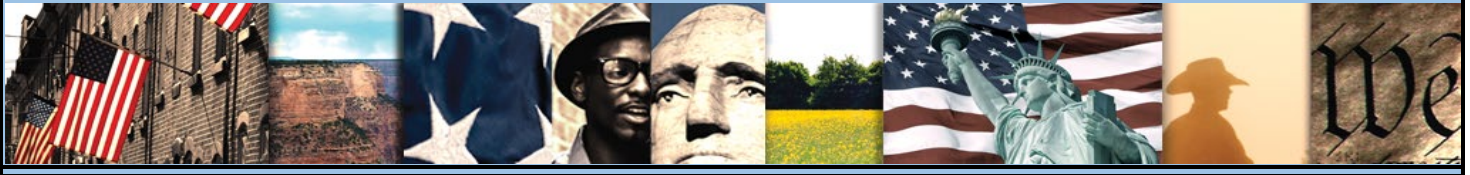




The Office for Civil Rights and Civil Liberties (CRCL) supports the U.S. Department of Homeland Security (DHS) as it secures the nation while preserving individual liberty, fairness, and equality under the law.



CRCL Operations During COVID-19 Response

Per guidance from the [U.S. Office of Personnel Management](#) in response to COVID-19, CRCL is operating under telework flexibilities while continuing to serve and support the public. As a result, mail operations may be impacted and our response to mailed letters may be delayed. If you wish to file a complaint, the best method of submission at this time is via email to: CRCLCompliance@hq.dhs.gov. CRCL staff will continue to monitor this email address, and our toll-free hotline for your questions at: 1-866-644-8360, TTY: 1-866-644-8361. For additional details on how to file a civil rights complaint, visit: <https://www.dhs.gov/file-civil-rights-complaint>.

DHS Publishes Fair and Humane Public Charge Rule

DHS has issued a final rule, to be published in the Federal Register, that provides clarity and consistency for noncitizens on how DHS will administer the public charge ground of inadmissibility. The rule restores the historical understanding of a ‘public charge’ that had been in place for decades, until the prior Administration began to consider supplemental public health benefits such as Medicaid and nutritional assistance as part of the public charge inadmissibility determination. The rule speaks to the Biden Administration’s commitment to restoring faith in our legal immigration system.

“This action ensures fair and humane treatment of legal immigrants and their U.S. citizen family members,” **said Secretary of Homeland Security Alejandro N. Mayorkas**. “Consistent with America’s bedrock values, we will not penalize individuals for choosing to access the health benefits and other supplemental government services available to them.”

“In keeping with our nation’s values, this policy treats all those we serve with fairness and respect,” **said U.S. Citizenship and Immigration Services (USCIS) Director Ur M. Jaddou**. “Though there is still much to do to overcome confusion and fear, we will continue to work to break down barriers in the immigration system, restore faith and trust with our immigrant communities, and eliminate excessive burdens in the application process.”

Section 212(a)(4) of the Immigration and Nationality Act (INA) renders a noncitizen inadmissible if they are “likely at any time to become a public charge.” A noncitizen who is deemed likely to become a ‘public charge,’ meaning that they are likely to become primarily dependent on the government for subsistence, can be denied admission or lawful permanent residence (known colloquially as a green card). Prior to 2019, almost all non-cash government benefits such as Medicaid or nutrition assistance were excluded from consideration. The 2019 rule, which was ultimately vacated and is no longer in effect,

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resulted in a drop in enrollments in such programs among individuals who are not subject to the public charge ground of inadmissibility, such as U.S. citizen children in mixed-status households. The publication of this rule in the Federal Register avoids these effects by formally codifying the historical understanding of the term.

Under this rule, as under the 1999 Interim Field Guidance that was in place for most of the past two decades, a noncitizen would be considered likely to become a public charge if DHS determines that they are likely to become primarily dependent on the government for subsistence. This determination will be based on:

- The noncitizen’s “age; health; family status; assets, resources, and financial status; and education and skills,” as required by the INA;
- The filing of Form I-864, Affidavit of Support Under Section 213A of the INA, submitted on a noncitizen’s behalf when one is required; and
- The noncitizen’s prior or current receipt of Supplemental Security Income (SSI); cash assistance for income maintenance under Temporary Assistance for Needy Families (TANF); State, Tribal, territorial, or local cash benefit programs for income maintenance (often called “General Assistance”); or long-term institutionalization at government expense.

DHS will not consider in public charge determinations benefits received by family members other than the applicant. DHS will also not consider receipt of certain non-cash benefits for which noncitizens may be eligible. These benefits include: Supplemental Nutrition Assistance Program (SNAP) or other nutrition programs, Children’s Health Insurance Program (CHIP), Medicaid (other than for long-term institutionalization), housing benefits, any benefits related to immunizations or testing for communicable diseases, or other supplemental or special-purpose benefits.

DHS will develop a Policy Manual update to help USCIS officers apply this regulation fairly and consistently and to better inform the public about how the rule will be implemented. DHS will also conduct public outreach and engagements to minimize the risk of confusion or chilling effects among both noncitizens and U.S. citizens.

The final rule will be effective on December 23, 2022 and was published in the Federal Register on September 9, 2022. DHS is currently making public charge assessments consistent with the statute and the 1999 Interim Field Guidance and will continue to do so until it implements the final rule for applications postmarked on or after the effective date.

This announcement is among a series of actions this Administration has taken to better balance DHS’s mission sets and ensure the fair and effective management of our nation’s immigration systems.

DHS Statements on Safety and Enforcement Following Natural Disasters and National Emergencies

CRCL regularly coordinates with U.S. Immigration and Customs Enforcement (ICE) and U.S. Customs and Border Protection (CBP) to remind survivors that disaster relief and emergency services are protected areas, and that Federal Emergency Management Agency (FEMA) does not proactively share personal information shared on disaster assistance applications with ICE or CBP. In the past month, DHS has issued the following statements (available in multiple languages):

- [DHS Statement on Safety and Enforcement During Hurricane Ian](#)
- [DHS Statement on Safety and Enforcement Following Typhoon Merbok in Alaska](#)
- [DHS Statement on Safety and Enforcement Following Hurricane Fiona Impacts in Puerto](#)
- [DHS Statement on Safety and Enforcement Following Recent Wildfires in California and the Water Crisis in Mississippi](#)

CRCL Participates in White House Roundtable on Protecting Houses of Worship

CRCL Senior Official Peter Mina participated in a recent White House roundtable on protecting houses of worship alongside multifaith leaders from across the country. Mr. Mina shared information on CRCL's regular roundtables with diverse ethnic and faith-based communities and the Incident Community Coordination Team calls in response to a homeland security event or other national emergency. CRCL was also joined by officials from the DHS Office of Partnership and Engagement and the Center for Prevention Programs and Partnerships, who acknowledged CRCL for promoting terrorism prevention grants and leading the DHS Equity Task Force.



Topics discussed during the event included: increasing equitable access for nonprofit security and other grants, along with assistance and training in grant writing; outreach to underserved communities; collaborating with local law enforcement to strengthen protections for house of worship; using data to enhance program effectiveness; and continued collaboration and dialogue with interfaith partners. There was also a request for additional CRCL roundtables, which CRCL will review and consider.

CRCL Meets with Community Leaders in Chicago and Atlanta

Recently, CRCL conducted multiple outreach and engagement meetings with diverse stakeholders in the Chicago and Atlanta areas. CRCL's Community Engagement Section leads efforts to engage with diverse American communities in major cities across the country to hear community concerns regarding DHS programs and policies, share information on the Department's priorities, and provide information on avenues for redress and complaints.

In Chicago, a CRCL representative conducted meetings to re-launch our in-person community engagement efforts with a civil society listening tour. This tour followed a series of interviews CRCL already held with local, state, and federal government partners across DHS and other agencies. Over four days, CRCL held a series of meetings with more than 30 organizations and more than 40 individuals across the city, based on past engagement and new outreach. The organizations included immigration legal clinics; national civil rights organizations; Muslim, Sikh, Jewish, and Christian community leaders; civil rights and anti-hate crime organizations; Asian, Latinx, Polish, and Black, Indigenous, People of Color (BIPOC) community leaders and civil rights organizations; and refugee resettlement organizations among others.

The primary goal of this engagement was to introduce CRCL's representative to new and existing stakeholders, learn from community members about current issues and lessons learned from prior CRCL engagements, and share current DHS and CRCL resources. The information learned from these engagements is providing a baseline for CRCL's program building in the Chicago area and assessment of key needs across an initial cross-section of communities directly affected by DHS policies.



The engagement was well-received by stakeholders who shared concerns, which included: ensuring equitable application and review process related to FEMA Nonprofit Security Grant Program funding awards; improving communications around government agency roles and processes related to CBP and the Transportation Security Administration secondary screenings at ports of entry; and discussing issues related to medical treatment, legal

representation, and language accessibility issues at existing and closed ICE detention facilities for those awaiting court dates in Chicago.

In Atlanta, CRCL hosted a virtual community engagement meeting with diverse stakeholders where more than 20 local community leaders and representatives from nongovernmental organizations participated. During the meeting, attendees raised a number of issues and concerns including, but not limited to: delays in processing immigration benefit applications, language access issues during immigration interviews, and enforcement actions and conditions of detention.

In the coming months, CRCL plans to conduct similar outreach in several cities across the U.S. We want to hear from you – if you have questions or would like to learn more about CRCL’s community engagement efforts please reach out to communityengagement@hq.dhs.gov.

DHS Announces New Members of Faith-Based Security Advisory Council

DHS has announced the appointment of 25 members to the reinvigorated Faith-Based Security Advisory Council, in advance of the first meeting on October 6, 2022. Council members will advise the Secretary on the needs of the faith community relating to security and preparedness matters across all aspects of the DHS mission.

“These prominent faith and law enforcement leaders will help us build and strengthen the community partnerships that are so vital to our mission success,” said **Secretary Alejandro N. Mayorkas**. “We will work together to increase access to our services, ensure equity, maintain openness and transparency, and fully restore the trust of the communities we serve.”

The Council will provide organizationally independent, strategic, timely, specific, and actionable advice to the Secretary on diverse homeland security matters. Specifically, the Council’s contributions will enhance the Department’s work to protect houses of worship; improve coordination and information sharing of threat information with the faith community, and through the faith community, within the broader communities in which they serve; increase access to DHS resources by building trust and addressing potential barriers; and prevent, protect against, respond to, and recover from acts of targeted violence, terrorism, and other threats.

Secretary Mayorkas has appointed the following individuals to the Council:

- **Chandru Acharya**, Member, Plymouth Canton Interfaith Community Outreach
- **Imam Mohamed Haggagid Ali**, Executive Director, All Dulles Area Muslim Society (ADAMS) Center / Co-Founder, Multi-Faith Neighbors Network
- **Salam Al-Marayati**, Co-Founder and President, Muslim Public Affairs Council
- **Deputy Chief Tracie Baker**, Arlington Police Department, Texas
- **Kimberly Burgo**, Vice President, Disaster Operations, Catholic Charities USA
- **Rev. Jeffery Cooper**, General Secretary and Chief Information Officer, African Methodist Episcopal Church
- **Rev. Dr. Leslie Copeland-Tune**, Chief Operating Officer, National Council of Churches
- **Kiran Kaur Gill**, Executive Director, Sikh American Legal Defense and Education Fund
- **Rabbi Moshe Hauer**, Executive Vice President, Union of Orthodox Jewish Congregations of America
- **Commissioner Kenneth Hodder**, National Commander, The Salvation Army
- **Hyepin Im**, President and Founder, Faith and Community Empowerment (FACE)
- **Curtis Jones**, National Deputy Sector Chief - Manager Religious Facilities Protection Program (RFPP), InfraGard National Members Alliance
- **Alberto Martinez**, Director, Orange County Intelligence Assessment Center Orange County Sheriff’s Department
- **Michael Masters**, National Director & CEO, Secure Community Network
- **Sheriff Garry McFadden**, 45th Sheriff of Mecklenburg County, North Carolina

- **Rabbi Jonah Dov Pesner**, Director, Religious Action Center for Reform Judaism, Union for Reform Judaism
- **Todd Richins**, Church Security Department, Field Operations Division Director, The Church of Jesus Christ of Latter-day Saints
- **Mayya Saab**, Executive Director, Faith Based Information Sharing and Analysis Organization
- **Rev. Gabriel Salguero**, President, National Latino Evangelical Coalition
- **Rabbi Julie Schonfeld**, CEO Emerita, Rabbinical Assembly
- **Chief Issa Shahin**, Dearborn, Michigan Police Department
- **Imam Talib Shareef**, Nation's Mosque / Masjid Muhammed
- **Rev. Al Sharpton**, Founder & President, National Action Network
- **Rev. Naomi Washington-Leapheart**, Director for Faith-Based and Interfaith Affairs, Mayor's Office of Public Engagement, City of Philadelphia
- **April Wood**, President/CEO, National Voluntary Organizations Active in Disasters

“This Council is an important way for the Department to engage formally with critical partners on issues impacting faith communities, **said Brenda Abdelall, Assistant Secretary for Partnership and Engagement**. “Members of the Faith-Based Security Advisory Council will provide valuable insight that will benefit our stakeholders nationwide on important issues within the scope of the Department's mission.”

The Council's membership reflects President Biden and Secretary Mayorkas' priorities on diversity, equity, and inclusion, and will ensure a wide range of diverse voices across various faith traditions. The members announced today represent various faith communities and a diversity of denominations, including from the Christian, Hindu, Jewish, Muslim, and Sikh communities, as well as law enforcement.

The first meeting of this Council will be convened by Secretary Mayorkas and held virtually on October 6, 2022. To learn more about the Council, visit: <https://www.dhs.gov/faith-based-security-advisory-council>.

DHS Establishes First-Ever Tribal Homeland Security Advisory Council

Tribal leaders encouraged to serve, provide recommendations to DHS Secretary

DHS recently announced the establishment of the first-ever Tribal Homeland Security Advisory Council and the opening of the nomination period for membership. This Council will enable Tribal leaders to advise the Secretary on homeland security policies and practices that affect Indian Country and indigenous communities, including emergency management, law enforcement, cybersecurity, domestic terrorism and targeted violence, and border security.

“The inaugural Tribal Homeland Security Advisory Council is a result of sustained engagement to improve nation-to-nation relationships and comes at a time of critical importance,” **said Secretary of Homeland Security Alejandro N. Mayorkas**. “I look forward to building a new Council that will provide timely advice and recommendations directly from Indian Country regarding how we can better work together to improve homeland security.”

The Council will engage with DHS agencies and offices and produce recommendations and reports for the Secretary. The Council will be charged with collaborating on all matters of homeland security as they relate to Tribal Nations and indigenous communities, including but not limited to:

- Implementation of [Executive Order 13175](#), Consultation and Coordination with Indian Tribal Governments and the President's January 26, 2021 [Memorandum](#) on Tribal Consultation and Strengthening Nation-to-Nation Relationships;
- Implementation of [Executive Order 14053](#), *Improving Public Safety and Criminal Justice for Native Americans and Addressing the Crisis of Missing or Murdered Indigenous People*;
- Implementation of [Executive Order 13985](#), *Advancing Racial Equity and Support for Underserved Communities Through the Federal Government*;

- Implementation of [Executive Order 12898](#), *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* and [Executive Order 13990](#), *Protecting Public Health and the Environment and Restoring Science to Tackle the Climate Crisis*;
- Implementation and execution of the DHS’s Tribal Consultation Policy; and
- The responsibility to uphold the Federal Government’s and the Department’s trust and treaty responsibility to Tribal Nations.

The Council’s membership will be diverse in its leadership, professional backgrounds, technical expertise, and geographic makeup. Since every tribe is a unique sovereign nation, DHS strives to establish a Council that is reflective of the wide expanse of Indian country.

With this announcement, DHS is currently accepting nominations for a period of 30 days. Individuals will be considered for membership based on their qualifications to serve as representatives of a Tribal Nation or tribal organization.

Interested individuals may submit their nomination packages via first class mail (Attn: Colleen Silva, Office of Partnership and Engagement, MS 0385, Department of Homeland Security, 2707 Martin Luther King Jr Ave SE, Washington, DC 20528-0835) or e-mail submissions to TribalHSAC@hq.dhs.gov until 11:59 p.m., Eastern Daylight Time, on October 10, 2022. To learn more about the Council and how to apply, please visit <https://www.dhs.gov/tribal-advisory-council>.

DHS Provides \$20 Million in Grants for Targeted Violence and Terrorism Prevention *In Third Year of Program, Department Focuses 11 Awards to Organizations Working with Underserved Populations and with Small and Mid-sized Communities*

DHS recently announced the award of 43 grants, totaling \$20 million, under the Targeted Violence and Terrorism Prevention (TVTP) Grant Program for Fiscal Year 2022 (FY22). TVTP works to help prevent incidents of domestic violent extremism, as well as to bolster efforts to counter online radicalization and mobilization to violence.

This prevention program, administered by the DHS Center for Prevention Programs and Partnerships (CP3) and the FEMA, is the only federal grant program solely dedicated to helping local communities improve and strengthen their capabilities in this area. This year, 11 TVTP awards are to organizations that work with underserved populations that are often the targets of attacks, including two Historically Black Colleges and Universities and two organizations serving the LGBTQ+ community. Other grantees focus on expanding the reach of this program into small and mid-sized communities.

“Working in partnership with one another is how we best prevent acts of terrorism and targeted violence,” **said Secretary of Homeland Security Alejandro N. Mayorkas**. “Through the grant awards we are announcing today, we are equipping local communities and organizations — including those historically underserved — with needed resources so they can become more effective partners, strengthen our security, and help the American people feel safe and secure in our daily lives.”

The FY22 grants will provide resources to local communities - including state, local, tribal, and territorial governments, nonprofits, and institutions of higher education to strengthen or enhance existing capabilities or establish them where they don’t exist.

DHS encouraged applications from diverse groups, conducting extensive outreach to a variety of public and non-profit sectors. This year, DHS added two new priorities: Implementing Prevention Capabilities in Small and Mid-Sized Communities; and Advancing Equity in Awards and Engaging Underserved Communities in Prevention. DHS received a significantly larger number of applications from underserved communities this year and was able to make 25% of its awards to entities that will enhance prevention in these communities (compared to 16% of awards last year).

Launched in 2020, the TVTP grant program supports the efforts of 88 organizations working to prevent violence in 32 states with \$50 million in awards. Previous grantees include:

- Arizona State University McCain Institute (Arizona)
- Chatham County (Georgia)
- Boise State University (Idaho)
- Kentucky Office of Homeland Security (Kentucky)
- Missouri State University (Missouri)
- North Dakota Department of Emergency Services (NDDDES), (North Dakota)
- Boston Children's Hospital (Massachusetts)
- University of Central Oklahoma (Oklahoma)
- University of Texas at El Paso (Texas)
- Cure Violence Global (Illinois/Oregon)
- National Governors Association (National)

Many of these organizations, such as the National Governors Association, have received funding multiple years in a row. DHS anticipates the next round of funding to be available for competition in Spring 2023.

CP3 provides technical assistance on navigating the requirements for applying for federal grants to ensure a continued pool of new and underserved applicants. Created in 2021, CP3 brings a whole-of-society approach to prevent acts of targeted violence and terrorism. CP3 helps build local prevention frameworks through technical, financial, and educational assistance, CP3 supports local efforts that prevent individuals from radicalizing to violence and intervene with individuals who may be radicalizing, or have radicalized, to violence.

For more information, including a full list of grant awards, please see <https://www.dhs.gov/tvtpgrants>.

National Preparedness Month

Each September, National Preparedness Month (NPM) is an opportunity to raise awareness on the importance of preparing for disasters and emergencies. This year's NPM theme, A Lasting Legacy, has a special focus on preparedness outreach to diverse and underserved communities. Visit [Ready.gov](https://www.ready.gov) to access toolkits, templates, and other materials and resources that can help you develop a plan and prepare for disasters to create a lasting legacy for your family.



CRCL on the Road

* CRCL's Community Engagement team is resuming in-person engagement with diverse communities. We are now conducting virtual, hybrid, and in-person meeting with federal, state, local, and civil society stakeholders across the country. We remain available to respond to any stakeholder questions or concerns via email at: CommunityEngagement@hq.dhs.gov. Thank you for your continued flexibility and partnership during this time.

Additional information, and contacting us

The goal of this periodic newsletter is to inform members of the public about the activities of the DHS Office for Civil Rights and Civil Liberties, including: how to file complaints; ongoing and upcoming projects; opportunities to offer comments and feedback; etc. We distribute our newsletters via our stakeholder email list and make them available to community groups for redistribution. Issues of the newsletter can be accessed online at: www.dhs.gov/crcl-newsletter.

If you would like to receive this newsletter via email, want to request back issues, or have other comments or questions, please let us know by emailing crcloutreach@dhs.gov. For more information, including how to make a civil rights or civil liberties complaint about DHS activities, visit: www.dhs.gov/crcl.

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