



FACT SHEET

Protecting Individuals from Discrimination Based on Actual or Perceived Shared Ancestry or Ethnic Characteristics

The U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (DHS CRCL) and the Federal Emergency Management Agency Office of Equal Rights (FEMA OER) enforce Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d, *et seq.*, and its implementing regulations, 6 C.F.R. Part 21 and 44 C.F.R. Part 7 (Title VI). Title VI prohibits recipients of federal financial assistance from discriminating against individuals on the basis of race, color, or national origin in the recipients' federally funded programs and activities. This fact sheet describes ways Title VI covers individuals who identify as or are perceived to be Buddhist, Christian, Hindu, Jewish, Muslim, Sikh, or part of any other religious group.¹

Title VI's protection from discrimination:

1. Title VI's protection from race, color, or national origin discrimination extends to individuals who experience discrimination, including harassment, based on their actual or perceived: (i) shared ancestry or ethnic characteristics; or (ii) citizenship or residency in a country with a dominant religion or distinct religious identity.
2. Title VI prohibits discrimination based on race, color, or national origin against individuals of any religion, including those who are Buddhist, Christian, Hindu, Jewish, Muslim, Sikh, or who belong to any other religious faith. Some examples of such discrimination may involve or be based upon:
 - racial, ethnic, or ancestral slurs or stereotypes;
 - physical appearance, including skin color, physical features, or style of dress reflecting both ethnic and religious traditions;
 - speaking a language other than English or with a particular foreign accent or oral expression; or
 - having a name commonly associated with a particular shared ancestry or ethnicity.
3. Because Title VI does not protect individuals from religious discrimination, DHS takes the following steps upon receiving complaints based exclusively on religious discrimination in federally assisted programs and activities:²
 - DHS CRCL and/or FEMA OER reviews the complaint and determines whether other DHS legal authorities apply;³
 - if not, DHS coordinates with the U.S. Department of Justice (DOJ) on whether DOJ or another federal agency has jurisdiction.



Examples of incidents that could, depending upon individual facts and circumstances, raise Title VI concerns include:⁴

- A Jewish student attends an introductory citizenship preparation class at a community institution that is funded by U.S. Citizenship and Immigration Services (USCIS). The instructor comments on the student's name, makes a derogatory remark about Jewish people, and tells the student that they might feel more comfortable in a class with more Israeli immigrants.
- After a recent hurricane damaged their home, a Sikh family goes to a local emergency shelter run by a non-profit organization receiving funding from FEMA. Shortly after arrival, shelter staff ask the family to leave, telling them people overheard their accent and are uncomfortable with their presence. The Sikh family overhears that because of their appearance, including their clothing, and communication with each other in a language other than English, they "appear to be threatening" and could be a safety risk.
- A foreign student who is a member of a renowned debate team at a university wears a traditional headscarf. She reports to the faculty head of the debate team that other students on the debate team have harassed her, called her derogatory names, put threatening notes on her debate binder, and told her she must either quit the team or not wear her headscarf because it will "be distracting for the judges" or "make her seem too foreign." The faculty member shrugs it off and takes no steps to address the issue and the student decides to quit debate. The university receives funding from DHS for its Science and Technology research programs.

What can a person do if they believe they have experienced discrimination based on shared ancestry or ethnic characteristics?

Anyone who believes that they have been discriminated against can file a complaint of discrimination with DHS CRCL. To file a complaint, visit <https://www.dhs.gov/file-civil-rights-complaint>. Complaints involving recipients of FEMA funding may also be filed with FEMA OER. To file a complaint with FEMA OER, visit <https://www.fema.gov/about/offices/equal-rights/civil-rights#Complaints>.

Additional Resources

If you have any questions or would like technical assistance, please visit DHS CRCL's website: <http://www.dhs.gov/CRCL>. You may contact us at crcl@hq.dhs.gov. You may also contact FEMA OER at FEMA-CivilRightsOffice@fema.dhs.gov.

For language services, including written translation or oral interpretation of a publicly available DHS CRCL document, or to request documents in alternate formats such as Braille or large print, please contact us at crcl@hq.dhs.gov.

Please note this resource does not have the force and effect of law. DHS's enforcement of Title VI stems from Title VI and its implementing regulations.



¹ While Title VI does not prohibit religious discrimination, several other legal authorities do prohibit recipients of DHS federal financial assistance from discriminating against individuals on the basis of religion. These include:

- Section 308 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), 42 U.S.C. § 5151, and Section 309 of the Stafford Act, 42 U.S.C. § 5152, which prohibit discrimination based on race, color, religion, nationality, sex, age, disability, English proficiency, or economic status in disaster response or recovery efforts. FEMA OER enforces violations of the Stafford Act and is responsible for conducting reviews of recipient and subrecipient programs to determine whether recipients are complying with applicable civil rights legal authorities.
- DHS regulation 6 C.F.R. Part 19 entitled “Nondiscrimination in matters pertaining to Faith-Based Organizations” states that organizations receiving financial assistance from DHS for social service programs shall not, in providing services or in outreach activities related to such services, favor or discriminate against a beneficiary of said program or activity on the basis of religion or religious belief, a refusal to hold a religious belief, or a refusal to attend or participate in a religious practice; and generally requires recipients to provide certain protections to their beneficiaries. DHS enforces violations of this regulation and is authorized to receive complaints and conduct investigations.

² Section 705 of The Homeland Security Act of 2002 (as amended), 6 U.S.C. §345, authorizes DHS CRCL to investigate complaints, including reviewing allegations of discrimination and profiling on the basis of religion, in DHS’s own programs and activities.

³ See endnote 2 for DHS legal authorities that may apply to such complaints.

⁴ While these are examples of situations that could give rise to allegations of violations of Title VI on the basis of race, color, or national origin, as mentioned in endnote 2, each of these cases, depending on the individual facts and circumstances, may also be a violation of other DHS or federal legal authorities, including but not limited to the Stafford Act and DHS regulation 6 C.F.R. Part 19.