

Violence Against Women Act (VAWA) Confidentiality Provisions at the Department of Homeland Security

The U.S. Department of Homeland Security (DHS) and its components are committed to ensuring full compliance with the Violence Against Women Act (VAWA). VAWA and the provisions associated with it bear direct impact on the work of DHS and its components:

- VAWA's confidentiality provisions generally prohibit third-party disclosure of any information relating to an alien who is an applicant for relief under VAWA;
- VAWA's confidentiality provisions prohibit DHS from using information from particular individuals as the sole basis for arresting and charging an alien with removability; and
- VAWA's confidentiality provisions require certification that the confidentiality provisions have been complied with when enforcement actions are taken at specified locations, such as domestic violence shelters, rape crisis centers, or courthouses.

A clear, consistent means of reporting alleged violations by DHS employees of VAWA's confidentiality provisions serves the interests of both DHS and the public. DHS has therefore established procedures for reporting alleged violations. Following these procedures will allow DHS to investigate and address complaints.

Reporting a Violation of the VAWA Confidentiality Provisions

Complaints alleging a violation of the VAWA confidentiality provisions by a DHS employee should be submitted in writing via letter, fax or e-mail to:

U.S. Department of Homeland Security
Office for Civil Rights and Civil Liberties
Review & Compliance
245 Murray Lane, SW
Building 410, Mail Stop #0800
Washington, DC 20528

Web: <http://www.dhs.gov/crcl>
Phone: (202) 401-1474
Toll Free: (866) 644-8360
Email: crcl@dhs.gov
Fax: (202) 401-4708
Local TTY: (202) 401-0470
Toll Free TTY: (866) 644-8361

The Office for Civil Rights and Civil Liberties (CRCL) at DHS is statutorily obligated to review and assess information concerning abuses of civil rights, civil liberties, and profiling on the basis of race, ethnicity, or religion, by employees and officials of the Department. Complaints are accepted in languages other than English. For additional information, you may call us or visit our website.

CRCL recommends that complaints include at least the following information. If you are filing a complaint on behalf of someone else, you must provide CRCL with the express written consent of that individual to receive information about the complaint.

Appropriate contact information: name, date of birth, A-number (if available), and contact information for the alien; and name and contact information for the organization filing the complaint (if any).

A written description of the circumstances of the alleged violation, including: date, time and location; name(s) and contact information of any witness(es); and name and contact information (if available) of the DHS employee(s) alleged to have committed the violation.

Relevant documentation, including: copies of any paperwork served at or during the occurrence of the alleged violation, such as NTAs and warrants; and copies of any pending VAWA, T-visa or U-visa applications filed with DHS.

A summary of other steps, if any, that have been taken to resolve this complaint.

CRCL will initially refer complaints to the DHS Office of the Inspector General. The complaint may later be referred to the relevant DHS component.

Privacy Act Statement: The information you provide will be used in accordance with 5 USC 552 (Freedom of Information Act), 5 USC 552a (Privacy Act), 6 USC 345 (Homeland Security Act), 44 USC 3101 (Federal Records Act), and other relevant federal laws. While we will seek to prevent unnecessary disclosure of the information you provide, we may need to share some of this information with relevant persons. Also, we may be required by law or government policy to release information, in whole or in part, to other government agencies, Congress, and other private individuals. Such disclosures may be mandatory under the Privacy Act, the Freedom of Information Act, the Federal Records Act, and other statutes or regulations. When disclosures are made, personal information will be redacted to the extent permissible. A discussion of your rights under the Freedom of Information Act and the Privacy Act can be found at <http://www.pueblo.gsa.gov/call/foia.htm>.