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Office of Civil Rights

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**"Mission First,
People Always"**

Special Interest Articles by:

- Compliance and Programs Division
- Public Civil Rights Division
- Employee Complaints and Adjudication Division
- Policy

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MOU SIGNING RENEWED



Secretary Salazar meets to discuss framework of MOU signing

DOI renewed MOU on Oct. 23, 2012



On October 23, 2012, DOI renewed its partnership with HACU, to engage the Hispanic community by signing a new memorandum of understanding (MOU), which BOR will manage for DOI. Through this MOU, Interior and HACU will promote career opportunities, professional development and research for students, faculty, and staff at Hispanic Serving Institutions (HSI). BOR Commissioner Michael L.

Conner, signed the MOU in a ceremony in Washington, D.C., with HACU President Antonio R. Flores who said Interior will also strategically link its relationship with HACU with its efforts to build a 21st Century diverse workforce. Conner told attendees, **"This partnership will help Interior connect with Hispanic students throughout the country, as we continue to build a labor force of the best and brightest."**

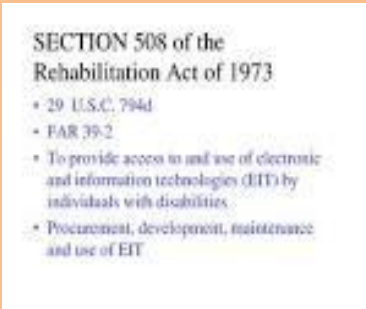
Interior Observes NDEAM

During October 1-31, 2012, the Department of the Interior observed **National Disability Employment Awareness Month (NDEAM)**, along with the Nation to raise awareness about the disability employment issues and celebrate the many and varied contributions of America's workers with disabilities. This effort to educate the public about challenges related to disability employment began in 1945, when Congress enacted Public Law 176, declaring the first week of October each year as National Employ the Physically Handicapped Week. However, in 1962,

the word "Physically" was removed to acknowledge the employment needs and contributions of individuals of all types of disabilities. Some 25 years later, Congress expanded the week to a month and changed the name to **National Disability Employment Awareness Month (NDEAM)**. The official theme for the 2012 **NDEAM**, announced by the United States Department of Labor, is "A Strong Workforce is an Inclusive Workforce: What Can YOU Do?" In Observance of **NDEAM**,

the Bureau of Reclamation (BOR) and the DOI Office of Human Resources (OHR) sponsored a workshop at the Main Interior Building (MIB) on October 17, 2012. It was facilitated by an attorney advisor from the U.S. Employment Opportunity Commission (EEOC), who spoke about reasonable accommodations for individuals with disabilities and resources for hiring managers to find qualified candidates such as the Schedule A Hiring Authority.

Section 508 Compliance Hot Tonic Amongst Agencies



— **Section 508** was added as an amendment to the Rehabilitation Act of 1973

Many people with disabilities use assistive technologies to interact with electronic and information technology (EIT). According to **Section 508** of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794d), federal agencies are obligated to ensure accessibility for individuals with disabilities when developing, procuring, and maintaining or using EIT. EIT include but not limited to, telecommunication products, information kiosks and transaction machines, World Wide Web sites, multimedia, office equipment, and

support services. The technical criteria for EITs are outlined in the **Section 508** standards. Here at DOI, emphasis has been made by the Public Civil Rights (PCR) Coordinators, and the Disability Rights Technical Advisory Committee (DRTAC), that all EITs including websites and applications developed for mobile platforms must be **Section 508** compliant. In 1986, **Section 508** was added as an amendment to the

Rehabilitation Act of 1973, which required the federal government to ensure accessibility of EITs for individuals with disabilities. However, this amendment established non-binding guidelines for technology accessibility. In 1996, the Clinger-Cohen Act with revisions was enacted as the new (Continue on page 4)

HACU 26th Annual Conference Vibrant



Student vibrancy and enthusiasm were felt all throughout the Hispanic Association of Colleges and Universities (HACUs) 26th Annual Conference, held at the Marriott Wardman Park Hotel located in Washington, DC, on October 20-22, 2012. The HACU conference brought together over 1500 college-bound students, current students, and their families nation-wide to meet directly with employers to discuss

careers, part-time jobs, internships, and/or volunteer opportunities. The theme for this year's conference "**Championing Hispanic Higher Education Success: Advancing Access and Opportunity in a Changing Environment**" resonated with its participants. This year represented the sixth consecutive year that DOI supported the HACU Annual Conference. The Department, the Office of Surface Mining (OSM), National Park Service

(NPS), and the Bureau of Land Management (BLM) hosted exhibited booths as community outreach, and to recruit students from Hispanic serving institutions (HSI). Organizers said the goal of the conference was to promote greater Hispanic participation in scholarships, fellowships, internships, and other programs funded by government organizations and expand partnerships and strategic alliances for collaboration between HACU (Continue on page 4).

Documentary "Secret Soldier" Reveals



The screening of the documentary "Secret Soldier," about the story of Loretta Janeta Velazquez, was shown to a diverse group of Interior employees on October 3, 2012 at the MIB Auditorium. The program hosted by the National Park Service (NPS), was part of National Hispanic Heritage Month. The film revealed the story of a Cuban woman who

masqueraded as a male confederate soldier during the American Civil War, who also posed as a double agent for the confederacy of the U.S. Secret Service in 1861. Velazquez Born June 26, 1842 in Havana, Cuba, fought at the first battle of Bull Run and the siege of Fort Donelson, however, her gender was discovered while in New Orleans and she was discharged.

Undeterred, she re-enlisted and fought at Shiloh, until unmasked once more. According to her own account, it was reported that Velazquez was of Castilian descent from a wealthy Cuban official and a mother of both French and American ancestry. The program also included a panel discussion by Hispanic NPS superintendents.

DOI Celebrates Veterans Day and National American Indian/Alaska Native Heritage Month

Recently, DOI celebrated Veterans Day (November 11, 2012), in conjunction with National American Indian/Alaska Native Heritage Month (November 1-30, 2012), in an appreciative event, whose theme represented a distinctive cultural experience titled “*Serving Our People, Serving Our Nations: Honoring Those Who Served Our Country.*” The program, which was held in the Sidney R. Yates Auditorium and throughout Interior via live streaming included the Black Bear Singers; Presentation of Colors from the U.S. Park Service; Native American Music Award recording artist Star Nayea, Native food tasting; cultural exhibits; and a Native Youth Dance Troupe.

Master of Ceremony Daniel DuBray (BOR) led the audience in a moment of silence honoring service members past and present. Nayea sang songs to honor our veterans such as, ‘*America the Beautiful*’, and a beautiful rendition of ‘*The Star Spangled Banner*’. DOI Deputy Assistant Secretary David Hayes in his opening remarks said, “We’re making a concerted effort to bring more veterans into the ranks here at the Department, because they have the skills that we need at Interior.” Office of the Secretary, Chief of Staff, Laura Davis, also acknowledged American Indians and Alaska Natives by stating that they have shepherded our country’s character and cultural heritage. The stirring program also included stories from key

note speaker 18-year veteran Lieutenant Colonel (LTC), Jay Hunting Horse, USMC, a member of the Kiowa Tribe of Oklahoma. He gave a brief history of Veterans Day. “In 1926, Congress adopted a resolution directing the President to issue an annual proclamation calling on the observance of Armistice Day.” In 1938, Congress passed legislation making November 11th a legal federal holiday: Armistice Day. Guest speaker Sergeant First Class (SFC) DeRon M. Johnson, a 20-year veteran of the U.S. Army Reserve, who has previously served in Kuwait and Iraq, closed the program with a short story about an anonymous couple who paid for his dinner at a restaurant. The couple left a napkin with the message, “Thank you for everything you do in this country. God Bless.”



LTC Jay Hunting Horse
United States
Marine Corps. (USMC)



recognized by Daniel DuBray (BOR)

DOJ Clarifies Definition of Service Animals

According to the Department of Justice’s (DOJ) website, only dogs are recognized as “**service animals**” under Title II and Title III of the Americans with Disabilities (ADA) Act since March 15, 2011. Service animals (SAs) are animals that are individually trained to perform tasks for people with disabilities such as, guiding people who are visually impaired, alerting people who are hearing impaired, pulling wheel chairs, alerting and protecting a person who is having a seizure, or performing other special tasks. DOJ clarifies this by stating they are working

animals, not pets. However, the ADA technical guidance regarding leashed/unleashed SAs says that they must be harnessed, leashed, or tethered, unless these devices interfere with the SAs work, or the individual’s disability prevents these devices. In this case, the individual must maintain control of the animal through voice, signal, or other effective controls. Some, but not all, SAs wear special collars and harnesses, and some, but not all, are licensed or certified and have identification papers. If a person is not certain that an animal is a SA,

you may ask the person who has the animal if the SA is required because of a disability, and what task or work the animal has been trained to do. On November 7, 2012, a SA training session was held by the national park service (NPS), and the Accessibility Office of the Smithsonian National Museum of American History. Kay Ellis, NPS Accessibility Coordinator, who moderated the event, told the audience, “That this is a very important topic.” The demonstration also involved a panel of a range of users of numerous SAs trained for various types of work including cognitive disability and hearing.



HACU 26th Annual Conference Vibrant



Students visit exhibit booths at HACU 26th Annual Conference

(Continued from page 2) member institutions and public and private sector organizations. Approximately 392 students were given an “Exhibitor Passport,” so they could attend as many exhibit booths as they wanted. They also participated in the student-exhibitor mixers, and the student track portion of the conference. This is where each exhibitor was given a CD-ROM with the registered students’

resumes on them. On Sunday October 21, 2012, the attendees participated in the college and career fair, along with 13 concurrent workshops such as, “Supporting the Achievement and Success of Hispanic College Students”. HACU Conference Coordinator Darlene Martin said “As an organizer, we had nothing but positive feedback.” The agenda also included a youth leadership development forum geared

towards middle and high school students at Georgetown University, a presidential leadership and management seminar, and a town hall meeting titled ‘Corporate Diversity Meets the Hispanic Serving Institutions.’ DOI HACU Liaison Kim Montoya (BOR) said, “It’s exciting to be part of a partnership that continues to expose Latino students and HSI to the various missions and occupations that DOI has to offer.”

(Continued from page 2)

Section 508 of the Rehabilitation Act of 1973, in 1998. On August 7, 1998, the President signed into law The Workforce Investment Act of 1998, which includes the Rehabilitation Acts Amendments of 1998. This version creates binding, enforceable standards that are incorporated into federal

Section 508 Compliance Hot Topic Amongst Agencies

procurement regulations. **Section 508** was enacted to eliminate barriers in information technology, to make available new opportunities for people with disabilities. It was also created to encourage development of technologies that will help achieve these goals. This law applies to all federal agencies.

The benefits of **Section 508** compliance amongst agencies will be to people with vision, hearing, speech, cognition, and dexterity disabilities. Recently, the U.S. Access Board had a meeting titled “the Letter of the Law: Mandates for Accessible Digital Dialogue,”

which gave an update and overview on **Section 508** and what agencies are doing. During the late summer, DOT hosted a civil rights interagency symposium which also addressed **Section 508** compliance.

What is FedRAMP?



There is a tool that many federal agencies are starting to utilize called Federal Risk and Authorization Management Program, known as (FedRAMP). It is the result of close collaboration with cyber security and cloud experts from GSA, DHS, DOD, DOI, OMB, NSA, National Institute of Standards and Technology (NIST), the Federal CIO Council and its working group, as well as the private industry just to name a few. The FedRAMP assessment process is initiated by agencies or cloud service

providers (CSPs) beginning security authorization using the FedRAMP requirements which are FISMA compliant. CSPs must implement FedRAMP security requirements on their environment, and can hire a FedRAMP approved third party assessment organization (3PAO), to perform an independent assessment. This will audit the cloud system and provide a security assessment package for review. The program benefits of FedRAMP include the following: 1) Increases the re-use of existing security assessments across

agencies. 2) Saves significant cost, time and resources i.e. “do once, use many times.” 3) Improves real-time security visibility 4) Enhances transparency between government and (CSPs). 5) Improves the trustworthiness, reliability, consistency, and quality of the federal security authorization process. OCR IT Specialist Leanne Kowalski said Fed RAMP is looking for a way to go to prepare a certification and accreditation (C & A) to save costs. “In my view, FedRAMP is the way to go since federal agencies are supposed to be more cost effective.”

“In my view, FedRAMP is the way to go since federal agencies are supposed to be more cost effective.”

—Leanne Kowalski, OCR IT Specialist

PCR Coordinators Rave about EOS Academy Training

Public Civil Rights (PCR) Coordinators from BIA, BLM, NPS, OSM, USGS, and OCR were all in agreement that the Equal Opportunity Specialists (EOS) Academy Training also known as the Civil Rights Investigator Training held at Columbia, South Carolina's National Advocacy Center (NAC), was a huge success. The inaugural academy five-day program, which began September 24, 2012, was hosted by the U.S. Department of Health and Human Services (HHS), and the U.S. Department of Justice (DOJ), focused on improving ones investigative skills, giving in-depth reviews of issues in Title VI, and Section 504/ADA investigations

including their legal foundations and enforcement, and provided an overview of federal disability rights laws. Attendee Alexandra Chavez-Hadley from the U.S. Geological Survey said, "The training was exceptional." The 11 instructors also covered topics such as, Limited English Proficiency (LEP) investigations, the Age Discrimination Act of 1975, Title IX Education Amendments Act of 1972, how to identify impact cases, and how to prepare a case for an administrative investigation. The goal of the EOS Academy Training was that civil rights investigators gain a thorough understanding of case processing and improve their investigative

techniques. Specifically, investigators would obtain accurate and complete information during interviews and draft organized investigative reports. Participant Senior Equal Opportunity Specialist David Quirino said, "Assistant Attorney General for the Civil Rights Division, Tom Perez, (DOJ), congratulated the participants via satellite and reiterated the importance of the training. The agenda also included small group break-out sessions were each group had a sample exercise. The PCR Coordinators, civil rights analysts and other investigators there were given two substantive complaints alleging Title VI/Section 504 violations. "Good instructors and good information" said Quirino.

(NAC) in Columbia, South Carolina



EOS Academy Attendees

CAP Provides Assistive Services to People with Disabilities

For people with disabilities, the Computer/Electronic Accommodations Program (CAP) may be a form of reasonable accommodation. CAP's focus is to provide **free** assistive technology so that people with disabilities and have equal access to the information environment and opportunities throughout the federal government. For example, this could include a person having carpal tunnel syndrome, which affects 12 to 15 million people in the U.S. alone, or other repetitive stress injuries that can result from workstations that lack proper ergonomic configuration. Many

federal agencies require that all CAP requests be submitted through their agency's their Disability Program Manager or point of contact. It can also mean the preferred method to submit your CAP requests which is through the CAP website www.cap.mil, and find the large orange box on the left hand side which reads, "Start here. Request an accommodation." This is to ensure that your request will be received in a timely manner. Individuals must provide a proper detailed justification with the appropriate documentation to approve your request. Providing the most accurate and in-depth

information will assist the CAP Acquisition Team ensure accommodation timeliness. The benefits for CAP includes: supporting employees with accessibility issues, can help to attract and retain highly skilled workers, allows employees flexibility for ill or injured employees, and helps employees return to work after an worker related injury. CAP may provide telephone equipment, fax machine and or printer, assistive technologies, and computer hardware or software. However, CAP cannot provide these items for individuals who are using an agency's general telework program.



—CAP provides assistive services to people with disabilities



Breast Cancer Affects Both Genders

**Birthdays for
September— December**

September

Melinda Hayden
September 24

October

Tanisha Edmonds
October 27

November

Sloan Farrell
November 7

Vanessa Green
November 10

Judy Banks
November 25

December

Michael Zimmerman
December 26

SPECIAL EVENTS

National HBCU Conference
(September)

HACU Conference
(October 20-22)

Disability Awareness Month
(October)

American Indian Heritage
Month
(November)

We're on the Web!

See us at:
www.doi.gov/eeo

This year, an estimated 226,000 women and 2,190 men will be diagnosed with breast cancer according to the National Cancer Institute. *October was Breast Cancer Awareness Month*, which made it a good opportunity to learn more about a cancer that affects approximately one in eight women. Men can also get breast cancer, but it is rare. When some types of breast cancer are caught early and treated, survival rates can be near 100 percent. However, ongoing research is vital. Breast cancer is the second leading cause of cancer death for women in the United States after lung cancer. By definition, breast cancer is a cancer that forms in tissues of the breast, usually the ducts, (tubes that carry milk to the nipple) and lobules (glands that make milk). It occurs in both men and women. What is cancer prevention? It is the action taken to lower the chance of getting cancer. By preventing cancer, the number of new cases of cancer in a group or population is lowered. Hopefully, this will lower the number of deaths

caused by cancer. Health experts suggest that there are various ways to prevent cancer including: a person changing their eating habits or lifestyle, avoiding things known to cause cancer like exposure to radiation, and exercise. It is recommended that women and men exercise at least four of more hours a week, which may decrease hormone levels and help lower breast cancer risk. However, care should be taken to exercise safely, because exercise carries the risk of injury to bones and muscles. Dodging other factors such as obesity, alcohol, and estrogen may help prevent cancer.

2012 HBCU National Conference Week Addresses Partnering With Federal Agencies

During September 25-26, 2012, the National Historically Black Colleges

and Universities (HBCUs) Conference met its objective, more support from federal agencies. The theme for the two-day event was "Enhancing Innovation and Advancement." It was held at the Grand Hyatt Washington Hotel. The Department of the Interior (DOI) exhibited at the HBCU Conference, to strengthen its partnership with HBCUs, and to help create a pipeline for DOI workforce planning needs. In addition, presidents, chancellors and other critical HBCU stakeholders met with senior officials to address issues ranging from Science, Technology, Engineering, and Mathematics (STEM) funding programs for HBCUs and student financial aid. The conference also hosted an interactive town hall meeting, a session on how to effectively engage the federal sector, obtaining contracts and grants, and a discussion on strategies and tactics commonly employed to build successful partnerships with federal agencies.

Recognitions and Observances

- *Out and Equal Workplace Summit: Baltimore, Maryland, October 30—November 2, 2012
- *American Indian Science and Engineering Society (AISES) Nov. 1-3, 2012, Anchorage, Alaska.
- *World AIDS Day is December 1, 2012.

Spotlight



Joshua Brant is a Potomac Job Corps student in Washington, DC, under the guidance of EEO/OCR Intake Specialist Tina Medlin. The program is a free education government backed system, which trains students in various trades such as Office Administration, carpentry, cement and brick masonry.

Q. What is your background?
“I was born in Brooklyn, New York however moved to Pottstown, Pennsylvania where I graduated from Pottstown High School Class of 2010. My previous background was in retail and taking computer science courses at DeVry Institute of Technology.”

Q. What are you responsible for?
“Reviewing OCR correspondence, filing various complaint documents, creating memorandums for the EEO intake specialist plus other administrative duties.”

Q. What do you like to do for extracurricular activities?
“I like to go to the movies. I also like to eat and enjoy reading the bible.”

Q. Do you have any particular hobbies? “I love listening to classical music and keeping abreast on the latest technology like computers and mobile devices.”

Birthdays: December 8th
Zodiac Sign: Sagittarius

The Directors Corner
Greetings All!! I hope this message finds you all well. I wish you and yours a happy holiday season!

I am taking this opportunity at the end of the calendar year to update you on projects that are pending here at the Department OCR or nearing completion. We are continuing to work with both EEOC and the DOI CIO and Records to implement electronic records, the new paperless appeal system and the use of the EEOC portal for filing records. Our records library is the second largest system of records in the DOI after the Office of the Special Trustee. A major undertaking here at

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OCR to figure out how to digitize all the many records we maintain. Next, we in the Public Civil Rights area have two big changes going on. One is to work with both the White House and the Assistant Secretary for Insular Affairs to ensure the Asian American and Pacific Islanders in the Territories are receiving their rights to the Complaint process. Also, we are standardizing the review process we use for the assessment of the Bureau Public Civil Rights program to be consistent across the DAS/HCD. The new maturity model assessment tool will help provide a better review tool. This tool is being used as an industry standard. Our partnership with the DOI Chief Diversity Officer and the OPM Diversity/Inclusiveness Workgroup has been very successful. This year’s Multi-Cultural Day program had the best turn out ever, standing room only! There are many more activities to point out but I am out of room for this column. See you next year! Sharon D. Eller

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News from the Bureaus:

Each newsletter will highlight a report of events or information considered as a subject of choice from two bureaus. **The featured Bureaus for this quarter's newsletter are the Bureau of Land Management (BLM) & BSEE/BOEM.**

THE BUREAU'S QUARTER



Bureau of Land Management (BLM)

This fall, the **BLM OCR** welcomed three new employees: Deena Wilson, formerly EEO Manager for **BLM California**, became the bureau's first Virtual Complaints Manager. With over 25 years of experience in the federal government and degrees in public affairs and criminal justice, we know Deanna will be up to the unique demands of this position.

William Morales is our new EEO Manager for the **Washington and Eastern States** Offices. Born in Costa Rica, William grew up in Connecticut. His interest as a youth in space exploration led to a degree in Aeronautical Engineering. William joined the Air Force and retired as a Lieutenant Colonel. His passion for interacting with people led to an opportunity to join the EEO world and eventually led him to the **BLM**, where William says he looks forward to using his "diverse background and to provide excellent service."

Henry Koltys, an EEO Specialist at **Headquarters**, came to us by way of the private sector and the Equal Employment Opportunity Commission (EEOC), with a set of qualifications that we anticipate will serve **BLM** well. Henry was an EEOC attorney in DC and later became an Administrative Judge in Los Angeles. In a subsequent role as a trial attorney and amongst many accomplishments, Henry litigated a class action settlement that was an EEOC record at that time. More recently, Henry has advised Fortune 100 companies and served as an Assistant Attorney General in Vermont.

NPS: What happened with the BSEE/BOEM this past quarter?

BSEE EEO NEWS

EXTRA! EXTRA!

*On November 2, 2012, the Bureau of Safety and Environmental Enforcement (**BSEE**) Equal Employment Opportunity (EEO) Division said goodbye to **Denise Culp**, EEO Specialist, as she embarked on her retirement journey.

Denise had been with the office for the past five years. Many of you will remember Denise, who could be seen fluttering about on the Department of the Interior's (DOIs) Multi-cultural Days, performing a myriad of duties related to the very successful food tasting events over the past few years.

She also was instrumental in planning and coordinating DOI pre-conferences for example, the Federal Asian Pacific American Council (FAPAC), Federally Employed Women (FEW), and Society of American Indian Government Employees (SAIGE) training programs. Denise was an asset to **BSEE** and its predecessor organizations, as well as to the Department. She plans to spend time in Italy over the next couple of years and then relocate there.

We will miss her!!!