



Developing a Discrimination Complaints Process

The following document outlines the basic elements of a process for receiving and responding to complaints of discrimination from program beneficiaries (e.g., program participants, clients, customers, or consumers, etc.). This document can assist recipients in developing a complaint process for their own organization.

Notifying Program Beneficiaries

The recipient should explain how it will notify clients, customers, program participants, or consumers of the recipient and any subrecipients of the bases for prohibited discrimination and the procedures for filing a discrimination complaint with the recipient and the U.S. Department of Homeland Security Office for Civil Rights and Civil Liberties (CRCL). The notice should include:

- The bases for filing a complaint of discrimination, to include race, color, national origin (including language), disability, sex, age, or religion (as applicable);
- Timeframe for filing a complaint, which is no later than 180 days after the date of the alleged discrimination;
- The procedures for filing a complaint, which should include, the method(s) by which complaints can be submitted (e.g., on a specific complaint form, in a letter, in an email, in-person, over the phone, etc.), and relevant agency contact information. The notice should also advise individuals of the option to file a complaint directly with CRCL and provide the relevant contact information; and
- Information on how an individual with a disability or with limited English proficiency can obtain information about the complaint process in alternative formats or other languages.

Recipients should consider providing notice through a variety of means, for example placing posters in recipient facilities; incorporating the notice in program materials; or providing clients, customers, program participants, or consumers with a copy of the complaint procedures. The recipient should also consider its obligations to provide the notice in alternative formats and languages to ensure accessibility for persons with disabilities and persons with limited English proficiency.

Accepting and Responding to Complaints

The recipient should clearly explain its procedures for accepting and responding to discrimination complaints from clients, customers, program participants, or consumers of its program and activities, as well as those of its subrecipients' programs and activities. These procedures should include, at a minimum



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1. A designation of the recipient employee who is responsible for coordinating the series of actions described in these procedures;
2. An explanation of whether the recipient will provide the client, customer, program participant, or consumer with any written acknowledgement of the complaint, the timeline for providing the acknowledgement (e.g., within 10 days of receipt, etc.), and how the recipient will correspond with the complainant throughout the investigation;
3. An explanation of how the recipient will investigate and resolve the complaint, such as whether the recipient will conduct an internal investigation of the complaint, or whether it will refer the complaint to an appropriate external agency for investigation, such as a local or state human rights commission, or CRCL; and the timeline for investigating the complaint (e.g., within 6 months of receipt), or referring the complaint (e.g., within 14 days of receipt);
4. A description of how the recipient will track complaints received and the status of complaints, such as through a spreadsheet or database; and
5. An explanation of how the recipient will ensure that the complaint process is accessible for persons with disabilities and persons with limited English proficiency (LEP).

Referring Complaints

If the recipient's procedures involve referring the complaint to another agency or agencies for investigation and resolution, the recipient should clearly explain the necessary steps for making this referral and how the recipient will notify the complainant of the referral.

Dual Filings

In accepting complaints, recipients should inquire whether the individual has filed the complaint with another agency, such as CRCL, in order to prevent duplicative investigations. If the individual has submitted dual filings, the recipient should contact the relevant agency to determine a coordination approach.

Subrecipient Procedures

The recipient should explain how it will ensure that subrecipients have procedures in place for responding to discrimination complaints that clients, customers, program participants, or consumers of a subrecipient file directly with the subrecipient. At a minimum, these procedures should include forwarding the complaint to the primary recipient, CRCL, or another appropriate external agency, such as a local or state human rights commission; notifying the primary recipient of any discrimination complaints that the subrecipient does not refer to the primary recipient; and notifying the complainant that he or she may file a complaint of discrimination directly with the primary recipient or with CRCL.



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Contact Information for Filing Complaints with DHS Office for Civil Rights and Civil Liberties (CRCL)

- **E-mail:** CRCLCompliance@hq.dhs.gov (fastest method to submit your complaint)
- **Fax:** 202-401-4708
- **U.S. Mail:**
U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Compliance Branch
245 Murray Lane, SW
Building 410, Mail Stop #0190
Washington, D.C. 20528
- Website for additional information: <https://www.dhs.gov/file-civil-rights-complaint>