



The Office for Civil Rights and Civil Liberties (CRCL) supports the U.S. Department of Homeland Security (DHS) as it secures the nation while preserving individual liberty, fairness, and equality under the law.



CRCL Operations During COVID-19 Response

Per guidance from the U.S. Office of Personnel Management in response to COVID-19, CRCL is operating under telework flexibilities while continuing to serve and support the public. As a result, mail operations may be impacted and our response to mailed letters may be delayed. If you wish to file a civil rights complaint, the best method of submission at this time is via email to: CRCLCompliance@hq.dhs.gov. CRCL staff will continue to monitor this email address, and our toll-free hotline for your questions at: 1-866-644-8360, TTY: 1-866-644-8361. For additional information on how to file a civil rights complaint, please visit: www.dhs.gov/file-civil-rights-complaint.

CRCL Hosts 9/11 Commemoration: “The State of Civil Rights Across DHS”



*The State of Civil Rights Across DHS –
Commemorating the 20th Anniversary of 9/11*
Hosted by the
DHS Office for Civil Rights and Civil Liberties

This month, CRCL Officer Katherine Culliton-González hosted a virtual discussion with DHS leaders and civil rights experts to commemorate the 20th anniversary of 9/11. The event, “The State of Civil Rights Across DHS - Commemorating the 20th Anniversary of 9/11,” featured remarks from DHS Component

leadership from U.S. Citizenship and Immigration Services (USCIS), U.S. Customs and Border Protection (CBP), U.S. Immigration and Customs Enforcement (ICE), and the Transportation Security Administration (TSA) who shared DHS accomplishments in protecting civil rights and civil liberties over the last several years, as well as current efforts to embed civil rights and civil liberties in operations. Meeting attendees then heard briefings from civil rights and civil liberties experts from nongovernmental organizations and academia covering a number of significant civil rights issues that remain a challenge for the Department. The expert briefers reflected on past DHS policies and offered suggestions for improving civil rights and civil liberties through Department policies. Many discussed nondiscrimination policies, screening and vetting, immigration detention, meaningful redress mechanisms, as well as establishing a public feedback mechanism prior to implementation of policies.

Following the expert briefings, participants engaged in a Q&A dialogue with DHS leaders. CRCL will continue to engage with DHS Components and external stakeholders to ensure civil rights and civil liberties are at the forefront of the Department’s many missions and activities.

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DHS Remembers the 3rd Anniversary of the Shooting at the Tree of Life Synagogue

On October 27, 2018, we witnessed the deadliest antisemitic massacre in American history at the Tree of Life Synagogue in Pittsburgh, Pennsylvania. On this day, we remember the lives lost and the survivors of this violent act fueled by hate. DHS is committed to implementing [President Biden's National Strategy for Countering Domestic Terrorism](#) in every aspect of the DHS mission. We stand with communities across the country to fight against hate, defeat the forces of fear, and forge a more tolerant, just, fair, and peaceful tomorrow.

HHS, DHS, and FEMA Issue Joint Letter to States on Ensuring Title VI Compliance

Last month, the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR); the Federal Emergency Management Agency (FEMA), Office of Equal Rights (OER), and CRCL issued a letter to certain states after receiving concerns from several organization that individuals who are limited English proficient (LEP) have not received meaningful access to COVID-19 services (e.g., testing, vaccines, treatment, contact tracing) during the ongoing public health emergency. The states have received federal financial assistance from HHS and DHS to support response activities to the COVID-19 public health emergency. Under Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, recipients of federal funding have an obligation to take reasonable steps to provide LEP persons meaningful access to their programs and activities.

OCR, OER, and CRCL are responsible for ensuring compliance with Title VI in federally assisted programs. In the letter, the federal offices requested updates on the actions the state has taken to provide language access services. The letter also included a number of resources and technical assistance materials to guide recipients on meeting their obligations to provide meaningful access to LEP persons.

CRCL Recognizes National Hispanic Heritage Month with Latinx Virtual Event

In recognition of National Hispanic Heritage Month, CRCL Officer Katherine Culliton-González hosted a virtual engagement with national Latinx community and advocacy organizations in attendance.

CRCL Officer Culliton-González gave opening remarks and led the discussion on DHS resources to prevent targeted violence and threats. The DHS Senior Counselor for Immigration further highlighted the Administration's approach to immigration enforcement with a focus on the circumstances of individual cases, as opposed to targeting all removable citizens. Officials from the following DHS Components and offices also shared information and details on the priority to keep communities safe:

- The Center for Prevention Programs and Partnerships (CP3) discussed their prevention work, including coordination with 14 field offices working with communities across the country;
- FEMA's Preparedness Grants Division discussed the Nonprofit Security Grant Program, which is focused on security-related activities and programs concentrated on protecting against and preventing a potential terrorist attack;
- The Cybersecurity and Infrastructure Security Agency (CISA) discussed a series of products, tools, and resources (many of which are translated into multiple languages) that are aimed at helping communities prepare for emerging threats; and
- USCIS provided updates on current priorities, noting that USCIS is no longer applying the public charge final rule (issued in August 2019) and that a series of measures are being implemented to promote naturalization

The CRCL Officer also committed to having an open-door dialogue to share resources and hear community concerns, and to raise those concerns with senior government officials and counterparts.

DHS Announces New Immigration Enforcement Priorities

DHS recently announced new [*Guidelines for the Enforcement of Civil Immigration Law*](#) to better focus the Department's resources. In the last six months, Secretary Mayorkas held multiple engagements with the ICE workforce and leadership across the country, as well as with a range of stakeholders including law enforcement, civic, and community leaders to inform the new guidance. CRCL also contributed to the section on Protection of Civil Rights and Civil Liberties, discussed below.

"For the first time, our guidelines will, in the pursuit of public safety, require an assessment of the individual and take into account the totality of the facts and circumstances," said Secretary Mayorkas. "In exercising this discretion, we are guided by the knowledge that there are individuals in our country who have been here for generations and contributed to our country's well-being, including those who have been on the frontline in the battle against COVID, lead congregations of faith, and teach our children. As we strive to provide them with a path to status, we will not work in conflict by spending resources seeking to remove those who do not pose a threat and, in fact, make our Nation stronger."

Enforcement priorities for apprehension and removal remain focused on noncitizens who are a threat to our national security, public safety, and border security. But the guidelines are a break from a categorical approach to enforcement. They require an assessment of the individual and the totality of the facts and circumstances to ensure resources are focused most effectively on those who pose a threat.

There is also recognition that the majority of the more than 11 million undocumented or otherwise removable noncitizens in the United States have been contributing members of our communities across the country for years. The fact an individual is a removable noncitizen will not alone be the basis of an enforcement action against them. The Department's personnel are to use their discretion and focus the Department's enforcement resources in a more targeted way.

"I am grateful to the ICE personnel for their candor and openness in our discussions about their critical law enforcement mission," continued Mayorkas. "The new guidelines will enable our Department to most effectively accomplish our law enforcement mission and, at the same time, advance our country's well-being by recognizing the invaluable contributions of millions of individuals who are part of the fabric of our communities. The guidelines will help us exercise our prosecutorial discretion to achieve justice."

The immigration enforcement guidelines require the protection of civil rights and civil liberties. A noncitizen's race, religion, gender, sexual orientation or gender identity, national origin, political associations, or exercise of First Amendment rights cannot be factors in deciding to take enforcement action. For the first time, they explicitly guard against the use of immigration enforcement as a tool of retaliation for a noncitizen's assertion of legal rights, such as the right to exercise workplace or tenant rights. The guidelines make clear that immigration enforcement authority shall not be used as an instrument of unscrupulous employers seeking to exploit their employees' immigration status.

Continuous training, a process to review their effective implementation, extensive data collection, and a case review process will all be required.

The new guidelines replace the interim priorities issued by ICE Acting Director Tae Johnson in February and become effective November 29, 2021. Secretary Mayorkas is expected to issue additional immigration-related policy memos in the coming weeks.

DHS Announces New Law Enforcement Coordination Council

DHS recently announced the formation of the Law Enforcement Coordination Council (LECC) – the Department's first unified law enforcement coordination body – to comprehensively assess a broad range of law enforcement matters, including its law enforcement policies and training. The LECC, which will be chaired by Secretary Mayorkas, will immediately begin comprehensive reviews that ensure more fair, equitable, and impartial policing, as well as officer and community safety. The LECC builds on several steps undertaken by DHS during the Biden-Harris Administration to promote best practices in its law enforcement activities.

The LECC includes the leadership of every DHS law enforcement Component, as well as leadership of DHS Headquarters offices with advisory and oversight roles, including CRCL, the Privacy Office, and the Office of General Counsel. The LECC will evaluate and respond to emerging law enforcement challenges and opportunities, comprehensively assess potential policy changes, facilitate information sharing, and promote best practices. The LECC will also coordinate closely with partners across every level of government, as well as with other key stakeholders.

“Law enforcement is a noble profession. Its personnel honorably protect and serve our communities across the country, and they do so at great personal risk,” said Secretary Mayorkas. “DHS is committed to ensuring our law enforcement personnel and our law enforcement partners have the training and tools to execute their mission, including by protecting civil rights, civil liberties, and privacy. The Law Enforcement Coordination Council will better enable the Department to combat current and future threats to our country, while ensuring the safety of both our law enforcement personnel and the diverse communities we serve.”

The LECC will immediately form two sub-committees. The first subcommittee will undertake a review of Department-wide and Component-specific use of force policies – including those that govern de-escalation tactics, the use of chemical agents such as tear gas, and less-than-lethal munitions – to ensure our law enforcement officers and agents continue to execute their mission appropriately and lawfully, including in a way that takes into account health and safety and is mindful of sensitive locations. The second subcommittee will undertake a review of law enforcement training techniques and curricula, adhering to a set of key principles that include a rigorous protection of civil rights and civil liberties and respect for privacy, a data-driven focus on preventing implicit bias, the promotion of standards that prohibit profiling and enhance de-escalation techniques, policies that support mental health, and strategies to increase trusted community engagement. These initiatives build on the Department’s longstanding commitment to continuously evaluate and improve its law enforcement-related practices and policies to ensure they are consistent with the law, align with best practices, and protect inalienable rights.

DHS Celebrates National Disability Employment Awareness Month

DHS Each October, DHS celebrates National Disability Employment Awareness Month (NDEAM). NDEAM is an opportunity to celebrate the many and varied contributions of DHS employees with disabilities and to educate our workforce on disability employment issues. This year's theme, “*America's Recovery: Powered by Inclusion*,” reflects the importance of ensuring that people with disabilities have full access to employment and community involvement during the national recovery from the COVID-19 pandemic.

This October marks the 76th anniversary of NDEAM, which traces back to 1945, when Congress enacted a law declaring the first week of October each year as “National Employ the Physically Handicapped Week.” In 1962, the word “physically” was removed to acknowledge the contributions and employment needs of individuals with all types of disabilities. In 1988, Congress expanded the week to a month and changed its name to National Disability Employment Awareness Month.

Visit [CRCL’s Equal Employment and Diversity site](#) to learn more about [DHS disability employment programs and resources](#).



DHS Celebrates First Anniversary of the Center for Countering Human Trafficking

This month, DHS marked the first anniversary of the Center for Countering Human Trafficking (CCHT). The CCHT, led by ICE Homeland Security Investigations (HSI), is a DHS-wide effort dedicated to bringing human traffickers to justice, protecting victims of sex trafficking and forced labor, and preventing these terrible crimes from occurring. The CCHT is the first unified, intercomponent coordination center for countering human trafficking and the importation of goods produced with forced labor. Guided by the [*DHS Strategy to Combat Human Trafficking, the Importation of Goods Produced with Forced Labor, and Child Sexual Exploitation*](#), CCHT integrates efforts across DHS to combat human trafficking.



DHS also announced a number of new initiatives across Components to combat sex trafficking and forced labor:

- ICE HSI issued a directive underscoring HSI personnel's responsibility to identify and assist victims of crime.
- The CCHT launched a new public website at DHS.Gov/CCHT to bring together all DHS anti-human trafficking resources in one easily accessible place.
- USCIS released the first ever standalone [T-Visa Resource Guide](#) for law enforcement and certifying agencies. The T-Visa Resource Guide provides information to certifying agencies, including law enforcement, on how to support victims of human trafficking while law enforcement investigates and prosecutes these crimes. USCIS also released updated and comprehensive T-visa policy guidance for agency adjudicators to clarify requirements for T-Visa eligibility.
- CBP announced that, in addition to the seven Withhold Release Orders (WRO) and two Findings already issued in Fiscal Year 2021 to protect American consumers and businesses from goods made by forced labor, additional enforcement actions are expected in the coming days. As part of its mission to investigate and prevent goods made by forced labor from entering U.S. commerce, CBP has detained 1,469 shipments containing nearly \$500 million of goods suspected to be made by forced labor in FY2021 alone.
- Finally, the [DHS Blue Campaign](#) continues to educate the public, law enforcement, non-governmental organizations, and other stakeholders through partnerships, advertisements, and social media about the indicators of human trafficking and how to report it.

DHS remains committed to a victim-centered approach in the pursuit of justice for survivors of these heinous crimes.

CIS Ombudsman Publishes New Video and Translations of Outreach Materials

The [Office of the Citizenship and Immigration Services Ombudsman](#) (CIS Ombudsman) has published new resources for individuals and employers who are seeking case assistance. The new resources include an [informational video](#) (in English) that provides an overview of the CIS Ombudsman's mission and highlights examples of the types of case assistance provided by the office. The CIS Ombudsman has also translated its [informational brochure](#) and [case assistance infographic](#) into the following languages: Spanish, Arabic, Chinese, French, Haitian Creole, Portuguese, Russian, Somali, and Vietnamese. These materials provide step-by-step instructions on how to submit a request for case assistance to our office using [Form DHS-7001](#) along with an overview of the steps that the CIS Ombudsman takes once we receive a request for case assistance. Please visit the [CIS Ombudsman's resources webpage](#) for additional resources to help navigate the citizenship and immigration process.

CRCL on the Road, October*

El Paso, Texas

On October 7, 2021, CRCL hosted a virtual regular roundtable meeting with diverse community leaders in the El Paso, Rio Grande Valley area.

Laredo, Texas

On October 25, 2021, CRCL Officer Katherine Culliton-González traveled to Laredo with CBP leaders to meet with Border Patrol personnel and observe operations.



CRCL Officer Katherine Culliton-González joins CBP leaders to meet with Border Patrol personnel in Laredo, Texas

*Following guidance from the Centers for Disease Control and Prevention to exercise social distancing, our Community Engagement team will continue to carry out our mission using various virtual and telephonic tools during this national public health emergency. While our team maintains constant communication with federal, state, local, and civil society stakeholders across the country, we encourage anyone who needs to contact us to do so via email to: CommunityEngagement@hq.dhs.gov. Thank you for your flexibility and understanding during this time.

Additional information, and contacting us

The goal of this periodic newsletter is to inform members of the public and other government partners about the activities of the DHS Office for Civil Rights and Civil Liberties, including: how to file complaints; ongoing and upcoming projects; opportunities to offer comments and feedback; etc. We distribute our newsletters via our stakeholder email list and make them available to community groups for redistribution. Issues of the newsletter can be accessed online at: www.dhs.gov/crcl-newsletter.

If you would like to receive this newsletter via email, want to request back issues, or have other comments or questions, please let us know by emailing crcloutreach@dhs.gov. For more information, including how to make a civil rights or civil liberties complaint about DHS activities, visit: www.dhs.gov/crcl.

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