small group discussions, DHS employee groups told us that through the MD-715 report development process, they helped identify and address triggers and barriers. For example, Special Emphasis Program Managers we spoke with told us that DHS components conduct climate surveys to obtain input from employees on workforce practices every 1 or 2 years.⁸ Further, several DHS components' MD-715 reports referenced soliciting employee input, such as obtaining Disability Employment Program Managers' input via quarterly disability employment advisory council meetings where they share best practices and discuss issues and topics including barriers.

DHS REPORTS SOME IMPROVEMENTS IN EMPLOYEE ENGAGEMENT AND REPRESENTATION OF MINORITIES AND WOMEN, BUT LACKS PERFORMANCE METRICS FOR TRACKING PROGRESS

DHS reports some improvements in employee engagement and representation of minorities and women. DHS's employee engagement scores in the Federal Employee Viewpoint Survey increased from 54 percent in 2014 to 62 percent in 2019.⁹ In addition, our review of DHS's workforce data from fiscal years 2014 through 2017 showed that every minority group as well as individuals with disabilities and individuals with targeted disabilities had been trending in a positive direction since fiscal year 2014.¹⁰ Further, DHS officials told us that minority representation was up 3 percent and female representation was up 2 percent from 2015 to February 2019.

⁵DHS's Office for Civil Rights and Civil Liberties, through the Deputy Officer for EEO and Diversity, is responsible for, among other things, establishing and maintaining EEO programs, and preparing and submitting DHS's annual MD-715 program status report to EEOC.

⁶U.S. Department of Homeland Security, *EEOC Management Directive 715 Equal Employment Opportunity Program Status Report, Fiscal Year 2018* (Washington, DC: July 31, 2019). This is DHS's most recent MD-715 report.

⁷The Federal Employee Viewpoint Survey is a tool offered by the U.S. Office of Personnel Management that measures employees' perceptions of whether, and to what extent, conditions characterizing successful organizations are present in their agencies. The DHS exit survey is a tool used to obtain information on the top reasons that employees separate from the Department.

⁸According to DHS, Special Emphasis Program Managers advise and assist management officials in the identification, analysis, and resolution of policies, practices, and procedures which serve to create barriers to the hiring, advancement, and retention of minorities, women, and persons with disabilities, or other identified groups. EEOC requires 3 special emphasis programs: Federal Women's Program, Hispanic Employment Program, and Persons with Disabilities Program.

⁹According to the U.S. Office of Personnel Management, employee engagement measure factors that lead to an engaged workforce include supporting employee development and communicating agency goals. As we reported in January 2020, while DHS has made progress in improving its scores, in 2019, it remained 6 points below the Government-wide average for employee engagement. GAO, *Department of Homeland Security: Employee Morale Survey Scores Highlight Progress and Continued Challenges*, GAO-20-349T (Washington, DC: Jan. 14, 2020).

¹⁰Individuals with disabilities are employees in the workforce who have indicated having a disability. EEOC defines targeted disabilities as deafness, blindness, missing extremities, partial

According to EEOC, one important tool in examining the fairness and inclusiveness of an agency's recruitment efforts is applicant flow data.¹¹ EEOC guidance states that having Department-wide applicant flow data could aid in analyzing differences in selection rates among different groups for a particular job. In July 2017, EEOC informed DHS that the agency's applicant flow data were incomplete, which makes it difficult to pinpoint barriers. DHS has reported challenges in collecting Department-wide data because the Department does not have a consolidated applicant flow data system. According to DHS, 4 of its components use 1 system (USA Staffing), while 5 other components use a different system (Monster Government Solutions).

CRCL officials told us that DHS is developing a new system to integrate applicant flow data Department-wide. However, the officials could not give us a time frame for when the system is expected to be completed. In its fiscal year 2018 MD-715 report, DHS reported that it continues to work toward developing a central repository for all applicant flow data. As a work-around, DHS officials said that it obtains these data directly from each component that uses Monster Government Solutions.¹² In its fiscal year 2018 MD-715 report, DHS reported that it used applicant flow data to complete analyses, but it also reported a number of limitations, including that data were not available. In February 2020, CRCL officials told us that they plan to report complete applicant flow data in DHS's fiscal year 2019 MD-715 report.¹³

DHS does not have complete performance metrics or mechanisms for tracking progress toward eliminating its identified EEO barriers, such as workplace satisfaction of white females or the retention rate of women in law enforcement positions. According to CRCL officials, they are not required to establish performance metrics or mechanisms for tracking progress toward eliminating barriers beyond what is included in the Department-wide MD-715 report. However, *Standards for Internal Control in the Federal Government* states that management should establish specific and measureable objectives, and ways to assess progress including performance metrics and milestones.¹⁴ Further, EEOC guidance states that agencies are not prevented from establishing additional practices that exceed its requirements. Implementing performance metrics could help DHS assess its progress in eliminating EEO barriers.

Accordingly, our July 2019 report included a recommendation that the Secretary of Homeland Security should develop performance metrics for the Department's EEO program including a mechanism for tracking progress toward eliminating barriers. DHS concurred with the recommendation and stated that it would implement it by April 30, 2020. In February 2020, CRCL officials told us they are working with DHS's Management Directorate to develop a potential overarching performance metric that, if approved, would be implemented beginning in fiscal year 2021.

DHS AND ITS COMPONENTS HAVE IDENTIFIED VARIOUS DEFICIENCIES IN THEIR EEO PROGRAMS, BUT IN SOME CASES LACK ACTION PLANS TO ADDRESS THEM

Our analysis of DHS's MD-715 reports found that the Department-wide EEO program did not meet about a quarter of the compliance measures for a model EEO program for each fiscal year from 2014 through 2017.¹⁵ For example, in each of the fiscal years 2015 through 2018, DHS reported that senior managers at DHS components did not successfully implement EEO action plans and incorporate EEO action plan objectives into agency strategic plans. In addition, our analysis of components' MD-715 reports showed that component EEO programs did not meet 9 percent of the compliance measures for a model EEO program from fiscal years 2014 through 2017.

paralysis, complete paralysis, convulsive disorders, mental retardation, mental illness, and distortion of limb and/or spine.

¹¹EEOC defines applicant flow data as information reflecting characteristics of the pool of individuals applying for an employment opportunity, including race, national origin, gender, disability status, and the disposition of all applications.

¹²In its fiscal year 2018 MD-715 report, DHS reported that it extracted applicant flow data from USA Staffing to present them in the report.

¹³In January 2020, EEOC extended the deadline for submitting fiscal year 2019 MD-715 reports to April 3, 2020.

¹⁴GAO, *Standards for Internal Control in the Federal Government*, GAO-14-704G (Washington, DC: Sept. 10, 2014).

¹⁵The MD-715 report's self-assessment checklist is organized to track the essential elements of a model EEO program. According to DHS, although deficiencies are generally rolled up from component reports into the Department report, some measures specifically apply to components while other measures specifically apply to the Department.

DHS components did not have action plans to address nearly half (179 out of 369) of the deficiencies self-reported by all components from fiscal years 2014 through 2017. For example, in fiscal year 2017, 4 DHS components did not have action plans to ensure that their EEO directors report directly to their agency heads. EEOC guidance requires that for each deficient measure, agencies are to develop an action plan for correcting the deficiency.

CRCL officials told us that DHS and its components' MD-715 reports met EEOC requirements for action plans for fiscal years 2014 through 2017 by providing explanations for, or briefly stating plans to address, the majority of their deficiencies rather than developing action plans identifying how each deficiency would be addressed. Developing policies and procedures to help ensure components' EEO programs have action plans for addressing deficiencies could help DHS components better comply with EEOC requirements.

DHS and its components lack adequate staffing to address EEO program deficiencies, in part, because CRCL and component EEO officials told us that they do not have formal staffing models to assess appropriate staffing of their EEO program sections.¹⁶ CRCL officials said that each component EEO program section is unique with its own assessments and measures by the leaders in charge of their funding and staffing resources. However, EEOC MD-715 guidance states that an agency must provide its EEO program with sufficient budget and staffing to be able to successfully implement various activities.¹⁷ Developing and utilizing formal staffing models—a tool to determine the number of staff required—for their EEO programs could help DHS and its components to identify, request, and obtain the staff they need.

Thus, in our recently-issued report, we recommended that: (1) DHS component EEO Directors, in consultation with the Deputy Officer for EEO and Diversity, should develop policies and procedures to help ensure that their component EEO programs have action plans for addressing deficiencies in their MD-715 reports, and (2) the Deputy Officer for EEO and Diversity should develop a formal staffing model for its EEO program.¹⁸ DHS concurred with the recommendations and stated that it would implement them by April 30, 2020. In February 2020, CRCL officials told us that they are developing policies and procedures for components to consider. They also told us that they are collaborating with the DHS Management Directorate to develop a formal staffing model for DHS's Department-wide EEO program.

In addition, we recommended that DHS component EEO directors, in collaboration with the deputy officer for EEO and diversity, develop component formal staffing models. DHS concurred with the recommendation and stated that it would implement it by July 31, 2020. In February 2020, CRCL officials told us that the DHS Management Directorate plans to work with components to develop formal staffing models for their individual EEO programs after the agency develops a formal staffing model for the Department-wide EEO program.

DHS HAS PLANS TO ADDRESS THE 9 AREAS OF EEOC-IDENTIFIED NONCOMPLIANCE

DHS has plans to address the 9 areas of noncompliance in its EEO program identified by EEOC. For example, in its July 2017 review of DHS compliance with EEOC requirements, EEOC identified that DHS did not provide complete demographic data on new hires and promotions in its fiscal year 2016 report to EEOC. In April 2019, DHS officials told us that the Department plans to report the data by collecting complete data from DHS components in fiscal year 2019. In its fiscal year 2018 MD-715 report, which DHS sent to EEOC in July 2019, DHS stated that it had collected and analyzed demographic data on new hires and promotions.

DHS'S EEO AND HUMAN CAPITAL OFFICES USE A VARIETY OF MEANS TO OVERSEE AND SUPPORT COMPONENTS IN IDENTIFYING AND ADDRESSING EEO BARRIERS, BUT NEED TO STRENGTHEN OVERSIGHT EFFORTS

DHS's EEO and human capital offices assist and support DHS components in identifying and addressing EEO barriers. For example, CRCL meets with each component to obtain updates on their EEO efforts and provide verbal feedback as they develop their MD-715 reports. DHS components told us that they are generally satisfied with CRCL's collaboration practices to identify and address EEO barriers. For

¹⁶In DHS's fiscal year 2018 MD-715 report, 3 DHS components self-identified insufficient budget and staffing to support the success of aspects of their EEO programs.

¹⁷EEOC, *Equal Employment Opportunity*, Management Directive 715 (Oct. 1, 2003).

¹⁸CRCL's deputy officer for EEO and diversity is the DHS official responsible for DHS's EEO activities. The deputy officer for EEO and diversity, along with the Secretary of Homeland Security (or its designee), is to certify DHS's MD-715 report before CRCL sends the report to EEOC.

example, all 9 components required to submit MD-715 reports told us that CRCL regularly meets with them and provides guidance on identifying and addressing barriers.

From fiscal years 2014 through 2017, EEOC found areas of noncompliance in DHS and its component EEO programs. We found that DHS components had not responded timely and completely to areas of noncompliance identified in EEOC feedback letters.¹⁹ According to CRCL officials, CRCL does not have policies and procedures to ensure that components have addressed EEOC's feedback letters in a complete and timely manner. However, EEOC MD-715 guidance states that an agency's EEO director ultimately is responsible for ensuring equal opportunity throughout the entire agency. In addition, *Standards for Internal Control in the Federal Government* states that management should implement control activities through policies.²⁰ Developing policies and procedures for responding completely and timely to EEOC's feedback letters may help the Department comply with EEOC guidance.

CRCL officials said they lack authority to ensure components' compliance with EEOC requirements. *Standards for Internal Control in the Federal Government* states that an effective management practice includes periodically evaluating the agency's organizational structure to ensure that it meets its objectives.²¹ DHS has not taken steps—in consultation with EEOC and other agencies as relevant—to analyze options to address EEO program management weaknesses. Specifically, it has not analyzed alternatives for granting additional authorities to the deputy officer for EEO and diversity to ensure DHS components comply with MD-715 guidance, or assessed benefits and trade-offs of each alternative. Without addressing these issues, DHS may not be effectively positioned to manage its EEO program.

In our report, we recommended that the: (1) Deputy officer for EEO and diversity develop policies and procedures for responding in a complete and timely manner to EEOC's feedback letters, and (2) the Secretary of Homeland Security—in consultation with CRCL and EEOC, and other agencies and components, as relevant—analyze options for granting additional authorities to the deputy officer for EEO and diversity to ensure DHS components comply with MD-715 guidance, including the authority of the deputy officer for EEO and diversity to certify components' MD-715 reports.

DHS concurred with the recommendations and stated that it plans to implement them by April 30, 2020. In February 2020, CRCL officials told us they are developing policies and procedures for responding in a complete and timely manner to EEOC's feedback letters. They also told us that a cross-component working group, with input from EEOC subject-matter experts, is developing a report benchmarking best practices at similar Federal agencies that it expects to complete by the end of March 2020.

In conclusion, as the third-largest U.S. Government department, the challenges DHS has faced to fully implement effective EEO programs may result in widespread negative consequences such as: (1) Monetary expenses borne by the agency in connection with workplace disputes and (2) decreased morale and productivity resulting from ineffective and inefficient use of human capital resources. We found areas for improvement in DHS and its components' EEO programs that could help ensure success and compliance with MD-715. The commitment of DHS's leadership is essential to successfully addressing these issues. By focusing leadership attention on developing performance metrics, policies and procedures, and staffing models, DHS and its components can help improve their EEO programs by making progress toward eliminating barriers, obtaining sufficient staffing, and addressing areas of noncompliance.

Madam Chairwoman Torres Small, Ranking Member Crenshaw, and Members of the subcommittee, this completes my prepared statement. I would be pleased to respond to any questions you may have at this time.

Ms. TORRES SMALL. I thank both witnesses for their testimony.

I will remind each Member that he or she will have 5 minutes to question the panel.

I will now recognize myself for questions.

We heard today about the steps DHS has taken to improve the diversity of its work force. I deeply want to acknowledge the work

¹⁹ EEOC sends these letters as part of its oversight responsibility for Federal agencies' equal employment opportunity programs to assess their compliance with Federal EEO laws, regulations, and management directives.

²⁰ GAO-14-704G.

²¹ Id.

that has been done since 2009. I appreciate the efforts that you have put in place.

As Ms. Bailey noted, DHS's work force as a whole is reasonably diverse, and thanks in large part to the diversity in the work forces at CBP and TSA. But I do disagree slightly with the comments about the diversity of leadership at the senior leadership level. The Department still struggles to promote women and racial minorities to leadership positions.

For example, at TSA, which is generally quite diverse, 55 percent of employees identify as minorities there. However, only 21 percent are in leadership positions.

At DHS headquarters, 30 percent of employees are African American, but only make up 8 percent of leadership. Women make up less than a quarter of senior leaders at components like Secret Service and CBP, and across the entire Department women only hold 30 percent of leadership positions overall.

Ms. Bailey, has DHS performed any analysis specifically to components like TSA and CBP which have a high work force participation for racial minorities that is not reflected among leadership?

Ms. BAILEY. Yes, actually, we have. So thank you for the question.

One of the things that we do within our program is we meet with them on if not a monthly, but I think it is a quarterly basis with each of the components to really identify what are some of the opportunities that they might have to increase the pipeline, because one of the things that we found is that with our diversity within our SES, we firmly believe that building the diversity of the pipeline at the 14 and 15 level is significantly important for us.

So we have deployed a few strategies to make sure that we get the word out and that they understand how they get, for example, into the SES CDP program, just to give you an example.

So as a result of some of these specific tactical and strategic efforts that we have had, we have actually increased our pipeline, and we have been very pleased about that. So in our pipeline, while we have 30 percent women in SES, our pipeline is at 36 percent. While we are 22 percent diverse in our SES, 34 percent diverse in our pipeline, just to give you an example.

So what we have found is by building up the pipeline, by giving them the opportunities, especially for our lower-graded employees, creating career paths for them, giving them rotational opportunities, et cetera, we are able to build a more diverse SES.

Ms. TORRES SMALL. Ms. Bailey, what specific analyses have you done to create those findings or to establish those findings?

Ms. BAILEY. Oh, yes. So with regard to the specific analysis, we have actually gone in and we dissect every single ounce of the data that we have available to us. So we can pull all of the demographic data, we can pull it by region, we can pull it locally or by not just the specific component, but within the organization.

Ms. TORRES SMALL. Have you talked to employees about what is keeping them from entering that pipeline at the 13 and 14 level?

Ms. BAILEY. Yes. In our conversations with our employees, some of the things go to—actually, it was some of the things you mentioned in your opening statement.

Ms. TORRES SMALL. I am sorry, was there a comprehensive analysis? Did you produce any reports about it?

Ms. BAILEY. No, we did not produce a report. Instead, what we did is we just kind-of gathered the information, it is within my office, but it wasn't done as a report.

Ms. TORRES SMALL. Was it a questionnaire for the entire—for TSA-wide or CBP-wide or just anecdotal conversation?

Ms. BAILEY. Right. It was more focus groups. Like sitting down with them and listening. Also working with the Diversity and Inclusion Steering Committee that we have with all of the components so that we can dig in a little bit deeper and understand what are the barriers that are keeping some of them from actually progressing within their career.

Ms. TORRES SMALL. Thank you. I appreciate the anecdotal work you have there. I think formalizing it could help capture people who aren't always listened to or included in those conversations and maybe some of the folks you are missing when it comes to pipelines.

Switching now to the mentorship program for women in law enforcement. Ms. Jones, GAO's report noted that DHS did not have performance metrics to track the retention rate of women in law enforcement positions. How has the Department responded and addressed this issue, if at all?

Ms. JONES. We did include a recommendation in our report saying that we thought that the Secretary should work with the different units in the Department to develop performance metrics. So DHS did agree with that recommendation.

We spoke to appropriate officials at DHS earlier this month. They informed us that they are developing a proposal for performance metrics, that it will be examined by the appropriate units in DHS, and they do hope that they will have developed a proposal by the end of this fiscal year.

Ms. TORRES SMALL. The end of this fiscal year is the deadline?

Ms. JONES. Pardon?

Ms. TORRES SMALL. The end of this fiscal year is the deadline?

Ms. JONES. Yes, that is the deadline that they indicated.

Ms. TORRES SMALL. Thank you.

My time has expired. I now recognize for 5 minutes the gentleman from Texas, Mr. Crenshaw.

Mr. CRENSHAW. Thank you, Chairwoman.

Ms. Jones, in your testimony I saw a lot of mentions of barriers and the importance of identifying and addressing those barriers. So I want to get a better understanding of how you define what constitutes a barrier and how you differentiate between intentional barriers to promotion or hiring and unintentional barriers and what you have identified at DHS.

Ms. JONES. OK. Well, a barrier—EEOC defines barrier as a policy, a program, procedures, actions that may prevent individuals in some groups from having the same kind of opportunities, whether that is for hiring or promotion. Not having the same opportunities as other groups in an organization.

Mr. CRENSHAW. What did you identify? Let's first start with intentional barriers. Were there any intentional barriers identified?

Ms. JONES. We did not.

Mr. CRENSHAW. Then what about unintentional barriers? So what exactly should we be looking at?

Ms. JONES. OK. So as I said, we didn't really identify intentional barriers. DHS itself identified barriers, and they define them as problems with supervision and management or lack of advancement opportunities for some groups of staff, lack of alternative work schedules. They also indicated that jobs in some certain geographic locations, certain ethnic groups were not applying in the same number or being hired in those locations.

Mr. CRENSHAW. OK.

Ms. JONES. They did identify barriers for people with disabilities or targeted disabilities for certain positions in law enforcement, that there are medical and physical requirements that would be difficult for them to—

Mr. CRENSHAW. Like they won't hire somebody with one eye or something like that? It is a joke. You can laugh.

Ms. JONES. OK.

Mr. CRENSHAW. So I will let Ms. Bailey then finish.

If DHS is the one that actually answered those questions, then maybe you could expand on that list as well, Ms. Bailey.

Ms. BAILEY. Yes, certainly.

So with regard to intentional, I want to just be really clear that we do not have intentional barriers.

Mr. CRENSHAW. Yes, that is good. We should clear that up. That is why I asked.

Ms. BAILEY. We do not have intentional barriers.

There are always going to be these unintended consequences of some of the positions, some of the locations, some of the things that we know that are going to be a barrier for women, as an example.

So one of the things that we have done is really started to dissect. This is where—I testified about this before—but this is where our Employee and Family Readiness Council really kind-of comes into play here. This is where going out and actually talking to people and finding out what it is that is creating a barrier for them and then addressing that.

So if it is things such as the remote locations, for example, down on the border locations, then implementing vocational programs that allow them after a couple of years the opportunity to go to a more urban area so that they can make sure that their spouses have employment, or they can make sure that they have access to quality health care and things like that. So that is one area that we have recognized.

Mr. CRENSHAW. But does something like that affect diversity? I mean, would a factor like that affect one demographic group over another? It seems like that would affect everybody.

Ms. BAILEY. Yes, it would. You are absolutely right. It would affect—it can affect everyone, right? It really depends on the individual and things.

So I am not really trying to just call it out to be women, and that probably was a mistake on my part, is to say that we tried to actually implement those kinds of programs so that we could allow people the opportunity to actually advance, if you will.

So we also, though, have identified with regard to supervisors in leadership, then we need to synchronize all of our efforts between

our leadership development programs, our employee and family readiness programs, our inclusive diversity programs, our engagement programs, because there cannot be all these one-off programs that are all trying to attack and do the same thing.

So by synchronizing these efforts and being very clear and deliberate on what are the things that we want to deploy and make sure that are available for all of our employees, then what we found is that we are able then to raise up their opportunities across the board.

Mr. CRENSHAW. I am running out of time, so I will actually stop there and maybe—well, maybe my last question would be, what are the goals with respect to diversity? Is it simply removing the barriers? Or are there proportional quotas that we are actually looking for as well? Have those ever been identified?

Ms. BAILEY. No, we cannot have quotas.

So there are a couple of things here, and I would like to say it this way. With diversity, we are not after filling Noah's Ark. It cannot be that if you have 2 of everything, therefore we are diverse.

To be honest, the most important thing for us is, is once we get people on board, regardless—and, again, 1 out of every 2 DHS employee has identified themselves as being in some type of diverse category. That doesn't even cover things like generational diversity, right, or neurodisability, such as autism and things like that.

So the definitions that we have are old-school. We need to actually get new-school definitions of what diversity is really all about.

But for us within DHS, once we have folks on board, then it becomes in a way a colorblind kind of situation for us. What we are really looking for instead is ensuring that they feel included, that they feel like they are cared for, that they understand that we have a compassionate need for what they are doing.

Then, therefore, that helps them, we believe, not only do we then have operational readiness, but it helps them provide caring and compassionate service to the American public that they serve.

Mr. CRENSHAW. Thank you.

Thank you, Madam Chairwoman.

Ms. TORRES SMALL. Want to go for another quick round? OK. I will recognize myself for another 5 minutes.

Just quickly, I appreciate the discussion my colleague was having about the barrier analysis that was done by DHS. TSA successfully did a barrier analysis.

However, there were other components, like FLETC and Secret Service, that did not. In 2017, EEOC provided notice of noncompliance to 6 of 8 DHS components and required 5 of those to establish plans to correct those EEO deficiencies.

So 3 of those components, CBP, FEMA, and USCIS, never provided a timely response to EEOC.

So, Ms. Bailey, what actions has the DHS headquarters taken to coordinate with the components to ensure that they comply with the EEOC requirements?

Ms. BAILEY. So to speak within my program area, I can tell you that one of the things that we are doing is, and I had mentioned this a little bit earlier, but we sit down with each component now and go over what are the barriers, not only to recruiting—

Ms. TORRES SMALL. Are you saying that complying with EEO requirements is not within your area?

Ms. BAILEY. Yes, correct. So as the CHCO, the Civil Rights and Civil Liberties, our executive director, that would fall under their purview. But I want to be clear that we work in partnership together to address these things.

But I just want to make sure that I am speaking just for the areas that I am responsible for. So with regard to that—

Ms. TORRES SMALL. That is fine. That answers the question, that you don't take on that responsibility. For that, you have allowed Civil Rights and Civil Liberties to enforce those requirements.

Ms. BAILEY. That is correct.

Ms. TORRES SMALL. OK. Moving on just quickly, also I appreciate your comment about not wanting to work in silos and finding ways to address the challenges.

I do appreciate you noting the challenges in hiring in remote or hardship areas and finding some ways to prioritize that. So that is something you have heard from CBP officers and agents, for example?

Ms. BAILEY. Yes, absolutely. We have done a tremendous amount of listening tours where we have gone out and sat down. So I do appreciate your comment about making sure that this is, like, captured somewhere and in a report.

But I will tell you there is nothing more powerful than sitting down with someone eyeball-to-eyeball and having a conversation with them and really understanding what the issues are, or what are the underlying issues, versus just sending out a survey and they can check "yes" or "no" or 1 through 5, how happy are they kind of thing. We don't really get to then understand what their issues are.

By doing so, we were able to discover things like—

Ms. TORRES SMALL. So, Ms. Bailey, I appreciate that. Just to follow up on that, because I do agree that eyeball-to-eyeball conversations can help you truly understand the challenges folks are facing. Then the question is, what do you do with that information?

Have you made a recommendation to CBP that they allow, for example, after serving in hardship areas, to have prioritization in being located in another place within the sector.

Ms. BAILEY. Yes, absolutely, and it is something that they are actually adopting. One of the other things that they are doing, as an example, is take child care. Rather than just a subsidy, they are looking at things like how do we provide child care that goes beyond the typical 9 to 5, just as an example.

So they—CBP is very good about taking the information that we are gathering because they are there with us when we do these listening tours. We don't go out by ourselves. So they kind-of have a list and they are going through the list. They have one of probably the topnotch programs when it comes to resiliency and trying to do the best that they can for their employees.

Ms. TORRES SMALL. It is something I am deeply focused on as well, representing one of the most rural places along the border. I represent about 179 miles of the U.S.-Mexico border, and finding those solutions in recruitment and retention is deeply important to the success of the security of our borders.

With that, I will yield the remainder of my time and recognize for any additional questions my colleague from Texas, the gentleman, Mr. Crenshaw.

Mr. CRENSHAW. Thank you, Madam Chairwoman.

I just have one more I want to bring up, which was the Inclusion Quotient or index in the Federal Employee Viewpoint Survey. Ms. Bailey said 54 percent of employees responded positively to the work force environment questions. How does that compare to the rest of the Federal Government? How are we doing?

Ms. BAILEY. With regard to the rest of the Federal Government, I think that we are slightly below, but we have made tremendous progress. So we have gone up 5 percentage points in the last 4 years.

But it is absolutely an area of room for improvement for us. We don't, like, kind-of gloss over that and say that it is not. So, again, one of the things that we are doing is making sure that we are getting our efforts as synchronized as possible so that we can go after what is the most important things for our employees to make sure that they felt that they are cared for in a very compassionate way.

Mr. CRENSHAW. OK. Well, you know what? Actually I will go back to our previous conversation about barriers. So we have identified a couple, but it was such a short conversation. I want to get maybe a couple more examples from you on barriers identified that maybe prevent promotion or hiring and some concrete examples or ideas of how we plan to fix that.

Ms. BAILEY. OK. So with regard to—I will give you an example of one of the barriers.

One of the things that we are trying to do with regard to students—this is probably one of the best examples of why things are kind-of broken, and we really appreciate your support on our Enhanced Hiring Act. One of those has to do with at the Coast Guard, at our shipyard in Baltimore, we actually have these wonderful mentoring, coaching, internship programs with some of the schools within Baltimore in the public schools.

We have the diversity to see young African American women who are being trained to be welders and painters and electricians, and young Hispanics being able to get just a wonderful career opportunity.

Then whenever we go to, like, convert them or be able to give them the opportunity to actually work for us full-time in the Coast Guard, we have to then turn around and say to them: Hey, by the way, why don't you go apply on USAJobs with a thousand other people? Then they don't even make the certs for the very jobs that we provided them an opportunity for, interned them, and also provided them, you know, wonderful coaching and mentoring.

So it is shameful that we have rules on the books that don't even allow us the opportunity to give kids an opportunity, come in, and then tell them that they have to throw that career away because they did not make the cert.

Mr. CRENSHAW. So we are actually training them in those skill sets as contractors? Is that—

Ms. BAILEY. No, as Federal employees.

Mr. CRENSHAW. As Federal employees, but they can't then apply to the Coast Guard?

Ms. BAILEY. They can apply, but they are applying with a thousand other people, right?

Mr. CRENSHAW. Right. Right. USAJobs. Yes, we know.

Ms. BAILEY. So what happens then is that they are not going to—typically they are not going to then make the list. They are not going to be able to—you know, maybe they don't know how to write their resume correctly or whatever the answer might be.

So what are we doing about that? We are saying, OK, these are the rules. So now we sit down with them and we help them. Here is how you write a Federal resume. Here are the things that you need to do.

The other thing that we are doing is rather than just having the H.R. office now say whether they are qualified or not, no, give it to the actual welder who is at the Coast Guard and let them decide who is qualified to be a welder and stuff. So in other words, engaging the subject-matter expert.

So while it irritates me that we cannot have a simplified way of getting students on board into DHS, we are not going to let it be an excuse for why we are not going to do everything in our power to get these kids into these really exceptional careers.

Mr. CRENSHAW. Great to know. Thank you.

I yield back the balance of my time.

Ms. TORRES SMALL. Thank you.

The Chairwoman now recognizes for 5 minutes the gentlewoman from California, Ms. Barragán.

Ms. BARRAGAN. Thank you.

Ms. Jones, in July 2019—rather, the July 2019 report on DHS's Equal Employment Opportunity Program, GAO found that DHS was not fully tracking data on the demographics of its job applicants, such as their race and sex, which is important for identifying and addressing potential recruitment and outreach barriers. According to the same report, DHS reported challenges in collecting Department-wide data that could help identify potential barriers.

Can you tell us more about the importance of this data, especially in the context of an EEO program, and what are the challenges that DHS faces in collecting and using this data?

Ms. JONES. Yes, I can.

So, first of all, the demographic data is really important. I mean, the technical term is applicant flow data. But having comprehensive data, and an agency having the capability of analyzing it, means that they get some sense of whether their recruitment efforts are working or not because they can see who is applying to what positions and they can get a sense of the efficiency and inclusivity of their efforts.

One of the challenges at DHS is that they don't have Department-wide applicant flow data. They have two different applicant systems with different data. So what they have to do is more—I would call it more manually take data from the two systems and then compare it and analyze it.

So one of our recommendations in our July report was that they develop a Department-wide system. As a matter of fact, they have agreed with that and they are going to try to develop that kind of system. But it will require the support of DHS leadership to develop that system.

Ms. BARRAGÁN. Do we know if it is a matter of resources or time or what the barrier is to get it moving?

Ms. JONES. We were told partly that it is a matter of resources, which would be both budget and staff.

Ms. BARRAGÁN. OK. According to an internal study conducted in 2018, DHS found that several minority groups, women, and people with disabilities were leaving the Department in higher than expected rates. The top 3 reasons for departures among these groups were: No. 1, problems with supervision or management; No. 2, lack of advancement and opportunities; and No. 3 was personal or family-related reasons.

Ms. Jones, do you believe DHS is doing enough to address these issues?

Ms. JONES. I think DHS is certainly aware of them and that they are taking steps to address them.

We cannot be sure, and I think DHS cannot be sure if it is doing enough, because it doesn't have performance metrics which would allow it to assess what it is doing against its ultimate objectives.

So that is why we recommended that the Department develop performance metrics which would allow it to assess progress against all of the goals that it sets for itself and against the issues that it identifies when it does its MD-715 analysis for the Department and for each component.

Ms. BARRAGÁN. How long have you been in your position as the Director?

Ms. JONES. Pardon?

Ms. BARRAGÁN. How long have you been in your current position?

Ms. JONES. Sixteen years.

Ms. BARRAGÁN. In your 16 years, have you seen more women at the top at the decision-making table? Have you seen improvements?

Ms. JONES. You mean at DHS?

Ms. BARRAGÁN. Yes.

Ms. JONES. Or across the Federal Government?

Ms. BARRAGÁN. Well, let's stick with DHS.

Ms. JONES. Well, I actually—I have to say that we did not look at that particular issue at DHS. We do know that there are more women at the top. But our report was focused on the processes and procedures for completing their MD-715 reports. I would have to defer to Ms. Bailey in terms of actual numbers of increases of women.

Ms. BARRAGÁN. OK.

Ms. Bailey, you may have heard about the 2018 internal study where I listed the 3 reasons people were leaving at higher rates. What steps is the Department taking to address each of these areas, the 3 areas that I mentioned?

Ms. BAILEY. Thank you for your question.

So with regard to the 3 areas—and I had mentioned this a little bit earlier—but we are synchronizing our efforts with regard to this.

So with regard to supervision, we had, I think it was 2 years ago, the Year of the Leader, where we put a concerted effort into all of our leadership development programs. It is not just for our SES,

but we also created a Bridges program and a few other programs and a joint fellows program so that we could get down at the 11, 12, 13, 14, 15 level and not just the SES.

So our goal is to build a cadre of leaders at a level that is lower than just at the SES level so that we can create these career advancement opportunities, and also to focus in on the leadership development for our current leaders, and not just about the nuts and bolts of how to be a supervisor, but actually how to care for the employees, how to make sure that we address what their concerns are, so that we can actually make sure that they can carry out their missions.

I think the third one was the family issues, I think was the third one. With regard to that, we put a concerted efforts into our Employee and Family Readiness program to ensure that we are addressing their needs.

Ms. TORRES SMALL. Thank you, Ms. Bailey.

The gentlewoman's time has expired.

Ms. BARRAGÁN. Thank you. I yield back.

Ms. TORRES SMALL. I thank all the witnesses for their valuable testimony and the Members for their questions.

The Members of the subcommittee may have additional questions for the witnesses, and we ask that you respond expeditiously in writing to those questions. Without objection, the committee record shall be kept open for 10 days.

Hearing no further business, the subcommittee stands adjourned. [Whereupon, at 3:43 p.m., the subcommittee was adjourned.]

