



*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 complaint, the best method of submission at this time is via email to: [CRCLCompliance@hq.dhs.gov](mailto: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 details on how to file a civil rights complaint, visit: <https://www.dhs.gov/file-civil-rights-complaint>.

### Joint Final Rule for Treatment of Faith-Based Organizations in DHS Service Programs

DHS has announced a joint final rule with eight other agencies—the Department of Justice, the Department of Labor, the Department of Education, the Department of Health and Human Services, the Department of Housing and Urban Development, the Department of Agriculture, the Agency for International Development, and the Department of Veterans Affairs—to implement President Trump’s Executive Order No. 13831, on the Establishment of a White House Faith and Opportunity Initiative (May 3, 2018). This rule ensures that religious and non-religious organizations are treated equally in DHS-supported programs, and it clarifies that religious organizations do not lose their legal protections and rights just because they participate in federal programs and activities.

This final rule ensures equal treatment for faith-based organizations, consistent with the Constitution and other federal law. It removes requirements in prior regulations that placed unequal burdens on religious organizations, cast unwarranted suspicion on them, and were in tension with their religious liberty rights. This final rule also clarifies that religious organizations do not lose various legal protections because they participate in federal programs and activities, such as the rights to accommodations and conscience protections under the First Amendment, Religious Freedom Restoration Act, and other federal laws.

This final rule preserves most of the existing regulations governing participation of religious organizations in DHS’s financial assistance programs, including provisions barring providers from discriminating against beneficiaries based on religion and requiring that any religious activities by the organization be separated in time or location from any services directly funded with federal money.

This rule was drafted in response to Executive Order 13831, issued in May 2018. The Agencies worked collaboratively to draft notices of proposed rulemaking that were published or delivered to Congress in January 2020. The nine agencies then received over 95,000 public comments from a range of interested parties,

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including Members of Congress; state and local governments, agencies, and officials; faith-based services providers and umbrella organizations; advocacy organizations; and individuals. The Agencies considered those comments, modified their regulations to address concerns raised in the comments, and drafted responses included in the final rule.

### **Safe Online Holiday Shopping**

The holiday season is a prime time for hackers, scammers, and online thieves. Due to the pandemic, this holiday season may look and feel a bit different, but we all still need to be aware of the potential dangers online shopping can bring and the ways we can protect ourselves. While millions of Americans will be online looking for the best gifts and cyber deals, hackers will be looking to take advantage of unsuspecting shoppers by searching for weaknesses in their devices or internet connections or attempting to extract personal and financial information through fake websites or charities. The best defense against these threats is awareness. There are a few simple steps we all can take to be more secure before and after we shop. Be alert for holiday scams and other cyber threats. The Cybersecurity Infrastructure and Security Agency (CISA) recommends three simple steps to stay safe while online shopping: check your devices; shop through trusted retailers; and use safe methods for purchase. Find more detailed tips and resources at: <https://www.cisa.gov/shop-safely>.

### **CISA Releases Security Guidance on Mitigating Attacks on Houses of Worship**

CISA is pleased to announce the publication of the [Mitigating Attacks on Houses of Worship Security Guide and Fact Sheet](#) to understand the threats to houses of worship and help them mitigate future attacks. In this security guide, CISA analyzed ten years of targeted attacks on houses of worship to provide context to the enterprise-wide security recommendations outlined in the previous chapters. The case studies reviewed are examples of the breadth of threats a house of worship faces daily. From physical attacks such as active shooter incidents, arsons, or bombings to less visible cyberattacks, a house of worship should be vigilant in its security practices.

The best way to mitigate a potential attack is to take a holistic approach to security. This requires assigning clear roles and responsibilities for making security decisions, planning, and implementing the procedures and capabilities across the organization. A robust security plan should be tailored to the specific needs and priorities of the house of worship. To develop and implement sound security practices, CISA recommends the following options for consideration:

- Establish a multi-layered plan for security, identifying clear roles and responsibilities for developing and implementing security measures.
- Create emergency action plans, business continuity plans, and incident response plans that are well communicated and exercised with the Safety Team for complete understanding.
- Conduct a vulnerability assessment to understand the risks to the house of worship from which you may prioritize implementing any subsequent safety measures.
- Build community readiness and resilience by establishing an organizational culture of caring where all members and visitors are properly supported, and credible threats are reported through previously identified channels.
- Apply physical security measures to monitor and protect the outer, middle, and inner perimeters, while respecting the purpose of each area of the house of worship.
- Focus on the safety of children by implementing safety measures around childcare, daycare, and schools.
- Implement cybersecurity best practices to safeguard important information and prevent a potential cyberattack.

These security options will not deter every threat to a house of worship, but a comprehensive security approach offers the best solution to protect people and property from an attack. Houses of worship should tailor this knowledge to account for their unique security needs while ensuring the inherent open and welcoming values are maintained. For more information and to access the guide and quick reference sheet, visit [www.cisa.gov/faith-based-organizations-houses-worship](http://www.cisa.gov/faith-based-organizations-houses-worship).

## **International Day on Persons with Disabilities**

International Day on Persons with Disabilities is annually observed on December 3 to promote the full and equal participation of persons with disabilities in all aspects of society. In reflecting on the day, CRCL looked back on its activities this year to provide equal opportunity for persons with disabilities, both in employment and in conducting DHS programs and activities across DHS mission areas in accordance with Section 504 of the Rehabilitation Act (Section 504). CRCL worked to ensure nondiscrimination for individuals with disabilities in a number of ways that include:

- Supporting Components in implementing their Disability Access plans, per DHS Directive 065-01;
- Advising on integrating disability-related requirements in the Department's response to COVID-19;
- Participating in the federal interagency Section 504 working group, led by the U.S. Department of Justice;
- Engaging with stakeholders through weekly calls convened by disability organizations;
- Providing guidance within the Department on the impact of immigration policies on persons with disabilities;
- Providing technical assistance to DHS grant recipients on meeting their obligations under Section 504;
- Implementing a mentoring program pilot to enhance career development for employees with disabilities;
- Developing and implementing affirmative action plans and FY 2020 Annual Disability Hiring goals; and
- Investigating complaints alleging violations of Section 504.

## **Updates to DHS Component Language Access Plans**

DHS recognizes the importance of being able to communicate effectively with individuals, including those with limited English proficiency (LEP), across our many missions and functions. CRCL leads the Department's efforts to ensure meaningful access for LEP individuals in the Department's programs and activities, under Executive Order 13166, *Improving Access to Services for Persons with Limited English Proficiency*.

As such, in 2012 CRCL developed the first-ever [DHS Language Access Plan](#), which requires that each DHS Component also develops its own individual language access plan. These individual Component plans are updated periodically considering new demographics, the effectiveness of its language access programs, and other factors.

Major changes and updates to the Components plans include (but are not limited to) the following items:

- Some updated plans include new information on steps taken to identify and effectively communicate with Latin American indigenous language speakers; i.e., the development and distribution of the Indigenous Language Identification Tool.
- U.S. Customs and Border Protection (CBP) issued a new directive, CBP Directive 2130-031, *Roles and Responsibilities of U.S. Customs and Border Protection Offices and Personnel Regarding Provision of Language Access*, and developed and disseminated tools and resources to assist CBP employees in the provision of language assistance services to LEP persons.
- U.S. Immigration and Customs Enforcement developed a self-assessment survey tool to evaluate each directorate's mission and language access program and launched its online training course on language access that all law enforcement officers, managers, and supervisors were required to take.
- Federal Emergency Management Agency reiterated its practice of publishing disaster information in languages identified through demographic analysis of impacted areas and providing notice to LEP persons of their right to foreign language interpretation free of charge. The updated plan further highlights the role of civil rights advisors and external affairs cadre members deployed to disaster sites who provide technical assistance on language access requirements following disasters.
- The DHS Blue Campaign, which continues to provide human trafficking awareness training and materials in dozens of languages, worked with Native American and Alaska Native organizations such as the Center for Native American Youth, as well as survivors from the Esselen and Shoshone tribes, to determine the type of products, imagery, and messages that would be most valuable for new Blue Campaign poster series for this specific audience.

### **Save the Date: January 11 is #WearBlueDay!**

On Monday, January 11, the DHS Blue Campaign invites you to participate in [#WearBlueDay](#) to raise awareness of human trafficking and start online conversations about the crime. Simply post a photo of yourself wearing blue on social media with the hashtag [#WearBlueDay](#) and encourage friends, family, and colleagues to do the same. It can be a hat, shirt, dress, tie, or uniform—anything blue!

Check out the Blue Campaign website for more [#WearBlueDay](#) inspiration! Don't forget to follow [@DHSBlueCampaign](#) on [Twitter](#), [Facebook](#), and [Instagram](#) for updates and other ways to bring awareness to human trafficking during January and throughout the year. The Blue Campaign also provides [resources](#) in multiple languages on its website.

### **DHS Announce Supplemental Guidance for MPP Implementation**

DHS and U.S. Customs and Border Protection (CBP) have released supplemental guidance for implementation of the Migrant Protection Protocols (MPP). The Migrant Protection Protocols are a U.S. Government action whereby citizens and nationals of countries other than Mexico arriving in the United States by land from Mexico -- whether or not at a port of entry -- may be returned to Mexico pursuant to Section 235(b)(2)(C) of the Immigration and Nationality Act (INA) while their U.S. removal proceedings are pending under Section 240 of the INA. The supplemental guidance represents the culmination of a broad and thorough programmatic review that began in early 2020.

This supplemental guidance enshrines ongoing operational improvements made since the initial implementation of the program and further refines MPP operating principles related to document service, amenability, family units, and known mental and physical health issues, among other topics.

*Read the [Supplemental Policy Guidance](#) and [more information on MPP protocols](#).*

### **Update on Deferred Action for Childhood Referrals**

In compliance with [an order](#) of a United States District Court, effective December 7, 2020, U.S. Citizenship and Immigration Services (USCIS) is:

- Accepting first-time requests for consideration of deferred action under Deferred Action for Childhood Arrivals (DACA) based on the terms of the DACA policy in effect prior to September 5, 2017, and in accordance with the Court's December 4, 2020, order;
- Accepting DACA renewal requests based on the terms of the DACA policy in effect prior to September 5, 2017, and in accordance with the Court's December 4, 2020, order;
- Accepting applications for advance parole documents based on the terms of the DACA policy prior to September 5, 2017, and in accordance with the Court's December 4, 2020, order;
- Extending one-year grants of deferred action under DACA to two years; and
- Extending one-year employment authorization documents under DACA to two years.

USCIS will take appropriate steps to provide evidence of the one-year extensions of deferred action and employment authorization documents under DACA to individuals who were issued documentation on or after July 28, 2020, with a one-year validity period under the defunct policy.

DHS will comply with the order while it remains in effect, but DHS may seek relief from the order. For more information, [please visit USCIS.gov](#).

### **CRCL on the Road**

\*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](mailto: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 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](http://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](mailto: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](http://www.dhs.gov/crcl).

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