

Office for Civil Rights and Civil Liberties

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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.



Fact Sheet: DHS Announces New Process to Promote the Unity and Stability of Families

This month, DHS announced actions to promote family unity in the immigration process, consistent with the Biden-Harris Administration's commitment to keeping families together. This announcement utilizes existing authorities to promote family unity, but only Congress can fix our broken immigration system.

Under current law, noncitizens married to a U.S. citizen may apply for lawful permanent residence through their marriage to a U.S. citizen. However, to apply for lawful permanent residence, many noncitizens must first depart the United States and wait to be processed abroad, resulting in a prolonged, potentially indefinite, period of separation from their U.S. citizen family members and causing tremendous hardship to all concerned. Consequently, these families live in fear and face deep uncertainty about their future.

To address this challenge, DHS will establish a new process to consider, on a case-by-case basis, requests for certain noncitizen spouses of U.S. citizens who have lived in the United States for 10 years or more; do not pose a threat to public safety or national security; are otherwise eligible to apply for adjustment of status; and merit a favorable exercise of discretion. If eligible, these noncitizens will be able to apply for lawful permanent residence without having to leave the United States. DHS estimates that approximately 500,000 noncitizen spouses of U.S. citizens could be eligible to access this process; on average, these noncitizens have resided in the United States for 23 years. Approximately 50,000 children of these spouses also will be eligible for this process.

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Noncitizens who pose a threat to national security or public safety will not be eligible for this process, as aligned with our immigration enforcement priorities. If a noncitizen poses a threat to national security or public safety, DHS will detain, remove, or refer them to other federal agencies for further vetting, investigation, or prosecution as appropriate.

These actions build on unprecedented steps by the Biden-Harris Administration to strengthen family unity including by implementing family reunification parole processes for nationals of Colombia, El Salvador, Guatemala, Honduras, and Ecuador; updating and modernizing the Cuban and Haitian family reunification parole processes; leading the Family Reunification Task Force to reunify nearly 800 children with their families who were separated; and establishing country-specific parole processes for certain nationals of Cuba, Haiti, Nicaragua, and Venezuela (CHNV) who have a U.S.-based supporter.

Read the full fact sheet.

<u>Statement from Secretary Mayorkas on the 12th Anniversary</u> <u>of the Deferred Action for Childhood Arrivals Policy</u>

Secretary of Homeland Security Alejandro N. Mayorkas released the following statement on the 12th anniversary of the creation of the Deferred Action for Childhood Arrivals (DACA) policy:

"For 12 years, DACA has enabled hundreds of thousands of Dreamers to live without fear in the United States – for many, the only nation and only home they have ever known. Dreamers and their contributions have enriched our communities and strengthened our economy. The Department of Homeland Security continues to fortify DACA and protect Dreamers to the fullest extent possible. Only Congress, though, can permanently protect Dreamers and provide them the path to citizenship they deserve."

"An enduring legislative solution is long overdue. Congress needs to act. Until they do, we will continue to advocate for, defend, and work with Dreamers to ensure they have the support and security they need to thrive. We will continue the work we started 12 years ago today."

CRCL Officer Speaks at Panel Event to Commemorate the Anniversary of DACA

This month, CRCL Officer Shoba Sivaprasad Wadhia participated in a panel discussion to highlight the 70th anniversary of the civil rights case, *Brown v. Board of Education* and the 12th anniversary of DACA. The event, titled "From *Brown* to Dream: Commemorating the Fight for Inclusive Education," was a critical conversation on the intersections between civil rights, education, and immigration. The panel discussion was hosted by the President's Alliance on Higher Education and Immigration, in conjunction with TheDream.US and the NAACP Legal Defense Fund.

During the panel, Officer Sivaprasad Wadhia shared that *Brown v. Board of Education* sparked her desire for a career as a civil rights and immigration attorney and teacher—and solidified her belief that immigration is one of the greatest civil rights issues of our time. Officer Sivaprasad Wadhia further spoke about how deferred action is a critical form of prosecutorial discretion. She also discussed the lasting influence of *Plyler v. Doe* and its connection to DACA and access to higher education and described the work of CRCL in ensuring critical civil rights and civil rights protections across the Homeland Security enterprise.

CRCL Officer Participates in Quarterly MASSAH Meeting

This month, CRCL Officer Shoba Sivaprasad Wadhia participated in the MASSAH meeting hosted by the U.S. Department of Justice (DOJ). These quarterly meetings focus on issues of concern to Muslim, Arab, Sikh, South Asian, and Hindu communities and involve federal interagency partners.

The meeting opened with remarks from Assistant Attorney General for Civil Rights Kristen Clarke, followed by an open discussion on the recent student protests on university campuses, how federal civil rights offices ensure the civil rights of student protestors are upheld and provide resources for students and faculty, and effectiveness of DOJ's Campus Bridge program to reduce campus tensions.

Officer Sivaprasad Wadhia acknowledged these meetings as a cornerstone of CRCL's long-standing partnership and engagement with MASSAH communities. She shared how the Department is collaborating with federal partners to ensure that the civil rights of student protestors are protected under Title VI obligations for those that receive DHS funding and is taking steps to examine and investigate civil rights complaints on U.S. college and university campuses related to the ongoing student protests. In April, CRCL sent letters to DHS-funded colleges and universities reminding them of CRCL's authority under Title VI concerning allegations of discrimination based on national origin, including shared ancestry and ethnic characteristics. CRCL will continue to engage with federal and community partners to address and eliminate discrimination that may arise within these organizations that receive DHS funding.

CRCL Deputy Officer Hosts Open Strategy Forum at AILA Annual Conference

CRCL hosted an open strategy forum at the American Immigration Lawyers Association's (AILA) Annual Conference in Chicago. CRCL provided an overview of its role to provide proactive advice to the DHS Secretary and other senior leaders to integrate civil rights and civil liberties protections into all DHS programs and activities. CRCL Deputy Officer Peter Mina further expounded on CRCL's scope of work, and highlighted the following initiatives:

• **DHS Case Management Pilot Program**: CRCL administers this trauma-informed and client-directed program that provides voluntary case management and a range of services to eligible participants in alternatives to detention programs.



• Centralized process for certain noncitizen workers: CRCL is working closely with U.S. Immigration and Customs Enforcement and U.S. Citizenship and Immigration Services to develop policies to ensure the process' effectiveness; provide technical assistance to labor agencies; and educate stakeholders on the process.

Deputy Officer Mina also offered how AILA practitioners and advocates could inform CRCL's policy work by sharing what they encounter on the ground in their interactions with DHS policies and programs, as well as civil rights and civil liberties complaints.

CRCL Hosts Series of Engagements on Civil Rights Equities with the DHS AI Roadmap

This spring, CRCL Officer Shoba Sivaprasad Wadhia and staff hosted a series of engagements with eight leading civil rights non-governmental organizations (NGOs) to gather direct feedback on the DHS AI Roadmap and hear both concerns and ideas for responsible use. These sessions were held in collaboration with the DHS Office of Partnerships & Engagement, DHS Office of the Chief Information Officer, and DHS Privacy Office.

The NGOs expressed their appreciation for the Department's commitment to transparency and external engagement and provided research and suggestions for continued transparency in testing, risk assessment, privacy, and other best practices. DHS leaders are committed to continuing these conversations. For more information on the Department's AI initiatives, visit: www.dhs.gov/ai.

DHS Raises the Juneteenth Flag at Headquarters in Washington, DC

On June 19, 2024, DHS raised the Juneteenth flag for the first time at its Headquarters in Washington, DC. The inaugural flag raising ceremony was hosted and coordinated by the DHS Chapter of Blacks in Government. Secretary of Homeland Security Alejandro Mayorkas gave remarks at the ceremony and shared the following statement on social media: "On Juneteenth, we celebrate the extraordinary contributions of Black Americans, reflect on the long journey towards freedom and equality for all, and recommit ourselves to building a more inclusive nation."



CRCL Delivers Training to Fusion Center Personnel in Florida and Montana

This month, CRCL provided civil rights and civil liberties and privacy training to personnel at the Florida Fusion Center and Montana Analysis & Information Center. These trainings were delivered in collaboration with the DHS Privacy Office and the DHS Office of Intelligence and Analysis. State and major urban area fusion centers serve as focal points for the receipt, analysis, gathering, and sharing of threat-related information among the Federal Government and state, local, tribal, territorial, and private sector partners. CRCL and the DHS Privacy Office regularly provide training and technical support to fusion centers across the country per the Department's responsibility outlined in the Implementing Recommendations of the 9/11 Commission Act of 2007.

CRCL on the Road, June

June 5 – Washington, District of Columbia CRCL participated in the quarterly MASSAH engagement meeting, hosted by the U.S. Department of Justice.

June 25 – Virtual

CRCL, along with USCIS and ICE, participated in an engagement with NGOs, and advocacy groups on the enhanced process for Deferred Action requests.

*CRCL's Community Engagement team conducts inperson, virtual, and hybrid engagements with federal, state, local, and civil society stakeholders across the country. We remain available to respond to any stakeholder questions or concerns via email at: CommunityEngagement@hq.dhs.gov.

June 10 – Chicago, Illinois

CRCL hosted a strategy session at the American Immigration Lawyers Association's annual conference.

June 26 – Minneapolis, Minnesota

CRCL delivered training on civil rights/civil liberties and privacy matters to personnel at the Minnesota Fusion Center.

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.

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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