

Office for Civil Rights and Civil Liberties (CRCL) Newsletter Vol. 2, #1 September 2011

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

Message from the Officer on the 10th Anniversary of Sept. 11, 2001



Ten years have passed since the dark day of September 11, 2001, when terrorists exploited our nation's aviation system to kill nearly 3,000

innocent men, women, and children, including citizens of more than 90 countries. The events of that day led to the creation of the Department of Homeland Security, a new agency charged with a critical mission: to secure the Nation from the many threats we face.

For nearly two years, I have had the privilege of leading the Department's Office for Civil Rights and Civil Liberties (CRCL), an office unique in the federal government, which integrates civil rights and civil liberties in all of the Department's activities. CRCL's civil rights and civil liberties professionals work tirelessly to support the Department's mission to secure the Nation, while preserving individual liberty, fairness, and equality under the law.

The 10th anniversary of 9/11 is an occasion for me to reflect on the works and accomplishments of CRCL through the years. We'll include all the details in our FY 2011 Annual Report—but some key accomplishments include:

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Community Engagement:

CRCL began its first engagement efforts in late 2003 through informal meetings with community leaders representing American Arab, Muslim, Sikh, South Asian, and Middle Eastern communities; we coordinated our first roundtable meeting that year in Dearborn, Michigan. Today, CRCL participates in quarterly roundtable meetings in 13 metropolitan areas including Washington, DC; Chicago; Los Angeles; Boston; Detroit; Columbus; Seattle; Atlanta; Minneapolis; Tampa; Houston, Denver, and Portland (Maine). In 2011, CRCL has coordinated over 150 community engagement roundtables and community engagement events. These frequent discussions with demographically diverse communities allow DHS to communicate and share reliable information about federal programs and policies, including avenues for redress and complaints; obtain information and feedback about community concerns and on-the-ground impacts of DHS activities; incorporate community ideas and issues relating to civil rights and civil liberties into the policymaking process; and deepen channels of communication between communities, regional DHS leadership and other federal officials in order to facilitate solution of problems.

Intelligence, Security, and Information Sharing:

CRCL has worked with DHS Components and offices, federal interagency stakeholders, and state and local partners to ensure that civil rights and civil liberties protections are incorporated into DHS information and physical security programs, information sharing activities, and intelligence-related programs and products. Some highlights include:

- Shortly after our office's inception, CRCL coordinated the development and implementation of Department-wide policies prohibiting the invidious use of race or ethnicity in federal law enforcement (racial profiling) and stood up the first Department-wide training implementing the DOJ Guidance.
- In 2008 and 2009, CRCL worked with the office of the Program Manager for the Information Sharing Environment (ISE) and other partners to create guidelines to ensure the protection of privacy, civil rights, and civil liberties in the ISE. CRCL reviews all information sharing memorandums of agreement executed between DHS and its external ISE partners.
- In 2009, Deputy Secretary Jane Holl Lute directed CRCL, the Privacy Office, and the Office of the General Counsel to review all I&A products that may impact privacy, civil rights, and/or civil liberties. Since then, CRCL has reviewed hundreds of classified and unclassified I&A products, providing comments where appropriate and working with I&A management and analysts to quickly resolve civil rights and civil liberties issues while enabling the products to be disseminated in a timely fashion.

Civil Rights and Civil Liberties Institute:

State and Major Urban Area Fusion Center Training. CRCL provides training on civil rights and civil liberties for all DHS officers and intelligence analysts deployed to state and major urban area fusion centers, and supports the training of all fusion center personnel, under 6 U.S.C. § 124h(c)(4)(A). In partnership with the DHS Privacy Office, and with funding from I&A, CRCL established the Fusion Center training program on privacy, civil rights, and civil liberties to fulfill requirements associated with the Implementing Recommendations of the 9/11 Commission Act of 2007. The best way to ensure incorporation of civil rights, civil liberties, and privacy protection into the day-to-day activities of the fusion centers is to train and support a cadre of on-site experts. These experts can then provide training, consultation, and product review, if appropriate. Accordingly, CRCL developed a "training of trainers" program, which (i) provides state and major urban area fusion center staff with a foundation of core concepts regarding privacy, civil rights and civil liberties in the Information Sharing Environment, (ii) equips officials to themselves use the training materials developed by CRCL, and (iii) introduces the privacy, civil rights, and civil liberties (PCRCL) officers to each other and to the DHS resources and staff who can support them.

Impact Assessments:

- Between 2002 and 2010, CRCL conducted Civil Liberties Impact Assessments on the numerous DHS programs, policies, and activities, including: State, Local and Regional Fusion Center Initiative; National Applications Office; Northern Border Rail Security Program; Screening Passengers by Observation Techniques (SPOT); Information Sharing Fellows Program, and Interagency Threat Assessment and Coordination Group (ITACG). Three of these Impact Assessments (State, Local and Regional Fusion Center Initiative; Information Sharing Fellows Program; and ITACG) were conducted pursuant to mandates contained in the Implementing the Recommendations of the 9/11 Commission Act of 2007.
- Creation of a New Impact Assessments Section. In 2010, CRCL created a new Impact Assessment Section, for
 the first time dedicating full-time staff to the development of the DHS Civil Rights/Civil Liberties Impact
 Assessment program. The new section is in the process of conducting assessments on Future Attribute
 Screening Technology (FAST); Border Searches of Electronic Devices; State and Major Urban Area Fusion
 Center Network; and Information Sharing Fellows Program II.

Civil rights and civil liberties are a key part of the American way of life that DHS exists to secure. We are proud to contribute to this vital work.

Margo Schlanger, 9/11/2011

Always Remember. Never Forget. – DHS Remembers 9/11

"Our Nation is stronger than it was on 9/11, more prepared to confront evolving threats, and more resilient in the face of our continued challenges." – Secretary Napolitano

Ten years after the attacks on September 11, 2001, DHS is remembering the nearly 3,000 men, women, and children lost on that fateful day. Since then, DHS has worked with its many partners across the federal government, the public and private sectors, and in communities across the country and around the



world to build and strengthen a homeland security enterprise that mitigates and defends against dynamic threats, minimizes risks, and maximizes our ability to respond to – and recover from – attacks and disasters of all kinds. Together, these efforts have provided a strong foundation to protect communities from terrorism and other threats, while safeguarding the fundamental rights of all Americans.

In commemoration of the 9/11 anniversary, DHS has been actively engaging with its partners to remember the events that occurred on September 11, 2001, and discuss the ongoing measures put in place to ensure a more resilient Nation. Find out more from these resources:

- "<u>Ten Years Later: A Stronger, Safer America Moves Ahead</u>," by DHS Secretary Napolitano featured in *The Hill*.
- September 11 Chronology describes concrete measures put in place by the federal government since 9/11.
- Read about <u>National Preparedness Month Coalition</u> activities throughout the country.
- View "Photo Retrospective of DHS," a series of photos highlighting DHS day-to-day operations.
- <u>Faces of Homeland Security: Heroes on the Front Lines</u> and read some of the remarkable stories behind the men and women of DHS and our local partners who have been working at every level to prevent terrorism, secure our borders, enforce our immigration laws, safeguard cyberspace and prepare for, respond to, and recover from disasters.
- Essays about 9/11 contributed by Secretary Napolitano, Former Secretary Michael Chertoff and Former Secretary Tom Ridge that appear in a special edition of the Homeland Security Affairs Journal, published by the Naval Postgraduate School's Center for Homeland Defense and Security.

September is National Preparedness Month

September 2011 marks the eighth annual National Preparedness Month, a nationwide effort to increase preparedness in our homes, businesses, and communities. This year's theme is "A Time to Remember, A Time to Prepare"; the goal is to transform preparedness awareness into action so that every individual, business, and family can ensure their homes workplaces, and communities are prepared for disasters and emergencies. This



September, thousands of National Preparedness Month coalition partners are joining together to encourage the public to take basic steps to be more prepared in the event of an unexpected crisis. These steps involve making an emergency plan, creating an emergency kit, and staying informed. More information about these steps and how to help others be prepared is available at the Ready Campaign website.

As we remember the nearly 3,000 lives lost on September 11, 2001, FEMA Administrator Fugate stated, "by doing what we can to ensure our communities, and our nation, are prepared to respond to and recover from all types of disasters and hazards, we honor the memory of those who were lost that day."

For more information about NPM and steps you can take to be prepared, visit www.Ready.gov.

CRCL Attends Iftar Dinners During Ramadan

In observance of the Islamic holy month of Ramadan, CRCL Officer Margo Schlanger and staff participated in several Iftar dinners sponsored by the Department, other federal agencies, various international embassies, and Muslim community centers in the Washington area. During the month of Ramadan, Muslims fast each day from dawn to sunset and then break their fast with an evening meal called Iftar. The Iftar meal is an opportunity for families



Iftar Dinner at the Qatar Embassy, Photo courtesy of the Embassy

and communities to fellowship, often resulting in large gatherings at mosques and community centers.



A traditional Iftar meal

Along with the Department's first Iftar; CRCL staff also attended dinners hosted by the U.S. Agency for International Development; the Treasury department; the British, Pakistan, and Qatar embassies; and the Muslim Community Center in Silver Spring, Maryland.

At the beginning of September, Officer Schlanger also attended the U.S. State Department's Eid Al-Fitr celebration, marking the holiday that ends Ramadan.

Detroit Community Celebrates 10 Years of Building BRIDGES

In the 10 years following the September 11th attacks, BRIDGES meetings have been a forum for open dialogue between the federal government and the Arab-American community in the Detroit area. BRIDGES stands for Building Respect in Diverse Groups to Enhance Sensitivity; the sessions were established shortly after the tragedy to facilitate regular discussion and address community concerns regarding homeland security, violent extremism, and other pertinent issues.

Through BRIDGES meetings, federal agencies and community representatives have worked together to enhance trust between the community and law enforcement, thus strengthening ties and increasing cultural competency and sensitivity. CRCL Officer Margo Schlanger serves as the government co-chair of the group; the U.S. Attorney's Office, FBI Special Agent in Charge, ICE, CBP, and other agencies are regular attendees at meetings; and are able to directly address questions and concerns that impact the community.

CRCL Officer Margo Schlanger and staff celebrated BRIDGE's 10-year milestone, along with community leaders and government officials, at a reception held in Dearborn, Michigan.

CRCL on the Road, August – September

August 2-3 – Columbus, Ohio

A CRCL representative spoke on a panel at the National Countering Violent Extremism Workshop.

August 16th – 18th – Baltimore, Maryland A CRCL representative presented at the EEOC's **EXCEL Conference.**

August 20 – Howard County, Maryland A CRCL representative participated in a 9/11 listening session with diverse community members, hosted by the Howard County Muslim Center.

September 9th - Dearborn, Michigan

CRCL Officer Margo Schlanger and staff attended the community celebration of the 10th anniversary of BRIDGES.

September 11th – Howard County, Maryland

A CRCL representative spoke at a 9/11 remembrance event hosted by the Howard County Muslim Center.

September 15th - State College, Pennsylvania A CRCL representative will speak at a conference on

immigration, sponsored by the Pennsylvania State University Dickinson School of Law.

August 22 – Minneapolis, Minnesota

CRCL convened its regular community engagement roundtable with the Somali community.

August 25th - Chicago, Illinois

A CRCL representative spoke to Latino and Asian/Asian Pacific Islander community stakeholders at a meeting hosted by USCIS.

August 25th - Boston, Massachusetts

A CRCL representative attended the BRIDGES roundtable.

August 31st - Glynco, Georgia

A CRCL representative participated in the DHS Overseas Predeployment Seminar pilot course at FLETC.

September 16th - Chicago, Illinois

A CRCL representative will speak at a conference on immigration, sponsored by the Pennsylvania State University Dickinson School of Law.

September 22nd – Chicago, Illinois

CRCL will convene its regular community engagement roundtable with diverse communities.

September 22nd – Boston, Massachusetts

A CRCL representative will attend the BRIDGES roundtable.

September 29th – Los Angeles, California

CRCL will convene its regular community engagement roundtable with diverse communities.

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 make complaints; ongoing and upcoming projects; opportunities to offer comments and feedback; etc. We distribute our newsletters via an email list and make them available to community groups for redistribution. We also post information pulled from the newsletter on a webpage, CRCL at Work. If 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. If you are on this list, but no longer wish to receive this newsletter, please send an email to the same address asking us to unsubscribe you. For more information, including on how to make a civil rights or civil liberties complaint about DHS activities, see www.dhs.gov/crcl.

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