Washington State Military Department
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EMERGENCY MANAGEMENT DIVISION

Homeland Security Section
Guidance Memorandum
HLSS No. 2014-01

TO: State of Washington Department of Homeland Security (DHS)/Federal Emergency Management Agency (FEMA) preparedness grants Sub-Grantees
Emergency Management Division (EMD) Director's Office
Washington State Military Department Finance Division
Washington State Military Department Contracts Office
Washington State Military Department Human Resources Office

FROM: Charma Anderson
Homeland Security Section Supervisor 3/14/14

SUBJECT: **Reporting Discrimination Accusations / Findings (DHS requirement)**

I. **Requirement:** The Department of Homeland Security (DHS) requires all recipients of funding to comply with discrimination reporting requirements. With the Federal Fiscal 2013 funding cycle, discrimination reporting requirements were inserted into the State Administrative Agency's award documents, and subsequently the subgrantee grant agreement contracts. Specifically the language states:

If, during the past three years, the recipient has been accused of discrimination on the grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status, the recipient must provide a list of all such proceedings, pending or completed, including outcome and copies of settlement agreements to the DHS awarding office and the DHS Office of Civil Rights and Civil Liberties.

In the event any court or administrative agency makes a finding of discrimination on grounds of race, color, national origin (including limited English proficiency), sex, age, disability, religion, or familial status against the recipient, or the recipient settles a case or matter alleging such discrimination, recipients must forward a copy of the complaint and findings to the DHS Component and/or awarding office.

II. **Steps for Adherence:** If a jurisdiction has been accused of discrimination,

1. Send a letter addressed to the DHS Office of Civil Rights and Civil Liberties.

   Officer for Civil Rights and Civil Liberties
   U.S. Department of Homeland Security
   Building 410, Mail Stop #0190
   Washington, DC 20528

   The letter must include:
   a) Grant Award Number (*box 11 on grant agreement contract face sheet*)
   b) Recipient status (e.g., Washington State sub-grantee)

c) Explanation of the circumstances of the qualifying matter
d) Any documents referenced above, to include copies of settlement agreements, complaint, findings, etc., as applicable

2. Send a copy of the letter to the DHS Program Analyst responsible for the grant. Homeland Security Section staff can provide the current Program Analyst name and contact information, if needed.

III. **Issued Date:** March 14, 2014

IV. **Review Date:** The above Guidance Memorandum will be reviewed and updated annually. The next scheduled review is March, 2015.

References:

44 CFR, Chapter 1, Part 7 – *Nondiscrimination in Federally-Assisted Programs*