Department of Homeland Security

Office for Civil Rights and Civil Liberties

Fiscal Year 2014 Annual Report to Congress

July 28, 2015

Homeland Security

Foreword

In accordance with 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, I am pleased to present this Report to Congress on the Department of Homeland Security Office for Civil Rights and Civil Liberties: Fiscal Year 2014.

Pursuant to Congressional requirements, this Report is being provided to the following Members of Congress:

The Honorable Joseph R. Biden
President of the Senate

The Honorable Thad Cochran
Chairman, U.S. Senate Committee on Appropriations

The Honorable Barbara Mikulski
Vice Chairwoman, U.S. Senate Committee on Appropriations

The Honorable Ron Johnson
Chairman, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Thomas R. Carper
Ranking Member, U.S. Senate Committee on Homeland Security and Governmental Affairs

The Honorable Richard Burr
Chairman, U.S. Senate Select Committee on Intelligence

The Honorable Dianne Feinstein
Vice Chairman, U.S. Senate Select Committee on Intelligence

The Honorable Charles Grassley
Chairman, U.S. Senate Committee on the Judiciary

The Honorable Patrick J. Leahy
Ranking Member, U.S. Senate Committee on the Judiciary

The Honorable John Boehner
Speaker of the House, U.S. House of Representatives

The Honorable Hal Rogers
Chairman, U.S. House of Representatives Committee on Appropriations

The Honorable Nita M. Lowey
Ranking Member, U.S. House of Representatives Committee on Appropriations

The Honorable Michael McCaul
Chairman, U.S. House of Representatives Committee on Homeland Security

The Honorable Bennie G. Thompson
Ranking Member, U.S. House of Representatives Committee on Homeland Security

The Honorable Devin Nunes
Chairman, U.S. House of Representatives Permanent Select Committee on Intelligence

The Honorable Adam Schiff
Ranking Member, U.S. House of Representatives Permanent Select Committee on Intelligence

The Honorable Bob Goodlatte
Chairman, U.S. House of Representatives Committee on the Judiciary

The Honorable John Conyers, Jr.
Ranking Member, U.S. House of Representatives Committee on the Judiciary

The Honorable Jason Chaffetz
Chairman, U.S. House of Representatives Committee on Oversight and Government Reform

The Honorable Elijah E. Cummings
Ranking Member, U.S. House of Representatives Committee on Oversight and Government Reform

Inquiries relating to this Report may be directed to the Office for Civil Rights and Civil Liberties (CRCL) at 866-644-8360 (TTY 866-644-8361) or crcl@hq.dhs.gov. This Report and other information about CRCL are available at www.dhs.gov/crcl.

Sincerely,

Jeh Charles Johnson

Message from the Officer, Megan H. Mack

It is my honor to serve as Officer for Civil Rights and Civil Liberties at the Department of Homeland Security (DHS). The Office for Civil Rights and Civil Liberties is unique in being the first civil rights oversight office established within a Federal Government agency. Since the Department's inception in 2003, CRCL has worked to make the Nation more secure while integrating the core principles of our constitutional rights and liberties—freedom, fairness, and equality under the law—into DHS programs and activities.

I am pleased to present this Annual Report detailing CRCL's priorities and activities in Fiscal Year (FY) 2014, which focused on alignment with the Department's missions: Preventing Terrorism and Enhancing Security; Securing and Managing Our Borders; Enforcing and Administering Our Immigration Laws; Safeguarding and Securing Cyberspace; and Ensuring Resilience to Disasters.

We are proud of the work that we've accomplished throughout FY 2014. As you will see from the highlights and key accomplishments outlined in this Report, CRCL has worked diligently to ensure civil rights and civil liberties protections through community engagement, complaints investigations, training, and a host of other civil rights programs and activities.

More information about CRCL is available at www.dhs.gov/crcl. Please direct inquiries regarding this Report to crcl@dhs.gov or call us at 866-644-8360 (TTY 866-644-8361).

Respectfully submitted,

Megan H. Mack
Officer for Civil Rights and Civil Liberties
U.S. Department of Homeland Security

Executive Summary

In response to Congressional requirements, this Annual Report details CRCL's priorities and activities in FY 2014. CRCL's activities focused on alignment with the Department's missions: Preventing Terrorism and Enhancing Security; Securing and Managing Our Borders; Enforcing and Administering Our Immigration Laws; Safeguarding and Securing Cyberspace; and Ensuring Resilience to Disasters.

Highlights of CRCL's key accomplishments during FY 2014 include:

- Implementing confidentiality provisions in accordance with the Violence Against Women Reauthorization Act of 2013;
- Responding to the influx of unaccompanied children;
- Continuing efforts to counter violent extremism (CVE) through public outreach and community engagement;
- Recognizing and honoring women leaders during Women's History Month;
- Commemorating the 50th Anniversary of the Civil Rights Act across the Department;
- Developing a government-wide course for employing individuals with disabilities; and
- Completing the final phase of the Section 508 Trusted Tester training.

These efforts continue to reflect DHS's dedication to securing the country while protecting our freedoms, including core civil rights values of liberty, fairness, and equality under the law.

DHS Office for Civil Rights and Civil Liberties Annual Report FY 2014

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I. Legislative Language

6 U.S.C. § 345. Establishment of Officer for Civil Rights and Civil Liberties.

Homeland Security Act of 2002 (HSA), Pub. L. No. 107-296, § 705, 116 Stat. 2135, 2219-20, *amended by* Intelligence Reform and Terrorism Prevention Act of 2004, Pub. L. No. 108-458, §sec. 8303, § 705(a), 118 Stat. 3638, 3867 (amending section 705(a) of the HSA).

(a) In general. The Officer for Civil Rights and Civil Liberties, who shall report directly to the Secretary, shall—

(1) review and assess information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department;

(2) make public through the Internet, radio, television, or newspaper advertisements information on the responsibilities and functions of, and how to contact, the Officer;

(3) assist the Secretary, directorates, and offices of the Department to develop, implement, and periodically review Department policies and procedures to ensure that the protection of civil rights and civil liberties is appropriately incorporated into Department programs and activities;

(4) oversee compliance with constitutional, statutory, regulatory, policy, and other requirements relating to the civil rights and civil liberties of individuals affected by the programs and activities of the Department;

(5) coordinate with the Privacy Officer to ensure that—

(A) programs, policies, and procedures involving civil rights, civil liberties, and privacy considerations are addressed in an integrated and comprehensive manner; and

(B) Congress receives appropriate reports regarding such programs, policies, and procedures; and

(6) investigate complaints and information indicating possible abuses of civil rights or civil liberties, unless the Inspector General of the Department determines that any such complaint or information should be investigated by the Inspector General.

(b) Report

The Secretary shall submit to the President of the Senate, the Speaker of the House of Representatives, and the appropriate committees and subcommittees of Congress on an annual basis a report on the implementation of this section, including the use of funds appropriated to carry out this section, and detailing any allegations of abuses described under subsection (a)(1) of this section and any actions taken by the Department in response to such allegations.

42 U.S.C. § 2000ee-1. Privacy and Civil Liberties Officers.
Implementing Recommendations of the 9/11 Commission Act of 2007, Pub. L. No. 110-53, sec. 803, § 1062, 121 Stat. 266, 360-362 (amending section 1062 of the National Security Intelligence Reform Act of 2004, Pub. L. No. 108-458, 118 Stat. 3688).

(a) Designation and functions

... [T]he Secretary of Homeland Security ... shall designate not less than 1 senior officer to serve as the principal advisor to—

> **(1)** assist the head of such department, agency, or element and other officials of such department, agency, or element in appropriately considering privacy and civil liberties concerns when such officials are proposing, developing, or implementing laws, regulations, policies, procedures, or guidelines related to efforts to protect the Nation against terrorism;
>
> **(2)** periodically investigate and review department, agency, or element actions, policies, procedures, guidelines, and related laws and their implementation to ensure that such department, agency, or element is adequately considering privacy and civil liberties in its actions;
>
> **(3)** ensure that such department, agency, or element has adequate procedures to receive, investigate, respond to, and redress complaints from individuals who allege such department, agency, or element has violated their privacy or civil liberties; and
>
> **(4)** in providing advice on proposals to retain or enhance a particular governmental power the officer shall consider whether such department, agency, or element has established—
>
> > **(A)** that the need for the power is balanced with the need to protect privacy and civil liberties;
> >
> > **(B)** that there is adequate supervision of the use by such department, agency, or element of the power to ensure protection of privacy and civil liberties; and
> >
> > **(C)** that there are adequate guidelines and oversight to properly confine its use.

(b) Exception to designation authority...

> **(2)** Civil liberties officers
>
> In any department, agency, or element referred to in subsection (a) of this section... which has a statutorily created civil liberties officer, such officer shall perform the functions specified in subsection (a) of this section with respect to civil liberties.

(c) Supervision and coordination

Each privacy officer and civil liberties officer described in subsection (a) or (b) of this section shall—

> **(1)** report to the head of the department...; and
>
> **(2)** coordinate their activities with the Inspector General of such department... to avoid duplication of effort.

(d) Agency cooperation

The head of each department, agency, or element shall ensure that each privacy officer and civil liberties officer—

(1) has the information, material, and resources necessary to fulfill the functions of such officer;

(2) is advised of proposed policy changes;

(3) is consulted by decision makers; and

(4) is given access to material and personnel the officer determines to be necessary to carry out the functions of such officer.

...

(f) Periodic reports

(1) In general

The privacy officers and civil liberties officers of each department, agency, or element referred to or described in subsection (a) or (b) of this section shall periodically, but not less than quarterly, submit a report on the activities of such officers—

(A) **(i)** to the appropriate committees of Congress, including the Committee on the Judiciary of the Senate, the Committee on the Judiciary of the House of Representatives, the Committee on Homeland Security and Governmental Affairs of the Senate, the Committee on Oversight and Government Reform of the House of Representatives, the Select Committee on Intelligence of the Senate, and the Permanent Select Committee on Intelligence of the House of Representatives;

(ii) to the head of such department, agency, or element; and

(iii) to the Privacy and Civil Liberties Oversight Board; and

(B) which shall be in unclassified form to the greatest extent possible, with a classified annex where necessary.

(2) Contents

Each report submitted under paragraph (1) shall include information on the discharge of each of the functions of the officer concerned, including—

(A) information on the number and types of reviews undertaken;

(B) the type of advice provided and the response given to such advice;

(C) the number and nature of the complaints received by the department, agency, or element concerned for alleged violations; and

(D) a summary of the disposition of such complaints, the reviews and inquiries conducted, and the impact of the activities of such officer.

(g) Informing the public

Each privacy officer and civil liberties officer shall—

(1) make the reports of such officer, including reports to Congress, available to the public to the greatest extent that is consistent with the protection of classified information and applicable law; and

(2) otherwise inform the public of the activities of such officer, as appropriate and in a manner consistent with the protection of classified information and applicable law.

(h) Savings clause

Nothing in this section shall be construed to limit or otherwise supplant any other authorities or responsibilities provided by law to privacy officers or civil liberties officers.

II. Background

A. Mission

The Office for Civil Rights and Civil Liberties supports the Department of Homeland Security as it secures the Nation while preserving individual liberty, fairness, and equality under the law.

CRCL integrates civil rights and civil liberties into all of the Department's activities by:

- Promoting respect for civil rights and civil liberties in policy creation and implementation by advising Department leadership and personnel, and state and local partners.
- Communicating with individuals and communities whose civil rights and civil liberties may be affected by Department activities, informing them about policies and avenues of redress, and promoting appropriate attention within the Department to their experiences and concerns.
- Investigating and resolving civil rights and civil liberties complaints filed by the public regarding Department policies or activities, or actions taken by Department personnel.
- Leading the Department's equal employment opportunity (EEO) programs and promoting workforce diversity and merit system principles.

B. Authorities

The authorities under which CRCL supports the Department are embodied in a variety of legal sources, including statutes passed by Congress, executive orders signed by the President, and delegations and directives issued by the Secretary of Homeland Security. Some of those authorities are listed in Appendix A of this Report, and others are posted at www.dhs.gov/crcl.

C. Leadership

On October 23, 2013, **Megan H. Mack** joined the Department as Officer for Civil Rights and Civil Liberties. Prior to her appointment, Ms. Mack was the Director of the American Bar Association Commission on Immigration, a position she held from 2009 to 2013, having also served as Associate Director from 2005 to 2009. Other previous positions include Supervisor of Legal Services for Hogar Hispano, Catholic Charities Diocese of Arlington in Falls Church, Virginia; Litigation Associate at Foley Hoag LLP in Boston; and Law Clerk to Judge Fred I. Parker in the U.S. Court of Appeals for the Second Circuit in Burlington, Vermont.

Tamara Kessler is the Deputy Officer for Programs and Compliance. Prior to her tenure at DHS, Ms. Kessler spent 20 years at the U.S. Department of Justice (DOJ). At DOJ, Ms. Kessler first served as an Assistant U.S. Attorney in Philadelphia; then as a trial attorney in the Criminal Section of the Civil Rights Division; and finally as Investigative Counsel to the Inspector General and Associate Counsel at the Office of Professional Responsibility.

Veronica Venture is the Deputy Officer for EEO and Diversity, and DHS's EEO Director. Ms. Venture first served as a Trial Attorney for the Equal Employment Opportunity Commission, then spent seven years as an Administrative Judge, adjudicating complaints of discrimination brought by federal employees. She has spent her career promoting equal employment in the Federal Government, most recently as the EEO Director for the Federal Bureau of Investigation (FBI) from 2002 to 2011.

D. Organization

Under 6 U.S.C. § 345 and 42 U.S.C. § 2000ee-1, the Officer for Civil Rights and Civil Liberties reports directly to the Secretary. The Officer is supported by two Deputy CRCL Officers: a Deputy Officer for Programs and Compliance and a Deputy Officer for Equal Employment Opportunity and Diversity. CRCL's staff is organized into the Programs and Compliance Division (further subdivided into two Branches, one for Programs and one for Compliance); the EEO and Diversity Division; and the Office of Accessible Systems and Technology (OAST), a joint endeavor with the DHS Office of the Chief Information Officer.

At the close of FY 2014, CRCL had 94 staff and eight contractors on board. Table 1 details the Office's operating budget and staff for each fiscal year since 2004, the first year for which figures remain available.

Table 1: CRCL Operating Budget and Staffing, FY 2004-FY 2014

Fiscal Year	Operating Budget[1]	Federal Staff	Contract Staff
2004	$13,000,000	20	23
2005	$13,000,000	22	34
2006	$12,870,000	34	31
2007	$13,090,495	39	12
2008	$14,200,000	73	7
2009	$19,311,000	80	10
2010	$21,104,000	80	10
2011	$20,367,056	100	3
2012	$22,011,101	99	3
2013	$20,905,443	111	3
2014	$21,360,000	97	8

The following pages provide an overview of major accomplishments in FY 2014, followed by detailed information about each CRCL functional unit's activities during the year.

[1] Operating budget totals are based on the enacted, or revised enacted (where applicable), appropriated funding levels.

III. 2014 Highlights

A. Protecting Confidentiality of Victims

In FY 2014, CRCL led a Department-wide effort, along with the DHS Council on Combatting Violence Against Women, to develop internal Departmental governance documents to implement the confidentiality provisions of 8 U.S.C. §1367, as amended by the Violence Against Women Reauthorization Act of 2013, a provision generally known as "VAWA confidentiality" after its initial inclusion in the Violence Against Women Act of 1994. In September 2013, the Acting Secretary delegated to the CRCL Officer the authority to implement those confidentiality provisions throughout the Department. Throughout FY 2014, CRCL led several implementation efforts, including close collaboration with numerous DHS Components to develop their individualized policies to protect Section 1367 protected information. Staff from CRCL's Immigration and Security, Intelligence, and Information Policy sections led a DHS working group to identify and begin developing additional Departmental governance documents, and to ensure compliance with training mandates on the confidentiality provisions.

B. Unaccompanied Children and Family Units

In the spring and summer of 2014, the U.S. experienced a humanitarian crisis as tens of thousands of unaccompanied children (UAC), also sometimes called unaccompanied alien children, and family groups including children sought to enter through the southwest border. In its role as co-chair of the Department's Unaccompanied Alien Children Working Group, CRCL was centrally involved in planning for the anticipated seasonal increase in those arrivals. That role adjusted when operational considerations demanded closer, day-to-day interagency coordination. At the direction of the President, Secretary Johnson established a Unified Coordination Group to bring to bear all federal assets on the problem, coordinating the work of the Department as well as the Departments of Justice, State, Health and Human Services, and Defense, and the General Services Administration, with Federal Emergency Management Agency (FEMA) Administrator Craig Fugate designated as the Federal Coordinating Official.

CRCL continued to play a role in the Department's response to the influx of unaccompanied children through participation in the Unified Coordination Group, working with other offices on immigration policy to recognize and respect children's and families' civil rights, civil liberties, and access to processes to claim international protection from return to their countries of origin. When, in the summer of 2014, the Department opened two new residential facilities to house recently arrived families, CRCL provided support and civil rights and civil liberties expertise in planning, revising standards for, and oversight of DHS facilities that house the families. CRCL also helped to facilitate and represent the Department at meetings with nongovernmental organizations, contractors, and pro bono providers as needed to field and address concerns related to care and custody of unaccompanied children and detained family units.

The influx of children and families prompted a substantial increase in complaints received regarding Border Patrol apprehension, short-term detention by Border Patrol, and the detention of families with children in the new ICE family residential facilities. In FY 2014, CRCL opened

for investigation 87 new complaints involving children, including opening two complaints concerning family facilities, and closed 12 complaints.

C. Commemorating Women's History Month

In March 2014, CRCL hosted the Department's annual Women's History Month program, where a panel of prominent DHS women leaders discussed experiences that led them to personal and professional success. The theme, "Celebrating Women of Character, Courage, and Commitment," recognized the extraordinary contribution, determination, and tenacity of women throughout the Department. CRCL Officer Megan H. Mack, DHS representative to the White House Council on Women and Girls (CWG), welcomed participants and introduced the keynote speaker, DHS Deputy Secretary Alejandro Mayorkas. The Deputy Secretary emphasized "the responsibility of the Department to ensure that the day comes sooner rather than later when a milestone is not a milestone because of the gender [of] who accomplished it, but rather it is a milestone because of the accomplishment itself."

In addition, as part of the Department's participation on the White House Council on Women and Girls, Secretary Johnson contributed to the CWG's blog with a post focused on the ways that DHS supports women and girls through the homeland security mission. In March, the CWG released a report detailing federal agency accomplishments concerning women and girls. CRCL contributed to this report, highlighting the DHS Blue Campaign to combat human trafficking, the DHS Council on Combatting Violence Against Women, and several other Department efforts in support of women and girls.

Also in March, CRCL featured DHS women employees in science, technology, engineering, and math (STEM) fields on the Department's intranet, DHS Connect. Each week, CRCL highlighted three or four employees who have blazed trails in STEM areas featuring their exciting and notable work.

D. Recognizing the 50th Anniversary of the Civil Rights Act

In July 2014, CRCL hosted a Department-wide event celebrating the 50th anniversary of the passing of the landmark civil rights legislation that has provided a foundation of equality for all members of our society. Leaders from across DHS participated in a panel discussion on the challenges and triumphs of integrating and protecting civil rights at DHS in our post-9/11 world. The well received program featured discussion on a variety of topics including how the government addressed and continues to address backlash against certain communities following the 9/11 attacks, how the Civil Rights Act impacts the day-to-day work of DHS personnel, and what role the Civil Rights Act had in shaping perceptions and career paths for DHS leaders.

E. DHS Disabilities Course Adapted for Government-wide Use

In FY 2014, the Office of Personnel Management (OPM) adapted DHS' training course, "A Roadmap to Success: Employing Individuals with Disabilities." The DHS course was developed as a collaborative effort between the CRCL Institute and Equal Employment Opportunity and Diversity Division. Similar to the DHS course, OPM's course is designed to provide hiring managers with basic information and resources to successfully hire, retain, and advance employees with disabilities. Following a significant update of the DHS course in 2012, OPM decided to adapt it and make it available across the federal government. The course is available online via OPM's HR University career development web portal.

F. Section 508 Trusted Tester Training

In September 2014, the OAST completed the final deployment phase of three online trusted tester training courses. The courses offer a standardized process for ensuring Section 508 compliance of websites and applications, and mirror the current instructor-led Trusted Tester certification training that OAST has been facilitating for the past two years.

One of the three courses has been adopted as the government-wide introductory course for Section 508 compliance and is open to all federal employees. OAST collaborated with the DHS Homeland Security Acquisition Institute, the Department of Veterans Affairs, and the Federal Acquisition Institute to establish these courses as the standard IT accessibility educational resource for the federal government. The course is also included as a continuing learning model for the federal certification of contracting representatives. The other two courses are available to DHS employees and personnel from other federal agencies that have officially partnered with OAST to implement Trusted Tester programs; which are the U.S. Department of Education, Social Security Administration, U.S. Department of Labor and U.S. Department of Treasury.

IV. Programs Branch: Policy Advice, Training, and Outreach

The Programs Branch provides policy advice to the Department on civil rights and civil liberties issues, conducts training of DHS personnel and state and local law enforcement partners, and coordinates outreach and engagement activities in communities whose civil rights and civil liberties are particularly affected by DHS programs.

In FY 2014, the Programs Branch consisted of four sections:

1. Civil Rights and Civil Liberties Institute
2. Community Engagement
3. Immigration
4. Security, Intelligence, and Information Policy (formerly Intelligence, Security, and Information Sharing)

The following pages discuss the structure of these sections and accomplishments in addition to those already described in the Highlights section.

A. Civil Rights and Civil Liberties Institute

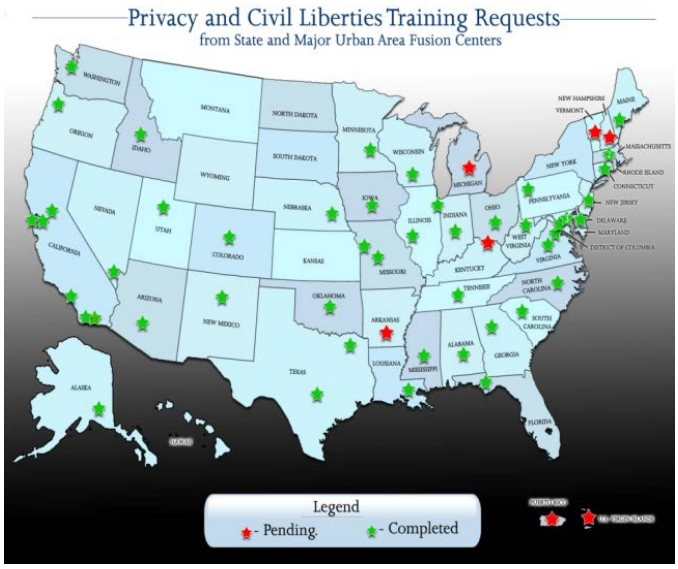
The Civil Rights and Civil Liberties Institute coordinates and leads efforts across CRCL and DHS Components in support of actionable and job-specific training for DHS employees and our federal, state, and local partners. The Institute focuses on developing and delivering targeted and meaningful training on civil rights and civil liberties that improves the Department's capacity to protect America, while respecting liberty, fairness, and equality under the law. Effective training on civil rights and civil liberties issues helps to build public trust, operationalize policy, and promotes partner cooperation. It is essential to the success of the Department's mission.

We view training as a broad term that encompasses a range of activities, approaches, and delivery methods designed to both improve mission performance and ultimately change attitudes. We reach virtually every DHS employee through one or more of our programs or products.

Accomplishments in FY 2014

Fusion Center Training Program
State and major urban area fusion centers serve as focal points for the receipt, analysis, gathering, and sharing of threat-related information among the federal government and state, local, tribal, territorial, and private sector partners. The Institute partners with the DHS Office of Intelligence and Analysis (I&A), DHS Privacy Office, and DOJ Office of Justice Programs in the development and delivery of civil rights, civil liberties, and privacy training for personnel at these centers, in fulfillment of the Department's obligation under the Implementing Recommendations of the 9/11 Commission Act of 2007. During FY 2014, the Institute undertook the following training projects in support of the national network of fusion centers:

- ***Training and Technical Assistance for Privacy, Civil Rights, and Civil Liberties Officers:*** The Institute provides regular one and a half day Training of Trainers sessions to fusion center Privacy, Civil Rights, and Civil Liberties Officers. The program was created in 2010 to assist these officers in providing ongoing training to fusion center staff and/or fusion liaison officers. Sessions were held in December 2013 and March 2014. Attendees are expected to conduct at least one training session at their fusion center within four to six months of the session. The Institute has trained the Privacy, Civil Rights, and Civil Liberties Officers from 70 of the 78 fusion centers through the Training of Trainers program. In FY 2014, CRCL disseminated its extensive Privacy, Civil Rights, and Civil Liberties Officer Module Series, which includes training modules, PowerPoint presentations, exercises, redacted intelligence products, and trainer notes. This series was developed to allow the officers to present the material in customizable workshops to personnel at their own centers with emphasis on the local privacy policy, procedures, and issues. Also in FY 2014, the Institute responded to 28 technical assistance requests from Privacy, Civil Rights, and Civil Liberties Officers across the national network of fusion center. Technical Assistance can vary from providing training documents or support to connecting the Officer with specialists to hosting online meetings in order to brainstorm on issues. The Institute also provided a bi-weekly "In the News" newsletter to Privacy, Civil Rights, and Civil Liberties Officers through our Technical Assistance and Training Program. The program includes a bi-weekly open source newsletter on Privacy, Civil Rights, and Civil Liberties issues of interest to fusion centers, periodic webinars, training design and materials support, over-the-phone assistance, and web-based resources.



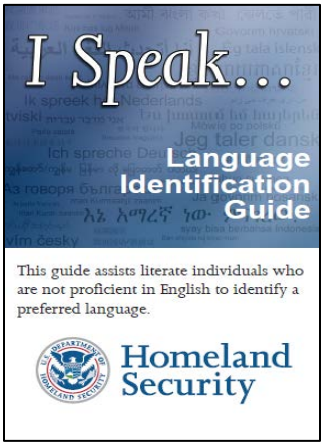
- ***Major Expansion of Privacy and Civil Liberties Officers Web Portal:*** During FY 2014, the Institute launched an expansion of the web portal which provides one-stop access for information and core curriculum for Privacy, Civil Rights, and Civil Liberties Officers at fusion centers. The expanded portal offers new resources, guidance, and tools to assist Privacy, Civil Rights, and Civil Liberties Officers in fulfilling their roles and responsibilities at fusion centers.

- ***"Building Communities of Trust" Roundtables in the Field:*** CRCL has partnered with DHS I&A to present at these community-based meetings with fusion centers across the country. The goal of the roundtables is to develop trust among law enforcement, fusion centers, and the communities they serve to address the challenges of crime and terrorism prevention, ideally serving as a catalyst for local sponsorship of an ongoing series of meetings. As part of these preparations, the Institute works with local fusion center Privacy, Civil Rights, and Civil Liberties Officers to review and discuss progress and hurdles in fusion center privacy policy implementation. CRCL also collaborated with

fusion center Privacy, Civil Rights, and Civil Liberties Officers to develop our fusion center technical assistance program. Two roundtables occurred in FY 2014. Several more are scheduled to take place in FY 2015.

- ***Pre-Deployment Training for DHS I&A Intelligence Officers:*** To meet statutory requirements for pre-deployment training of DHS I&A Intelligence Officers, the Institute and the DHS Privacy Office provided individualized half-day training on critical privacy, civil rights, and civil liberties issues in the Information Sharing Environment to the five newly appointed Officers assigned to state and major urban area fusion centers in Guam, Florida, Wisconsin, Mississippi, and Michigan.

- ***"I Speak" Materials***: In FY 2014 the Institute continued to deploy its "I Speak" materials (first developed in FY 2011). The "I Speak" products include multi-lingual posters, pocket guides, and job aids that individuals with limited English proficiency can use to identify the languages they speak. The materials have been used by the DHS Blue Campaign, U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and Transportation Security Administration (TSA). Upon request, CRCL will provide external partners with customized, digital versions of the "I Speak" materials. In FY 2014, CRCL's dissemination efforts reached more than 1,400 state and local law enforcement agencies.



B. Community Engagement Section

Public engagement with diverse American communities remains a top priority for CRCL as it supports the Department's mission to secure our nation while protecting the civil rights and civil liberties of those who may be affected by DHS programs and activities. CRCL's Community Engagement Section responds to community concerns and provides information regarding DHS programs, activities, and issues by building trust and establishing a routine process for communication and coordination with diverse community leaders and organizations. Since 2005, CRCL has convened regular roundtable meetings with American Arab, Muslim, Sikh, South Asian, and Middle Eastern community leaders in multiple cities across the country. In recent years, the Community Engagement Section has expanded their demographic profile to include Latino, Somali, Jewish, and Asian/Asian Pacific Islander communities, and leads a wide variety of outreach endeavors with core programs in 16 cities working with all segments of society.

Much of CRCL's engagement work benefits the Department's efforts to counter violent extremism in the U.S. and abroad. CRCL roundtables and other engagement activities are the model of the good governance programs called for expressly in the National CVE Strategy, "including those that promote immigrant integration and civil engagement, protect civil rights, and provide social services, [and] which may also help prevent radicalization that leads to violence."

The Community Engagement Section aims to:

- Communicate and share reliable information about federal programs and policies, including avenues for redress and complaints.
- Obtain information and feedback about community concerns and on-the-ground impact of DHS activities.
- Incorporate community ideas and issues relating to civil rights and civil liberties into the policymaking process.
- Deepen channels of communication between communities, regional DHS leadership, and other federal officials to facilitate solutions to problems.

Accomplishments in FY 2014

Community Roundtables and Related Engagement:
Community engagement roundtables provide community leaders an opportunity to interface routinely and directly with DHS and other federal, state, and local partners on issues most important to them. Roundtables are held quarterly in cities throughout the country, and are hosted by federal agencies and community organizations on an alternating basis. Attendees may submit questions beforehand so officials are prepared to respond, and topics of discussion are focused on concerns specific to each city's participants.

Information gathered at roundtables can play a vital role in helping to inform policy decisions and improve the effectiveness of policies and programs. Discussion and feedback from roundtable meetings have resulted in improvements to CRCL's complaints process and in training improvements in several DHS Components.

In 2014, CRCL led or played a significant role in regular roundtable meetings among community leaders and federal, state, and local government officials in 16 cities across the country including: Washington, DC, Atlanta, Boston, Chicago, Columbus, Denver, Detroit, Houston, Los Angeles, New York, Phoenix, Seattle, Tampa/Orlando, and Minneapolis/St. Paul. Overall, CRCL coordinated and participated in well over 100 engagement events in 2014, encompassing approximately 60 standing roundtables held in 16 cities across the country, 26 secondary meetings and events associated with standing roundtables, and 14 individual engagement events.

High Level Engagement with DHS Senior Leadership
In FY 2014 CRCL coordinated six high-level engagement events that included Secretary Johnson, Deputy Secretary Mayorkas, and other DHS senior leadership. These events took place in Boston, Chicago, Minneapolis, Los Angeles, New York, and Columbus. As well, as part of our ongoing "American Communities Information Series" CRCL delivered a detailed briefing on Syria-specific issues for DHS senior leaders.

CRCL Activates the ICCT
The CRCL Incident Communication Coordination Team (ICCT) is a mechanism for senior U.S. government officials to communicate with key leaders from diverse communities immediately following an incident of national significance, such as a terrorist attack or plot. The ICCT nationwide conference call is used to inform community leaders about the Department's position

and actions, and also to receive immediate feedback regarding civil rights and civil liberties concerns of community members. The ICCT call is the only tool of its kind available for rapid incident communications between the federal government and diverse communities in the immediate aftermath of an incident.

CRCL activated the ICCT on September 26, 2014 in response to breaking news that a woman had been beheaded at a food service plant in Oklahoma. Media coverage and a law enforcement report claimed that the suspect had tried to convert coworkers to Islam prior to the violent incident. Soon afterward, CRCL heard from trusted community partners that they feared backlash and the possibility of hate crimes against the American Arab, Muslim, Sikh, and South Asian communities. Given the urgency of the situation, CRCL held the ICCT call within hours of hearing from community members. On the call, senior government officials discussed the nature of the ongoing investigation and provided resources such as community hotline information and points of contact in case community members wished to report instances of retaliation or backlash. Community stakeholders engaged in a robust Q&A session asking questions about hate crime prevention and offering suggestions on public messaging.

Expanded Syria-Related Engagement

In light of the ongoing conflict and fighting in Syria, CRCL continued to coordinate enhanced engagement with Syrian-American communities in partnership with key leaders and officials. At the request of the DHS Counterterrorism Advisory Board, CRCL also developed the Strategic Syria Outreach Plan which outlines a number of short- and long-term initiatives for expanding engagement in these communities. In FY 2014, CRCL coordinated threat briefings, community awareness briefings, and other Syria-specific engagement activities targeted to youth in key cities across the country.

Enhanced Engagement with the Somali American Community

In FY 2014, CRCL developed and implemented the Somali American Community Strategic Engagement Plan to address a well-documented and unique range of civil rights and civil liberties issues specific to this community. As part of this effort Secretary Johnson visited Somali American communities in Minneapolis and Columbus where he participated in roundtables and community resiliency exercises (CREX). As well, CRCL hosted several roundtables specifically with Somali American youth.

Supporting on Immigration Enforcement Efforts

In FY 2014 CRCL, working with colleagues from across the Department, took the lead in coordinating community engagement events explaining the Department's Deferred Action for Childhood Arrivals policy, soliciting feedback for policy decision-makers, and answering community questions. In partnership with U.S. Citizenship and Immigration Services (USCIS), CRCL also coordinated engagement specific to certain nationals that are eligible for Temporary Protected Status. As well, CRCL assisted CBP in establishing and expanding its non-governmental organizations (NGO) liaison program.

UN Human Rights Council Resolution 16/18 Country-to-Country Program

CRCL continued its partnership with DOJ in the implementation of United Nations Human Rights Council (UNHRC) Resolution 16/18 in FY 2014 by conducting initial training programs

in Indonesia and Greece, and a follow-up training program in Bosnia. Resolution 16/18 focuses on concrete, positive measures that nation states can take to combat religious bias and intolerance rather than legal measures to restrict speech. The country-to-country program was designed to promote the implementation of training programs on religious tolerance. CRCL has co-led the country-to-country implementation of Resolution 16/18 since its initial training conducted in Sarajevo, Bosnia in June 2013.

C. Immigration Section

Civil rights and civil liberties issues can arise in the Department's dual mission to foster lawful international travel, commerce, and immigration while preventing unlawful immigration and enforcing immigration laws. The Immigration Section works with DHS Components to ensure that civil rights and civil liberties are considered in and incorporated into immigration and border policies and programs, as well as other programs utilizing immigration-related data. The Section also communicates with the public and the nongovernmental and civil society community about civil rights and civil liberties issues associated with the Department's administration and enforcement of immigration law; provides training to DHS Components; drafts, edits, and provides comments on issue papers, testimony, speeches, legislative proposals, and regulations; and supports the Officer in her capacity, under Executive Order 13107, as the Department's single point-of-contact for international human rights treaty responsibilities. The Section works closely with the Compliance Branch, providing subject-matter expertise on complaints raising immigration issues and advancing policy development in DHS's immigration Components.

Accomplishments in FY 2014

Segregated Detainee Housing

As described in last year's annual report, through FY 2013 CRCL worked closely with ICE to improve policy and reduce unnecessary use of segregated housing for ICE detainees. Following issuance of ICE's September 2013 directive "Review of the Use of Segregation for ICE Detainees," as well as DOJ and DHS policies providing new protections for unrepresented immigration detainees with serious mental disorders or conditions that may render them mentally incompetent to represent themselves in immigration proceedings,[2] the Immigration Section and Compliance Branch have undertaken regular review of ICE's implementation of the Directive and have worked to develop further policy approaches to recognize and respond to the needs, in particular, of vulnerable populations in segregated housing, including lesbian, gay, bisexual, or transgender (LGBT) detainees and detainees with serious health concerns, mental health conditions, or disabilities.

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[2] ICE Policy No. 11063.1: *Civil Immigration Detention: Guidance for New Identification and Information-Sharing Procedures Related to Unrepresented Detainees with Serious Mental Disorders or Conditions* (Apr. 22, 2013) and Executive Office for Immigration Review Memorandum, *Nationwide Policy to Provide Enhanced Procedural Protections to Unrepresented Detained Aliens with Serious Mental Disorders or Conditions* (Apr. 22, 2013). The BIA has also issued precedent decisions clarifying the procedural protections afforded mentally incompetent aliens in removal proceedings. See Matter of M-A-M-, 25 I&N Dec. 474 (BIA 2011); Matter of E-S-I-, 26 I&N Dec. 136 (BIA 2013).

Data Matching Programs
The CRCL Officer is a member of the DHS Data Integrity Board, which oversees agency matching programs pursuant to the requirements of the Computer Matching and Privacy Protection Act, an amendment to the Privacy Act of 1974. Specifically, the Officer is called upon to review and approve the creation or renewal of agency computer matching agreements. The Officer's review, supported by the Immigration Section, includes consideration of whether the agreement protects an individual's privacy and due process rights, and involves consultation with OGC to determine whether the sharing of information is authorized by law. Failure to provide appropriate due process, for example, may result in an individual's loss of government benefits based upon an inaccurate computer match. In FY 2014, the Officer reviewed, commented upon, recommended modifications to, and voted upon a number of computer matching agreements, including agreements with:

- The Social Security Administration to determine whether aliens who leave the United States voluntarily and aliens who are removed from the U.S. are eligible for continued Federal benefits;
- The U.S. Department of Education to determine eligibity for federal financial assistance to students (including the Federal Pell Grant Program and Federal Work Study Program);
- The U.S. Small Business Administration to ensure that applicants for disaster loans did not receive duplicate benefits for the same disaster; and
- Various state agencies responsible for determining eligibility for unemployment compensation benefits.

International Human Rights Treaties
The Immigration Section supports the Officer in her role as coordinator for the Department's activities in providing education and outreach about, processing complaints under, and reporting information to the international bodies responsible for human rights treaties to which the U.S. is a party. This year involved several of the United States' intermittent reporting requirements under those treaties. In March 2014, Officer Megan Mack led the DHS delegation in the U.S. appearance before the United Nations Human Rights Committee in Geneva, Switzerland, to present and answer questions about its Fourth Periodic Report under the International Covenant on Civil and Political Rights. In August 2014, Deputy Officer Veronica Venture led the DHS contingent on the U.S. delegation appearing before the UN Committee on the Elimination of Racial Discrimination, reporting on progress under the International Convention on the Elimination of All Forms of Racial Discrimination. During the year, CRCL also prepared for the DHS appearance regarding the Committee Against Torture, which took place in November 2014, and in anticipation of the U.S.'s second Universal Periodic Review (UPR) later in FY 2015.

In preparation for the UPR, in September 2014 CRCL, in partnership with the Department of Labor, arranged a civil society consultation involving representatives from several other agencies and many nongovernmental organizations to discuss implementation of the UPR recommendations on immigration and labor issues. Officer Mack and others also participated in several other civil society consultations convened throughout the year to discuss the International Covenant on Civil and Political Rights, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention Against Torture, and UPR recommendations.

The Immigration Section also coordinated DHS responses to inquiries from other international organizations and treaty bodies, including the Inter-American Human Rights Commission, the UN High Commissioner on Refugees, and several Special Rapporteurs within the United Nations.

U Visa Certifications and Confidentiality

The U nonimmigrant status (often called the "U visa"), created by the Victims of Trafficking and Violence Protection Act of 2000, provides immigration benefits to victims of certain crimes who have suffered mental or physical abuse and have been helpful, are being helpful, or are likely to be helpful in the investigation or prosecution of criminal activity. The Immigration Section devised and coordinated an interagency meeting with representatives from the Department of Labor, the National Labor Relations Board, the Equal Employment Opportunity Commission, and multiple DHS Components and Headquarters offices to discuss U visas, workplace-based crimes, and the confidentiality provisions of 8 U.S.C. § 1367 (see Highlights section). The meeting was helpful in addressing U visa administration and how effective enforcement of civil rights-related laws was consistent with DHS's administration of the U visa.

USCIS Training on Religion-Based Questioning

Issues of religion can have direct relevance to administration of the immigration system, such as when an individual claims asylum based on religious persecution. Also, questions about an individual's religion, which can arise in less direct contexts, can raise First Amendment issues and must be treated sensitively. The Immigration Section worked closely with USCIS to create training for USCIS employees on religion-based questioning of applicants for immigration benefits, particularly those admitted or seeking admission as religious workers. Topics included who receives protection from discrimination or adverse government action based upon religion, and constitutional protections relating to the exercise of religious beliefs.

Outreach and Liaison Activity

The Immigration Section facilitates CRCL's participation in quarterly meetings of the DHS Civil Rights/Civil Liberties Committee, an NGO-led group that provides a forum to share information on CRCL's activities and receive NGO input on matters of concern. In addition to four meetings of the Committee this year, and the treaty-related civil society outreach noted above, this year the Immigration Section was engaged in numerous stakeholder events, including a very productive meeting on LGBT issues in immigration detention co-hosted by ICE, and a series of stakeholder sessions arranged by agencies involved in the influx of unaccompanied children and families crossing the Southwest border during the spring and summer of 2014.

D. Security, Intelligence, and Information Policy Section

The Security, Intelligence, and Information Policy Section (SIIP, formerly known as the Intelligence, Security, and Information Sharing Section) works with Department Components and Offices to ensure that civil rights and civil liberties protections are incorporated into the Department's information and physical security programs, information sharing activities, and intelligence-related programs and products.

Accomplishments in FY 2014

Information Sharing
SIIP actively worked with the DHS Information Sharing and Safeguarding Governance Board and its subordinate bodies, including the Information Sharing Coordinating Council and the Information Safeguarding and Risk Management Council, to ensure that civil rights and civil liberties protections are incorporated into the Department's information sharing and safeguarding policies, agreements, and programs. SIIP contributed to the revision of DHS's guidebook on the development of information sharing access agreements, updated and set new milestone goals for the compliance process implementation plan of the DHS Information Sharing and Safeguarding Strategy, and assisted the Privacy and Civil Liberties Subcommittee of the Information Sharing and Access Interagency Policy Committee in drafting a framework for the development of such agreements that will provide similar guidance to all federal departments and agencies.

DHS Data Framework
SIIP continued its collaboration with the DHS Privacy Office, Office of the General Counsel and the Office of the Chief Information Officer in the development of the DHS Data Framework—a scalable information technology program with built-in capabilities to support advanced data architecture and governance processes. This program is intended to alleviate mission limitations associated with stove-piped IT systems that are currently deployed across multiple operational DHS Components. As well, the program seeks to enable more controlled, effective, efficient use and sharing of available homeland security–related information across the DHS enterprise and, as appropriate, the U.S. Government while protecting civil rights and civil liberties. SIIP provided guidance regarding appropriate safeguards for the prototype testing phases and the anticipated end-state system.

National Suspicious Activity Reporting Initiative
CRCL continued training personnel responsible for analyzing and sharing terrorism-related Suspicious Activity Reports on the importance of adhering to the restraints in the *Information Sharing Environment Functional Standard for Suspicious Activity Reporting* that protect civil rights and civil liberties. We also worked closely with other agencies within the Information Sharing Environment to ensure updates to the Functional Standard continue to protection individual rights.

Automated Targeting System Rules
CRCL, in partnership with the DHS Privacy Office and Office of the General Counsel, continued conducting quarterly reviews of CBP's and TSA's real-time, threat-based intelligence scenarios run by the Automated Targeting System, to ensure that civil rights, civil liberties, and privacy protections are in place. The system is an intranet-based enforcement and decision support tool used by CBP to improve the collection, use, analysis, and dissemination of information that is gathered for the primary purpose of targeting, identifying, and preventing potential terrorists and terrorist weapons from entering the U.S.

Aviation Security
CRCL's continued involvement in reviewing and advising on proposed aviation security efforts ensured that policymakers considered civil rights and civil liberties concerns at the outset, while

DHS continued to work with global partners as they explored new programs or enhanced existing ones concerning aviation security. Work by SIIP in this area, in partnership with TSA, included reviews of standard operating procedures and training materials for TSA's behavioral detection programs and activities; policymaking on risk-based domestic screening, including the TSA Pre✓™ program; and guidance on preserving individual rights in those activities.

License Plate Reader Technology

CRCL collaborated with ICE and the DHS Privacy Office to explore commercial license plate reader technology for use by ICE in its criminal and civil enforcement missions. DHS and ICE are committed to safeguarding personally identifiable information, upholding civil liberties, and mitigating potential risks posed by this technology. SIIP's work helped ICE identify potential impacts on individual rights associated with the collection, use, and retention of license plate reader data. CRCL's continuing engagement will ensure that individual rights and liberties are protected and associated risks are properly mitigated should this technology be acquired in the future.

Intelligence and Analysis Product Review

Since FY 2009, the Section has worked with DHS I&A to review classified and unclassified products. SIIP's product review function is an ongoing real-time operational service for the Department, requiring round-the-clock monitoring of communications and quick response to I&A's requests for review of intelligence products drafted to respond to immediate threats and planned intelligence requirements. SIIP reviewed hundreds of products in FY 2014 ensuring that the intelligence delivered to state and local partners was appropriately sensitive to and protective of civil rights and civil liberties.

Reports Officers Course

SIIP continued its participation in Intelligence and Analysis' Reports Officers Course, teaching reports officers how to draft unfinished intelligence reports that are protective of civil rights and civil liberties.

Cybersecurity

SIIP supported implementation of Executive Order 13636, Improving Critical Infrastructure Cybersecurity, and provided advice and oversight to other DHS cybersecurity programs and activities, which included: advising the Department on civil liberties protections in cybersecurity activities to ensure appropriate protections of individual rights were built into pre-existing programs and activities as well as those activities directed by the Executive Order; leading (with the DHS Privacy Office) coordination and conducted the required privacy and civil liberties assessments of activities conducted under the Executive Order; leading recurring outreach and engagement meetings with civil liberties advocates to provide transparency in the implementation of the Executive Order; and providing guidance and oversight to those programs working to secure the .gov domain, including assistance in operations of the EINSTEIN 1 and 2 programs and advice in the design and implementation of the EINSTEIN 3 Accelerated program.

V. Compliance Branch: Public Complaints

The Compliance Branch investigates complaints from the public alleging violations of civil rights or civil liberties by DHS personnel, programs, or activities. Such complaints may include allegations about:

- Racial, ethnic, or religious profiling;
- Disability discrimination prohibited by the Rehabilitation Act of 1973;
- Discrimination based on race, ethnicity, national origin, religion, sexual orientation, or gender identity;
- Inappropriate use of force by DHS officers or agents;
- Inadequate conditions of detention;
- Violation of right to due process, such as right to timely notice of charges or access to a lawyer;
- Violation of the confidentiality requirements of 8 U.S.C. § 1367, relating to the Violence Against Women Act (VAWA), T visas and U visas; and
- Any other civil rights or civil liberties violation related to a Department program or activity, including human rights complaints.

Accomplishments in FY 2014

CRCL Response to the Rise of Unaccompanied Alien Children at the Southwest Border
In spring 2014, the influx of unaccompanied alien children entering the U.S. across the Southwest border reached record high levels, challenging Border Patrol's ability to move UAC into the custody of the U.S. Department of Health and Human Services Office of Refugee Resettlement. CRCL took a leading role in the coordinated DHS response to the influx, regularly participating in several intra-departmental task forces formed to address the myriad needs resulting from the surge, such as housing, transport, language assistance, medical and mental health care, clothing, meals, and hygiene. While the influx continued, public concerns and formal complaints were filed with CRCL regarding these issues. In response, CRCL traveled to the temporary detention facility in Nogales, Arizona, and throughout the Rio Grande Valley Sector in Texas, to investigate claims of inadequate conditions of detention for the high numbers of arriving UAC. While onsite, CRCL assessed the facilities' and staff's ability to sufficiently respond to the diverse UAC populations' daily needs and basic detention requirements, including medical and mental health care. In turn, CRCL shared its findings and observations with the Department's internal UAC working group.

Of note, prior and during CRCL's onsite investigation of Border Patrol's Rio Grande Valley Sector, CRCL engaged in an unprecedented collaboration with the DHS Office of Inspector General (OIG), the ICE Office of Professional Responsibility, and CBP Internal Affairs to coordinate investigative efforts. The working group formed between these entities allowed for the sharing of information among the different DHS investigative parties examining the surge issues, making information more freely available, allowing for the quick dissemination of problems found, and enabling rapid responses to areas of concern.

Prison Rape Elimination Act
In 2012 and 2013, following President Obama's issuance of a Presidential Memorandum directing DHS and other federal agencies to issue rules or procedures necessary to comply with the Prison Rape Elimination Act of 2003 (PREA), CRCL participated in a working group with other DHS Headquarters offices, ICE, and CBP to draft the Department's rule setting forth standards to prevent, detect, and respond to sexual abuse and assault in confinement facilities. DHS issued its final PREA rule on March 7, 2014, which took effect on May 6, 2014. Since then, ICE and CBP have been actively engaged in implementing the rule, and CRCL has worked with these Components in this process. As part of this work, CRCL's main focus has been on coordinating a Department-wide working group tracking PREA implementation, and CRCL has taken the lead in development of the tool and methodology that the Department will use to audit its confinement facilities beginning in July 2015.

ICE Improvements to the Medical Referral Process
For the past several years, CRCL and ICE have utilized a process that provides a speedy avenue for CRCL to refer allegations to ICE that relate to individuals currently in ICE custody—allegations that raise medical or mental health care concerns that may require immediate attention or may indicate systemic problems. ICE undertook an internal review in FY 2014 aimed at increasing the efficiency of the process, and invited CRCL to participate in some portions of this work. As a result of the review, ICE plans to make changes in FY 2015 to streamline its handling of the medical referrals and increase the speed of responses as well as enhance the information provided to CRCL about detainee medical care. CRCL has seen an increase in the ICE response rate to the referrals which allows CRCL to better ascertain whether the issue has been addressed and the complaint can be closed.

CBP Use of Force Policy and Training
In FY 2014, CRCL worked with CBP on the development of its *Use of Force Policy, Guidelines and Procedures Handbook*. CBP incorporated all major CRCL recommendations and provided multiple opportunities for CRCL comments during the drafting stages. CBP field office leadership at the Border Patrol Academy, Office of Field Operations, and Advanced Training Center welcomed CRCL staff to their respective facilities, provided a comprehensive overview of existing training, and discussed substantive changes to the curriculum and training modules stemming from policy revisions. CRCL will continue to provide input into training development. Additionally, in furtherance of CRCL's ongoing partnership with CBP in use of force policy and training development, CBP has invited CRCL to participate as an observer on the National Use of Force Review Board, to provide insight on use of force incidents from a civil rights/liberties perspective.

A. Investigative Processes

Expert Recommendations from Onsite Investigations at Immigration Detention Facilities
Each year, CRCL's Compliance Branch conducts onsite investigations at ICE and ICE-contracted detention facilities to investigate alleged violations of civil rights and civil liberties related to immigration detention. In FY 2014, CRCL conducted onsite investigations at

ten facilities where ICE holds immigration detainees.[3] For these reviews, CRCL utilized the assistance of competitively awarded contract subject matter experts in the areas of medical care, mental health care, correctional security and operations, use of force, and environmental health and safety.

Following each investigation, CRCL reviews the subject matter experts' recommendations and provides those recommendations that it deems appropriate to ICE in an initial report ("expert recommendation memorandum"). ICE is asked to review the recommendations and reply with a written response regarding concurrence or non-concurrence and implementation of the recommendations. If ICE non-concurs, it must provide an explanation, which CRCL will review to determine whether to continue discussions on the substance of the recommendation.

Summaries of complaints for which CRCL submitted expert recommendation memoranda to ICE in FY 2014 are provided in Section E.

Complaints Closed with Informal Resolutions

When appropriate, CRCL may conclude its investigation of a complaint through an informal resolution, which will include real-time communications from CRCL leadership to the leadership of the involved Component on the issues of concern. These communications often also include proposed resolutions. During FY 2014, CRCL transmitted informal resolutions to ICE, Federal Protective Service, and CBP to resolve issues arising in ten complaints.

Draft Recommendation Memoranda

For complaints in which CRCL determines that operational recommendations should be issued to Components, CRCL provides the Components with draft copies of CRCL memoranda and recommendations. This gives the Components an opportunity to review and comment on the drafts within designated time frames. Generally CRCL finalizes memoranda with recommendations only after receiving Component feedback on the draft memoranda, in order to ensure that any areas of disagreement can be resolved prior to issuance and that collaboration can begin as early as possible in the process. Providing the opportunity for Components to review draft memoranda also enables Components to inform CRCL of steps they may have taken or may intend to take to implement the recommendations.

CRCL currently has pending with ICE various complaints involving a wide range of civil rights and civil liberties issues, including medical care and mental health care for detainees, deaths in detention, sexual abuse, disability accommodation, religious accommodation, language access, other conditions of immigration detention, Fourth Amendment, due process, and other issues. Some of these matters have been pending for more than two years. In certain instances, CRCL continues to receive serious allegations regarding issues that currently have recommendations pending with ICE. As a result, CRCL must choose between expending limited resources to repeat site visits for a new investigation of the same or similar allegations, or delaying investigating new allegations as ICE processes CRCL recommendations regarding

[3] These onsite investigations involved detention facilities in Texas, Pennsylvania, Washington, California, Montana, and Ohio.

previously identified issues. CRCL and ICE continue to work to improve ICE processes to timely address CRCL recommendations.

B. FY 2014 Investigations

CRCL receives complaints and information regarding issues and incidents that may merit investigation from a variety of sources, including the general public, Members of Congress, NGOs, other DHS Offices and Components, the DHS OIG, and other government agencies. For example, HHS' Office of Refugee Resettlement sends reports regarding treatment of UAC by DHS personnel. The Department of Justice forwards public complaints that raise concerns that may fall within CRCL's jurisdiction. Since October 1, 2009, ICE has notified CRCL whenever a person has died in ICE custody, and CBP sends CRCL reports of nonemployee deaths stemming from the use of deadly force by its officers and agents.

Pursuant to 6 U.S.C § 345(a)(6) and internal DHS policies, CRCL begins the complaint process by referring all complaints opened by CRCL to the DHS OIG, which then determines whether or not it will investigate the complaint. If the OIG declines to investigate the complaint, it is returned to CRCL, which determines whether the complaint should be retained for CRCL's own investigation or referred to the relevant DHS Component(s) for investigation. If a complaint is referred, the Component issues a Report of Investigation (ROI) to CRCL at the completion of its factual investigation. CRCL reviews the ROI and determines whether additional investigation is warranted and/or whether recommendations should be issued to the Component. In either instance, CRCL notifies the complainant of the general results.

During FY 2014, CRCL opened 417 new complaints, 14 of which the OIG retained for investigation. CRCL also closed 263 complaints. Tables 2 and 3 summarize complaints CRCL opened and closed in FY 2014. Appendix B includes tables detailing complaints retained and closed by the OIG. The tables also describe the number of CRCL complaints received per quarter, by Component and issue. Summaries of complaints that CRCL closed during the reporting period are provided in Sections C, D, and E.

TABLE 2: COMPLAINTS OPENED FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCG			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position	1	1	5		1	2												1	1	2	8	**11**
Conditions of detention	8	16	15	3	1	19												1	11	17	35	**63**
Disability accommodation (Section 504)			1			1			1			1			1			1			6	**6**
Discrimination/profiling	3		5	1	8	4			1						2			3	4	8	15	**27**
Due process	1	7	7		5	6									1		1	3	1	13	17	**31**
Excessive force or inappropriate use of force	5	3	17		1	18												2	5	4	37	**46**
First Amendment (free speech/association)						4												2			6	**6**
Fourth Amendment (search and seizure)		1	1	4		2											1		4	2	3	**9**
Human Rights																		6			6	**6**
Inappropriate questioning/ inspection conditions	5		6													2			7		6	**13**
Inappropriate touch/ search of person (non-TSA)		1	1			1										1			1	1	2	**4**
Intimidation/threat/ improper coercion	1	2	2			1												1	1	2	4	**7**
Language access			1		1													1		1	2	**3**
Legal access				2	1	8													2	1	8	**11**
Medical/mental health care	2	14	13	5	10	97												3	7	24	113	**144**
Privacy						4															4	**4**
Religious accommodation				1		5			1										1		6	**7**
Retaliation				1		2													1		2	**3**
Sexual assault/abuse	1	1	4		4	4												1	1	5	9	**15**
TSA AIT and TSA pat-downs									1												1	**1**
Total	**27**	**46**	**78**	**17**	**32**	**178**	**0**	**0**	**4**	**0**	**0**	**1**	**0**	**0**	**4**	**3**	**2**	**25**	**47**	**80**	**290**	**417**

TABLE 3: COMPLAINTS CLOSED FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCG			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			4			7															11	**11**
Conditions of detention			5	4	18	24											1		4	19	29	**52**
Disability accommodation (Section 504)		1	1			2		1	2											2	5	**7**
Discrimination/profiling	2	1	4			3									2				2	1	9	**12**
Due process	1		1			1												2	1		4	**5**
Excessive force or inappropriate use of force	5		12	2	2	10												1	7	2	23	**32**
First Amendment (free speech/association)						2						1									3	**3**
Fourth Amendment (search and seizure)			1		1	2												1		1	4	**5**
Human rights																		2			2	**2**
Inappropriate questioning/ inspection conditions	4		1													2			6		1	**7**
Intimidation/threat/ improper coercion		1	1	1		1												1	1	1	3	**5**
Language access			1			1															2	**2**
Legal access					1	2														1	2	**3**
Medical/mental health care		1	15	3	9	76												1	3	10	92	**105**
Privacy				1											2				1		2	**3**
Religious accommodation			1																		1	**1**
Retaliation					1															1		**1**
Sexual assault/abuse					2	4												1		2	5	**7**
Total	**12**	**4**	**47**	**11**	**34**	**135**	**0**	**1**	**2**	**0**	**0**	**1**	**0**	**0**	**4**	**2**	**1**	**9**	**25**	**40**	**198**	**263**

C. Complaints Resolved by CRCL with Operational Recommendations

Implementation of CRCL recommendations often takes a significant input of time and resources on the part of the relevant Component. As a result, the implementation of CRCL recommendations often occurs in a different fiscal year from when they originally were submitted. CRCL received responses in FY 2014 stating that Component agencies concurred with and successfully implemented a number of its recommendations. For example, in February 2014 CBP concurred with FY 2012 CRCL recommendations that CBP enact safeguards to ensure that the basis of an informational "tip," (information provided to law enforcement officers of potentially illegal activity) which is potentially actionable information received from a non-law enforcement source, is appropriately established prior to undertaking any immigration enforcement activity. Further, Border Patrol agreed that it should standardize the receipt and handling of informational tips. CBP provided CRCL with an action plan for how it intended to implement the recommendation, and sent guidance on this subject to the field in October 2014.

The following summaries describe those complaints closed in FY 2014 with recommendations from CRCL to DHS Components. Components have responded to the recommendations in four of the six matters listed. Responses are pending for two matters.

CBP

Death in Secondary Inspection: CRCL opened an investigation into the death of a 77-year-old woman in the secondary inspection area at an airport in Florida in June 2010. In its investigation, CRCL determined that after the woman lost consciousness in her wheelchair, CBP officers contacted EMS personnel and, consistent with CBP policy, waited for EMS to arrive and did not render emergency first aid themselves. As a result of this complaint and others, CBP, CRCL, and the DHS Office for Health Affairs (OHA) met to strengthen their partnership in the provision, coordination, and oversight of medical issues involving individuals in CBP custody. DHS OHA subsequently reviewed this complaint and provided a medical assessment, conclusions, and recommendations for CBP. CBP notified CRCL that it concurred with OHA's recommendations for CBP. CRCL closed this complaint after receiving CBP's concurrence with the recommendations.

Provision of Medical Care in Custody: CRCL received notice in May 2011 of the death of an individual while in CBP custody at an airport in New York. CRCL opened a complaint and in January 2012 conducted a site review of the advanced medical facility to which the individual was transported. As a result of CRCL's work on this complaint, CBP worked with DHS OHA to identify and address issues relating to the detention of individuals who have ingested narcotics. In January 2014, OHA sent CBP a memorandum describing its review and providing recommendations for improvements. CRCL reviewed and concurred with OHA's recommendations. CBP concurred with the recommendations in August 2014, and has continued to engage OHA to implement the recommendations.

USCIS

Confidentiality Provisions of Violence Against Women Act: CRCL received a complaint alleging that USCIS violated the confidentiality provisions contained in VAWA in the course of adjudicating the complainant's petition to remove conditions on residence. As of the writing of this report, USCIS had not yet responded to CRCL's recommendations.

Accommodations for Individuals Taking the Naturalization Oath: CRCL opened a complaint based on media reports that an individual who, in connection with her attempt to become a naturalized U.S. citizen, objected to the portion of the naturalization oath that requires one to agree to bear arms on behalf of the United States when required by law, because she was morally opposed to war. Media reports indicated that USCIS required the individual to prove that her objection was based on her religious training and belief. As of the writing of this report, USCIS had not yet responded to CRCL's recommendations.

ICE

Violation of Visitation Policy: In June 2012, CRCL received a complaint from an individual who claimed she was denied access to visitation with an ICE detainee at a detention facility in Washington based on the complainant's association with a group of peaceful protesters. CRCL investigated the complaint and concluded that the complainant was denied visitation solely because of the complainant's association with people engaging in protected First Amendment activities. CRCL recommended to ICE that the facility end its practice of prohibiting visitation solely based on an individual's association with First Amendment protected activities, such as a peaceful demonstration or protest and, more broadly, revise its visitation policy to more explicitly delineate visitor activities that would merit denial, such as a specified threat to the safety and security of the facility. Additionally, CRCL recommended that the facility develop a visitation policy that complies with the 2011 Performance Based National Detention Standards Visitation Standard. ICE concurred, and the detention facility updated its visitation policy in January 2014 to incorporate CRCL's recommendations.

Provision of Medical Records to Detainee Counsel: In April 2011, CRCL received a complaint from an attorney on behalf of her client, alleging that he was sexually abused, mistreated, and harassed while in ICE custody. Additionally, the attorney alleged that ICE failed to provide her with the detainee's medical and mental health records in a timely manner, even after multiple requests, in violation of ICE's detention standards. The attorney noted that the detainee's mental health was in a "precarious state," which necessitated the prompt release of the records directly to the attorney. CRCL opened an investigation and determined that ICE's Office of Professional Responsibility had investigated the sexual assault allegations, and after reviewing them with the assistance of corrections and mental health experts, determined that the allegations were handled thoroughly and appropriately. Nevertheless, CRCL determined that while the attorney had submitted all the information that should have been needed to obtain her client's medical records directly, she was made to request the records through the FOIA process. This caused an undue delay and affected her ability to effectively represent her client. In May 2013, CRCL sent ICE a draft memorandum recommending that ICE provide guidance to its personnel with clear and unambiguous instructions about how to process and respond to requests for detainee medical

records. In July 2014, ICE concurred with CRCL's recommendations, and indicated that it would issue this guidance.[4]

D. Complaints Investigated by CRCL Without Operational Recommendations

Many CRCL complaints are investigated and closed without the issuance of formal recommendations to the involved DHS Component. This occurs as a result of various circumstances, such as when allegations are unsubstantiated, when existing policy, procedures, and training are found to be sufficient to address the allegations, and when the Component has already addressed the concerns identified through the complaint. The following summaries are representative of complaints investigated or reviewed by CRCL that did not result in formal recommendations to DHS Components for reasons indicated below. These summaries reflect a wide range of allegations of civil rights and civil liberties violations relating to Department programs and activities.

ICE

Use of Force: In September 2013, CRCL received a complaint from the wife of an ICE detainee at a county detention facility in Pennsylvania. The complainant alleged that her husband was beaten by two male ICE deportation officers in a parking garage at an airport during an attempt to remove the detainee from the United States. CRCL reviewed all available material, including video footage of the incident, and concluded that ICE did not use inappropriate or excessive force during the attempt to remove the detainee from the vehicle used to transport him to the airport. Based on the information reviewed, CRCL closed this complaint.

Medical Care in ICE Detention in Maryland: In July 2014, CRCL received a complaint from a detainee at a county jail in Maryland. The detainee alleged she was refused medical treatment for body tremors and arm pain, reportedly due to a side effect of medication she was being provided for a mental health condition. CRCL issued a medical referral to ICE for information regarding the detainee's medical care. CRCL's review of the documentation provided by ICE in August 2014 indicated that the detainee had been seen regularly by the medical and mental health staff while at the detention facility and that she received timely access to an appropriate level of medical care. Based on the information reviewed, CRCL closed this complaint.

Conditions of Detention in California: In May, June, and July 2013, CRCL received a complaint from a detainee alleging that while she was in ICE custody at a detention facility in California, the food she was served did not comply with dietary requirements ordered by a physician and she did not receive adequate medical care for dermatological symptoms. Based on a review of the information that CRCL requested and received from ICE, CRCL concluded that the detainee's medical and dietary concerns were appropriately addressed. Nonetheless, as a

[4] CRCL received the response for this complaint in FY 2014 although the complaint was officially closed in FY 2015.

result of the investigation, the ICE Immigration Health Services Corps made recommendations that ICE shared with the detention facility to help ensure that immediate health needs of ICE detainees are identified and addressed as soon as possible.

CBP

Allegation of Border Patrol Assault in Arizona: In June 2013, CRCL received a complaint alleging U.S. Border Patrol agents physically assaulted an individual, ripped out his fingernails, stole money from him, and then threw him over the border fence into Mexico. The complainant provided a name he saw displayed on one assailant's "uniform" and provided photographs of his injuries. Based on the location of the alleged assault, CRCL and CBP reviewed duty assignments for all agents in the sector with names similar to the one provided by the complainant. Based on the patrol areas for each of these agents during the time period of the assault, it was determined the agents identified were too far from the location to have come into contact with the complainant. At CRCL's request, CBP conducted a search of intelligence reporting systems and found that there had been numerous reports concerning suspected "rip crews" operating in the area during that time, which are groups that target undocumented individuals illegally crossing the U.S.-Mexico border to steal money, drugs, or other goods, or to extort money from their families. Several of these reports described the rip crew members as wearing military-style clothing. Based on the investigation, CRCL concluded the complainant likely came into contact with one of these groups and that the allegation of physical abuse by Border Patrol agents was unfounded.

Conditions of Detention in the Rio Grande Valley Sector: In June 2013, CRCL received a complaint involving an unaccompanied alien child in detention at the two Border Patrol stations in the Texas Rio Grande Valley Sector. The complaint alleged that the UAC was denied both food and water despite requesting it. CRCL requested information regarding this complaint from CBP in August 2013. CRCL reviewed CBP's documentation, including a feeding log, report of investigation, and agent statements. The documents all indicated that the UAC was fed and provided water in accordance with the Border Patrol Hold Rooms and Short Term Custody policy. Based on the information reviewed, CRCL closed this complaint.

Conditions for Children Waiting for Travelers in Secondary Inspection: In August 2013, CRCL received a complaint that a traveler's children, ages twelve, six and two, were left unsupervised by CBP for seven hours at an airport in Texas while CBP officers interviewed her regarding her admissibility. CRCL referred this complaint to CBP for investigation. CBP reported the children were monitored by two officers at all times in the "family room" of the airport. The family room is a monitored area where children can color, play with toys or watch children's movies while waiting for CBP to complete the inspections process. Based on the information reviewed, CRCL closed this complaint.

TSA

Claim of Discrimination in TSA Screening: CRCL issued a decision to an individual asserting a claim of disability discrimination based upon his family's additional screening by TSA employees at an airport in Texas. Specifically, the complaint alleged a violation of Section 504

of the Rehabilitation Act of 1973, 29 U.S.C. § 794, as amended, on the part of TSA concerning the enhanced screening of the complainant and his wife due to the fact that their son with a disability was traveling with them. The complainant alleged that the enhanced screening occurred "based solely" on the fact that his son was in a wheelchair and 12 years old or under. CRCL found that initially the complainant, his wife and their son were screened in accordance with the applicable policy in place at that time for a 12-year-old child using a wheelchair who was traveling with one or more parents. Subsequently, as their luggage was passing through screening on the conveyor belt, an anomaly was identified in one of the complainant's bags. The presence of the anomaly was the development that triggered the additional screening of the complainant and his wife, which was unrelated to his son's condition or to the initial requirement for the swabbing of the complainant's and his wife's hands. CRCL concluded that TSA did not discriminate against the complainant on the basis of his son's disability in violation of Section 504.

USCIS

Questioning Regarding Applicants' Sexual Orientation: CRCL received a complaint of improper questioning by USCIS personnel during their interview of a same-sex couple. In investigating the complaint, USCIS provided CRCL with a guidance and training document (dated November 5, 2013 after the conduct alleged in the complaint) that precisely addresses the complainant's concerns. It emphasizes that USCIS adjudicators should avoid questions about a person's sexual orientation when there is no connection between it and the applicant's eligibility for a benefit. All USCIS field office personnel have taken this training; therefore, the concerns in this complaint have been addressed, and it was closed without recommendation.

E. Expert Recommendations

The following summaries describe complaints in FY2014 in which CRCL reviewed and then provided to ICE subject matter expert reports with recommendations following CRCL onsite investigations at immigration detention facilities used by ICE. These reports contained recommendations to improve conditions of detention for individuals in ICE custody to enhance compliance with the applicable detention standards at the facilities involved in the complaints.

Sexual Assault and Medical Care in ICE Detention in Florida: Based on numerous reports of sexual assault, allegations of inadequate medical and mental health care, and other conditions of detention at a facility in Florida, CRCL conducted an onsite investigation in May 2013 with assistance from four subject matter experts. In October 2013, CRCL submitted recommendations to ICE, based on its findings and conclusions. As of the writing of this report, ICE had not responded to any of the 24 recommendations made by CRCL.

ICE Conditions of Detention in New Jersey: In February 2012, CRCL went onsite to investigate complaints received about various conditions of detention at a facility in New Jersey. With the assistance of subject matter experts, CRCL reviewed medical care, environmental health and safety issues, and other aspects of the conditions at the facility, and subsequently sent 60 recommendations to ICE in these areas based on its findings. After receiving no response from ICE to the recommendations, but continuing to receive complaints about the conditions at the

facility, CRCL conducted a second onsite investigation in September 2013. During the second onsite, CRCL reviewed the implementation of its earlier recommendations, as well as allegations in new complaints related to medical care, mental health care, environmental health and safety issues, and other conditions of detention. Following the 2013 onsite investigation, CRCL submitted recommendations to ICE based on its findings and conclusions. As of the writing of this report, ICE had not responded to any of the 56 recommendations made by CRCL.

ICE Detainee Deaths and Conditions of Detention in Arizona: In June 2013, CRCL conducted an onsite investigation at an Arizona facility concerning two deaths that occurred between October 2011 and December 2013, and two suicides that occurred in April 2013. CRCL also expanded the investigation to review the facility's sexual assault and abuse prevention and intervention processes, based on several reports CRCL received. With the assistance of subject matter experts, CRCL reviewed medical and mental health care, suicide prevention and intervention, sexual abuse and assault prevention and intervention, staff-detainee communications, discipline and segregation, and staff training. In December 2013, CRCL submitted recommendations to ICE based on its findings and conclusions. As of the writing of this report, ICE had not responded to any of the 27 recommendations made by CRCL.

Use of Force in Detention: In February 2013, CRCL received notice about a use of force against an ICE detainee at a facility in Nevada. Based on this and another complaint at the facility, CRCL conducted an onsite investigation in September 2013. CRCL examined mental health care, general conditions of detention, and use of force. In February 2014, CRCL submitted recommendations to ICE based on its findings and conclusions. As of the writing of this report, ICE had not responded to any of the 12 recommendations made by CRCL.

Conditions of Detention in Washington: In late 2013, CRCL received several complaints about the conditions of detention at a facility in Washington. Based on these complaints, CRCL conducted an onsite investigation in February 2014. With the assistance of subject matter experts, CRCL reviewed medical care and other aspects of the conditions of detention at the facility. In February 2014, CRCL submitted recommendations to ICE based on its findings and conclusions. As of the writing of this report, ICE had not responded to any of the 18 recommendations made by CRCL.

VI. Countering Violent Extremism

To counter violent extremism, DHS works with a broad range of partners to gain a better understanding of the behaviors, tactics, and other indicators that could point to potential terrorist activity within the U.S., and identify best ways to mitigate or prevent that activity.

CRCL plays a pivotal role in the Department's CVE efforts, and leads many of the programs and objectives for DHS, as outlined in the White House Strategic Implementation Plan for Empowering Local Partners to Prevent Violent Extremism, released in August 2011.

In addition, by leveraging the work of CRCL's Engagement Section, Security, Intelligence, and Information Policy Section and the CRCL Institute, CRCL plays a pivotal role in the Department's CVE efforts by providing a platform for diverse communities and all levels of the intelligence community and law enforcement to build understanding and strong partnerships that can assist in identifying behaviors, tactics, and other indicators of potential violent and terrorist activity. These partnerships have resulted in enhanced cultural competency and awareness that ultimately combats ideologically motivated crimes and other security threats.

Accomplishments in FY 2014

DHS has created a number of programs to better understand and address the issue of CVE. Public outreach and community engagement initiatives are central to the DHS strategy to counter violent extremism. These efforts are directed at addressing community grievances against the government, protecting civil rights and civil liberties, building trust between communities and law enforcement agencies, and promoting immigrant integration and community resilience. DHS believes that active engagement with communities can undermine key recruiting narratives used by violent extremist groups, such as al-Qaida, al-Shabaab, ISIS, and related affiliates.

Community Engagement

CRCL provides opportunities for diverse communities and law enforcement to build understanding and strong partnerships that can assist in identifying behaviors, tactics, and other indicators of potential violent and terrorist activity. Local communities are the front lines of defense and response, and are essential in addressing this issue. Local law enforcement authorities and community members are often best able to identify individuals or groups exhibiting suspicious or dangerous behaviors—and intervene—before they commit an act of violence. The Department, through CRCL, builds on community-based activities to strengthen resilience in communities targeted by violent extremist recruitment. Over the past few years, CRCL has held more than 100 community engagement events, and has trained over 5,000 state and local law enforcement and fusion center personnel on cultural awareness and how to best engage with communities.

The Department's senior leadership recognizes the importance of community engagement in building trust and partnerships with diverse communities across the U.S. In 2014, senior leadership, including the Secretary, the Deputy Secretary, and the Department's CVE Coordinator, has been extensively involved in CRCL's enhanced engagement efforts. The Secretary has participated in enhanced engagement across the country, including events in

Chicago, Columbus, Minneapolis, Los Angeles, and Boston. During these events, senior leadership has emphasized the following points:

- The threat posed by violent extremism is neither constrained by international borders nor limited to any single ideology or religion.

- Local communities are the primary defense against terrorist ideologies and recruitment. Community members are often best able to identify those who may be vulnerable to recruitment by terrorist groups; therefore, the Department fully supports efforts in building and strengthening strong and resilient local communities.

- Community engagement empowers community opposition to violent extremism and builds trust with, rather than alienating, communities. Community engagement also helps protect civil rights and civil liberties by identifying key areas where those rights and liberties need attention at the Department level.

Community Awareness Briefing

CRCL, with the National Counter Terrorism Center (NCTC) developed and implemented the Community Awareness Briefing, designed to share unclassified information with communities regarding the threat of violent extremism. The briefing has been conducted in 13 U.S cities over the past few years. It is designed to help communities and law enforcement develop the necessary understanding of al-Qa'ida recruitment tactics and explore ways to collectively and holistically address these threats before they become a challenge at the local level. Due to the increased number of Western-based fighters traveling to foreign war conflicts, such as Syria and Somalia, the Community Awareness Briefing now includes information relating to the foreign fighter recruitment narrative by al Shabaab and ISIS, and the myths versus realities of the situation in Syria and Somalia.

Community Resilience Exercise

The Community Resilience Exercise is a half-day table-top exercise designed to improve communication between law enforcement and communities and to share ideas on how best to build community resilience against violent extremism. CRCL and NCTC have worked with local partners to implement this exercise in cities across the U.S. To date, the exercise has been held in Washington, D.C.; Chicago, Illinois; Seattle, Washington; Durham, North Carolina; Houston, Texas; Columbus, Ohio; and Minneapolis, Minnesota. The exercise focuses on building trust and empowering communities against violent extremism domestically, a theme that directly supports the domestic CVE Strategy and Strategic Implementation Plan.

The exercise is based on a program that has been conducted over 50 times in the United Kingdom with great success. It uses an unfolding scenario of possible violent extremist activity with two threads: one thread disclosing what the police have learned and the other thread what the community experiences. The scenario is revealed in several stages, with participants breaking into small groups after each stage to discuss potential responses and how they should work together. The scenario is hypothetical, but based on the behaviors exhibited by past violent extremists prior to their arrest. At the end of the exercise, the facilitators help the participants create a local action plan focused on prevention and intervention.

International Partnerships
CRCL works closely with international partners, such as Department of State, Global Counter Terrorism Forum, Organization for Security and Cooperation in Europe, United States Institute for Peace, and others. Continuing our work into FY 2014, CRCL has participated in international conferences and workshops, U.S. Department of State sponsored speaker's tours, and International Leadership Visitors Programs throughout the UK, Europe, Scandinavia, and Southeast Asia. In addition, CRCL continues to assist in the development of the Hedayah Center, an International Center of Excellence for CVE, based in Abu Dhabi, United Arab Emirates. Highlights of international engagement include:

Bilateral Exchanges
CRCL, in partnership with various U.S. Embassies in Europe, coordinates annual CVE programs for participants from Germany, Belgium, Spain, and Denmark. These programs allow civil society and local government officials to share operational community engagement best practices that support CVE and promote immigrant integration, youth empowerment, resolution of grievances, and protection of rights and liberties.

- CRCL, with the U.S. Embassy in Germany, coordinates an annual CVE program for participants from Germany. Now in its third year, the exchange program pairs delegations representing civil society and local governments between two cities in the U.S. and in Germany.

- In 2013 CRCL, in coordination with U.S Embassy in Madrid, Spain, participated in a one-week countering violent extremism speakers' tour to Madrid and surrounding areas. CRCL took two American Muslim leaders who work on CVE and social services issues in New York along with CVE policy experts from the Department. The delegation spoke with academic experts, government personnel, and community organizers in Madrid working to create CVE programs and policies.

- In December CRCL, in coordination with the U.S. Embassy in London, England participated in a one-week CVE speakers' tour to London and Birmingham. CRCL shared DHS engagement strategies and lessons learned in community engagement and countering violent extremism. CRCL held several meetings with law enforcement and community leaders in these countries to understand and study similarities in the youth radicalization phenomenon and the foreign fighters situation in the United Kingdom. CRCL representatives worked with Connect Justice, a local NGO, to conduct community policing training programs to law enforcement officials in London and Birmingham, as part of a larger effort to train law enforcement officials in the United Kingdom.

- In January 2014, CRCL, in coordination with the German Ministry of the Interior and the U.S. Embassy in Germany, hosted a German-sponsored delegation in Los Angeles, California. The delegation participated in a number of community engagement and countering violent extremism related initiatives.
- In June 2014 CRCL, in coordination with the U.S. Embassy in Denmark, conducted a series of CVE engagement initiatives in cities throughout Denmark, in an effort to share best practices on community engagement mechanisms to counter violent extremism. In addition,

CRCL officials met with local officials form the Ministry of Justice, police academy, federal police, and the Ministry of Social Integration, to discuss CVE strategies and the current state of Denmark's foreign fighter issues. Additionally, CRCL officials participated in a Nordic Somali Youth Summit, to discuss the protection of civil rights and civil liberties and community resilience.

- In June 2014 DHS, with DOJ, FBI, and NCTC, participated in an exchange with the Government of Spain to discuss best practices in implementing a comprehensive CVE strategy. CRCL's Director for Programs led the effort to demonstrate how the U.S. government has connected broader community engagement to the CVE mission set. This delegation is a result of President Obama's offer of CVE assistance to President Mariano Rajoy Brey of Spain.

- In August 2014, CRCL hosted a CVE exchange program delegation from Denmark. This delegation, made up of federal government officials, civil rights organizations, and NGOs, participated in CVE programs and initiatives in Washington D.C, and in Minneapolis/St. Paul, Minnesota.

- In September 2014, CRCL hosted a CVE exchange program delegation from Vilvoorde, Belgium, a small but ethnically diverse industrial suburb of Brussels. CVE efforts in Belgium are particularly significant as the country has the highest per capita number of foreign fighters in Syria. This program started with a June 2014 visit by the U.S. delegation to Vilvoorde, which has become a prime recruiting ground for unemployed youth to become foreign fighters in Syria. The delegation participated in a series of CVE programs and initiatives in Washington, D.C, and in Columbus, Ohio culminating in a roundtable event at the Noor Islamic Center, hosted by Secretary Jeh Johnson.

Multilateral Exchanges

- In June 2014, DHS participated in the Global Counter Terrorism Forum Foreign Terrorist Fighter working group meeting focused on CVE. The meeting was held in Abu Dhabi and was hosted by the Netherlands and Morocco. DHS presented on efforts that the Department and the interagency have taken to build community resilience to violent extremist recruitment. Spain, France, the United Kingdom, Germany, and other European countries also attended.

- CRCL worked as a liaison with the US Embassy in London and the UN Alliance of Civilizations to help to secure support and funding for capacity building training for Somali media outlets (mostly in the Minneapolis/St. Paul area) that speak out against violent extremism and terrorism. The project will bring together up to 40 different media outlets for training on content development, media ethics, and CVE-related messaging. CRCL participated in the initial training, which took place in Cardiff, Wales in January 2014.

VII. Antidiscrimination Obligations for Federally Conducted and Federally Supported Activities

CRCL's Antidiscrimination Group completed important work in strengthening DHS-wide programs for ensuring nondiscrimination in DHS programs and activities under our nation's foundational civil rights laws that prohibit discrimination based on color, race, national origin (including English proficiency), and disability.

Accomplishments in FY 2014

Strengthening Access for Persons with Disabilities

CRCL leads the Department's efforts to provide full inclusion and equal opportunity for individuals with disabilities in DHS programs and activities. In FY 2014, CRCL began implementing DHS Management Directive (MD) 065-01, which establishes policy and implementing mechanisms for ensuring nondiscrimination for individuals with disabilities served by DHS-conducted programs under Section 504 of the Rehabilitation Act of 1973. CRCL Officer Megan Mack issued a memorandum to DHS Component heads charging them to: designate disability access coordinators, disseminate the Directive and accompanying resources to front-line personnel, and submit to CRCL their existing procedures for providing reasonable accommodations and modifications for qualified individuals with disabilities encountered or served by the Component. CRCL then drafted the implementing Instruction and ushered it through informal and formal Component review processes. The Instruction, completed in FY 2015, provides requirements and procedures for carrying out the Component self-evaluation and plan called for under the Directive. The self-evaluation will examine Component programs to identify ways to strengthen physical, programmatic, and communication access for individuals with disabilities and will be followed by the preparation of each Component's plan, which will set out the actions and timeframes needed to make these changes. CRCL is developing a guidance manual on the process and will continue to provide technical assistance to guide Components through the next steps.

Involving Stakeholders in DHS Self-Evaluation of Disability Access

In FY 2014, CRCL hosted a "kick-off" event to begin disability stakeholder engagement on the Department's Section 504 compliance activities, particularly relating to the Component self-evaluations and plans. The involvement of the disability stakeholder community is essential not only for the expertise that is gained but also for the resulting improvement in Section 504 compliance, which will serve to enhance Department-wide accessibility to programs and activities. This initial engagement session provided a first ever cross-Component perspective on stakeholder viewpoints regarding disability access in DHS programs and activities. The engagement session provided an opportunity for participants to learn about current policy development aimed at improving Section 504 compliance and contribute their expertise in the forthcoming self-evaluations. CRCL will continue to facilitate ongoing discussions between stakeholders and Components to improve the self-evaluations. The desired end result is to utilize the unique and valuable resources that the disability community can provide towards improving Section 504 compliance and to build relationships between DHS field staff and the disability community at the regional level.

Providing Assistive Technology for Persons within Immigration Detention
CRCL is supporting ICE in its efforts to provide reasonable accommodations to individuals with disabilities held in immigration detention facilities. CRCL considered the recent communication-related needs of detainees as well as devices commonly used for effectively communicating with individuals with hearing and vision disabilities. CRCL identified several types of devices to form an initial inventory of auxiliary aids. Devices selected include assistive listening systems for individuals who are hard of hearing, hand-held magnifiers for individuals with low vision, and screen reader software to enable blind detainees to access computers at facility law libraries. Initially, the inventory will be maintained at the Headquarters level and devices will be dispatched to facilities as individual needs arise. CRCL partnered with the Department of Defense's Computer/Electronic Accommodations Program to select the models of these devices that are currently being furnished through the federal procurement process. This partnership can serve as a model for other DHS Components who are developing their capacity to effectively communicate with individuals with disabilities encountered and served by their programs.

Ensuring Nondiscrimination in Department-Assisted Programs
In FY 2014, CRCL developed an initial process to collect and review civil rights related information from recipients of Department assistance. Once implemented, this process will serve as a foundation of CRCL's civil rights enforcement program and provide a critical mechanism for DHS to assess compliance and ensure nondiscrimination in recipient programs. In March 2014, CRCL initiated a compliance review of the Jacksonville Fire and Rescue Department to ascertain compliance with Title VI of the Civil Rights Act of 1964. CRCL also continued to provide technical assistance to recipients on fulfilling their civil rights obligations and made available guidance materials and resources including the Title VI Overview for Recipients, the Department's Limited English Proficiency (LEP) Guidance, and the Guide for Interacting with People with Disabilities.

CRCL continued to coordinate across the federal community on a wide variety of civil rights issues with respect to recipient programs. Of note, CRCL actively participated in the Interagency Working Group on Limited English Proficiency's Committee on Enforcement and led the Grants Subcommittee, which completed a project to collect and analyze information on how federal agencies are integrating language access requirements into the pre-award phase of the grant-making process. CRCL also co-led the DHS Environmental Justice Working Group with staff from the DHS Office of Sustainability and Environmental Programs, and provided technical assistance on environmental justice considerations in recipient programs.

Finalizing Language Access Plans
In FY 2014, CRCL Officer Megan Mack announced the release of draft language access plans from the Department's Offices and Components which address the language needs of persons with limited English proficiency. Developed pursuant to Executive Order 13166 (*Improving Access to Services for Persons with Limited English Proficiency*) and the DHS Language Access Plan (February 2012), these draft plans provide a framework to improve the delivery of language services for diverse communities across the country. CRCL requested the public's input on these plans, which will be utilized to assist the Department in its continued efforts to ensure meaningful access by LEP persons that is consistent with the Executive Order.

The following DHS Offices and Components have completed draft language access plans:

- DHS Office for Civil Rights and Civil Liberties
- DHS National Protection and Programs Directorate, Federal Protective Service
- DHS Office of the Citizenship and Immigration Services Ombudsman
- DHS Office of Inspector General
- Federal Emergency Management Agency
- Transportation Security Administration
- U.S. Citizenship and Immigration Services
- U.S. Coast Guard
- U.S. Customs and Border Protection
- U.S. Immigration and Customs Enforcement
- U.S. Secret Service

VIII. Equal Employment Opportunity and Diversity Division

The Equal Employment Opportunity and Diversity Division leads the Department's efforts to ensure that all employees and applicants are provided equal opportunity by maintaining effective EEO programs and diversity management under various federal laws, regulations, Executive Orders and Directives, including:

- Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e *et seq.*
- Section 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791 *et seq.*
- The Age Discrimination in Employment Act of 1967, 29 U.S.C. § 621 *et seq.*
- The Equal Pay Act of 1963, 29 U.S.C. § 206(d)(1)
- Title II of the Genetic Information Nondiscrimination Act of 2008, 42 U.S.C. 2000ff *et seq.*
- Executive Order 11478 (as amended by Executive Orders 13087 and 13152) prohibiting discrimination based on sexual orientation or status as a parent
- 29 C.F.R. § 1614
- EEOC Management Directive 110
- EEOC Management Directive 715

The Division is responsible for adjudicating EEO complaints for all DHS Components; developing and monitoring EEO and diversity program policies, plans, and guidance; and delivering training, conducting oversight, and administering EEO and diversity programs for DHS Headquarters and its 6,970 employees. In addition, the Division also prepares and submits a variety of annual progress reports relating to the Department's diversity and EEO activities.

A. Complaints Management and Adjudication Section

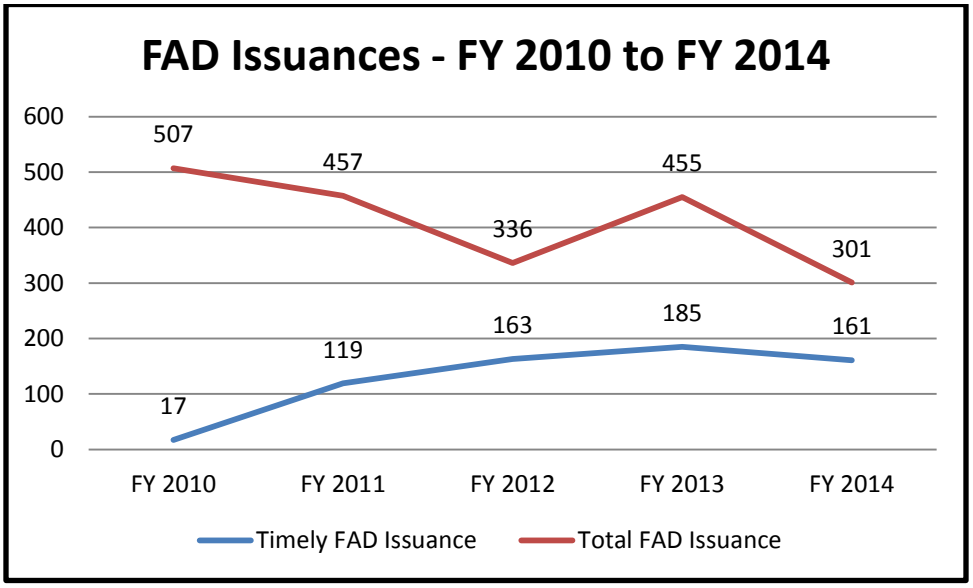
The Division's Complaints Management and Adjudication Section (CMAS) leads the processing and adjudication of EEO complaints throughout the Department. CMAS prepares final actions on all formal EEO complaints filed by DHS employees, former employees, and applicants for employment who allege discrimination in violation of Title VII of the Civil Rights Act of 1964, the Age Discrimination in Employment Act of 1967, the Rehabilitation Act of 1973, the Equal Pay Act of 1963, the Genetic Information Nondiscrimination Act of 2008, and Executive Orders prohibiting discrimination on the bases of parental status and sexual orientation. CMAS also prepares the following Departmental reports:

- Annual Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 ("No FEAR Act") Report
- Quarterly No FEAR Act data postings
- Annual Federal Equal Employment Opportunity Statistical Report of Discrimination Complaints ("462 Report")

Accomplishments in FY 2014

Timely Issuance of Final Agency Decisions

Throughout FY 2014, CRCL continued to place emphasis on adjudicating merit Final Agency Decisions (FADs) and issuing them within regulatory timeframes. Final Agency Decisions are issued after a complainant files a formal complaint alleging discrimination, the agency conducts an investigation, and the complainant requests the agency to issue a decision as to whether the discrimination occurred. The U.S. Equal Employment Opportunity Commission (EEOC) Regulations, 29 C.F.R. Part 1614, require merit FADs to be issued within 60 days of election or failure to elect a FAD. In FY 2014, CMAS experienced staffing shortages during the latter half of the year. However, due to strategic work assignments, overall fewer incoming requests for FADs, and continued emphasis on timeliness, CRCL produced a timely merit FAD issuance rate of 53 percent (161 of 301). The following chart shows CRCL's five-year trend in merit FAD issuances.



The overall percentage of timely merit FAD issuances increased from 41 percent in FY 2013 to 53 percent in FY 2014. During FY 2014, CRCL received 377 requests for merit FAD (301 issued), compared with 512 incoming requests during FY 2013 (455 issued). While CRCL has no direct control over the number of cases it will receive, CRCL monitors formal complaint activity and anticipates the likely influx of merit FAD requests. The overall lower number of requests during FY 2014 permitted additional opportunities for CMAS staff, as explained below.

Collaborating and Leading DHS Components

CMAS led a number of collaborative initiatives in FY 2014, and continued to strengthen partnerships between CRCL and other DHS Components. Several CMAS employees became part of a newly-formed EEOD training cadre and conducted EEO anti-harassment and diversity training for managers, supervisors, and non-supervisory employees within DHS Headquarters. This training was often provided at the invitation of DHS Headquarters Component heads and was instrumental in increasing awareness of EEO laws, individuals' rights, and managers' responsibilities to maintain a workplace free from discriminatory actions and conduct. CMAS

also refined and issued guidance to EEO offices at all DHS Components regarding best practices for conducting effective EEO investigations. As well, in FY 2014 CMAS continued to lead the Component Complaint Managers quarterly meetings.

Leaning Forward with Technology

CMAS expanded its internal usage of digital review, signature, transfer, and issuance of final actions, which resulted in increasingly efficient movement of work products and enhanced customer service. These enhancements also supported opportunities for telework and continuity of operations.

CMAS hosted two icomplaints (EEO database) user update trainings for EEO personnel across the Department. These sessions created an opportunity for Component personnel to enhance their knowledge and effective use of this comprehensive tracking and reporting system and to receive individualized coaching from the DHS database administrator and Senior Complaints Manager, resulting in more accurate data input and also enabling Component personnel to better utilize the system's advanced reporting features.

Throughout FY 2014, CMAS coordinated with EEOC's Office of Federal Operations in implementing and deploying the Commission's Electronic File Exchange, a web-based EEO case processing and document conveyance portal. CMAS responded to Components' requests to enroll users in the file exchange system and continued to provide valuable input and feedback to EEOC on shaping the design features of updates to the system.

CMAS remained active in FY 2014 in providing training and legal updates on developments regarding social media and its impact on EEO, which allowed the EEO community at DHS and across the federal sector to remain aware of situations where discrimination may occur based on protected class information discovered on the Internet, and learn methods of creatively advancing and applying EEO mandates in the digital age.

B. Diversity Management Section

The Division's Diversity Management Section (DMS) provides leadership, guidance, and technical assistance to DHS Components on the Department's EEO and diversity initiatives, consistent with federal laws, regulations, executive orders, and management directives. Specifically, DMS prepares EEO and diversity policy guidance for Department personnel, supports special emphasis programs that increase awareness of diversity issues throughout the Department, and conducts workforce trend analysis, including Department-wide workforce data tables to identify anomalies that may be tied to EEO or diversity issues.

On behalf of the Department, DMS also prepares and submits mandated annual EEO and diversity reports to the EEOC and the U.S. Department of Education's White House Initiatives Office to Assist Minority Serving Institutions (MSIs). DMS staff also actively participate on various committees and working groups, including OPM's Applicant Flow Data working group, the White House Council on Native American Affairs, the Intelligence Community's EEO Data group, and the inter-departmental Women Veterans Initiative.

Accomplishments in FY 2014

Departmental Special Emphasis Program Framework
Special Emphasis Programs (SEP) are integral to the success of DHS EEO and diversity efforts to identify, mitigate, and eliminate potential barriers for employees that have historically been underrepresented in a given occupation, grade, or organization. In FY 2014, DMS developed the initial framework for a Departmental SEP structure, consisting of a management directive, implementing instructions, and a resource guide that supports the individual efforts of the Components, but also affords the entire Department avenues for enhanced program delivery via the establishment of Departmental SEP Committees.

The Framework, developed in close collaboration with Components, provides several benefits to the Department including but not limited to: greater efficiencies through enhanced Component collaboration; unified and consistent guidance for program delivery; and expanded support for SEP administration within the Components—with full implementation expected in FY 2015. The Framework's implementation includes the establishment of a DHS-wide LGBT Employment Program, and applies to the additional six programs/demographic groups:

- Federal Women's Program
- Black Employment Program
- Hispanic Employment Program
- American Indian/Alaska Native Employment Program
- Asian American/Pacific Islander Employment Program
- Disability Employment Program

DHS Women in Law Enforcement Study
Due to both the volume and importance of law enforcement positions within the Department, DMS coordinated a Department-wide study on Women in Law Enforcement that will: offer benchmarks from other federal law enforcement agencies; identify perceived barriers to EEO and diversity; and provide recommendations and strategies to achieve a model workplace that values diversity and provides equality of opportunity. Focus groups were conducted during FY 2014, soliciting direct feedback from women in a variety of law enforcement occupations throughout five key DHS Components. Complete findings and potential recommendations are scheduled to be released in FY 2015.

Implementing the DHS Disability Strategic Plan
In partnership with the DHS Office of the Chief Human Capital Officer (OCHCO), DMS continued implementing the objectives noted in the DHS Disability Strategic Plan, which was initially established in FY 2013. Actions included:

- Coordination of monthly Disability Program Manager meetings with four training sessions featuring guest speakers from EEOC, OPM, Department of Veterans Affairs, and the Department of Defense's Computer Electronics Accommodation program;
- Guidance and support to the Components on recruitment, hiring, reasonable accommodations, accessibility, senior leadership representation, internships, training, policy, Schedule A appointing authority, Workforce Recruitment Program for College Students with Disabilities, and Operation War Fighter.

Improvements in Workforce Analysis and Timely Submission of Reports
DMS conducted workforce analysis on trends within the DHS onboard workforce and DHS personnel actions, covering major employment events of hires, separations, awards, conversions, and promotions. For the first time ever, CRCL acquired record-level applicant flow data for the DHS Components using USA Staffing as their applicant processing vendor. This new data enables the Department to better understand what barriers may exist at each stage of the hiring process: application, referral, and selection. DMS further coordinated with OCHCO Human Resource Policy and Programs in collecting exit survey data; assisting Components with workforce analysis by providing guidance on the new 2006-2010 American Community Survey EEO Tabulation benchmarks from the Census Bureau; developing new guidance on the aggregation of races, applicant flow data and use of appropriate benchmarks; and analyzing Headquarters EEO complaint trends.

DMS ensured the accurate delivery and analysis of all EEO and diversity reports, including:

- **FY 2013 EEO MD-715 Report:** DMS streamlined the Report to focus on the EEO and Diversity program; emphasized the utility of the Report as a barrier analysis tool; and highlighted the impact of Executive Order 13548 and DHS Improvements in its Disability Program, and its implementation of Executive Order 13583.

- **FY 2013 MSI Report:** DMS reviewed financial award data, as well as diversity data, to assess DHS's financial accounting methodology. The overall funding to institutions of higher education declined in 2013 due to a drop in disaster relief grants awarded by FEMA. However, the percentage of awards going to minority serving institutions increased from four percent in 2012 to over 20 percent in 2013.

C. Headquarters Office of Equal Employment Opportunity

The Headquarters EEO Office (HQ EEO) supports 7,250 DHS Headquarters employees by enforcing compliance with the EEO laws, regulations, and mandates, guidance to Headquarters management officials and employees on EEO and diversity; preventing and addressing unlawful employment discrimination; and ensuring that all Headquarters employees have a working environment that will support them in the fulfillment of the mission to protect the homeland.

Accomplishments in FY 2014

Timely Complaints Processing
In FY 2014, HQ EEO made significant improvements in processing EEO complaints within regulatory timeframes. HQ EEO counseled 56 cases in FY 2014 with 94 percent of those cases being processed timely—a 36 percent improvement. Similarly, HQ EEO improved the overall timely processing of EEO investigations. In FY 2014, HQ EEO 32 cases with 96 percent rate of timely investigations—a 153 percent increase. Further, HQ EEO investigated complaints in an average of 185 days, which is the lowest number of days in HQ EEO's history. The top bases for complaints during FY 2014 were reprisal, race (Black), and age. The top issues were non-sexual harassment, promotion/non-selection, and time and attendance.

Maturity of Reasonable Accommodation Process

HQ EEO made great strides in maturing the reasonable accommodation program at Headquarters. In FY 2014, HQ EEO completed 56 reasonable accommodation requests, including services for the various Headquarters Offices, applicants for employment, and employees seeking advice and guidance on the reasonable accommodation process and types of available accommodations. In addition, HQ EEO processed 222 requests for sign language interpreting services, which required coordination with other program offices and contractors. These requests are separate from IT equipment requests processed for employees. Lastly, by the end of FY 2014, HQ EEO had fully transitioned from to a paperless system of tracking and managing reasonable accommodation requests.

IX. Office of Accessible Systems and Technology

Every DHS employee and customer, including individuals with disabilities, must be able to readily access information and data relevant to their job or needs. Section 508 of the Rehabilitation Act of 1973, as amended, requires all Federal departments and agencies to ensure that their electronic information technology is accessible to people with disabilities. To meet these requirements, the DHS Office of the Chief Information Officer and CRCL jointly created the Office of Accessible Systems and Technology.

OAST is dedicated to guiding and supporting all DHS Components in removing barriers to information access and employment of qualified individuals with disabilities in accordance with Section 508 requirements. OAST strives to ensure that all electronic information and technology procured, developed, maintained, or used is accessible to DHS employees and customers with disabilities through a range of policy, training, technical assistance, and compliance activities.

Accomplishments in FY 2014

Governance

OAST works diligently to ensure that Section 508 requirements are fully integrated into all relevant DHS IT governance processes. OAST represents the interests of employees and members of the public with disabilities in high priority/high visibility initiatives such as the DHS Mobility Tiger Team and Financial Systems Modernization ensuring that Section 508 requirements are built into contracts and governance processes.

In FY 2014, OAST performed Section 508 compliance reviews for four change control boards and for major information technology procurements. OAST reviewed more than 5,000 change requests and made 177 modifications as a result. As well, OAST updated its online training for contracting representatives and program and project managers. This training will be available for continuing education credits on the Federal Acquisition Institute Training Application System in early FY 2015.

DHS Accessibility Helpdesk

The DHS Accessibility Helpdesk serves as a single point of contact for all electronic and information technology accessibility and accommodation needs. Helpdesk services include:

- Information and referral for disability-related services;
- Technical assistance for Section 508 compliance;
- Training to improve the usability and accessibility of websites, IT systems and applications, e-Learning, and multimedia;
- Assistance technology needs assessments; and
- Support for DHS and Component Helpdesk assisting people with disabilities.

In FY 2014, OAST processed a total of 2,108 requests through the DHS Accessibility Helpdesk, which came from across the Department, as well as eight other federal agencies and public entities.

Accessibility Compliance Center of Excellence

The Accessibility Compliance Center of Excellence was established to provide services to assess Section 508 compliance of DHS IT programs, audit for Section 508 compliance during program reviews, and serve the end-user DHS personnel with advice and consultation on how to achieve Section 508 compliance in accordance with OAST guidance and authority. This includes reaching out to program offices to make them aware of the Center's accessibility related program services and subject matter experts.

In FY 2014, the Center conducted 52 initial accessibility reviews for IT programs on the DHS Major Acquisition Oversight List. These reviews allowed the ACCOE to introduce Section 508 accessibility standards and proven best practices as well as successfully inventoried 89 of 90 IT programs to determine their accessibility status and needs. Additionally, the Center developed and conducted three in-depth reviews that assessed programs based on a set of defined accessibility criteria. The Center used these criteria to develop an "accessibility scorecard" for rating IT program readiness.

OAST Services and Training

- OAST reviewed and remediated 28,878 pages (632 document files) of content consisting of forms, policy documents, newsletters, FAQs, memorandums, schedules, budget files, handbooks, flyers, schedules, and reports across DHS.

- OAST processed 85 reasonable accommodation requests.

- Through the Section 508 Awareness Training Program, OAST trained 1,542 personnel across DHS and its Components.

- OAST tested 114 IT and web-based applications that were submitted through the Accessibility Helpdesk.

- Mobile technologies have become part of everyday business throughout the Department; however, a mature set of standards-based Section 508 compliance evaluation procedures had not been developed for such delivery platforms within the Federal government. OAST began the internal pilot of a draft mobile test process in support of their work to develop a mobile accessibility test process for IOS and Android.

X. Conclusion

The staff of the Office for Civil Rights and Civil Liberties works with dedication and vigor each day to secure the country while protecting our freedoms, including core civil rights values of liberty, fairness, and equality under the law. For much more information, including prior congressional reports, testimony, training materials, civil rights and civil liberties impact assessments, and many other items, see the Office's website at www.dhs.gov/crcl.

Appendix A: DHS Civil Rights and Civil Liberties Authorities

Statutes:

- **6 U.S.C. § 111; Section 101, Homeland Security Act of 2002 (as amended)—DHS Mission.** Requires that the Department ensure that the civil rights and civil liberties of persons are not diminished by efforts, activities, and programs aimed at securing the homeland.

- **6 U.S.C. § 113; Section 103, Homeland Security Act of 2002 (as amended)—Other Officers.** The Officer for Civil Rights and Civil Liberties is appointed by the President.

- **6 U.S.C. § 345; Section 705, Homeland Security Act of 2002 (as amended)—Establishment of Officer for Civil Rights and Civil Liberties.** Authorizes the CRCL Officer to investigate complaints, provide policy advice to Department leadership and Components on civil rights and civil liberties issues, and communicate with the public about CRCL and its activities. The statute also requires coordination with the DHS Chief Privacy Officer and Inspector General, and directs submission of this annual Report to Congress.

- **42 U.S.C. § 2000ee-1; Section 803, Implementing Recommendations of the 9/11 Commission Act of 2007—Privacy and Civil Liberties Officers.** Provides additional authority to investigate complaints, review Department activities and programs for their civil liberties impact, and communicate with the public about CRCL and its activities. This statute also ensures CRCL's access to information and individuals needed to carry out its functions, forbids reprisal against complainants, requires general coordination with the Inspector General, and directs the Officer for Civil Rights and Civil Liberties to report, quarterly, to Congress.

Regulations:

- **6 C.F.R. pt. 15.** Forbids discrimination on the basis of disability in programs or activities conducted by the Department of Homeland Security. This regulation effectuates Section 504 of the Rehabilitation Act of 1973 (as amended), 29 U.S.C. § 794.

- **6 C.F.R. pt. 17.** Forbids discrimination on the basis of sex in education programs or activities receiving federal financial assistance. This regulation effectuates Title IX of the Education Amendments of 1972 (as amended), 20 U.S.C. § 1681 et seq.

- **6 C.F.R. pt. 21.** Forbids discrimination on the basis of race, color, or national origin (including Limited English proficiency) in programs or activities receiving federal financial assistance from the Department of Homeland Security. This regulation effectuates the provisions of Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq.

Executive Orders:

- **Executive Order 11478 (as amended by Executive Orders 11590, 12106, 13087, and 13152), *Equal Employment Opportunity in the Federal Government* (August 8, 1969).** Prohibits federal employment discrimination on the basis of race, color, religion, sex, national origin, handicap, age, sexual orientation, or status as a parent.

- **Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations* (February 11, 1994).** Requires each federal agency to make achieving environmental justice part of its mission by identifying and addressing, as appropriate, disproportionately high and adverse human health or environmental effects of its programs, policies, and activities on minority populations and low-income populations in the U.S.

- **Executive Order 13107, *Implementation of Human Rights Treaties* (December 10, 1998).** Requires the Secretary to designate a single official as the interagency point of contact for human rights treaties; the Secretary has so designated the Officer for Civil Rights and Civil Liberties.

- **Executive Order 13145, *To Prohibit Discrimination in Federal Employment Based on Genetic Information* (February 10, 2000).** Prohibits federal employment discrimination on the basis of protected genetic information.

- **Executive Order 13160, *Nondiscrimination on the Basis of Race, Sex, Color, National Origin, Disability, Religion, Age, Sexual Orientation, and Status as a Parent in Federally Conducted Education and Training Programs* (June 23, 2000).** Holds the Federal Government to the same nondiscrimination principles relating to educational opportunities as those that apply to the education programs and activities of state and local governments, and to private institutions receiving federal financial assistance.

- **Executive Order 13163, *Increasing the Opportunity for Individuals with Disabilities to be Employed in the Federal Government* (July 28, 2000).** Promotes increasing opportunities for individuals with disabilities to be employed at all levels and occupations of the Federal Government, and supports the goals articulated in section 501 of the Rehabilitation Act of 1973, 29 U.S.C. § 791.

- **Executive Order 13164, *Requiring Federal Agencies to Establish Procedures to Facilitate the Provision of Reasonable Accommodation* (July 26, 2000).** Requires federal agencies to establish procedures to facilitate the provision of reasonable accommodation, and to submit a plan to do so to EEOC within one year.

- **Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency* (August 11, 2000).** Requires federal agencies to take reasonable steps to promote meaningful access to federally-conducted and federally funded programs and activities for people with Limited English proficiency.

- **Executive Order 13256, *President's Board of Advisors on Historically Black Colleges and Universities* (February 12, 2002).** CRCL reports and plans for DHS.

- **Executive Order 13270, *Tribal Colleges and Universities* (July 3, 2002).** CRCL reports and plans for DHS.

- **Executive Order 13347, *Individuals with Disabilities in Emergency Preparedness* (July 26, 2004).** Promotes the safety and security of individuals with disabilities in emergency and disaster situations. The Executive Order also created an Interagency Coordinating Council on Emergency Preparedness and Individuals with Disabilities, which is chaired by the Secretary of the Department of Homeland Security. The Officer for Civil Rights and Civil Liberties was designated by the Secretary to carry out these duties from 2004-2012. In January 2012, the Secretary transferred the leadership from CRCL to FEMA's Administrator and designee, the Office of Disability and Integration Coordination.

- **Executive Order 13515, *Increasing Participation of Asian Americans and Pacific Islander in Federal Programs* (October 19, 2009).** Establishes an Advisory Commission as well as a White House Initiative on Asian Americans and Pacific Islanders, and requires participating agencies, including DHS, to prepare plans to increase those populations' participation in federal programs where they may be underserved.

Delegations and Directives:

- **Directive 3500,** Operational Roles of the Officer for Civil Rights and Civil Liberties and the Office of the Chief Counsel.

- **Directive 4010.2,** Section 508 Program Management Office and Electronic and Information Technology Accessibility.

- **Delegation 19000,** Delegation to the Deputy Officer for Equal Opportunity Programs.

- **Delegation 19001,** Delegation to the Deputy Officer for Civil Rights and Civil Liberties Programs and Compliance.

- **Delegation 19003**, Delegation to the Officer for CRCL for Matters Involving CRCL, Including EEO and Workplace Diversity.

Appendix B: Complaints Tables

In FY 2014, CRCL opened 417 new complaints (compared to 302 opened in FY 2013) and closed 263 complaints (compared to 277 closed in FY 2013). Data tables B-1A and B-1B describe: (1) matters retained by the OIG during FY 2014 and (2) complaints closed and returned to CRCL from the OIG, during FY 2014, by quarter. Data tables B-2A through B-5B summarize complaints retained by CRCL and referred to DHS Components by quarter in FY 2014.

As of September 30, 2014, the Compliance Branch had 533 open complaints. Of those, 75 were retained by CRCL for investigation, 252 were addressed using "short form" investigations to facilitate swift action on urgent complaints and expeditious resolution of allegations that are narrowly focused and therefore require a more limited investigation. Short form investigations that prove to require additional work may be converted to standard investigations. Forty-eight complaints were referred to a DHS Component for investigation, of which 13 were retained by OIG for investigation.

For a tally of all CRCL's complaints by Component and primary allegation from 2003 to 2013, please visit www.dhs.gov/complaints.

Office of Inspector General

CRCL initially refers all complaints to DHS OIG, which retains a relatively small number of those complaints for its own investigation. See 6 U.S.C. § 345(a)(6). As of September 30, 2014, the CRCL Compliance Branch had 13 open complaints that were retained by OIG; of these, nine complaints were opened in FY 2014.

In FY 2014, CRCL closed nine complaints returned by the OIG, which included one matter retained by the OIG in FY 2011, two matters retained by the OIG in FY 2012, four matters retained by the OIG in FY 2013, and two matters retained by the OIG in FY 2014.CRCL closed these complaints based upon either the conclusions reached from the OIG's investigation or further investigation by CRCL which did not result in the issuance of a recommendation.

TABLE B-1A: CRCL COMPLAINTS OPENED AND RETAINED BY OIG, FY 2014

Primary Allegation	CBP				ICE				TSA				USCIS				Multi-Component				Sub-Totals				Total
	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	All
Abuse of authority/ misuse of official position			1																				1		**1**
Conditions of detention			2																				2		**2**
Due process			1														1				1		1		**2**
Excessive force or inappropriate use of force				1				1																2	**2**
Inappropriate questioning/ inspection conditions			1																				1		**1**
Inappropriate touch/ search of person (non-TSA)		1																				1			**1**
Medical/mental health care		2	2																			2	2		**4**
Sexual assault/abuse			1																				1		**1**
Total	**0**	**3**	**8**	**1**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**0**	**0**	**1**	**3**	**8**	**2**	**14**

TABLE B-1B: CRCL COMPLAINTS CLOSED BY OIG, FY 2014

Primary Allegation	CBP				ICE				TSA				USCIS				Multi-Component				Sub-Totals				Total
	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	Q 1	Q 2	Q 3	Q 4	All
Abuse of authority/misuse of official position						1																1			**1**
Excessive force or inappropriate use of force				2																				2	**2**
Fourth Amendment (search and seizure)																				1				1	**1**
Medical/mental health care				3				1																4	**4**
Sexual assault/abuse								1																1	**1**
Total	**0**	**0**	**0**	**5**	**0**	**1**	**0**	**2**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**0**	**1**	**0**	**1**	**0**	**8**	**9**

Complaints Retained by CRCL and Referred to DHS Components, by Quarter

Pursuant to 42 U.S.C. § 2000ee-1, tables B-2A, B-2B, B-3A, B-3B**,** B-4A, B-4B, B-5A, and B-5B summarize, by quarter, the year's complaints received and resolved, dividing them into those retained for full investigation by CRCL, those referred for fact investigation by a Component, and those processed within CRCL via short form. (Note that many Components also receive and resolve civil rights complaints; these tables deal only with those complaints that CRCL had a role in investigating.)

First Quarter FY 2014

TABLE B-2A: COMPLAINTS OPENED Q1 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position					1												1		**1**
Conditions of detention	1		2			4									1	1		7	**8**
Disability accommodation (Section 504)									1									1	**1**
Discrimination/profiling	1		1	1	1										1	2	1	2	**5**
Due process	1		1			1									1	1		3	**4**
Excessive force or inappropriate use of force	1		2		1	3									1	1	1	6	**8**
Fourth Amendment (search and seizure)		1															1		**1**
Inappropriate questioning/ inspection conditions	1		2													1		2	**3**
Intimidation/threat/ improper coercion						1												1	**1**
Legal access				1	1											1	1		**2**
Medical/mental health care			1	1	2	11										1	2	12	**15**
Retaliation						1												1	**1**
Sexual assault/abuse					2												2		**2**
TSA AIT and TSA pat-downs									1									1	**1**
Total	**5**	**1**	**9**	**3**	**8**	**21**	**0**	**0**	**2**	**0**	**0**	**0**	**0**	**0**	**4**	**8**	**9**	**36**	**53**

TABLE B-2B: COMPLAINTS CLOSED Q1 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position						1												1	**1**
Conditions of detention				3	1	7										3	1	7	**11**
Disability accommodation (Section 504)									1									1	**1**
Discrimination/profiling			1															1	**1**
Excessive force or inappropriate use of force			2			1									1			4	**4**
Fourth Amendment (search and seizure)					1												1		**1**
Intimidation/threat/ improper coercion				1												1			**1**
Medical/mental health care			2			16									1			19	**19**
Sexual assault/abuse						1												1	**1**
Total	**0**	**0**	**5**	**4**	**2**	**26**	**0**	**0**	**1**	**0**	**0**	**0**	**0**	**0**	**2**	**4**	**2**	**34**	**40**

Second Quarter FY 2014

TABLE B-3A: COMPLAINTS OPENED Q2 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			2									2	**2**
Conditions of detention	4		2		1	3				4	1	5	**10**
Discrimination/profiling	1								1	1		1	**2**
Due process		1	2		5	2		1			7	4	**11**
Excessive force or inappropriate use of force	1	1	11			4				1	1	15	**17**
First Amendment (free speech/association)						1						1	**1**
Fourth Amendment (search and seizure)				2		1		1		2	1	1	**4**
Inappropriate questioning/ inspection conditions	3		1				2			5		1	**6**
Inappropriate touch/ search of person (non-TSA)			1			1						2	**2**
Legal access						3						3	**3**
Medical/mental health care	2	1	6	1	4	16			2	3	5	24	**32**
Privacy						2						2	**2**
Religious accommodation				1						1			**1**
Sexual assault/abuse					2	2			1		2	3	**5**
Total	**11**	**3**	**25**	**4**	**12**	**35**	**2**	**2**	**4**	**17**	**17**	**64**	**98**

TABLE B-3B: COMPLAINTS CLOSED Q2 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			USCG			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			1			4												5	**5**
Conditions of detention			2		7	5											7	7	**14**
Disability accommodation (Section 504)		1	1														1	1	**2**
Discrimination/profiling	1	1	2			2						1				1	1	5	**7**
Due process	1					1									2	1		3	**4**
Excessive force or inappropriate use of force	2		3	1		7										3		10	**13**
First Amendment (free speech/association)									1									1	**1**
Fourth Amendment (search and seizure)			1			1												2	**2**
Inappropriate questioning/ inspection conditions	2		1										1			3		1	**4**
Intimidation/threat/ improper coercion		1				1											1	1	**2**
Language access			1															1	**1**
Legal access						1												1	**1**
Medical/mental health care			4		3	10											3	14	**17**
Privacy				1												1			**1**
Religious accommodation			1															1	**1**
Sexual assault/abuse						1												1	**1**
Total	**6**	**3**	**17**	**2**	**10**	**33**	**0**	**0**	**1**	**0**	**0**	**1**	**1**	**0**	**2**	**9**	**13**	**54**	**76**

Third Quarter FY 2014

TABLE B-4A: COMPLAINTS OPENED Q3 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position	1	1	1			2										1	1	3	**5**
Conditions of detention	2	14	10	1		4										3	14	14	**31**
Disability accommodation (Section 504)			1			1									1			3	**3**
Discrimination/profiling	1		3			4			1			2			1	1		11	**12**
Due process		6	4			2						1			1		6	8	**14**
Excessive force or inappropriate use of force	1	2	3			3									1	1	2	7	**10**
First Amendment (free speech/association)						3									2			5	**5**
Fourth Amendment (search and seizure)						1												1	**1**
Human rights															2			2	**2**
Inappropriate questioning/ inspection conditions	1		1													1		1	**2**
Inappropriate touch/ search of person (non-TSA)		1															1		**1**
Intimidation/threat/ improper coercion	1	2	2													1	2	2	**5**
Language access															1			1	**1**
Medical/mental health care		13	2	2	3	23										2	16	25	**43**
Privacy						2												2	**2**
Sexual assault/abuse	1	1														1	1		**2**
Total	**8**	**40**	**27**	**3**	**3**	**45**	**0**	**0**	**1**	**0**	**0**	**3**	**0**	**0**	**9**	**11**	**43**	**85**	**139**

TABLE B-4B: COMPLAINTS CLOSED Q3 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			1			2												3	**3**
Conditions of detention			1	1	9	6								1		1	10	7	**18**
Disability accommodation (Section 504)						2			1									3	**3**
Discrimination/profiling	1		1			1						1				1		3	**4**
Excessive force or inappropriate use of force	2		2		2	1										2	2	3	**7**
First Amendment (free speech/association)						1												1	**1**
Fourth Amendment (search and seizure)						1												1	**1**
Human rights															1			1	**1**
Legal access					1	1											1	1	**2**
Medical/mental health care		1	3	2	6	23										2	7	26	**35**
Privacy												1						1	**1**
Retaliation					1												1		**1**
Sexual assault/abuse					2												2		**2**
Total	**3**	**1**	**8**	**3**	**21**	**38**	**0**	**0**	**1**	**0**	**0**	**2**	**0**	**1**	**1**	**6**	**23**	**50**	**79**

Fourth Quarter FY 2014

TABLE B-5A: COMPLAINTS OPENED Q4 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCG			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			2															1			3	**3**
Conditions of detention	1	2	1	2		8													3	2	9	**14**
Disability accommodation (Section 504)												1			1						2	**2**
Discrimination/profiling			1		7															7	1	**8**
Due process						1												1			2	**2**
Excessive force or inappropriate use of force	2		1			8													2		9	**11**
Fourth Amendment (search and seizure)			1	2															2		1	**3**
Human rights																		4			4	**4**
Inappropriate questioning/ inspection conditions			2																		2	**2**
Inappropriate touch/ search of person (non-TSA)																1			1			**1**
Intimidation/threat/ improper coercion																		1			1	**1**
Language access			1		1															1	1	**2**
Legal access				1		5													1		5	**6**
Medical/mental health care			4	1	1	47												1	1	1	52	**54**
Religious accommodation						5			1												6	**6**
Retaliation				1		1													1		1	**2**
Sexual assault/abuse			4			2															6	**6**
Total	**3**	**2**	**17**	**7**	**9**	**77**	**0**	**0**	**1**	**0**	**0**	**1**	**0**	**0**	**1**	**1**	**0**	**8**	**11**	**11**	**105**	**127**

TABLE B-5B: COMPLAINTS CLOSED Q4 FY 2014: PRIMARY ALLEGATION BY COMPONENT

Primary Allegation	CBP			ICE			TSA			USCIS			Multi-Component			Sub-Totals			Total
	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	Referred	Retained	Short Form	All
Abuse of authority/ misuse of official position			2															2	**2**
Conditions of detention			2		1	6											1	8	**9**
Disability accommodation (Section 504)								1									1		**1**
Due process			1															1	**1**
Excessive force or inappropriate use of force	1		5	1		1										2		6	**8**
First Amendment (free speech/association)						1												1	**1**
Fourth Amendment (search and seizure)															1			1	**1**
Human rights															1			1	**1**
Inappropriate questioning/ inspection conditions	2												1			3			**3**
Intimidation/threat/ improper coercion			1												1			2	**2**
Language access						1												1	**1**
Medical/mental health care			6	1		27										1		33	**34**
Privacy												1						1	**1**
Sexual assault/abuse						2									1			3	**3**
Total	**3**	**0**	**17**	**2**	**1**	**38**	**0**	**1**	**0**	**0**	**0**	**1**	**1**	**0**	**4**	**6**	**2**	**60**	**68**

Appendix C: Acronyms

CBP	U.S. Customs and Border Protection
CMAS	CRCL Complaints Management and Adjudication Section
CRCL	DHS Office for Civil Rights and Civil Liberties
CVE	Countering Violent Extremism
DHS	U.S. Department of Homeland Security
DMS	CRCL Diversity Management Section
DOJ	U.S. Department of Justice
EEO	Equal Employment Opportunity
EEOC	Equal Employment Opportunity Commission
FAD	Final Agency Decision
FBI	Federal Bureau of Investigation
FEMA	Federal Emergency Management Agency
FY	Fiscal Year
HQ EEO	DHS Headquarters Equal Employment Opportunity Office
I&A	DHS Office of Intelligence & Analysis
ICCT	CRCL Incident Communication Coordination Team
ICE	U.S. Immigration and Customs Enforcement
LEP	Limited English Proficiency
LGBT	Lesbian, Gay, Bisexual, and Transgender
MD	Management Directive
MSI	Minority Serving Institutions
NCTC	National Counterterrorism Center
NGO	Non-Governmental Organization
OAST	Office of Accessible Systems & Technology
OCHCO	DHS Office of the Chief Human Capital Officer
OHA	DHS Office of Health Affairs
OIG	DHS Office of the Inspector General
OPM	Office of Personnel Management
PREA	Prison Rape Elimination Act of 2003
ROI	Report of Investigation
SEP	DHS Special Emphasis Program
SIIP	CRCL Security, Intelligence, and Information Policy Section
TSA	Transportation Security Administration
UAC	Unaccompanied Alien Child
UNHRC	UN Human Rights Council
USCG	U.S. Coast Guard
USCIS	U.S. Citizenship and Immigration Services
USSS	U.S. Secret Service
VAWA	Violence Against Women Act