

Office for Civil Rights and Civil Liberties Newsletter Vol. 14, #6 | March 2024

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.



DHS Releases First-Ever Indigenous Languages Plan to Strengthen Languages Access

Accomplishments and Activities for Strengthening Language Access for Indigenous Persons of Latin America in DHS Programs and Activities

En español

The U.S. Department of Homeland Security (DHS) recently announced the release of its first-ever <u>Indigenous Languages Plan</u>, furthering the Department's commitment to language access in our service to millions of people every day. The plan strengthens language access for speakers of Indigenous languages of Latin America in DHS programs, activities, and operations.

The Indigenous Languages Plan complements the <u>Department's Updated Language Access Plan</u> released in November 2023, which identifies Department-wide goals and strategies to provide meaningful access for individuals with limited English proficiency.

CRCL led the development of the Indigenous Languages Plan in coordination with DHS agencies and offices after a series of engagements with Indigenous migrant leaders to better understand their concerns and interests. As part of this effort, CRCL also worked to identify language access considerations for women and girls in support of DHS goals to advance gender equity.



CRCL Officer Shoba Sivaprasad Wadhia speaks about the Department's
Indigenous Languages Plan

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The Indigenous Languages Plan also highlights several existing DHS initiatives to improve language access for Indigenous language speakers. For example, the Federal Emergency Management Agency (FEMA) procured over-the-phone interpretation services in indigenous languages during the COVID response, multi-state Hurricane Ida response and recovery operations, and response to tornadoes that occurred in Kentucky. The interpretation services continue to be made available to FEMA staff in the field and shared with interagency, state, and local government and NGO/voluntary agency partners.

The plan also includes actions DHS will take to improve language access work in this area, including:

- Strengthening engagement with Indigenous communities to deepen channels of communication between communities and DHS personnel.
- Reviewing existing data systems to support capturing and tracking of language data.
- Developing training for DHS personnel and grant recipients about Indigenous languages and cultures.
- Increasing access to vital documents through recorded messages in the most frequently encountered indigenous languages.
- Addressing barriers to access to qualified Indigenous language interpreters.
- Increasing language monitoring and compliance activities related to Indigenous languages.

This language access work is part of CRCL's efforts to ensure compliance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, (August 11, 2000), which requires that agencies provide meaningful access to its programs, services, and activities to persons with limited English proficiency. Learn more about the Department's Language Access work.

DHS Celebrates Women's History Month with SOPDDS Kristie Canegallo

This month, CRCL hosted its annual Department-wide event to observe Women's History Month last Tuesday. This year's theme, *Celebrating Women Who Advocate for Equity, Diversity, and Inclusion*, recognized the unique perspectives and experiences women bring to the table – experiences helping to drive change in organizations, and ultimately, in society. The event opened with welcome remarks from CRCL Officer Shoba Sivaprasad Wadhia, who also introduced the keynote speaker, Senior Official Performing the Duties of the Deputy Secretary Kristie Canegallo.



DHS SOPDDS Kristie Canegallo moderates fireside chat with DHS women leaders

"When Secretary Mayorkas asked me to come back to the government to serve with all of you at the Department, one of the reasons that I was so excited about the opportunity was the extraordinary impact that a representative DHS could make," said SOPDDS Canegallo. "DHS interacts with more Americans every day than any other department, and many of threats that DHS works to mitigate impact women in unique ways, from human trafficking, to domestic terrorism, to online exploitation. Having women at the table and having women in the field leads to better outcomes for the communities we serve, and for the safety and security of our country."

Following her keynote remarks, SOPDDS Canegallo moderated an intimate fireside chat with women leaders from across the Department: E. Darlene Bullock, Executive Director, DHS Office of Small and Disadvantaged Business Utilization; Nancy Dragani, Region 8 Administrator, Federal Emergency Management Agency; Anne Marie Highsmith, Executive Assistant Commissioner, Office of Trade, U.S. Customs and Border Protection; and Dr. Gerri Alston-Meggett, Deputy Chief Information Officer, U.S. Secret Service. The panelists spoke about their personal and professional experiences being women leaders in national security, including the progress they have made together to challenge the status quo and build an inclusive and welcoming environment at DHS.

CRCL Deputy Officer Veronica Venture provided closing remarks, thanking all the participants for sharing their experiences as women leaders at DHS. Ms. Venture further reflected on how women who advocate for equity, diversity, and inclusion are challenging policies and practices that disadvantage segments of our society every day—and that even small acts can bring about change for generations to come.

CRCL's Marks First Anniversary of Online Complaint Portal

This month, CRCL recognized the first anniversary of the launch of our <u>online complaint portal</u>. Through the portal, members of the public may submit allegations about possible violations of civil rights, civil liberties, or human rights by DHS programs, activities, personnel, or contractors. The online portal is a one-stop-shop, offered in ten languages, to submit allegations and other pertinent information related to interactions with DHS. Through the portal, individuals can conveniently submit information about their allegations (including attachments) directly to CRCL and automatically receive a confirmation message and reference number. The portal also provides easy access for mobile device and tablet users. Additionally, the portal helps streamline CRCL's intake and review of allegations. In its first year, approximately 1,400 allegations were submitted via the portal.

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, CRCL reviews and investigates allegations filed by the public about possible violations of civil rights and civil liberties related to DHS. Learn more about CRCL's complaint portal or find other ways to submit a civil rights complaint with CRCL.

CRCL Hosts Listening Session on the 2023 Update to the DHS Equity Action Plan

CRCL recently held a virtual national stakeholder engagement to seek feedback on the 2023 Update to the DHS Equity Action Plan. The updated plan, released in February 2024, builds on the progress made in DHS's 2022 inaugural plan to further embed equity at the center of the Department's mission. The 2023 Update highlights DHS's accomplishments over the past three years and identifies nine focus areas to comprehensively advance equity across the Department's policies, programs, and operations.

The listening session brought together nearly 120 stakeholders to provide feedback on the DHS Equity Action Plan. CRCL Officer Shoba Sivaprasad Wadhia welcomed participants and provided an overview of the focus areas of the 2023 Update, which were selected based on feedback from external stakeholders representing underserved communities. CRCL Deputy Officer Veronica Venture then shared highlights on recent achievements made toward advancing equity across the Department including:

- Deploying the Transportation Security Administration's (TSA) new software to over 1,000 Advanced Imaging Technology (AIT) screening systems at airports across the country: Updates to the software algorithm eliminate the need for security officers to determine a passenger's gender prior to AIT screening, enhance accuracy, and significantly reduce false alarms and pat downs for all passengers. It is projected to reduce instances of enhanced screening for members of underserved communities.
- Updating medical certification for disability exceptions and related policy guidance: Applicants for naturalization with a physical or developmental disability or mental impairment may request an exception to the English and civics testing requirements for naturalization. This form and policy update streamlines the process for applicants to claim and substantiate a disability by eliminating unnecessary and duplicative questions.
- Strengthening our language access programs: DHS recently released the DHS Updated Language Access Plan in November 2023 and the first-ever DHS Updated Languages Plan in March 2024. This plan strengthens language access for speakers of indigenous languages of Latin America in DHS programs, activities, and operations. This language access work is part of CRCL's efforts to ensure compliance with Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, which requires that agencies provide meaningful access to its programs, services, and activities to persons with limited English proficiency.

Participants then moved into virtual breakout sessions to offer feedback on the following topical areas:

- USCIS: Naturalization & Humanitarian: discussion focused on reducing barriers to citizenship and naturalization through continued evaluation of programs, policies, and outreach opportunities advancing equity for persons seeking humanitarian protection during immigration processing.
- Artificial Intelligence Technology: discussion focused on ensuring the responsible use of AI technologies to protect individuals' privacy, civil rights, and civil liberties to advance equity for the public we serve.
- Targeted Violence: discussion focused on countering targeted violence through a public health-informed approach.
- Screening Activities: discussion focused on advancing equity in DHS's screening activities at airport checkpoints and ports of entry through updates to training and enhanced technologies.
- **Tribal Nations:** discussion focused on advancing equity and ensuring appropriate consideration and representation in the Department's work for the 574 federally recognized Tribal Nations.
- **FEMA:** discussion focused on strategies and initiatives aimed at advancing equity through planned updates to the FEMA Individual Assistance Program as well as through Community Disaster Resilience Zones.

CRCL is dedicated to ensuring continued engagement with its stakeholders on the Department's Equity Action Plan. The feedback shared during the listening session will inform DHS's equity-related priorities in the months ahead. To continue the conversation, please reach out to communityengagement@hq.dhs.gov.

Read more about advancing equity at DHS.

CRCL Participates in Briefing on Federal Use of Facial Recognition Technology

This month, CRCL Deputy Officer Peter Mina participated in a public briefing on the civil rights implications of the federal use of facial recognition technology to the U.S. Commission on Civil Rights (USCCR). Mr. Mina was joined by DHS colleagues from the Science and Technology Directorate, U.S. Customs and Border Protection (CBP), and TSA who also provided briefings on the topic. The USCCR held the briefing to analyze how facial recognition technology is developed, its utilization by federal agencies, emerging civil rights concerns, and safeguards the federal government is implementing to mitigate potential civil rights issues. During his remarks, Mr. Mina discussed the various uses of biometrics across the Department and provided indepth information on the policies and procedures DHS has implemented to ensure that the Department's use of this technology is free from discrimination and is in full compliance with the law. He shared that CRCL collaborates closely with DHS partners to ensure technologies are being employed responsibly, noting that it is critical to get it right from the beginning to protect the rights of the millions we serve each day.



CRCL Deputy Officer Peter Mina pictured with USCCR Commissioners and DHS partners at the USCCR briefing

<u>DHS Unveils Artificial Intelligence Roadmap, Announces Pilot Projects to Maximize</u> Benefits of Technology, Advance Homeland Security Mission

Release Date: March 18, 2024

DHS Will Launch Three Pilot Projects to Test AI Technology to Enhance Immigration Officer Training, Help Communities Build Resilience and Reduce Burden for Applying for Disaster Relief Grants, and Improve Efficiency of Law Enforcement Investigations

This month, Secretary of Homeland Security Alejandro N. Mayorkas and Chief Information Officer and Chief Artificial Intelligence Officer Eric Hysen announced DHS's first "Artificial Intelligence Roadmap." The roadmap details DHS's 2024 plans, including to test uses of the technologies that deliver meaningful benefits to the American public and advance homeland security, while ensuring that individuals' privacy, civil rights, and civil liberties are protected.

As part of the roadmap, DHS announced three innovative pilot projects that will deploy AI in specific mission areas. Homeland Security Investigations (HSI) will test AI to enhance investigative processes focused on detecting fentanyl and increasing efficiency of investigations related to combatting child sexual exploitation. FEMA will deploy AI to help communities plan for and develop hazard mitigation plans to build resilience and minimize risks. United States Citizenship and Immigration Services (USCIS) will use AI to improve immigration officer training.

"The unprecedented speed and potential of AI's development and adoption presents both enormous opportunities to advance our mission and risks we must mitigate," said Secretary of Homeland Security Alejandro N. Mayorkas. "The DHS AI roadmap and pilots will guide our efforts this year to strengthen our national security, improve our operations, and provide more efficient services to the American people, while upholding our commitment to protect civil rights, civil liberties, and privacy. What we learn from the pilot projects will be beneficial in shaping how the Department can effectively and responsibly use AI across the homeland security enterprise moving forward."

The roadmap lays out DHS's initiatives in AI, describes the potential of AI technologies across the Department, and offers clearer visibility into the Department's approach to AI, while underscoring the Department's commitment to responsible utilization.

The AI roadmap outlines three lines of effort DHS is using to guide its work:

- Responsibly leverage AI to advance Homeland Security missions while protecting individuals' privacy, civil rights, and civil liberties DHS is committed to ensuring that its use of AI fully respects privacy, civil liberties, and civil rights, is rigorously tested to avoid bias, disparate impact, privacy harms, and other risks, and that it is understandable to the people we serve.
- **Promote Nationwide AI Safety and Security** Advances in AI will revolutionize the delivery of essential goods and services upon which Americans rely. AI can create tremendous efficiencies and benefits for citizens, but it can also present new and novel risks. To protect U.S. cyber networks and critical infrastructure, DHS will help govern the safe and responsible development and use of AI.
- Continue to lead in AI through strong cohesive partnerships DHS will foster strong relationships with private sector, academia, State, Local, Territorial, and Tribal governments, international partners, non-government organizations, research institutions, and thought leaders to accelerate the development and deployment of AI solutions tailored to the unique challenges faced by the DHS. In line with the DHS's commitment to transparency and visibility into the Department's vision for AI and to ensuring responsible use, DHS will continue to share information and engage with communities, advocates, and partners to demonstrate responsible AI use.

To read the entire announcement, visit <u>DHS Unveils AI Roadmap</u>.

To read the DHS AI Roadmap, visit <u>the DHS Artificial Intelligence Roadmap webpage</u>.

To learn more about how DHS uses AI technologies to protect the homeland, <u>visit Artificial Intelligence at DHS</u>.

DHS Recognizes International Day to Combat Islamophobia, March 15

On International Day to Combat Islamophobia, we stand committed to combatting ignorance and fear by embracing diverse faiths and backgrounds—a cornerstone of the vibrant cultural landscape of our nation. We remain dedicated to ensuring each of our citizens rights are protected.



<u>Secretary Mayorkas Announces Extension and Redesignation of Burma (Myanmar) for</u> Temporary Protected Status

Release Date: March 22, 2024

Secretary of Homeland Security Alejandro N. Mayorkas recently announced the extension and redesignation of Burma for Temporary Protected Status for 18 months, from May 26, 2024, to November 25, 2025, due to extraordinary and temporary conditions in Burma that prevent individuals from safely returning. The corresponding Federal Register notice provides information about how to register as a new first-time applicant or current beneficiary for TPS under Burma's extension and redesignation

Read the entire announcement here: <u>Secretary Mayorkas Announces Extension and Redesignation of Burma</u> (Myanmar) for Temporary Protected Status.

<u>DHS Joins Federal Agencies to Restore Protections for Beneficiaries of Federally Funded</u> Social Services

Release Date: March 1, 2024

This month, nine federal agencies are further advancing President Biden's call for religious freedom and equity for all by <u>finalizing a rule</u> that restores important religious liberty protections for beneficiaries of federally funded social services, such as job training and job search assistance, academic enrichment opportunities, and housing services. These protections were rescinded by the previous Administration.

The United States Departments of Health and Human Services, Agriculture, Education, Homeland Security, Housing and Urban Development, Justice, Labor, and Veterans Affairs, and the United States Agency for International Development issued this new rule. The rule will protect beneficiaries by taking steps such as:

- Requiring federal grantees that administer social service programs within the United States to notify beneficiaries of their right to be free from discrimination on the basis of religion and providing a model notice for providers' use.
- Making clear that all covered social service programs both those supported by vouchers and by grants may not discriminate against beneficiaries on the basis of their religion.
- Encouraging governmental agencies that fund domestic programs to help beneficiaries identify alternative federally funded service providers in their area, including providers that are more compatible with their beliefs.

To read the entire announcement, visit: <u>Biden-Harris Administration Restores Important Protections for Beneficiaries of Federally Funded Social Services.</u>

DHS and DOJ Meet with Community Leaders

Last month, CRCL Officer Shoba Sivaprasad Wadhia and Department of Justice (DOJ) Assistant Attorney General for Civil Rights Kristen Clarke co-hosted the regular quarterly meeting between federal interagency civil rights divisions and Muslim, Arab, Sikh, South Asian, and Hindu (MASSAH) community stakeholders. CBP and USCIS also represented DHS. During the meeting, participants raised several topics for discussion including acts of hate and threats to communities and places of worship, impacts of targeted violence on institutions and communities, alleged incidents of racial profiling, and combating Islamophobia and other forms of discrimination in schools and universities. Officer Wadhia shared updates on CRCL's ongoing work strengthening safeguards against discrimination pursuant to Title VI of Civil Rights Act; developing policies for the responsible use of Artificial Intelligence; and strengthening language access, including for speakers of Indigenous Languages of Latin America

CRCL Officer Meets with U.S. Department of State Ambassador Gupta

Last month, CRCL Officer Shoba Sivaprasad Wadhia met with the U.S. Department of State's Ambassador Geeta Rao Gupta. Ambassador Gupta is the fourth Ambassador-at-Large for the Secretary's Office of Global Women's Issues at the Department of State to address issues that women and girls face globally due to conflict.

During the meeting, the two leaders discussed shared interest in combatting Gender Based Violence (GBV) at U.S. borders, domestic and global GBV activities, and work being done at DHS to address gender needs involving immigration issues, combatting terrorism, and increasing women in law enforcement. Officer



Ambassador Gupta pictured with Officer Sivaprasad Wadhia and Deputy Officer Veronica Venture along with staff

Wadhia highlighted DHS initiatives supporting the Women, Peace, and Security (WPS) Act, including expanding access to humanitarian protection for survivors of gender-based violence. She also shared updates on work happening in the Violence Against Women Act (VAWA) space. Officer Sivaprasad Wadhia also discussed the release of the DHS Indigenous Language Access Plan and how it will advance WPS goals.

DHS sits at the nexus of both domestic and international peace and national security efforts. These meetings are a culmination of WPS interagency coordination efforts. DHS is in the process of developing the 2024 Implementation Plan to fulfill statutory obligations to the WPS Act, as well as respond to the 2023 U.S. Women, Peace and Security Strategy and National Action Plan.

Read more about WPS at DHS here: U.S. Strategy on Women, Peace, and Security

DHS Chief Privacy Officer Joins CRCL All-Staff Meeting

CRCL extends a warm thank you to DHS Chief Privacy Officer Mason C. Clutter for joining our recent all-staff meeting. CRCL Officer Shoba Sivaprasad Wadhia spoke with Ms. Clutter during a fireside chat, during which the two leaders shared their perspectives on the critical privacy and civil rights work happening across the Department each and every day. Ms. Clutter spoke about her professional experiences before taking on the role of Chief Privacy Officer and Chief FOIA Officer. During their discussion, Ms. Clutter underscored the importance of partnership and collaboration among all DHS entities to ensure the principles of privacy are embedded into the Department's wide-ranging missions.



CRCL Officer Sivaprasad Wadhia and Chief Privacy Officer Clutter during fireside chat

CRCL on the Road, March*

New Orleans, Louisiana
On March 13-14, CRCL conducted engagements with diverse stakeholders in New Orleans, LA.

Denver, Colorado On March 25-27, CRCL conducted engagements with diverse stakeholders in Denver, CO. Austin and San Antonio, Texas On March 19-21, CRCL conducted engagements with diverse stakeholders in Austin and San Antonio, TX.

*CRCL's Community Engagement team conducts in-person, virtual, and hybrid engagements 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.

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@hq.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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