



## Department of Homeland Security Civil Rights Evaluation Tool Frequently Asked Questions

### What is the Department of Homeland Security Civil Rights Evaluation Tool?

The Department of Homeland Security (DHS) Civil Rights Evaluation Tool is a technical assistance tool to assist recipients of DHS financial assistance in understanding and meeting their existing requirements under civil rights laws and regulations.

Specifically, recipients of financial assistance from DHS are required to comply with laws and regulations relating to nondiscrimination and nondiscriminatory use of federal funds. Entities receiving financial assistance must ensure they do not deny benefits or services, or otherwise discriminate on the basis of race, color, national origin, disability, age, sex, or religion in accordance with civil rights authorities.

In accepting an award of financial assistance from DHS, the recipient agrees to comply with the applicable laws and regulations set forth in the DHS Standard Terms and Conditions. The DHS Civil Rights Evaluation Tool clarifies the civil rights obligations contained in the DHS Standard Terms and Conditions and facilitates compliance with these requirements.

### Which entities must complete the Civil Rights Evaluation Tool?

Primary recipients (entities that receive federal assistance directly from DHS, not through another recipient or pass-through entity) of federal financial assistance are required to complete and submit the Civil Rights Evaluation Tool within 30 days of receipt of the Notice of Award or, for State Administering Agencies, within 30 days from receipt of the tool from DHS. This tool does not apply to the following entities:

- **Subrecipients.** Subrecipients of Department financial assistance are not required to complete this form; however, subrecipients have the same obligations as their primary recipients to comply with applicable civil rights requirements and should follow their primary recipient's procedures regarding the submission of civil rights information.
- **Contractors.** This form does not apply to entities that are contracted to provide goods or services on behalf of DHS, such as through a procurement contract.

- **Beneficiaries.** This form does not apply to the ultimate beneficiaries (individuals to whom services, financial aid, or other benefits are provided) of Department financial assistance.

### **How often are recipients required to complete the Tool?**

Recipients are required to complete the tool once every two (2) years (if DHS assistance is continuing), not every time an award is made. After the initial submission, recipients are only required to submit updates. If there are no updates since the initial submission, the recipient can indicate “no change” for each item as applicable. Recipients should not re-submit information previously submitted.

Recipients of multiple awards of DHS financial assistance should only submit one completed tool for their organization, not per award. Recipients whose award(s) does not run a full two years are only required to provide the information again if they receive a subsequent award more than two years after the prior award.

### **Is the submission of civil rights data a new requirement?**

DHS and Federal implementing regulations require recipients to collect civil rights data, keep compliance records and reports, establish compliance procedures for subrecipients, and inform program beneficiaries of their civil rights protections, among other requirements. While these laws and regulations are not new, the Department developed the Civil Rights Evaluation Tool to assist recipients in more efficiently meeting their existing obligations by identifying the basic requirements across civil rights laws and regulations and providing a standardized mechanism for recipients to better understand and meet their obligations.

### **What will DHS do with the information provided?**

The DHS Office for Civil Rights and Civil Liberties (CRCL) will review the information submitted with the Tool to determine if additional information is needed to ensure that the recipient has or will put in place policies and procedures to meet civil rights requirements. If additional information is required, CRCL will notify the recipient and provide technical assistance to assist the recipient in meeting its obligations.

### **If my organization does not currently collect the information or have in place the policies and procedures required in Section 4 of the Tool can I request an extension?**

Yes. Recipients that do not currently collect the information or have in place the policies and procedures requested in Section 4 can request an extension of time to meet these requirements. DHS will grant extensions if the recipient identifies steps and a timeline for meeting the requirements. Recipients should request extensions and technical assistance from DHS prior to expiration of the 30-day deadline. DHS also has available guidance, sample policies and procedures to assist recipients in ensuring nondiscrimination in their programs and activities and in completing the Tool. Please visit the Recipient Resources webpage for more information: <https://www.dhs.gov/resources-recipients-dhs-financial-assistance>

**Do I need to collect and report the information required in Section 4 of the Tool on behalf of our subrecipients?**

No. Recipients are only required to provide information for their *own* organization and should not submit data on complaints, lawsuits, designated staff, policies, or procedures on behalf of their subrecipients. While subrecipients have the same obligation as primary recipients to comply with applicable civil rights laws and regulations, the primary recipient is responsible for ensuring compliance on the part of their subrecipients.

**My organization is in receipt of multiple awards of federal financial assistance. Which numbers do I report in Section 2 of the Tool?**

In Section 2 of the Tool, recipients should report the Grant Agreement Number and the Federal Award Identification Number for awards made by DHS in the current fiscal year.

**If I have additional questions which office should I contact?**

Questions regarding the Civil Rights Evaluation Tool may be directed to the DHS Office for Civil Rights and Civil Liberties at [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov).