

U.S. Department of Justice
Civil Rights Division
FY 2019 PERFORMANCE BUDGET
Congressional Justification



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I. CIVIL RIGHTS DIVISION OVERVIEW

The Civil Rights Division (Division) at the Department of Justice (Department) protects the civil and constitutional rights of all people in this country, enforcing the Constitution and federal laws of the United States in pursuit of our founding ideals – human dignity, equal justice, and equal opportunity for all. Toward that end, we strive to advance three key principles.

- *Protecting the most vulnerable among us by ensuring that all in America can live free from fear of violence, discrimination, and exploitation.*
- *Safeguarding the fundamental infrastructure of democracy.*
- *Expanding opportunity for all people by advancing the opportunity to learn, earn a living, live where one chooses, and worship freely in one's community.*

To continue these efforts, in FY 2019 the Division requests a total of \$148,125,000 to fund 566 positions – including 566 direct full time equivalents (FTE) and 358 attorneys – to protect, defend, and advance civil rights in our nation. Electronic copies of the Department's Congressional Budget Justifications, Capital Asset Plan, and Business Case Exhibits are also available online at www.justice.gov/02organizations/bpp.htm.

This budget submission strives to provide detailed information and guidance to assist Congress in evaluating the Division's FY 2019 funding request. This submission provides an overview of the Division's work and describes justifications for the various program activities. Throughout this document, the Division illustrates its work with examples. While these examples aim to convey the impact, scope, and approach of the Division's efforts in a comprehensive manner, they do not document the entirety of its efforts.

CIVIL RIGHTS ENFORCEMENT IN FY 2019

The Civil Rights Act of 1964 established landmark protections against discrimination on the basis of race, color, national origin, sex, and religion. The Civil Rights Act built the groundwork for other critical federal civil rights statutes passed by Congress, including the Voting Rights Act of 1965, the Fair Housing Act of 1968, the Americans with Disabilities Act (ADA) of 1990, and the Shepard-Byrd Hate Crimes Prevention Act of 2009.

The Division's robust caseload serves as a stark reminder that discrimination continues to be a reality for many and that the Division plays a unique and critical role in enforcing these statutes.

In order to effectively enforce the law, the Division must constantly change and improve. That means empowering our staff to look for new and better ways of doing their jobs and ensuring that administrative services – personnel support, budget and information technology – align with our mission. It also means effectively managing our workforce.

In May 2015, the Division launched its Innovation Initiative. Now in its third year, the initiative's goal continues focus on improving the Division's ability to enforce federal civil rights laws by developing and launching new ideas and actions that fundamentally improve how we do business.

The Initiative:

- Empowers internal innovation;
- Tackles specific “sticky” challenges using structured problem-solving methods like design thinking, lean, and behavioral science; and
- Connects the Civil Rights Division to the broader community of innovators in government, academia, and industry.

The Initiative brings a strategic vision to the process of making the Civil Rights Division a more effective and efficient part of government.



PROTECTING INDIVIDUALS FROM VIOLENCE, DISCRIMINATION, AND EXPLOITATION

CRIMINAL ENFORCEMENT

The Division's criminal enforcement program protects individuals from violence, discrimination, and exploitation through a range of efforts. As part of this program, the Division:

- Prosecutes and prevents human trafficking – a form of modern day slavery – that involves the use of force and threats as well as non-violent coercion to compel labor, services, or commercial sex acts from victims.
- Combats hate crimes – violent and intimidating acts such as beatings, murders, or cross-burnings – that target an individual because of his or her race, color, national origin, religious beliefs, gender, gender identity, sexual orientation, or disability.
- Protects the right to religious freedom by prosecuting violence against churches, synagogues, mosques, and other houses of worship.
- Prosecutes public officials, including the small minority of law enforcement officers, who abuse their positions to willfully deprive individuals of their constitutional rights by engaging in excessive force, sexual assault, illegal arrests or searches, or property theft.
- Investigates unsolved civil rights era homicides under the Emmett Till Unsolved Civil Rights Crime Act of 2007.

In addition to prosecuting cases in district courts, the Division also participates in litigation in the federal courts of appeals and the U.S. Supreme Court to advance and defend its criminal enforcement work.

PROSECUTING AND PREVENTING HUMAN TRAFFICKING

The Division plays a lead role in the Department's efforts to enforce laws against human trafficking, including both sex trafficking and forced labor. Working with U.S. Attorneys' Offices nationwide, the Division, through the Criminal Section's Human Trafficking Prosecution Unit (HTPU), leads prosecutions of complex, multi-jurisdictional, and international cases. It also spearheads coordination initiatives to strengthen the federal law enforcement response to human trafficking crimes. In addition, the Division provides national and international expertise in cases involving forced labor; sex trafficking of adults by force, fraud, and coercion; and international sex trafficking cases.

The Division continues to bring an increasing number of human trafficking cases. In fiscal years 2013 – 2017, the Division, in partnership with U.S. Attorney's Offices, brought 427 human trafficking cases, compared to 235 in fiscal years 2008 – 2012, marking an 82 percent increase. This increase requires vigorous, coordinated, and innovative efforts to detect and prevent crimes, protect victims, and prosecute traffickers.

Across the government, the Division aims to bring innovative, collaborative strategies to tackling

this heinous crime. The Division's HTPU continues to lead the Anti-Trafficking Coordination Team (ACTeam) Initiative, an interagency enforcement collaboration with the FBI, the Executive Office of United States Attorneys, and the Departments of Homeland Security and Labor. The ACTeam Initiative convenes specialized teams of federal agents and federal prosecutors in competitively selected districts to develop high-impact human trafficking investigations and prosecutions in collaboration with national anti-trafficking subject matter experts. During Phase I of the Initiative, which ran from 2011 – 2013, trafficking prosecutions increased markedly in ACTeam Districts. In the six Phase I ACTeam Districts, the number of defendants convicted rose 86 percent, compared to an increase of 14 percent in non-ACTeam Districts and an increase of 26 percent nationwide. The number of cases filed and defendants charged rose over 100 percent in ACTeam Districts, compared to increases of less than 15 percent in non-ACTeam Districts and less than 30 percent nationwide during the same period. In December 2015, the Department, in partnership with the Departments of Homeland Security and Labor, designated six Phase II ACTeam's sites: Cleveland, Ohio; Minneapolis, Minnesota; Newark, New Jersey; Portland, Maine; Portland, Oregon; and Sacramento, California. Phase II is ongoing.

The Division's HTPU also leads the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative to combat transnational organized human trafficking networks operating across the U.S.-Mexico border. The Initiative, a collaboration among DOJ, DHS, and Mexican law enforcement counterparts, establishes direct channels of operational coordination to facilitate exchanges of leads, evidence, intelligence, and expertise in order to advance high-impact trafficking investigations and prosecutions aimed at dismantling transnational trafficking networks. The Initiative has proven highly effective, resulting in significant prosecutions and convictions in both the United States and Mexico, coordinated enforcement operations to apprehend defendants simultaneously on both sides of the border, expedited extraditions, rescue of victims, and recovery of victims' children from trafficking networks' control.

Strategic law enforcement partnerships such as the ACTeam Initiative and the U.S.-Mexico Bilateral Human Trafficking Enforcement Initiative – combined with highly successful outreach, training, and capacity-building efforts – have substantially increased the Division's workload related to prosecuting and preventing human trafficking. In particular, these coordination initiatives and outreach efforts have enhanced case identification capacity, generating a high volume of complex trafficking cases that often require the Division's unique expertise and coordination among multiple districts and law enforcement agencies.

COMBATING HATE CRIMES

Hate crimes devastate families, communities, and the nation beyond the physical injury (or even death) inflicted on the individual victim. Upon learning of a hate crime, those who share the victim's characteristic may fear that they too could suffer the same criminal threats or violence simply because of what they look like, their sexual orientation, a disability, or their faith. Over the past ten years, the Department, through the Division's leadership, has charged over 200 defendants with hate crimes offenses.

The Matthew Shepard and James Byrd, Jr. Hate Crimes Prevention Act of 2009 is the newest of the federal hate crime statutes. This law added new federal protections against crimes committed because of gender, disability, gender identity, or sexual orientation and removed unnecessary jurisdictional obstacles that interfered with our prosecution of racially and religiously motivated

violence. Since FY 2016 the Department has charged 16 defendants and obtained 15 convictions under the Shepard-Byrd Act.

The Division also enforces federal criminal statutes that criminalize attacks on places of worship and violence against persons worshipping at them, as well as attacks generally on persons that interfere with free religious exercise. The Church Arson Prevention Act, 18 U.S.C. 247, criminalizes defacing, damaging, or destroying religious real property and also prohibits the intentional obstruction—by force or threat of force—of any person in the enjoyment of that person’s free exercise of religious beliefs. The Division has a long history of enforcing these laws. Over the last decade, the Division has prosecuted approximately 40 cases involving 50 defendants regarding damage to and threats against houses of worship and religious communities.

In FY 2017, prosecutors from the Criminal Section, the United States Attorney’s Office for the District of South Carolina, and the Capital Case Unit of the Criminal Division, obtained convictions in the trial of Dylann Roof on a 33-count indictment. He was charged with federal hate crimes and firearms charges for killing and attempting to kill African-American parishioners at Emanuel African Methodist Episcopal Church in Charleston, South Carolina, because of their race and in a manner that interfered with the free exercise of their religion. The indictment charged that, on June 17, 2015, while parishioners at Mother Emanuel were engaged in religious worship and Bible study, Roof drew a pistol and opened fire on them, ultimately killing nine church members. Roof was convicted and the jury voted to sentence him to death, a sentence which has been imposed by the court but not yet carried out.

Also in FY 2017, the Division chaired the Hate Crimes Subcommittee of the Attorney General’s Task Force on Crime Reduction and Public Safety. The Subcommittee has identified two significant barriers to effectively combatting hate crimes: underreporting by law enforcement and victims, and under-identification of hate crimes by law enforcement. To address these gaps, the Department has developed an action plan that strengthens enforcement and addresses barriers to reporting by law enforcement and victims. Measures to strengthen enforcement include reallocating existing staffing and resources within the Division to increase federal hate crimes prosecutions and evaluating opportunities to provide assistance to state and local hate crimes prosecutors. Moreover, the Division, U.S. Attorneys Offices and the FBI are developing a pilot program to create hate crimes working groups led by U.S. Attorneys in four judicial districts. Drawing on lessons learned from the human trafficking ACT Teams, the pilot will bring together federal and state law enforcement agencies to develop specific collaborative strategies to more effectively identify and prosecute hate crimes in the district.

CIVIL ENFORCEMENT

The Division’s civil enforcement work includes extensive efforts to protect individuals in institutions from violence, discrimination, and exploitation. This includes investigating and litigating cases:

- Involving egregious abuse of prisoners, including the sexual abuse of female prisoners; and,
- Aimed at preventing the unnecessary incarceration of children.

The Division pursues these cases through enforcement of the Civil Rights of Institutionalized

Persons Act (CRIPA). CRIPA, passed by Congress in 1980, protects the rights of people in state or local correctional facilities, nursing homes, mental health facilities, and institutions for people with intellectual and developmental disabilities. The Division brings a variety of cases under CRIPA each year, including those that focus on the sexual abuse of individuals in institutions. For example, in late-FY 2015, the Division entered into a settlement to protect prisoners at the [Julia Tutwiler Prison for Women in Wetumpka, Alabama](#), from sexual victimization by correctional officers. The settlement followed the Department's issuance of a findings letter concluding that Tutwiler subjects women prisoners to a pattern and practice of sexual abuse in violation the Eighth Amendment of the U.S. Constitution. The findings identified several systemic failures that led to the pattern of abuse, including ineffective reporting and investigations and no grievance policy. The findings also concluded that Tutwiler failed to hold culpable staff accountable for abuses.

SAFEGUARDING THE FUNDAMENTAL INFRASTRUCTURE OF DEMOCRACY

The Division's civil enforcement work strives to protect rights guaranteed by the Constitution and federal laws across a range of areas critical to maintaining our democracy, including:

- Protecting the voting rights of all Americans, including protecting against discrimination in voting based on race or need for language assistance, protecting voting access for people with disabilities, and protecting voting access for servicemembers serving away from home as well as American citizens living overseas.
- Protecting those who protect us by vigorously pursuing employment, housing, credit, voting, and other cases on behalf of servicemembers.

PROTECTING VOTING RIGHTS

The Division enforces several federal statutes that are intended to protect Americans' voting rights. These include the Voting Rights Act of 1965, the National Voter Registration Act (NVRA), the Help America Vote Act (HAVA), the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), and the Military and Overseas Voter Empowerment Act (MOVE Act). It also enforces provisions of the Americans with Disabilities Act (ADA) that seek to ensure that people with disabilities can access voting places.

The Division actively monitors elections for compliance with federal law. In the November 2016 general election, the Division coordinated the deployment of more than 500 personnel to monitor elections in 67 jurisdictions in 28 states for compliance with the federal voting rights laws. The Division monitors elections throughout the country and throughout each year to ensure compliance with the federal voting rights laws.

Through enforcement of the National Voter Registration Act (NVRA), the Division requires that states comply with federal law by providing voter registration opportunities to citizens applying for or changing their address in connection with government services. Through its NVRA enforcement, the Division also enforces requirements for states to conduct appropriate list maintenance on voter registration lists. In FY 2016 and FY 2017, the Division reached comprehensive settlements with the state of Alabama, the state of Connecticut, and the state of New York to ensure compliance with the NVRA's voter registration provisions in driver license transactions.

The Division also works to protect the voting rights of Americans who need language assistance in voting. In FY 2017, the Division has been conducting outreach to jurisdictions recently informed by the Census Bureau that they are covered by the language minority provisions of Section 203 of the VRA. Section 203 seeks to ensure voting access for limited-English Americans who speak Alaskan Native and Native-American languages, as well as Asian languages and Spanish.

The Division continues its efforts to protect the rights of voters with disabilities. In addition to protections under the Voting Rights Act, Title II of the ADA requires jurisdictions to ensure that polling places and voting systems remain accessible to people with disabilities. This obligation extends to all voting activities carried out by jurisdictions, including registration, early voting, and voting at the polls on election day. Election officials must provide physically accessible polling places, modify policies as needed to provide access to the polls, and ensure effective communication with people with disabilities. Jurisdictions also must not implement voter eligibility requirements that disenfranchise voters because of intellectual or mental disabilities.



Finally, the Division vigorously safeguards the voting rights of service members. In 2009, Congress enacted the Military and Overseas Voter Empowerment Act (MOVE Act). The MOVE Act made broad amendments to the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA). Among the new protections was a requirement that states transmit absentee ballots to voters covered under UOCAVA, by mail or electronically at the voter's option, no later than 45 days before federal elections. Since the law's 2010 effective date, the Division has obtained numerous court orders or agreements to obtain compliance with the Act throughout the country and help ensure that military service members, their families and U.S. citizens living overseas have the opportunity to participate in all federal elections. For example, for the 2010 federal general election, the Division obtained court orders, court-approved consent decrees or out-of-court letter or memorandum agreements in 11 states, two territories and the District of Columbia. In subsequent cases, the Division obtained favorable judgments and settlements in a number of additional states to ensure compliance with UOCAVA. The Division continues its work in enforcing UOCAVA not only in federal primaries and general elections, but also in federal special elections, which have occurred in seven states in 2017.

PROTECTING THOSE WHO PROTECT US



Service members defend the security and freedom of our nation at great personal sacrifice. When their duties call them away from home, the Division stands ready to protect their rights. We vigorously enforce federal laws that protect servicemembers' right to vote when stationed away from home, their right to return to work after their military service, their right to live free from financial exploitation while on active duty, and their right to reasonable accommodation when they leave service with a disability. Many servicemembers rely on the Division to bring cases in situations where they otherwise could not find or afford private attorneys.

The Division's work on behalf of service members includes aggressive enforcement of UOCAVA (described above), the Uniformed Services Employment and Reemployment Rights Act (USERRA), and the Servicemembers Civil Relief Act (SCRA). Congress passed USERRA in 1994 to ensure that servicemembers can return to their civilian jobs when they complete their military service. The SCRA provides protections in housing, credit, and taxes for military members who are on active duty.

ENSURING EQUAL OPPORTUNITY FOR ALL PEOPLE

The Division's civil enforcement work also includes enforcement of federal laws designed to ensure equal opportunity for all people across a range of areas, from education, to the workplace, to housing.

EXPANDING EQUAL OPPORTUNITY IN EDUCATION

The Division enforces federal laws designed to ensure equal educational opportunities for all of our nation's students, including laws that protect students from discrimination because of their race, color, national origin, sex, and religion, such as Titles IV and VI of the Civil Rights Act of 1964, and Title IX of the Education Amendments of 1972.



To advance this goal, the Division:

- Works with school districts operating under desegregation orders and consent decrees with the United States to implement the relief needed to eliminate the vestiges of segregation, ensure that all students have equal access to resources and opportunities, and then restore full supervision over school operations back to the local school board.
- Enforces the Equal Educational Opportunities Act of 1974, which, among other things, requires state and local education agencies to take appropriate action to ensure that

English Learner (EL) students receive an education that meets their needs. Without direct and effective instruction to help them learn English, EL students risk falling behind in their classes, which can lead to missed opportunities for advanced course offerings, extracurricular activities, on-time graduation, and college readiness.

- Works to secure equal educational opportunities for students with disabilities. In these cases, the Division seeks to ensure compliance with federal laws, such as Title II of the Americans with Disabilities Act, that require integration of students with disabilities into general education programs and the elimination of barriers to learning and participating in school and community activities.

PROTECTING WORKERS FROM DISCRIMINATION



The ability to earn a living and climb the economic ladder defines the American dream. Yet in too many cases, employees still face unequal treatment due to their race, sex, national origin, citizenship or immigration status, religion, or disability.

The Division works to protect the rights of U.S. workers. This includes protecting native-born and naturalized citizens from employment discrimination because of their citizenship status. It also includes enforcement actions against companies that

deny employment to work-authorized immigrants or subject those individuals to discriminatory employment eligibility verification procedures. Such unfair employment practices have a devastating impact on workers and violate the anti-discrimination provision of the Immigration and Nationality Act (INA).

The Division brings a wide range of employment discrimination cases, including those addressing sexual harassment and discrimination on the basis of sex, pregnancy, race and religion. The Division brings these cases under Title VII of the Civil Rights Act of 1964 (Title VII) and the Americans with Disabilities Act (ADA).

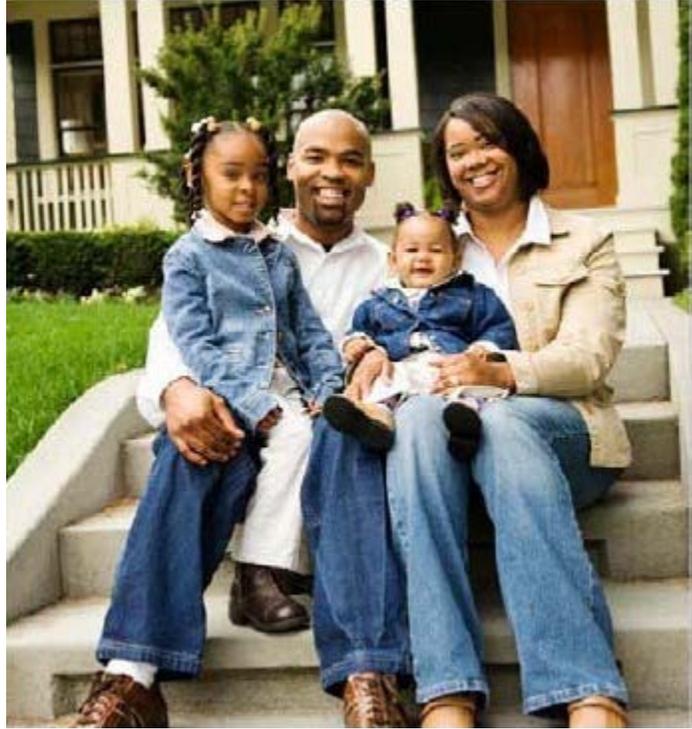
PROTECTING THE RIGHT OF RELIGIOUS FREEDOM

In addition to prosecuting violence against houses of worship and religious communities and enforcing nondiscrimination laws like Title VII in which religion is a protected class, the Division protects the right to religious freedom and expression through its enforcement of Religious Land Use and Institutionalized Persons Act (RLUIPA). RLUIPA bars local governments from using zoning and land use rules that discriminate against religious communities and places of worship. It also prohibits state and local institutions like jails, prisons, juvenile facilities, and government institutions housing people with disabilities from placing arbitrary or unjustifiable burdens on religious practice.

The Division has enforced RLUIPA in a wide range of situations involving local governments that have denied religious communities the right to build or locate churches, synagogues, mosques, and religious schools and charities. The Division has also enforced RLUIPA to protect the rights of individuals in institutions to pray, observe kosher diets, and have access to religious publications.

EXPANDING EQUAL OPPORTUNITY IN HOUSING AND LENDING

A family's access to housing determines far more than where it can live. It affects access to strong schools, quality transportation, and good jobs. Almost five decades after the passage of the Fair Housing Act, housing discrimination continues to harm communities across the country. Far too many home seekers encounter prejudice, stereotypes, and discrimination that limit where there can live.



Each fiscal year, the Division brings numerous cases alleging discrimination on the basis of race, sex, national origin, religion, familial status, and disability in violation of the Fair Housing Act. Over the last several years, the Division has filed a number of cases involving egregious sexual harassment of female tenants and women seeking public housing assistance. For example, in July 2015, the Division entered into a settlement with Southeastern Community and Family Services, Inc. (SCFS), a public housing agency that administers the Section 8 housing choice voucher program in Scotland County, North Carolina, and two of SCFS' former employees. The defendants agreed to pay more than \$2.7 million in monetary damages and civil penalties to settle consolidated Fair Housing Act lawsuits alleging egregious sexual harassment of women seeking public housing assistance. This is the largest settlement ever agreed to in a sexual harassment case brought by the Justice Department under the Fair Housing Act.

The Division also enforces federal law to ensure that all qualified borrowers have equal access to fair lending. The Division pursues this work through enforcement of the Fair Housing Act, the Equal Credit Opportunity Act, and the Servicemembers Civil Relief Act.

PROVIDING OPPORTUNITIES FOR PEOPLE WITH DISABILITIES



activities of over 80,000 state and local governments, and in employment practices of employers with 15 or more employees.

Even 27 years after the passage of the ADA, individuals with disabilities still face significant barriers to access to public places, the services, activities and programs of public entities, and places of public accommodation. The Division's ADA enforcement protects the rights of students; individuals seeking access to hotels, restaurants, and movie theaters; and individuals who need sign language or other services when at a doctor, hospital, or local government agency. The ADA guarantees individuals with disabilities the right to be free from discrimination in over seven million places of public accommodation, including hotels, restaurants, retail stores, theaters, health care facilities, convention centers, parks, and places of recreation, in all

BOLSTERING COMPLIANCE THROUGH COLLABORATION, COORDINATION, TECHNICAL ASSISTANCE, AND OUTREACH

The Division uses collaboration, coordination, technical assistance, and outreach to bolster compliance with federal civil rights laws. The Division uses outreach, technical assistance, and trainings to educate the public about civil rights laws and promote voluntary compliance by companies and state and local governments.

The Division's criminal and civil enforcement work relies on critical partnerships with other federal enforcement agencies; United States Attorneys' Offices; state, local, tribal, and foreign governments; and other organizations. Examples of our work in this area include the following.

- The Division's close working relationships with U.S. Attorneys' Offices, in addition to enforcing other federal civil rights laws, have helped rescue human trafficking victims and put traffickers in prison. During FY 2016 and FY 2017, the number of human trafficking leads and complaints reviewed by the Division significantly exceeded projections by 60%.
- As Chair of the Department's Hate Crimes Subcommittee of the Department Task Force on Crime Reduction and Public Safety, the Division is working closely with components including the FBI, U.S. Attorneys Offices, Office of Justice Programs, Office on Community Oriented Policing and Community Relations Service to develop an action plan that strengthens enforcement and addresses barriers to reporting by law enforcement and victims. In addition to the enforcement initiatives described above, the Subcommittee convened a Hate Crimes Summit for subject matter experts, including community representatives, advocacy groups, and law enforcement, to collaborate and exchange best practices in the fight to reduce hate crimes. The Subcommittee also has established an internal working group to explore ways to improve the compilation and aggregation of hate crimes statistics.
- The Division has Memoranda of Understanding with the Equal Employment Opportunity Commission (EEOC) to further the goals of [Title VII of the Civil Rights Act of 1964](#), as well as the [ADA](#) and the [Genetic Information Nondiscrimination Act of 2008 \(GINA\)](#), in

prohibiting employment discrimination in the state and local government sector. The MOUs include provisions for the coordination of the investigation of charges alleging violations of Title VII, the ADA, or GINA, while respecting the distinct responsibilities and enforcement priorities of each agency. Since the agencies began coordinating on charges, the Division has examined more than 300 charges for potential collaboration.

- Since 2015, the Division has entered into several memoranda of understanding (MOUs) with foreign governments aimed at educating work-authorized immigrant workers about anti-discrimination law and creating a system of complaint referrals. Under MOUs with [Ecuador](#), [El Salvador](#), [Honduras](#), [Mexico](#), and [Peru](#), the Division has participated in events sponsored by their embassies and consulates aimed at educating workers about their workplace rights and trained consular staff on anti-discrimination law so that they can better assist their communities. The embassies, in turn, have established a system for referring discrimination complaints from consulates to the Division. To date, the Division has conducted five formal trainings and outreach sessions with consular offices around the country and has received several referrals from embassies and consulates.
- Under Executive Order 12250, the Division works with other federal agencies to promote the consistent and uniform enforcement of civil rights laws through federal civil rights administrative enforcement programs.

The Division uses technical assistance and training to help individuals and organizations understand their rights and responsibilities under federal law. In some circumstances, federal law requires the Division to provide technical assistance to the public to promote voluntary compliance with federal antidiscrimination laws. Examples include:

- The ADA requires the Division to provide technical assistance to businesses, state and local governments, people with disabilities, non-profit agencies, and others who have responsibilities or rights under Titles II and III of the ADA. To carry out this mandate, the Division disseminates technical assistance materials; operates a nationwide toll-free ADA Information Line and the ADA website; provides educational presentations and training sessions; and engages in outreach targeted to businesses, state and local governments, and people with disabilities. The Division's Technical Assistance Program strives to provide accurate, understandable, and timely information to people across the country to increase understanding of, and voluntary compliance with, the ADA. In 2017, the ADA Information Line responded to more than 49,206 calls, and the ADA website hosted roughly 3.4 million users generating more than 8.9 million page views. The Division presented 49 speeches, workshops, and training sessions to a combined audience of more than 5,000 people.
- The Division has conducted an extensive, nationwide public outreach campaign to educate workers, employers, and concerned organizations about the anti-discrimination provision of the INA. In FY 2016, the Division participated in more than 234 public outreach sessions and webinars and handled more than 5,951 calls through its employer and worker hotlines.

II. APPROPRIATIONS LANGUAGE AND ANALYSIS OF APPROPRIATIONS LANGUAGE

Please refer to the General Legal Activities Consolidated Justifications.

Analysis of Appropriations Language

There are no changes in the 2019 General Legal Activities language.

III. PROGRAM ACTIVITY JUSTIFICATION

A. Civil Rights Division Decision Unit

1

1. Program Description

Civil Rights Division	Permanent Positions	Estimated FTE	Amount
2017 Enacted	609	586	\$148,239
2018 Continuing Resolution	593	593	147,232
Adjustments to Base and Technical Adjustments	-27	-27	893
2019 Current Services	566	566	148,125
2019 Request	566	566	148,125
Total Change 2018-2019	-27	-27	\$893

Established in 1957, the Division is comprised of 11 program-related sections, as well as the Professional Development Office, the Office of Employment Counsel, and the Administrative Management Section. A description of the Division's responsibilities and activities, as well as accomplishments for its program-related sections, is presented below.

The Division is a single decision unit within the General Legal Activities appropriation and is led by the Assistant Attorney General (AAG) for Civil Rights. A principal deputy assistant attorney general and four deputy assistant attorneys general work with the AAG to supervise the Division's criminal and civil enforcement.

The Division's workforce is organized into the following units:

- Criminal Section
- Appellate Section
- Disability Rights Section
- Educational Opportunities Section
- Employment Litigation Section
- Federal Coordination and Compliance Section
- Housing and Civil Enforcement Section
- Immigrant and Employee Rights Section (formerly Office of Special Counsel for Immigration-

Related Unfair Employment Practices)

- Policy Section
- Special Litigation Section
- Voting Section

The Division is responsible for criminal and civil enforcement under a number of statutes. The Appendix provides a summary of each of the criminal and civil statutes enforced by the Civil Rights Division and identifies the litigating section responsible for enforcing each statute.

1. Performance and Resource Tables

Performance Materials will be provided at a later date.

2. Performance, Resources, and Strategies

PROTECTING INDIVIDUALS FROM VIOLENCE, DISCRIMINATION, AND EXPLOITATION

Criminal Enforcement

The Criminal Section's prosecutors continue to achieve remarkable results, keeping pace with the record-setting levels of productivity and effectiveness demonstrated in recent years. Each year, the Division receives thousands of complaints alleging criminal interference with civil rights. In FY 2017, the Division filed a record 161 cases. Furthermore, the Division filed 35 percent more criminal civil rights prosecutions in the last six fiscal years (867 indictments in FY 2012 – FY 2017) than the previous six years (641 indictments in FY 2006 – FY 2011), without an increase in staff.

In FY 2016 and FY 2017, the Division exceeded its performance goals. During those two years, the Division, in conjunction with United States Attorneys' Offices:

- charged 681 defendants with criminal civil rights violations;
- filed 322 criminal civil rights cases, the highest number compared with any other two-year period since counting began in 1993; and
- filed 200 human trafficking cases, the highest number in any two-year period since counting began in 1993.

In the eight years since the passage of the Shepard-Byrd Hate Crimes Prevention Act, the Division has charged 84 defendants and obtained 59 convictions under this statute.

The Division leads the Department's law enforcement response to threats and intimidation against houses of worship and individuals seeking to exercise their religious beliefs. Over the last decade, the Division has prosecuted 53 defendants accused of interfering with religious exercise through violence against persons or arson, threats or vandalism of houses of worship, and secured 45 convictions.

Working with our U.S. Attorney colleagues, since 9/11, the Division has investigated more than 1,000 incidents involving acts of violence, threats, assaults, vandalism, and arson targeting Arab, Muslim, Sikh, and South Asian Americans, as well as individuals perceived as members of these groups, prosecuting dozens of these cases.

While achieving these record results, the Division's Criminal Section has also operated its cold case initiative, pursuant to the Emmett Till Cold Case Act of 2007, in which Section prosecutors have reviewed voluminous evidence in more than 115 civil rights era unsolved hate crime homicides.

CASE EXAMPLES: PROSECUTING & PREVENTING HUMAN TRAFFICKING

Florida Man Convicted of Sex Trafficking in Connection with Human Trafficking Scheme Targeting Foreign University Students. In November 2016, a Florida man was convicted on all 11 counts for operating a scheme to lure foreign university students into the United States under false pretenses of legitimate summer jobs, only to advertise the students to customers of his prostitution and erotic massage enterprise. He was convicted of sex trafficking and attempted sex trafficking by fraud, wire fraud, importation of persons for prostitution or immoral purposes and use of a facility of interstate commerce to operate a prostitution enterprise. A jury in the Southern District of Florida returned the verdict after four days of trial.

Heroin Dealer Convicted by Jury of Sex Trafficking and Drug-Related Offenses. In July 2016, a Wisconsin man was convicted by a federal jury of three counts of sex trafficking by force, threats of force or coercion; one count of conspiracy to engage in interstate transportation for prostitution; one count of interstate transportation for prostitution; one count of maintaining a property for drug trafficking; one count of using a firearm in furtherance of drug trafficking and one count of witness retaliation. The defendant sold heroin and used violence, threats and coercion to compel three young heroin-addicted women to prostitute for his profit in Wisconsin and Minnesota.

CASE EXAMPLES: COMBATING HATE CRIMES

Prosecuted Dylann Roof for Attack on Emanuel African Methodist Church. In January 2017, prosecutors from the Civil Rights Division and the United States Attorney's Office for the District of South Carolina obtained convictions in the trial of Dylann Roof, on a 33-count indictment. He was charged with federal hate crimes and firearms charges for killing and attempting to kill African-American parishioners at Emanuel African Methodist Episcopal Church in Charleston, South Carolina, because of their race and in a manner that interfered with the free exercise of their religion.

Prosecuted First Case under Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act Where Victim was Targeted Because of Gender Identity. In December 2016, Joshua Brandon Vallum, 29, of Lucedale, Mississippi, pleaded guilty to a federal hate crime for assaulting and murdering Mercedes Williamson because she was a transgender woman. Williamson was 17 years old and resided in Alabama at the time of her death. Vallum was charged with violating the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act.

Convicted Defendant for Setting Fire to Missouri Mosque. In April 2016, a man pleaded guilty to a federal hate crime for setting a fire that destroyed the Islamic Society of Joplin mosque. The defendant admitted that he set fire to the mosque because he does not like the Islamic religion.

Secured a Guilty Plea from Klamath, Oregon Man Who Threatened a Vietnamese Family. In May 2016, John Blayne Vangastel pleaded guilty to one count of using threats of force to injure, intimidate and interfere with his neighbors in the enjoyment of their housing rights because they are a family of Vietnamese descent. Vangastel admitted that he forcibly blocked the family's front gate to block them from parking on their property, told a family member to "push [him] off the property" and raised his balled-up fist as though he was going to assault one of the female family members. He further admitted that he repeatedly tried to instigate a fight with the rest of the family, threatening to hit them and making comments like, "You are trash;" "You are not even white;" and "You smell like salmon-fish." He also told the family something to the effect of, "I'll beat you because you are Asian," and "You [expletive] Vietnamese – you don't deserve to live here." The incident was the culmination of Vangastel's repeated intimidation of his neighbors, who had lived at their residence for 20 years without incident. As a result of Vangastel's conduct, the family became so fearful that they moved out of their home.

Investigated a Series of Threats against Jewish Community Centers, Day Schools and Synagogues. This work resulted in the arrest of an individual charged with making threatening calls to Jewish community centers in Florida, conveying false information to police dispatch regarding harm to private residents in

Georgia, and cyberstalking.

Obtained Convictions against a Connecticut Man for firing a high- powered rifle at a mosque and a Florida man for threatening to firebomb two mosques and shoot their congregants.

Civil Enforcement

The Division's Special Litigation Section works to protect the rights of children and adults in institutional settings, including nursing homes, mental health institutions, juvenile detention centers, and prisons.

STRATEGIES: PROTECTING THE RIGHTS OF CHILDREN AND ADULTS IN INSTITUTIONS

Redress of Sexual Abuse of Prisoners, Pretrial Detainees, and Juveniles in Custodial Settings. The Special Litigation Section will focus efforts on an initiative to redress sexual abuse of prisoners, pretrial detainees, and juveniles in custodial settings. This initiative would protect the constitutional rights of people in custody and help further the goals of the Prison Rape Elimination Act (PREA) to prevent, detect, and respond to custodial sexual abuse. Although PREA does not provide for any enforcement mechanism other than the risk of losing certain funds, the PREA Standards can provide a framework for CRIPA investigations and often help guide and structure the aspects of our settlements that are designed to eradicate custodial sexual abuse.

Protecting the Rights of Children with Mental Illness, Intellectual Disabilities, and Developmental Disabilities. The Special Litigation Section will also continue to focus efforts on protecting the rights of children with mental illness or intellectual and developmental disabilities to ensure that they receive services in the most integrated setting appropriate so they can continue to live in their communities, if they so choose, rather than in institutions; that their constitutional and statutory rights are upheld in the administration of juvenile justice; and that they are free from abuse, neglect, and other unsafe conditions and receive appropriate mental health and medical care when held in institutional and juvenile justice settings. In FY 2017, the Section opened an investigation of the conditions in South Carolina's juvenile justice facilities.

CASE EXAMPLES: PROTECTING THE RIGHTS OF CHILDREN AND ADULTS IN INSTITUTIONS

Reached Settlement to Reform Criminal Justice System in Hinds County, Mississippi. In June 2016, the Division reached a landmark settlement agreement to reform the criminal justice system in Hinds County, Mississippi. The agreement resolves the Division's findings that the Hinds County Adult Detention Center and the Jackson City Detention Center – which together form the Hinds County Jail – failed to protect prisoners from violence and excessive force and held them past their court-ordered release dates, in violation of the Civil Rights of Institutionalized Persons Act (CRIPA).

Announced a Statewide Investigation into Conditions in Alabama's Prisons for Men. In October 2016, the Division opened a statewide investigation into the conditions in Alabama's prisons for men. The investigation focuses on whether prisoners are adequately protected from physical harm and sexual abuse at the hands of other prisoners; whether prisoners are adequately protected from use of excessive force and sexual abuse by correctional officers; and whether the prisons provide sanitary, secure and safe living conditions.

SAFEGUARDING THE FUNDAMENTAL INFRASTRUCTURE OF DEMOCRACY

Protecting the Right to Vote

The Division's Voting Section brings affirmative litigation to enforce federal voting laws and defends the United States when it faces lawsuits over voting matters. Every year, the Voting Section also monitors elections in jurisdictions around the country. The Division sent over 500 election monitors to 67 jurisdictions for the November 2016 general election.

The Criminal Section is responsible for addressing voter intimidation under 18 U.S.C. § 594. In 2014 it obtained its first conviction in the case of U.S. v. Baker in which a Seattle, Washington man sent intimidating letters to approximately 200 Republican donors in Florida.

In addition, the Division's Disability Rights Section enforces the ADA's requirements to ensure equal access to polling places and the election process for people with disabilities.

STRATEGIES: PROTECTING THE RIGHT TO VOTE

Launched ADA Voting Initiative. In 2015, the Division, partnering with U.S. Attorneys across the nation, launched the [ADA Voting Initiative](#) to ensure that people with disabilities have an equal opportunity to participate in the voting process, including in the 2016 presidential elections. The ADA Voting Initiative covers all aspects of voting, from voter registration to casting ballots at neighborhood polling places. Through this initiative, more than 1,300 polling places have been surveyed to identify barriers to access.

CASE EXAMPLES: PROTECTING THE RIGHT TO VOTE

Reached NVRA Settlement with State of New York. In 2017, the Division entered into a settlement agreement with the State of New York to require the State to ensure that voter registration opportunities are provided to citizens applying for or renewing their drivers' licenses, or updating their addresses for drivers' license purposes, whether in person or remotely, in the manner required by the NVRA.

Reached HAVA and ADA Agreement with Palm Beach County. In 2017, the Division reached an agreement under HAVA and the ADA with Palm Beach County to ensure the availability of accessible voting systems in elections.

Filed Suit Against Eastpointe, MI Alleging VRA Violation. In 2017, the Division brought suit against the City of Eastpointe, Michigan alleging that the at-large method of election used by the City of Eastpointe, Michigan to elect its city council results in the dilution of African-American voting strength, in violation of Section 2 of the VRA. The Division continues its longstanding work to identify violations of Section 2, which protects against racial discrimination in voting nationwide.

Protecting Those Who Protect Us

Three sections of the Civil Rights Division – Employment Litigation, Housing and Civil Enforcement, and Voting – enforce statutes designed to protect servicemembers in critical aspects of American life such as work, credit, housing, and voting. In addition, the Disability Rights Section brings cases involving servicemembers who face discrimination because of their disability.

STRATEGIES: PROTECTING THOSE WHO PROTECT US

Protecting the Ability of Veterans with Disabilities to Work and Participate in their Communities.

The Division vigorously protects the rights of servicemembers returning home, including those with service-connected disabilities. Servicemembers expect and are entitled to participate fully in the activities of civilian life, including employment, education, recreation, and access to all public accommodations.

On seeking to reenter the workforce, however, some veterans face unfounded assumptions and generalizations about combat-related disabilities such as Post Traumatic Stress Disorder (PTSD) or traumatic brain injury. The Division challenges those barriers to employment to ensure that veterans with disabilities are not denied employment opportunities due to stereotypes or a failure to provide reasonable accommodations. Many veterans with disabilities also use service dogs to allow them to navigate community life. Despite the crucial role that service dogs play in alleviating the symptoms of PTSD and other disabilities for some veterans, restaurants, stores, hotels, and other public places frequently deny veterans entrance into their facilities when accompanied by their service dogs. The Division protects the rights of veterans to have their service dogs accompany them as they participate in community life.

Moreover, the Employment Litigation Section will continue to focus on bringing USERRA litigation that results in re-employment of Veterans and, where warranted, recovery of fringe benefits of employment such as pension reimbursement and promotional opportunities.

Servicemembers Civil Relief Act Initiative. Since 2011, the Housing and Civil Enforcement Section has obtained \$465 million in monetary relief to 118,000 servicemembers through its enforcement of the SCRA. In light of several widely publicized SCRA cases and settlements, including our \$60 million settlement with Sallie Mae, our \$10 million settlement with Santander and our \$4 million settlement with Wells Fargo Dealer Services, there is increasing public awareness of protections afforded to servicemembers under the SCRA. As a result, the Division is seeing (and expects to continue to see) a heavy stream of SCRA referrals from military legal assistance attorneys and individual servicemembers. In FY 2017, the Division reached all-time highs in the number of SCRA matters initiated (42 in FY 2017 compared to 14 in FY 2016), investigations authorized (30 in FY 2017 to 9 in FY 2016) and investigations closed with favorable outcomes (6 in FY 2017 compared to 0 in FY 2016).

CASE EXAMPLES: PROTECTING THOSE WHO PROTECT US

Brought Enforcement Actions to Protect the Employment Rights of Servicemembers. In FY 2016, the Division brought a number of enforcement actions to protect the employment rights of service members. The Division reached a settlement agreement with [Laborers Local No. 1149, based in Wheeling, West Virginia](#), resolving claims that the union violated the Uniformed Services Employment and Reemployment Rights Act (USERRA) when it failed to reinstate U.S. Army National Guardsman Elliot Ferrell as an apprentice laborer after his return from three months of basic training in 2014. In February 2016, the Division entered into a settlement with the [Commonwealth of Massachusetts and the City of Somerville, Massachusetts](#) to resolve claims that the city violated the Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) when it failed to re-employ U.S. Marine Corps Reservist Sean Keane at the level he should have been in following his multiple military deployments, including tours of duty to Afghanistan. In September 2016, the Division sued [BioFusion Health Products Inc., a business with headquarters in Rapid City, South Dakota](#), for violating the employment rights of former South Dakota Air National Guard Senior Airman Amber M. Ishmael. The Division alleged that Ishmael's military service was a motivating factor in BioFusion's decision to both deny her request for reemployment and ultimately terminate her employment.

Obtained over \$10.1 million to Resolve Wells Fargo Dealer Services Illegal Repossession of 860 Cars Owned by Protected Servicemembers. In March 2015, the Division launched an investigation into allegations that Wells Fargo had repossessed Army National Guardsman Dennis Singleton's used car in

Hendersonville, North Carolina, while he was preparing to deploy to Afghanistan to fight in Operation Enduring Freedom. After Wells Fargo repossessed the car, it sold it at a public auction and then tried to collect a deficiency balance of over \$10,000 from Singleton and his family. In October 2014, while seeking assistance with debt consolidation, Army National Guardsman Singleton met with a National Guard attorney, who informed him of his rights under the SCRA. The attorney requested information from Wells Fargo about the original loan and repossession, and asked for copies of the correspondence and payment history. The attorney never received a response from Wells Fargo. The Department's subsequent investigation corroborated Singleton's complaint and found a pattern of unlawful repossessions spanning over more than seven years.

Obtained \$200,000 in Relief against Housing Provider that Unlawfully Evicted Active-Duty Servicemembers and their Families in Violation of the SCRA. The Division sued Lincoln Military Housing, which owns and operates dozens of on-base and off-base military housing communities throughout Southern California, for unlawfully evicting active-duty servicemembers and their families. This is the first case that the Justice Department has filed alleging the unlawful eviction of service members from their homes.

Reached Agreement to Permit Servicemember to Attend Classes with Service Animal. In April 2016, the Department reached an agreement with Mercy College, a private college in Westchester, New York, requiring it to permit a veteran with a disability from wartime injuries to attend classes accompanied by his service dog. The veteran alleged that a security guard at the college stopped him from entering the classroom building with his service dog on the groundless basis that service dogs were only allowed for blind people. Under the agreement, Mercy College will not discriminate against any individuals with disabilities, will adopt a Service Animal Policy, will conduct training on Title III of the ADA for its security personnel who interact with students and visitors, and will apologize to the complainant.

EXPANDING OPPORTUNITY FOR ALL PEOPLE

Expanding Equal Opportunity in Education

In FY 2017, the Educational Opportunities Section continued its vigorous efforts to protect students across the country from discrimination based on race, color, national origin, sex, religion, and disability in schools. Looking forward, the Section is focusing resources to advance three key areas of its work: (1) enforcing the promise of *Brown v. Board of Education* through its school desegregation cases; (2) combatting religious discrimination in public schools; and (3) addressing harassment and hate incidents in educational settings.

STRATEGIES: EXPANDING EQUAL OPPORTUNITY IN EDUCATION

Enforcing Brown’s Promise. EOS continues its core mission to desegregate schools by representing the United States in approximately 170 desegregation cases. The Section monitors school districts’ compliance with desegregation orders and works with districts to identify practicable remedies to eliminate the vestiges of segregation. As part of its monitoring, the Section ensures that schools are desegregated to the extent practicable, their facilities are equitable, their employment practices are nondiscriminatory, and their programs and course offerings are available to all district students regardless of race.

Combating Religious Discrimination. EOS launched its Religious Discrimination Initiative, which partners the Section with U.S. Attorney Offices around the country to address incidents of religious discrimination in their communities. As part of the Initiative, the Section trains Assistant U.S. Attorneys on the Section’s jurisdiction and supports engagement with school leaders to address civil rights violations. These partnerships allow the Department to be more responsive to diverse religious communities, especially communities facing surges in harassment, bigotry, and violence. In the Initiative’s pilot year, the Section and U.S. Attorney Offices opened six investigations into religious discrimination. By collaborating with U.S. Attorney Offices, the Section’s work benefits from their ongoing community contacts and outreach to isolated or discrete religious communities.

Addressing Harassment and Hate Incidents. EOS has jurisdiction to address incidents of hate and harassment based on race, color, national origin, sex, religion, and disability in public elementary and secondary schools and public institutions of higher education. Where the incidents involve both criminal conduct and discriminatory harassment, the Section works in coordination with the Division’s Criminal Section, local U.S. Attorney’s Offices, and law enforcement to ensure that schools respond appropriately.

CASE EXAMPLES: EXPANDING EQUAL OPPORTUNITY IN EDUCATION

Addressing Over 50 Years of Ongoing Segregation in Cleveland, Mississippi. In Cleveland, Mississippi, after more than fifty years of ongoing segregation in public schools, the Section successfully tried a case that concluded in a detailed, favorable ruling. Later, the Section joined in a settlement with the Cleveland school district, based upon the Court’s order, that led to the final decree mandating consolidation of the schools. The racially identifiable black high and middle schools are now consolidated with the historically white secondary schools. The Court will oversee the District’s implementation of the decree, and the Section will continue to work with the district to assure a successful consolidation and to eliminate any remaining vestiges of segregation.

Resolving School Desegregation Issues in St. James Parish, Louisiana. In St. James Parish, Louisiana, the Section, the school district, and the private plaintiffs reached a court-approved consent decree in January

2017, that addresses all remaining issues in the school desegregation case and puts the district on a path to full unitary status within three years. Under the decree, the district is implementing a new student assignment plan that desegregates three nearly all-black elementary schools to the extent practicable; will take reasonable steps to recruit a diverse pool of applicants for faculty and staff vacancies; has revised its code of conduct and is giving its staff additional tools to ensure nondiscriminatory discipline; and has achieved unitary status with respect to extracurricular activities and transportation.

Ensuring Equal Opportunities in McDuffie, Georgia. In May 2017, the Section and the McDuffie County, Georgia school district reached a court-approved consent decree that will ensure equal access to gifted and talented programs, and non-discriminatory student discipline. The District's successful implementation of the decree will lead to resolution of this school desegregation case.

Opening Doors to Opportunity for English Learners in Horry County, South Carolina. In August 2017, the Section reached an agreement with the Horry County public school district in South Carolina to provide language services to the district's more than 4,000 English Learner students. The agreement will ensure that the district's English Learner students receive the support they need to access and succeed in the district's educational programs. The district, the third-largest in the state, has pledged its commitment to improving services for its English Learner students to help them meet their academic potential.

Ensuring Equal Opportunity in the Workplace

Three sections of the Division – Employment Litigation, Disability Rights, and Immigration and Employee Rights (formerly Office of Special Counsel for Immigration-Related Unfair Employment Practices) – work to prevent and address workplace discrimination on the basis of race, national origin, sex, religion, disability, and immigration status. During FY 2016 and 2017, the Division continued its ongoing efforts to ensure equal employment opportunity for all individuals. The Division's employment enforcement activities include the following:

- Litigating 11 suits and enforcing 24 settlements that cover a wide range of claims, including discrimination based on race, national origin, sex, religion, retaliation, and discrimination in compensation and hiring;
- Collecting a record-breaking \$29 million in back pay and civil penalties from employers for violations of the anti-discrimination provision of the INA. We are litigating 5 cases and monitoring 155 settlement agreements.
- Litigating 13 cases and entered into 4 settlements under Title I of the ADA. Through these cases, we are enforcing the rights of individuals with disabilities to be hired free of discrimination and to receive reasonable accommodations to perform their jobs.
- Entering 3 settlement agreements during FY 2017, ensuring the rights of applicants and employees to be free from discrimination in employment.

STRATEGIES: EXPANDING EQUAL OPPORTUNITY IN THE WORKPLACE

Protecting the Rights of U.S. Workers. The Immigrant & Employee Rights Section (IER) will continue to vigorously combat workplace discrimination. In FY 2019, the Division will prioritize enforcement of the anti-discrimination provision of the Immigration and Nationality Act, including but not limited to identifying and challenging employer policies and practices that favor the employment of nonimmigrant foreign visa holders by denying jobs to U.S. workers or displacing them.

Focus on Intentional Discrimination. The Employment Litigation Section will maintain an enhanced focus on cases involving intentional discrimination based on race, sex, religion, and national origin. This includes prioritizing referrals from the Equal Employment Opportunity Commission alleging sex discrimination based on pregnancy, sexual harassment or caregiver status.

CASE EXAMPLES: EXPANDING EQUAL OPPORTUNITY IN THE WORKPLACE

Filed and Resolved Lawsuit Alleging Hiring Discrimination Against Qualified U.S. Workers. On December 18, 2017, the Division signed a settlement with Crop Production Services, Inc. (CPS) resolving the lawsuit the Division filed on September 28, 2017, alleging that the company discriminated against qualified U.S. citizens when it did not employ them as seasonal technicians because it preferred to hire temporary foreign workers under the H-2A visa program. The agreement required CPS to pay a civil penalty of \$10,500, ensure that staff involved in the El Campo facility's hiring process participate in Division-provided anti-discrimination training, review and revise its hiring policies, and give the Division documentation of its efforts to recruit domestic applicants for El Campo positions if it seeks foreign laborers through the H-2A program. CPS also paid back pay totaling \$8,738.75 in a separate private agreement with the three citizens denied employment.

Resolved Case Alleging Unlawful Hiring that Denied U.S. Workers Jobs. On May 23, 2017, the Division reached a settlement agreement with Carrillo Farm Labor, LLC ("Carrillo Farm"). After investigating complaints filed on behalf of two qualified U.S. citizens, the Division determined that Carrillo Farm denied U.S. citizens employment in the summer of 2016 because of an unlawful hiring preference for temporary foreign workers under the H-2A visa program. The settlement agreement requires Carrillo Farm to pay civil penalties, undergo department-provided training on the anti-discrimination provision of the INA, and comply with departmental monitoring and reporting requirements. In a separate agreement, Carrillo Farm agreed to pay a total of \$44,000 in lost wages to affected U.S. workers.

Resolved Case Alleging Unlawful Documentary Practices Against Work-Authorized Immigrants When Reverifying Their Work Authority. On June 28, 2017, the Division reached a settlement agreement with Panda Restaurant Group, Inc. (Panda Express). The Division's independently initiated investigation revealed that Panda Express unnecessarily required lawful permanent resident workers to re-establish their work authorization, although they had provided sufficient evidence of permanent work authorization when initially hired, but did not require similarly situated U.S. citizen workers to do so. The investigation also found that Panda Express routinely required other work-authorized immigrants to produce specific immigration documents to reverify their ongoing work authorization although they had already provided legally sufficient documentation. The settlement agreement requires Panda Express to pay \$400,000 in civil penalties, undergo Division-provided training on the anti-discrimination provision of the INA, and pay a total of up to \$200,000 in back pay to workers who lost wages due to the unlawful practice.

Resolved Allegations of Hiring Discrimination Based on Citizenship Status. On January 17, 2017, the Division signed a settlement agreement with J.E.T. Holding Co. Inc., resolving an investigation of a pattern or practice of hiring discrimination based on citizenship status. The investigation revealed that the company failed to consider qualified U.S. citizen applicants and other protected individuals for several dishwasher positions at a restaurant and bowling center, based on its preference for hiring workers through the CW-1 visa program available only in the Commonwealth of Northern Mariana Island. The agreement provides for training, policy changes, a \$12,000 civil penalty, and a \$40,000 back pay fund to compensate claimants who lost wages due to the discrimination.

Settled Claims Against 121 Podiatry Residency Programs and the AACPM. In June 2016, the Division entered into a settlement with [121 podiatry residency programs and the American Association of Colleges of Podiatric Medicine \(AACPM\)](#), effectively stopping an entire industry from engaging in discriminatory job advertising. The Division's investigation found that between 2013 and 2015, more than 100 podiatry residency programs and AACPM published discriminatory postings for podiatry residents through AACPM's online podiatry residency application and matching service. The Division determined that hundreds of job postings limited podiatry residency positions to U.S. citizens even though there was

no legal authorization for the citizenship requirement. In addition to securing over \$200,000 in civil penalties, the settlement agreement required all of the programs and AACPM to change their hiring practices, policies and procedures to ensure non-discrimination.

Obtained Verdict Against Hawaii DOT for Condoning Sexual Harassment of Employee. In December 2015, a federal jury in Honolulu found that the state of Hawaii and the Hawaii Department of Transportation's Airports Division discriminated against former employee Sherry Valmoja by subjecting her to sexual harassment. The evidence presented at trial showed that during her employment as an explosives detection canine handler at the Honolulu International Airport, Valmoja was subjected to sexual harassment in the form of lewd and unwelcome comments and physical intimidation by a co-worker. The jury awarded Valmoja \$38,000 to compensate her for the pain and suffering she endured because of the harassment.

Brought several suits to protect women from sex and pregnancy discrimination. Title VII of the Civil Rights Act of 1964 prohibits discrimination on the basis of sex and pregnancy. In August 2016, the Division filed a lawsuit alleging that New Mexico State University and its Board of Regents discriminated against a female former assistant track coach on the basis of sex by paying her less than similarly-situated men. In 2016, the Division entered into a consent decree with Niagara County, New York, resolving allegations that the county discriminated against Corrections Officer Carisa Boddecker when it revoked her restricted duty assignment and forced her to take an extended leave of absence during her pregnancy, although she was able to work. In January 2017, the Division resolved its case against the Palm Beach County (Florida) School Board for discriminating against Anne Williams Dorsey, an Assistant Principal at Turning Points Academy, a public school in the Palm Beach County School District. The Division alleged that when Dorsey went on maternity leave, the principal reassigned her to a position with a lower salary and fewer assigned days, and then replaced her with a male employee whom she had previously trained. The complaint also alleges that the principal retaliated against Dorsey because she reported another female employee's sexual harassment allegations against the male employee who eventually replaced her. The Division resolved the case with terms that included the payment of \$350,000 in monetary relief to the charging party as well as the employer's implementation of anti-discrimination training policies. In December 2015, the Division reached a settlement with the Chicago Board of Education, which oversees the third largest school district in the United States, to resolve allegations that the board discriminated against pregnant teachers in violation of federal law. The lawsuit alleged that the board fired several teachers from Scammon Elementary School because they were pregnant. Finally, in October 2016, the Division resolved a suit against the City of Florence, Kentucky for discriminating against a pregnant employee. The Florence, Kentucky, Police Department had a policy that allowed workers to take light duty when necessary. After a female police officer took light duty while pregnant pursuant to this policy, Florence adopted a much more restrictive policy which discriminated against pregnant employees.

STRATEGIES: PROTECTING THE RIGHT OF RELIGIOUS FREEDOM

Education of State and Local Jurisdictions on RLUIPA. In February 2015, the Supreme Court unanimously decided *Holt v. Hobbs*, upholding and clarifying the legal requirements of the Religious Land Use and Institutionalized Persons Act (RLUIPA) as it applies to state and local institutional settings. Nevertheless, since that time, the Special Litigation Section has received numerous complaints about jurisdictions that are not complying with RLUIPA and *Holt's* requirements, and the Section continues to uncover evidence of policies and practices that may violate federal law. In FY 2019, the Section will enhance its efforts to educate state and local jurisdictions about RLUIPA's requirements and to engage in targeted enforcement action to ensure that federal law is upheld.

CASE EXAMPLES: PROTECTING THE RIGHT OF RELIGIOUS FREEDOM

Won Religious Discrimination Lawsuit Against Colorado City, Arizona, and Hildale, Utah. In March 2016, a federal jury returned a verdict finding that the towns of Colorado City, Arizona, and Hildale, Utah, and their joint water company systematically discriminated against individuals who are not members of the Fundamentalist Church of Jesus Christ of Latter-day Saints (FLDS) in the provision of housing, utility and policing services in violation of the Fair Housing Act (FHA). Prior to the jury verdict, the parties reached an agreement that the defendants will pay \$1.6 million to resolve the monetary claim under the FHA. The jury also issued a separate advisory verdict on the Division's claims under Section 14141 of the Violent Crime Control and Law Enforcement Act of 1994. In its advisory verdict, the jury found that the Colorado City Marshal's Office, the cities' joint police department, operated as an arm of the FLDS church in violation of the Establishment Clause of the First Amendment; engaged in discriminatory policing in violation of the Equal Protection Clause of the 14th Amendment and the establishment clause; and subjected individuals to unlawful stops, seizures and arrests in violation of the Fourth Amendment.

Continued to Protect the Rights of Religious Communities to Build and Construct Places of Worship Free from Unlawful Barriers. In recent years, the Division has increased its enforcement of the land use protections in the Religious Land Use and Institutionalized Persons Act (RLUIPA), which protects religious communities from discriminatory or unjustifiably burdensome application of zoning laws against places of worship, religious schools and other uses of land for religious purposes. For the period from 2010 to the present, RLUIPA investigations per year rose by more than 60 percent compared to the period from 2000 to 2010. In FY 2017, the Division filed six complaints and settled 6 suits, including a complaint against Bernard's Township, New Jersey alleging that the Township discriminated against an organization seeking to build a mosque. Under the settlement agreement, the Township agreed to approve the site development plan for the mosque, and modify its zoning code to permit houses of worship to be built on four acre lots or more.

Ensuring Equal Opportunity in Housing and Lending

In FY 2017, the Division's Housing and Civil Enforcement Section (HCE) devoted significant resources to fair housing and lending cases. In this area, the Division is:

- Litigating 34 cases, including pattern and practice cases involving both housing and lending discrimination;
- Conducting over 175 investigations; and
- Enforcing 147 settlements.

Over the last five years, the Division has closed over 161 consent decrees and settlement agreements.

STRATEGIES: PROMOTING EQUAL OPPORTUNITY IN HOUSING AND LENDING

HCE is also in the process of launching several significant new enforcement initiatives that will greatly improve its ability to ensure fair housing and lending for all Americans. This includes:

Sexual Harassment Initiative. The primary goal of the Sexual Harassment Initiative is to increase the reporting and referrals of instances of sexual harassment in housing to HCE. The initiative will ensure that victims have a direct pathway for reporting to DOJ. We are working directly with law enforcement, direct service providers, federal and state agencies, and public housing authorities to ramp up our identification of sexual harassment housing cases throughout the country. And we plan to vigorously prosecute and enforce these cases when they come to our attention.

Multi-Family Accessibility Initiative. With the Multi-Family Accessibility Initiative, HCE is developing plans to collaborate with developers, architects, code officials, accessibility advocates and other stakeholders to make sure that apartments and multi-family housing are built accessibly. The goal is to increase the supply of accessible housing for persons with disabilities throughout the country and to reduce

the burdens and costs associated with retrofitting properties once they are built.

Fair Lending Initiative. The goal of HCE’s Fair Lending Initiative is to prioritize the enforcement of disparate treatment cases, where there is evidence of intent by the lender to discriminate against a protected class. Our investigatory methods for these cases will include covert testing. This past year, HCE launched the Fair Lending Testing Initiative, which harnesses the expertise of HCE’s Fair Housing Testing Program to root out lenders who are engaged in discriminatory conduct.

CASE EXAMPLES: PROMOTING EQUAL OPPORTUNITY IN HOUSING AND LENDING

Resolved Multiple Cases Involving Sexual Harassment in Housing. Since January 2017, HCE has filed or settled six sexual harassment cases. Our July 2017 settlement in *United States v. Walden* with a West Virginia landlord who was also criminally convicted for sexual battery, among other crimes against female tenants, requires the payment of \$500,000 to 15 sexual harassment victims and a \$100,000 civil penalty to the United States. On July 13, 2017, HCE sued a North Carolina man under the Fair Housing Act and the Equal Credit Opportunity Act for sexually harassing female residents and borrowers. This case is in litigation.

Enforced the Fair Housing Act’s Accessibility Requirements. In *United States v. Dawn Properties, Inc.*, HCE alleged that defendants violated the Fair Housing Act and the Americans with Disabilities Act by building apartment complexes that were inaccessible to persons with disabilities. As part of the settlement, the defendants agreed to make substantial retrofits to remove accessibility barriers at six complexes, which have nearly 500 covered units. The consent order also requires the defendants to pay \$250,000 to 25 identified aggrieved persons, and pay \$100,000 in civil penalties.

Resolved Case Alleging Discrimination in Lending Using Evidence of Discriminatory Statements. The complaint in BancorpSouth alleged discrimination by the bank throughout every step of the lending process: redlining majority-minority communities in Memphis, Tennessee, discriminating against African-American applicants in the underwriting and pricing of certain mortgage loans, and implementing a policy or practice that required its employees to treat applications differently based on race or other prohibited characteristics. In an audio recording of a BancorpSouth meeting, a manager told loan officers and processors that applications from minorities and others whom the bank viewed as “protected class members” must be “turned down” within 21 days, while white applicants were not subject to this shorter time frame. During this meeting, BancorpSouth employees made several derisive comments about minorities. Our July 2016 settlement included \$6.78 million in monetary relief for borrowers.

Resolved Case Alleging Zoning Discrimination. In *United States v. City of Jacksonville*, HCE alleged that the City refused to allow the development of a 12-unit apartment building to create “permanent supportive housing” for “chronically homeless” veterans, in response to intense community pressure based on stereotypes about prospective residents with disabilities. Under the consent decree, the City has amended its zoning code, agreed to designate a fair housing compliance officer, provide Fair Housing Act and Americans with Disabilities Act training for City employees, and pay a \$25,000 civil penalty.

Providing Opportunities for People with Disabilities

The Division’s Disability Rights Section continued its steadfast efforts to expand opportunities for people with disabilities through implementation of the ADA.

STRATEGIES: PROVIDING OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

Combating the Opioid Epidemic. The heroin and prescription opioid epidemic poses an unparalleled

challenge to public health and safety. The Division is responding to this crisis by working collaboratively with its federal partners and with state and local governments to ensure that individuals in treatment for substance use disorders do not face unnecessary and discriminatory barriers to recovery. Through outreach, technical assistance, and enforcement under the ADA, the Division's work in this area impacts both the public and private sectors, in settings such as zoning, employment, or drug courts - so that those in treatment can succeed and reengage with their communities and the workforce.

Mediation to Resolve Disability Complaints Effectively & Efficiently. The Disability Rights Section continued its mediation program to assist with the disposition of the thousands of complaints received each year. In FY 2017, the ADA Mediation Program referred 195 matters, completed 143 matters, and successfully resolved 83 percent of these cases. Since inception, the program has an overall success rate of approximately 78 percent.

Technical Assistance on the ADA. The Disability Rights Section promoted voluntary compliance with the ADA by continuing its robust ADA Technical Assistance Program. The program provides free information and technical assistance directly to businesses, state and local governments, people with disabilities, and the general public.

Focusing on Police Response to Individuals in Crisis with Substance Use and Mental Health Issues. Police around the country are frequently called on to respond to people with substance use issues and mental health needs who are in crisis. Responding to these crises can result in injuries to police and in uses of force, particularly when police do not have the benefit of specialized training and partners in the community mental health and substance abuse system. Using trained Crisis Intervention Team (CIT) officers and mental health crisis services reduces the risk to law enforcement and frees police resources to focus on public safety. In FY 2019, the Division will focus efforts on jurisdictions where inadequate crisis response services, including insufficient CIT training and deficiencies in the development of mobile crisis services, are leading to allegations of uses of excessive force. In FY 2017, the Division enforced agreements requiring police departments to increase CIT training and develop mobile crisis teams in seven jurisdictions, including New Orleans, Albuquerque, Cleveland, Seattle, Portland, Ferguson, and Baltimore.

Mental Health and Substance Abuse Services Planning. Jails around the country face programmatic and fiscal pressures as they are faced with large numbers of prisoners who have mental health and substance abuse needs. Ensuring that these prisoners receive constitutionally sufficient mental health care in jail and, if appropriate, are transitioned to needed mental health and substance abuse services in the community when they are released, can reduce the likelihood of recidivism and further costly jail stays. In its work with local jails, the Special Litigation Section will focus on ensuring that release planning complies with the Constitution and the Americans with Disabilities Act. This effort will dovetail with the crisis intervention and diversion focus identified above.

Availability of Services for Mental Health and Developmental Disabilities in Community Settings. The Special Litigation Section proposes an initiative focusing on the rights of individuals committed to segregated institutions to have the opportunity to receive services in community settings. These cases would focus on situations where primarily, individuals with mental illness and developmental disabilities, are forced to relinquish their individual liberty to obtain necessary health services in segregated settings, which eliminates their ability to maintain their own home, work, and contribute to society.

CASE EXAMPLES: PROVIDING OPPORTUNITIES FOR PEOPLE WITH DISABILITIES

Reached Settlement with Greyhound Lines to Resolve ADA Violations. In February 2016, as part of a settlement agreement reached with the Division, Greyhound Lines Inc. – the nation's largest provider of intercity bus transportation – agreed to implement a series of systemic reforms to resolve allegations that it repeatedly violated the ADA. Under the terms of the agreement, Greyhound – which serves more than

3,800 destinations and more than 18 million passengers each year across North America – will compensate several classes of passengers who faced barriers because of their disabilities.

Settled with the YMCA of the Triangle in Raleigh, North Carolina to resolve allegations that it violated the Americans with Disabilities Act (ADA) by denying a child with Type 1 diabetes the opportunity to participate in an after-school program. Title III of the ADA prohibits discrimination on the basis of disability by public accommodations, including private camps and childcare programs. Under the ADA, such entities generally must make reasonable modifications to their policies, practices or procedures when necessary to provide equal access to a child with a disability. When a parent and a child’s physician determine that it is appropriate for a trained layperson to assist a child with diabetes care, a camp or childcare program must provide this as a reasonable modification under the ADA, unless doing so would fundamentally alter the program. YMCA of the Triangle refused to perform diabetes related tasks, including administering glucagon in the event of a low blood glucose level emergency. YMCA of the Triangle serves Wake, Durham, Lee, Johnston, Orange, Chatham and Pamlico counties in North Carolina, with 13 branches and three overnight camps. It administers after-school programs at 53 sites to nearly 5,000 children.

Fostered Successful Reform of Delaware Service System for People with Mental Illness. In October 2016, a federal court terminated the remedial settlement agreement governing the state of Delaware’s service system for people with serious and persistent mental illness. The state significantly expanded and enhanced community-based mental health services for individuals with serious and persistent mental illness under the agreement, as required by the ADA and the Supreme Court’s *Olmstead* decision.

B. Strategies to Accomplish Outcomes

The Division’s Work Promotes and Protects Civil Rights Throughout American Society.

The Department works to uphold the civil and constitutional rights of all, including the most vulnerable members of society. Federal civil rights statutes reflect some of America’s highest ideals and aspirations of equal justice under law. These statutes not only aim to protect the civil rights of racial and ethnic minorities, but also of members of religious groups, women, people with disabilities, servicemembers, individuals housed in public institutions, and individuals who come from other nations and speak other languages.

The Division supports this area by advancing three basic principles, as outlined earlier in this budget submission:

- 1) Protecting the most vulnerable among us by ensuring that all in America can live free from fear of violence, discrimination, and exploitation;
- 2) Safeguarding the fundamental infrastructure of democracy by protecting the right to vote and access to justice, ensuring that communities have effective and accountable policing, and protecting those who protect us; and
- 3) Expanding opportunity for all people by advancing the opportunity to learn, earn a living, live where one chooses, and worship freely in one’s community.

The Division further supports this area by engaging in a variety of activities including criminal and civil enforcement and litigation, prevention efforts, outreach initiatives, and technical assistance. The Division works with the Department, Congress, and other federal agencies and partners on legislative, regulatory, and policy developments.

CRT'S 2018 STRATEGIC FOCUS AREAS

Prosecute Human Trafficking. CRT will continue to expand its highly successful human trafficking program. Prosecuting human trafficking presents unique challenges. In these cases, victims have endured sexual assault, brutality, and fear, and perpetrators have engaged in criminal conduct that often involves international organized criminal networks. These circumstances mean that each case requires a dedication of time, resources, and specialized skill in jurisdictions across the country and around the globe.

Prosecute Hate Crimes. CRT will prioritize hate crimes enforcement to ensure that individuals and communities are protected from crimes that are motivated by racial, religious or other bias.

Protect the Rights of U.S. Workers. CRT will continue to vigorously combat workplace discrimination. In FY 2019, CRT will prioritize enforcement of the Immigration and Nationality Act to ensure that companies do not discriminate against U.S. workers in favor of foreign visa holders

Protect Religious Freedom: The Division will continue to vigorously combat religious discrimination under the Religious Land Use & Institutionalized Persons Act (RLUIPA). In the last year, the Division filed a record number of six RLUIPA lawsuits and initiated a record number of seventeen RLUIPA investigations. This is nearly four times the number of RLUIPA cases and investigations initiated in FY 2016, respectively.

Ensure the Rights of Military Servicemembers: Service members make tremendous sacrifices for our nation. When their duties call them far away from home, the Division stands ready to protect their rights, specifically with regard to employment, voting, and fair lending. CRT will build on its successes as it continues these efforts on behalf of the nation's military servicemen and women, and veterans.

Safeguard Voting Rights for All Americans. CRT will continue to protect voting rights through efforts to detect and investigate voting practices that violate federal laws and through affirmative litigation to enjoin such practices.

Combat Sexual Harassment in Housing. CRT will continue aggressively pursuing sexual harassment in housing through its recently-announced Sexual Harassment Initiative. The Division has recently filed and settled a number of path-breaking cases providing significant compensation and relief to numerous victims of discrimination.

IV. APPENDIX

DEPARTMENT OF JUSTICE CIVIL RIGHTS DIVISION STATUTES ENFORCED

Statute	Enforcing Section	Type of Case
Official Misconduct, 18 U.S.C. §§ 241, 242	CRM	Section 242 makes it a crime for any person acting under color of law – using or abusing government authority – to willfully deprive any person of rights protected by the constitution or federal law. Section 241 is the civil rights conspiracy statute, applying to color-of-law violations committed by two or more people in concert.
The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009	CRM	The Shepard Byrd Act makes it a federal crime to willfully cause bodily injury, or attempt to do so using a dangerous weapon, because of actual or perceived race, color, religion, or national origin, and such crimes committed because of gender, sexual orientation, gender identity, or disability under certain circumstances. The Shepard-Byrd Act is the first statute allowing federal criminal prosecution of hate crimes committed because of sexual orientation or gender identity.
Federally Protected Activities, 18 U.S.C. § 245	CRM	This provision makes it a crime to use or threaten to use force to willfully interfere with any person because of race, color, religion, or national origin and because a person is involved in a federally protected activity, such as public education, employment, jury service, travel, or enjoyment of public accommodations.
Criminal Interference with Right to Fair Housing, 18 U.S.C. § 3631	CRM	This provision makes it a crime to use or threaten to use force to interfere with housing rights because of race, color, religion, sex, disability, familial status, or national origin.
Damage to Religious Property, 18 U.S.C. § 247	CRM	This criminal statute protects religious real property from being targeted for damage because of the religious nature of the property or because of the race, color, or ethnic characteristics of the people associated with the property. The statute also criminalizes the intentional obstruction by force or threatened force of any person in the enjoyment of religious beliefs.
Trafficking Victims Protection Act (TVPA)	CRM	The TVPA criminalizes the use of force, fraud, or coercion to compel a person to engage in labor, services, or commercial sex. The Division also enforces a number of related criminal statutes prohibiting peonage, involuntary servitude, and related violations.
Freedom of Access to Clinics Entrances Act (FACE)	CRM & SPL	The FACE Act protects the exercise of free choice in obtaining reproductive health services and the exercise of First Amendment religious freedoms. The law makes it a crime to intimidate a person obtaining or providing reproductive health services or to damage a facility for providing such services. The law also makes it a crime to damage a facility because it is a place of worship.
Criminal Protection for Voting Rights, 18 U.S.C. § 594	CRM	18 U.S.C. § 594 criminalizes the use of intimidation, threats or coercion to interfere with the right to vote in federal elections. The NVRA, 52 U.S.C. § 20511, criminalizes such interference with respect to voter registration.
Americans with Disabilities Act, Title I	DRS	Title I of the Americans with Disabilities Act prohibits private employers, state and local governments, employment agencies, and labor unions from discriminating against qualified individuals with disabilities in recruiting, hiring, termination, promotion, compensation, job training, and other terms,

		conditions, and privileges of employment.
Americans with Disabilities Act, Title II	DRS, EOS, & SPL	Title II of the Americans with Disabilities Act protects qualified individuals with disabilities from discrimination on the basis of disability in services, programs, and activities provided by state and local government entities.
Americans with Disabilities Act, Title III	DRS & EOS	Title III of the Americans with Disabilities Act protects qualified individuals with disabilities from discrimination with regards to use and enjoyment of public accommodation by any person who owns, leases (or leases to), or operates a place of public accommodation. "Public accommodations" include stores, restaurants, hotels, inns, and other commercial spaces open to the public.
Rehabilitation Act of 1973	DRS & EOS	Section 504 of the Rehabilitation Act of 1973 prohibits the exclusion, the denial of benefits, and discrimination by reason of disability in programs or activities receiving federal funds. Section 508 requires Federal electronic and information technology to be accessible to people with disabilities, including employees and members of the public.
Civil Rights Act of 1964, Title VII	ELS	Title VII of the Civil Rights Act makes it unlawful to discriminate against someone on the basis of race, color, national origin, sex (including pregnancy), or religion. The Act also makes it unlawful to retaliate against a person because the person complained about discrimination, filed a charge of discrimination, or participated in an employment discrimination investigation or lawsuit.
Uniformed Services Employment and Reemployment Rights Act (USERRA)	ELS	The Uniformed Services Employment and Reemployment Rights Act of 1994 (USERRA) seeks to ensure that servicemembers are entitled to return to their civilian employment upon completion of their military service. Servicemembers should be reinstated with the seniority, status, and rate of pay that they would have obtained had they remained continuously employed by their civilian employer.
Civil Rights Act of 1964, Title IV	EOS	Title IV of the Civil Rights Act prohibits discrimination on the basis of race, color, sex, religion, or national origin by public elementary and secondary schools and public institutions of higher learning.
Equal Education Opportunities Act of 1974 (EEOA)	EOS	Among other aspects of the statute, Section 1703(f) of the EEOA requires state educational agencies and school districts to take action to overcome language barriers that impede English Learner students from participating equally in school districts' educational programs.
Individuals with Disabilities in Education Act (IDEA)	EOS & SPL	The Individuals with Disabilities in Education Act (IDEA) requires states and local education agencies to provide free and appropriate public education to children with disabilities.
Civil Rights Act of 1964, Title VI	FCS, SPL, & EOS	Title VI prohibits discrimination on the basis of race, color, and national origin in programs and activities receiving federal financial assistance.
Education Amendments of 1972, Title IX	FCS & EOS	Title IX states that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.
Civil Rights Act of 1964, Title II	HCE	Title II prohibits discrimination in certain places of public accommodation, such as hotels, restaurants, nightclubs, and theaters.
Fair Housing Act (FHA)	HCE	The Fair Housing Act prohibits discrimination by direct providers of housing, such as landlords and real estate companies as well as other entities, such as municipalities, banks and other lending institutions and homeowners insurance companies whose discriminatory practices make housing unavailable to persons because of race or color, religion, sex, national origin, familial status, or disability.
Equal Credit Opportunity	HCE	The Equal Credit Opportunity Act (ECOA) prohibits creditors from

Act (ECOA)		discriminating against credit applicants on the basis of race, color, religion, national origin, sex, marital status, age, because an applicant receives income from a public assistance program, or because an applicant has in good faith exercised any right under the Consumer Credit Protection Act.
Religious Land Use and Institutionalized Persons Act (RLUIPA)	HCE & SPL	The Religious Land Use and Institutionalized Persons Act (RLUIPA) prohibits local governments from adopting or enforcing land use regulations that discriminate against religious assemblies and institutions or which unjustifiably burden religious exercise. It also requires that state and local institutions (including jails, prisons, juvenile facilities, and government institutions housing people with disabilities) not place arbitrary or unnecessary restrictions on religious practice.
Servicemembers Civil Relief Act (SCRA)	HCE	The Servicemembers Civil Relief Act (SCRA) provides protections in housing, credit, and taxes for military members who are on active duty. It also temporarily suspends judicial and administrative proceedings while military personnel are on active duty.
Immigration and Nationality Act § 274B	IER	This section of the Immigration and Nationality Act (INA) prohibits: 1) citizenship status discrimination in hiring, firing, or recruitment or referral for a fee; 2) national origin discrimination in hiring, firing, or recruitment or referral for a fee; 3) unfair documentary practices during the employment eligibility verification process; and 4) retaliation or intimidation.
Civil Rights of Institutionalized Persons Act (CRIPA)	SPL	The Civil Rights of Institutionalized Persons Act (CRIPA) protects the rights of people in state or local correctional facilities, nursing homes, mental health facilities, and institutions for people with intellectual and developmental disabilities.
Violent Crime Control and Law Enforcement Act § 14141	SPL	Section 14141 of the Violent Crime Control and Law Enforcement Act prohibits law enforcement officials or government employees involved with juvenile justice from engaging in a pattern-or-practice of deprivation of constitutional rights, privileges, and immunities.
Omnibus Crime and Safe Streets Act	SPL	The Omnibus Crime Control and Safe Streets Act of 1968 prohibits discrimination on the ground of race, color, religion, national origin, or sex by law enforcement agencies receiving federal funds.
Voting Rights Act	VOT	The Voting Rights Act of 1965 protects every American against racial discrimination in voting. This law also protects the voting rights of many Americans who have limited English skills. It stands for the principle that everyone's vote is equal, and that neither race nor language should shut any of us out of the political process.
Voting Accessibility for the Elderly and Handicapped Act	VOT & DRS	The Voting Accessibility for the Elderly and Handicapped Act of 1984 generally requires polling places across the United States to be physically accessible to people with disabilities for federal elections.
Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA)	VOT	The Uniformed and Overseas Citizens Voting Act (UOCAVA) requires that the states and territories allow certain U.S. citizens who are away from their homes, including members of the uniformed services and the merchant marine, their family members, and U.S. citizens who are residing outside the country, to register and vote absentee in federal elections.
National Voter Registration Act (NVRA)	VOT (civil provisions)	The National Voter Registration Act (NVRA) requires states to make voter registration opportunities for federal elections available through the mail and when people apply for or receive driver licenses, public assistance, disability services, and other government services, and also imposes certain requirements for maintaining voter registration lists.
Genetic Information Nondiscrimination Act	DRS	The Genetic Information Nondiscrimination Act (GINA) prohibits employers from using genetic information in making employment decisions,

(GINA), Title II		restricts the acquisition of genetic information by employers and other entities covered by Title II, and strictly limits the disclosure of genetic information.
Help America Vote Act (HAVA)	VOT	The Help America Vote Act (HAVA) requires states to follow certain minimum standards in the conduct of federal elections, in areas such as voting system standards, statewide voter registration databases, provisional ballots, identifying first time registrants by mail, and voter information postings.
Civil Rights Acts of 1870, 1957, 1960, & 1964	VOT (civil provisions)	The Civil Rights Acts include protections against discrimination and intimidation in voting and also authorize the Attorney General to seek elections records.

V. EXHIBITS
