

## Office for Civil Rights and Civil Liberties

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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>U.S. Office of Personnel Management</u> 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: <u>CRCLCompliance@hq.dhs.gov</u>. 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: <a href="https://www.dhs.gov/file-civil-rights-complaint">https://www.dhs.gov/file-civil-rights-complaint</a>.

## **DHS Adopts Department of Justice Updated Racial Profiling Guidance**

To highlight the one-year anniversary of the Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, the Department of Justice (DOJ) has released a series of 10 new reports and guidance documents as part of its ongoing efforts to implement the Executive Order.

These efforts include DHS' collaboration with DOJ to update the Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, Gender Identity, and Disability. This updated guidance prohibiting profiling by federal law enforcement agencies sets forth limited circumstances when federal law enforcement agents or officers may consider a protected characteristic, adds disability as a protected characteristic, expands application of the guidance beyond sworn law enforcement officers to all federal law enforcement personnel engaged in or supporting federal law enforcement activities, and sets benchmarks and timelines for the development and implementation of training, data collection, and accountability provisions.

The <u>updated 2023 Guidance</u> supersedes DOJ's 2014 Guidance. It builds upon and expands the framework of the 2014 Guidance, reaffirms the

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Federal government's deep commitment to ensuring that its law enforcement agencies gather and depend on information that is reliable and trustworthy, and promotes unbiased conduct during federal law enforcement and intelligence activities.

**Read more:** Guidance for Federal Law Enforcement Agencies Regarding the Use of Race, Ethnicity, Gender, National Origin, Religion, Sexual Orientation, Gender Identity, and Disability | Homeland Security (dhs.gov)

## CRCL Hosts Stakeholder Listening Session on Artificial Intelligence and Equity

This month, CRCL hosted a national listening session to gain meaningful insight from community and industry leaders on the equitable use of artificial intelligence (AI) technology. The ultimate goal is to use AI in a way that supports development of the 2024 DHS Equity Plan, as aligned with Executive Order 14091 to advance racial equity in underserved communities, and in CRCL's lead role to implement the executive order across DHS. The executive order specifically highlights commitments regarding AI, which includes rooting out bias in its design and use and ensuring that civil rights and civil liberties protections are integrated into use and systems.

The engagement involved an open dialogue that focused on: using AI to positively impact communities; measuring and tracking AI use to minimize harm and mitigate unintended outcomes; and overall performance oversight. Attendees included representatives from non-governmental organizations, AI and tech industries, and state government. Officials from several DHS Components and mission areas also attended, including U.S. Coast Guard (USCG), Cybersecurity and Infrastructure Security Agency (CISA), U.S. Customs and Border Protection (CBP), the DHS Privacy Office, DHS Science and Technology Directorate, and Transportation Security Administration (TSA).

#### CRCL Officer Shoba Sivaprasad Wadhia Travels Across the Country

In the first few months of her tenure, our new CRCL Officer Shoba Sivaprasad Wadhia has traveled across the country sharing the Department's mission to secure the homeland while protecting civil rights and civil liberties of all that we serve and encounter. Last month, Officer Wadhia traveled with Deputy Secretary John Tien to Louisville, Kentucky where they visited a CBP inspection facility, and received briefings from CBP, U.S. Immigration and Customs Enforcement Homeland Security Investigations, TSA, USCG, and United Parcel Service. While in Louisville, she also attended the Regional Secretary's Awards, hosted by Deputy Secretary Tien, with other DHS senior officials also in attendance. During this trip, CRCL Officer Wadhia interacted with all eight DHS Components.

Officer Wadhia, along with CRCL Deputy Officer Veronica Venture and other CRCL staff, also participated in a tour of the U.S. Secret Services' (USSS) James J. Rowley Training Center in Laurel, Maryland. The tour, hosted by USSS and CISA, included a briefing



on the two Components' collaborative efforts on operations, including such high-profile events as the Kentucky Derby at Churchill Downs. (*see photo to the right, Officer Wadhia is in the center*)

## **CRCL Meets with Community Stakeholders in Miami**

Last month, CRCL hosted a virtual engagement with south Florida stakeholders to share detailed information on CRCL's complaint investigation process. During the meeting, CRCL also introduced its transparency initiative and the newly launched online complaint portal. The engagement furthered the Department's priority to, "Enhance openness and transparency to build greater trust with the American people and ensure the protection of the privacy, civil rights, civil liberties, and human rights of the communities we serve."

Representatives from eight organizations, including legal service providers, civil rights advocates, and the interfaith community participated in the engagement. CRCL gave an overview of the transparency initiative webpages, which host redacted complaints retention memos, recommendations to DHS Components, close memos, and close summaries. These webpages are continually updated to increase and enhance transparency on civil rights and civil liberties investigation outcomes. An open Q&A session followed the presentations.

## <u>Secretary Mayorkas Brings Together Faith Leaders to</u> <u>Discuss Efforts to Enhance DHS' Work to Protect Houses of Worship</u>

# Faith-Based Security Advisory Council Provides Recommendations on Strengthening Communication and Partnerships

Secretary of Homeland Security Alejandro N. Mayorkas convened a meeting of the Faith-Based Security Advisory Council (FBSAC), reconstituted in September of 2022. At the meeting on Tuesday, June 6, Secretary Mayorkas and Deputy Secretary Tien emphasized the Department's commitment to better supporting faith communities across the country in matters of security and preparedness. FBSAC members presented their recommendations to the entire Council on how DHS can improve information sharing, increase access to DHS grants and resources, and build trust and partnerships with faith-based organizations, leaders, and communities.

"Faith-based institutions are pillars of our communities. They are vital partners in every aspect of the Department's mission," said **Secretary of Homeland Security Alejandro N. Mayorkas**. "I was proud to convene this important group to discuss opportunities for the Department to strengthen our daily work with communities of faith and the public at large. We are grateful for the recommendations the Council offered, and for its members' continued service to our country. I look forward to continuing to work together to ensure a safe, secure, and resilient America for all."

**Read more**: Secretary Mayorkas Brings Together Faith Leaders to Discuss Efforts to Enhance DHS's Work to Protect Houses of Worship

## **Fact Sheet: New Actions to Protect LGBQTI+ Communities**

In celebration of Pride Month, the Biden-Harris Administration announced new actions to protect LGBTQI+ communities from attacks on their rights and safety. These actions focus on three areas to:

- Protect LGBTQI+ communities from attacks on their rights and safety by launching a new LGBTQI+ Community Safety Partnership and announcing that the Assistant Attorney General of the Civil Rights Division of the Justice Department will serve as the Department's liaison to the LGBTQI+ community on issues related to protecting the rights of the community.
- Support LGBQI+ kids so they can thrive by strengthening mental health resources for LGBTQI+ youth, launching a new federal initiative to address LGBTQI+ youth homelessness, releasing federal funding to support programs that help parents affirm their LGBTQI+ kids, and advancing new regulations to protect LGBTQI+ youth in foster care.
- Shield LGBTQI+ Americans from book bans that threaten their rights by announcing that the Department of Education will appoint a new coordinator to address the growing threat that book bans pose for the civil rights of students.

The Department also celebrated Pride Month by hosting an observance program for the workforce that featured a panel of LGBTQI+ staff sharing their personal and professional experiences. Also members of DHS Pride, the agency's LGBTQI+ employee affinity group, proudly participated in Washington, DC's annual Capital Pride parade and New York City's Pride parade.

**Read more:** FACT SHEET: Biden-Harris Administration Announces New Actions to Protect LGBTQI+ Communities | The White House

## <u>DHS Announces Distribution of More Than \$290 Million</u> in Congressional Funding for Communities Receiving Migrants

DHS, through the Federal Emergency Management Agency (FEMA) and CBP, will publish a funding notice under the new Shelter and Services Program (SSP) for more than \$290 million to 34 non-federal entities for temporary shelter and other eligible expenditures for migrants who have been processed and provisionally released from DHS custody while awaiting the outcome of their immigration proceedings. An additional \$73 million will be made available later this summer.

Since passage of the Consolidated Appropriations Act of 2023, the Emergency Food and Shelter Program (EFSP) National Board has allocated more than \$400 million to support communities receiving migrants across the country, including \$332.5 million announced on May 5, 2023 to 35 entities and \$75 million awarded by the National Board in December 2022. Supporting communities is a critical component of DHS' efforts to manage encounters at the Southwest Border in a safe, orderly, and human manner. Previous rounds of funding focused primarily on the needs of border communities, and this round increased funding for interior cities receiving migrants while maintaining a significant percentage for border communities.

DHS recognizes the needs of communities may change and therefore has reserved \$73 million for distributions later this summer. For more information on the new Shelter and Services Program, visit: <a href="https://www.fema.gov/grants/preparedness/shelter-services-program">https://www.fema.gov/grants/preparedness/shelter-services-program</a>.

#### **U.S. National Strategy to Counter Antisemitism**

Last month, the Biden-Harris Administration released the first-ever <u>U.S. National Strategy to Counter Antisemitism</u>. This strategy includes more than 100 new actions the Administration will take to raise awareness of antisemitism and its threat to American democracy, protect Jewish communities, reverse the normalization of antisemitism, and build cross-community solidarity.

As the leading government agency in combating targeted violence, DHS has already taken steps to protect Jewish-Americans and Jewish-American institutions and will continue to do so. The Department will employ a wide range of activities to integrate the four pillars outlined in the national strategy. CRCL will lead one of these actions, which involves the development of a fact sheet explaining that Title VI of the 1964 Civil Rights Act prohibits discrimination based on shared ancestry or ethnic characteristics, including certain forms of antisemitic, Islamophobic, and related forms of discrimination and bias, in federally funded programs and activities. As well, last month DHS and DOJ jointly issued a resource guide, "Protecting Places of Worship: Six Steps to Enhance Security Against Targeted Violence."

**Read more:** FACT SHEET: Biden-Harris Administration Releases First-Ever U.S. National Strategy to Counter Antisemitism | The White House

## CRCL on the Road, June

June 14 – Boston, Massachusetts
CRCL attended the quarterly meeting of Federal, state, and local government partners, convened by the DHS Center for Prevention Programs and Partnerships.

June 15 – Gainesville, Florida (virtual) CRCL met with the University of Florida's Immigration Clinic to share DHS resources and respond to their civil rights and civil liberties questions and concerns.

\* CRCL's Community Engagement team has resumed and expanded in-person engagement with diverse communities. We are also continuing virtual, hybrid, and in-person meetings 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: <a href="mailto:CommunityEngagement@hq.dhs.gov">CommunityEngagement@hq.dhs.gov</a>. 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 <a href="mailto:crcloutreach@dhs.gov">crcloutreach@dhs.gov</a>. For more information, including how to make a civil rights or civil liberties complaint about DHS activities, visit: <a href="https://www.dhs.gov/crcl">www.dhs.gov/crcl</a>.

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