

# Ensuring Civil Rights During the COVID-19 Response

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Under Federal civil rights laws and the Robert T. Stafford Disaster Relief and Emergency Act (Stafford Act), FEMA, State, local, Tribal, and Territorial (SLTT) partners, and non-governmental relief and disaster assistance organizations engaged in the “distribution of supplies, the processing of applications, and other relief and assistance activities shall [accomplish these activities] in an equitable and impartial manner, without discrimination on the grounds of race, color, religion, [national origin], sex, age, disability, English proficiency, or economic status.”<sup>1</sup> Civil rights laws and legal authorities remain in effect, and cannot be waived, during emergencies. “More than ever, it is crucial that FEMA apply our core values of compassion, integrity, fairness, and respect in service of all Americans during the unprecedented battle against COVID-19,” said FEMA Administrator, Pete Gaynor.

FEMA’s Office of Equal Rights is responsible for ensuring compliance with and enforcement of FEMA’s external Civil Rights obligations under Sections 308 and 309 of the Stafford Act, Title VI of the Civil Rights Act, Section 504 of the Rehabilitation Act, the Age Discrimination Act, Executive Order 13166, “Improving Access to Services for Persons with Limited English Proficiency,” and Executive Order 12898, “Environmental Justice.”<sup>2</sup>

Under the Stafford Act, FEMA is providing operational coordination, financial, and other Federal assistance to SLTT partners. FEMA offers the following best practices to assist our SLTT partners in anticipating and attending to civil rights concerns during the COVID-19 response and recovery.<sup>3</sup>

## Effective Communication Access

- Provide sign language interpretation for all televised press conferences and briefings, and ensure the sign language interpreter is included in the camera view or provide picture-in-picture when social distancing;
- Provide captioning via live streaming or other means and audio-description for visual background information if it is not available auditorily;
- Provide step-by-step instructions about mobile or other testing sites through accessible public service announcements, noting the limitations of in-person auxiliary aids and services because of social distancing, and promote the use of video remote interpretation (VRI) for individuals in need of sign language at testing sites;

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<sup>1</sup> Section 308 of the Stafford Act, 42 U.S.C. § 5151. See also 44 C.F.R. § 206.11(c) (requiring organizations or governments receiving assistance under the Stafford Act to provide a written assurance of their intent to comply with regulations relating to nondiscrimination).

<sup>2</sup> *Id.*; Section 309 of the Stafford Act, 42 U.S.C. § 5152; Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d et seq., Section 504 of the Rehabilitation Act of 1973, 29 U.S.C. § 794; Age Discrimination Act of 1975, 42 U.S.C. § 6101 et seq.; Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, [Executive Order 13166](#); Executive Order 12898, Environmental Justice, [Executive Order 12898](#).

<sup>3</sup> FEMA does not endorse any non-government entities, organizations, or services. Claims made by third parties have not been independently verified by FEMA.



## ENSURING CIVIL RIGHTS DURING THE COVID-19 RESPONSE

- Arrange for communication access needs at temporary hospitals, including in-person (if possible) or remote qualified medical sign language interpreter services and pictograms to assist individuals with cognitive or intellectual disabilities. Please see [recommendations](#) for communication access in medical facilities during COVID-19 created by a coalition of non-governmental organizations with subject matter expertise in deaf, hard of hearing, deaf-blind, and speech disabilities;
- Provide accessible emergency messaging and public information, including via traditional and social media. To provide effective communication access, consider multiple formats, such as accessible videos that include American sign language (ASL), captioning, voiceover, transcripts, and audio description if needed; captioning and voiceover of videos in multiple languages may be needed; and
- Ensure websites with emergency-related information are accessible to people with disabilities, including the use of captioned videos and alternative tags for images for readability by those who use screen readers and other assistive technologies. See [DOJ Technical Assistance on Accessible Technology](#).

## Inclusive Planning, Response, and Recovery

- Ensure services are provided in a fair and inclusive manner, without regard to race, color, religion, national origin, sex, age, disability, English proficiency, or economic status. This includes not assuming that certain racial or ethnic groups are more likely to spread – or recover from – COVID-19 than others and not acceding to discriminatory requests for a health care provider of a particular race or national origin;
- Partner with community-based organizations and social services providers to share messaging to the whole community, including individuals with disabilities, individuals with limited English proficiency, low-income populations, underserved communities, and diverse faith communities;
- Consider requests for religious accommodations in treatment and access to clergy or faith practices to the extent practicable under social distancing guidelines;
- Engage with non-governmental organizations, including but not limited to, publicly-funded local independent living centers, protection and advocacy organizations, university centers on disabilities, and area agencies on aging to meet the needs of individuals with disabilities and older adults during response and recovery:
  - [National Council on Independent Living](#)
  - [National Disability Rights Network](#)
  - [Association of University Centers on Disabilities](#)
  - [National Association of Area Agencies on Aging](#)
- Consider the personal protective equipment (PPE) needs of community-based health care providers and personal assistance services providers who assist with activities of daily living for individuals with disabilities;
- Consider the needs of low-income individuals, among others, when identifying testing sites and locations for temporary hospitals; and
- Make medical treatment decisions, including denials of care under Crisis Standards of Care and allocation of ventilators, after an individualized consideration of each person, free from stereotypes and biases, including generalizations and judgments about the individual's quality of life or relative value to society, based on the individual's disability, age, race, income level, or any protected basis. This individualized consideration

## ENSURING CIVIL RIGHTS DURING THE COVID-19 RESPONSE

should be based on current objective medical evidence and the expressed views of the patients themselves as opposed to unfounded assumptions.

### Language Access

- Ensure meaningful access to programs and activities by persons with limited English proficiency (LEP), including the use of qualified interpreters and translated materials at testing sites and temporary hospitals. More information on language access is available at <https://www.lep.gov/emergency-preparedness>; and
- Make emergency messaging available in plain language as well as languages other than English spoken in the impacted areas. For more information, see <https://www.lep.gov/maps>, an interactive mapping tool, by county, to help identify languages spoken in a community.

### Physical Accessibility

- Ensure testing sites and temporary hospitals are physically accessible to individuals with disabilities; and
- Engage FEMA's Civil Rights Advisors for assistance with site inspections; OER Civil Rights Advisors are assigned to FEMA Regional offices to provide guidance, technical assistance, compliance and enforcement regarding FEMA's and SLTTs' external-facing civil rights obligations.

### Environmental Justice

- Ensure meaningful involvement of minority communities and low-income populations in the development and implementation of policy decisions impacting the environment during response and recovery; and
- Ensure decisions such as medical waste disposal are undertaken in an equitable manner to prevent a disproportionate environmental impact on communities of color and low-income populations.

### Civil Rights Complaints and Concerns

Members of the public may bring civil rights complaints to OER's attention in connection with FEMA activities or FEMA-funded programs and activities as follows:

- Call the FEMA Office of Equal Rights at **202-212-3535** and press **1**; or for TTY users, call **800-462-7585**
- Send an email to the FEMA Office of Equal Rights: [FEMA-CivilRightsOffice@fema.dhs.gov](mailto:FEMA-CivilRightsOffice@fema.dhs.gov)
- Mail a complaint to the FEMA Office of Equal Rights:

FEMA Office of Equal Rights  
C Street, SW, Room 4SW-0915  
Washington, DC 20472-3505

For information about civil rights offices and how to file complaints with other Federal agencies, please see [DOJ List of Civil Rights Offices at Federal Agencies](#)

## Resources

- Effective Communication Access
- [U.S. Department of Justice: Communicating with People Who Are Deaf or Hard of Hearing in Hospital Settings](#)
- [U.S. Department of Justice: Access to Medical Care for People with Mobility Disabilities](#)
- [U.S. Department of Justice: Effective Communication Requirements](#)
- [Resources from Patient Provider Communication](#)
- [Resources from National Association of the Deaf](#)
- [Resources from Communication First](#)
- For web accessibility: [www.w3.org](http://www.w3.org)
- Inclusive Planning, Response, and Recovery
- [CDC Publication on Reducing Stigma and COVID 19](#)
- [Joint Federal Guidance on Compliance with Title VI in Emergency Preparedness, Response, Mitigation, and Recovery Activities](#)
- Language Access
- DHS's "[I Speak](#)" booklet

For copies of FEMA documents in alternative formats, please call **800-621-3362 (TTY: 800-462-7585)**.

If you speak a language other than English and need help with this document, please call **800-621-3362 (TTY: 800-462-7585)** and you will be connected to an interpreter who will assist you at no cost.

Si habla un idioma diferente al inglés y necesita ayuda con este documento, llame al 800-621-3362 (TTY: 800-462-7585) y lo contactaremos con un intérprete que lo ayudará sin costo alguno para usted.

Если вы не говорите на английском языке и нуждаетесь в помощи, позвоните по номеру 800-621-3362 (TTY: 800-462-7585). Вас соединят с переводчиком, который бесплатно поможет вам.

Se você fala um idioma além do inglês e precisa de ajuda em relação a este documento, ligue para 800-621-3362 (TTY: 800-462-7585) e você será conectado a um intérprete que irá ajudá-lo sem nenhum custo adicional.

Nếu quý vị nói một ngôn ngữ khác Tiếng Anh và cần giúp đỡ với tài liệu này, hãy gọi 800-621-3362 (TTY: 800-462-7585) và quý vị sẽ được kết nối với một thông dịch viên, là người sẽ trợ giúp miễn phí cho quý vị.

영어를 사용하지 못하는 사람으로써 본 문서에 대해 도움이 필요할 경우, 전화 800-621-3362 (텔레타이프라이터: 800-462-7585)로 연락주시면 여러분을 무료로 도와줄 통역사와 연결해 드립니다.

## ENSURING CIVIL RIGHTS DURING THE COVID-19 RESPONSE

إذا كنت تتكلم لغة غير الإنكليزية واحتجت إلى مساعدة مع تلك الوثيقة، يرجى الاتصال بالرقم 800-621-3362 (الطباعة عن

بعد: 800-462-7585) وسيتم وصلك مع مترجم شفهي سيقدم لك المساعدة مجاناً.

Si vous parlez une langue autre que l'anglais et que vous avez besoin d'aide en rapport avec le présent document, veuillez composer le 800-621-3362 (numéro TTY pour les malentendants : 800-462-7585) pour qu'un interprète soit gratuitement mis à votre disposition.

Si w pale yon lang ki pa lang Angle e ou bezwen èd avèk dokiman sa a, tanpri rele 800-621-3362 (TTY: 800-462-7585) epi yo pral konekte w ak yon entèprèt ki pral ede w, gratis.

英語以外の言語でこのページの詳細をお知りになりたい方は、お電話で800-621-3362 (TTY: 800-462-7585) までお問い合わせください。無料で通訳をご利用いただけます。

Kung nagsasalita ka ng wikang bukod sa Ingles at nangangailangan ng tulong sa dokumentong ito, mangyaring tumawag sa 800-621-3362 (TTY: 800-462-7585) at maikokonekta ka sa isang interpreter (tagasalin sa wika) na tutulong sa iyo nang walang bayad.

如果您使用除英语之外的其他语言并且就本文件需要帮助，请致电800-621-3362（听障及语障用户（TTY）：800-462-7585），您将 与翻译人员联系，该翻译人员将为您提供免费帮助。