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MEETING UNEDITED

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FRIDAY, JUNE 14, 2013

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The Commission convened in Room 1178 at
1331 Pennsylvania Avenue, Northwest, Washington,
D.C. at 10:30 a.m., Martin Castro, Chairman,
presiding.

PRESENT:

MARTIN R. CASTRO, Chairman

ABIGAIL THERNSTROM, Vice Chair (via telephone)

ROBERTA ACHTENBERG, Commissioner

TODD F. GAZIANO, Commissioner

GAIL L. HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner (via
telephone)

DAVID KLADNEY, Commissioner

MICHAEL YAKI, Commissioner (via telephone)

MARLENE SALLO, Staff Director

VANESSA EISEMANN, Parliamentarian

LOUISE DI BENEDETTO

STAFF PRESENT:

MARGARET BUTLER, Acting Chief, OCRE

IVY L. DAVIS, Director, ERO

BARBARA DELAVIEZ, ERO

PAMELA DUNSTON, Chief, ASCD

ALFREDA GREENE

JENNIFER CRON HEPLER

TINALOUISE MARTIN, Director, OM

DAVID MUSSATT, Director, RPCU

LENORE OSTROWSKY, Acting Chief, PAU

ELOISE PLATER

JOHN RATCLIFFE, Chief, BFD

EILEEN RUDERT

MICHELE YORKMAN

COMMISSIONER ASSISTANTS PRESENT:

ALEC DEULL

TIM FAY

DOMINIQUE LUDVIGSON

JOHN MARTIN

CARISSA MULDER

ALISON SOMIN

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P-R-O-C-E-E-D-I-N-G-S

(9:33 a.m.)

CHAIRMAN CASTRO: Good morning. The meeting will come to order. It is 9:33 a.m. on June 14th, 2013. This is a meeting of the U.S. Commission on Civil Rights. This meeting is taking place at our headquarters at 1331 Pennsylvania Avenue. I'm Chairman Marty Castro.

The Commissioners who are present here in the meeting room with me are Commissioner Achtenberg, Commissioner Gaziano, Commissioner Heriot and Commissioner Kladney. Commissioner Kirsanow, Commissioner Yaki and Vice Chair Thernstrom are participating by phone. Are you all there?

COMMISSIONER YAKI: Yes.

COMMISSIONER KIRSANOW: Kirsanow here.

VICE CHAIR THERNSTROM: Here.

CHAIRMAN CASTRO: Okay, great. So a quorum is present. Is the court reporter present?

He raised his hand acknowledging that. Is our Staff Director present?

MS. DUNSTON: Present.

CHAIRMAN CASTRO: Great. The meeting shall now come to order. Actually, before we move

1 on to the formal procedures, today is actually Flag
2 Day. I don't know if you all knew that, but it is.
3 And in honor of Flag Day, I wanted to have us start
4 the meeting with the National Anthem. So, if folks
5 could please rise?

6 (Whereupon, a recording of the National
7 Anthem was played.)

8 CHAIRMAN CASTRO: Thank you. That's
9 right, let the games begin.

10 COMMISSIONER YAKI: I didn't know we
11 were moving to the Verizon Center.

12 CHAIRMAN CASTRO: I know. Obviously I
13 played that because it's Flag Day, and it's good to
14 have the U.S. Commission on Civil Rights begin that
15 with our National Anthem, but also despite that
16 beautiful song by a 10 year-old American of Mexican
17 descent, it did generate a lot of negative comments
18 about his ethnicity, his race, his immigration
19 status. But I know the overwhelming number of
20 Americans, like everyone in this room, were very
21 proud of that. So I just wanted to share that and
22 celebrate Flag Day with that little boy's rendition
23 of our National Anthem.

24 VICE CHAIR THERNSTROM: Well, it was
25 very nice, Marty.

1 CHAIRMAN CASTRO: Madam Vice Chair?

2 VICE CHAIR THERNSTROM: I just said it
3 was very nice.

4 CHAIRMAN CASTRO: Well, thank you. So
5 the first item thereafter is the approval of the
6 Agenda.

7 **I. Approval of Agenda**

8 CHAIRMAN CASTRO: I know we have some
9 motions to amend. So let me move for the Approval
10 of the Agenda. Is there a second? Do we have any
11 amendments?

12 You need to -- we have our new mics, so
13 I think you need to touch the button to start them.

14 COMMISSIONER ACHTENBERG: Okay. How
15 about that?

16 CHAIRMAN CASTRO: Can we hear her?
17 Good.

18 COMMISSIONER ACHTENBERG: Okay. Mr.
19 Chairman, on behalf of --

20 COMMISSIONER YAKI: Actually, your mics
21 are all very live, just to let you know.

22 CHAIRMAN CASTRO: Okay.

23 COMMISSIONER ACHTENBERG: -- our now-
24 defunct subcommittee, but as a piece of old
25 business, I'd like to move that we pull from

1 consideration the New York SAC and the Kentucky SAC
2 for very good reasons, Mr. Chairman. We will be in
3 a position to consider them and hopefully ratify
4 them finally at the next meeting. We just are
5 awaiting the resolution of a few more issues before
6 those two packages will be ready for final
7 consideration.

8 So I'd like to remove them from the
9 Agenda this time, and I would refer to my colleague.

10 COMMISSIONER HERIOT: I would like to
11 second that motion.

12 CHAIRMAN CASTRO: Okay. So we have a
13 motion to amend the agenda. Shall we vote on the
14 motion?

15 All those in favor of the motion to
16 amend the Agenda say aye.

17 (Chorus of ayes.)

18 CHAIRMAN CASTRO: Any opposed?

19 (No response.)

20 CHAIRMAN CASTRO: Any abstentions?

21 (No response.)

22 CHAIRMAN CASTRO: Okay. Now let's move
23 to approve the agenda. All those in favor, say aye.

24 (Chorus of ayes.)

25 CHAIRMAN CASTRO: Any opposed?

1 (No response.)

2 CHAIRMAN CASTRO: Any abstentions?

3 (No response.)

4 CHAIRMAN CASTRO: Okay. Both motions
5 pass unanimously.

6 Again, before we do go on to the formal
7 items, there's a couple of folks I want to
8 introduce. This agency is very fortunate to have
9 some summer interns working with us this summer that
10 are going to supplement the good work of our
11 existing staff. So we have with us today three
12 interns -- two of the three? No, we have three
13 interns, yes, serving in our Eastern Regional
14 Office. Two are also going to be working in our
15 Midwestern Regional Office, although they're not
16 here today. And one who is going to be in our
17 Office of General Counsel, and also one in our
18 Office of Civil Rights Evaluation.

19 So joining us here today are Eastern
20 Regional Office, is Frank Berdell here? No, he's
21 not here today. But he's a Government major at the
22 University of Virginia. Gracie Fernandez? There's
23 Gracie. She's a Social Work major from Rutgers
24 University. Khadijah McElroy. Khadijah earned her
25 B.S. in Criminal Justice from Rutgers as well. And

1 assisting our Midwest Regional Office is Elizabeth
2 Keller, a rising 3rd year law student from Chicago-
3 Kent. Taheera Randolph, a rising 3rd year law
4 student from LSU. Paul M. Herbert -- no, she's from
5 the LSU Paul M. Herbert Law Center. Paul M. Herbert
6 is not an intern. Brenda Long will be working in
7 our Office of General Counsel here at the
8 Headquarters, and Ms. Long is a 3rd year student at
9 George Mason Law School in the fall. And Ms. Amy
10 Fischer, who will be a junior at Cornell this fall,
11 will be contributing her efforts to our Office of
12 Civil Rights Evaluation. She's here with us. And
13 they're all working on interesting projects, which
14 are going to end up on our desks, hopefully soon.

15 So on behalf of the entire Commission, I
16 just want to welcome you and extend to you our
17 thanks for being part of our team this summer.
18 Thank you.

19 (Applause.)

20 CHAIRMAN CASTRO: Now, we have a team
21 member that's leaving us. Is Vanessa Eisemann here?
22 Today is her last day at the Commission, and I want
23 to extend on behalf of all the Commission, if I can
24 speak on behalf of all of us -- and I know on this I
25 can -- to thank you for all of the excellent work

1 that you've done for us these last -- I guess it's
2 been about a year now, hasn't it? And we will miss
3 you. Your work here has had a positive and
4 important impact, and I know that you're going on to
5 another federal agency to do the same. So thank
6 you, Vanessa.

7 (Applause.)

8 CHAIRMAN CASTRO: And as you know, at
9 the last meeting we announced that the President had
10 made an appointment and we had concurred, and now
11 OPM has actually signed off on all the paperwork, so
12 we have our official Staff Director, after two years
13 of waiting, Marlene Sallo, who is now sitting here
14 at my right hand. So welcome in your official
15 capacity for the first time today.

16 (Applause.)

17 CHAIRMAN CASTRO: We're now going to go
18 to the first item on the Agenda on Program Planning,
19 and that is to continue our discussion and make a
20 decision that we started on May 31st in terms of
21 what will be our 2014 Statutory Enforcement Report
22 topic.

23 **II. Program Planning**

24 **Discussion and Vote on Ranking of Concept Paper**

25 **Topics for the 2014 Statutory Enforcement Report**

1 CHAIRMAN CASTRO: As you know, we had a
2 number of topics that we began to discuss and review
3 last month, and I understand that there is a motion
4 on both the Statutory Enforcement Report, as well as
5 one briefing for this coming year. Who would like
6 to make that motion?

7 COMMISSIONER HERIOT: I think Roberta
8 was going to make it.

9 CHAIRMAN CASTRO: Okay. The Chair
10 recognizes Commissioner Achtenberg.

11 COMMISSIONER ACHTENBERG: Yes, Mr.
12 Chairman. I'd like to move that the Narcotics
13 Policing Report be made the Statutory Report, and
14 that the Briefing Topic entitled "Enforcing the
15 Americans With Disabilities Act Online" be scheduled
16 as a hearing topic --

17 CHAIRMAN CASTRO: A briefing topic?

18 COMMISSIONER ACHTENBERG: I beg your
19 pardon, a briefing topic.

20 CHAIRMAN CASTRO: Okay. Is there a
21 second on that motion?

22 COMMISSIONER HERIOT: I second that.

23 CHAIRMAN CASTRO: Any discussion? Is
24 there a motion to call the question? Oh,
25 Commissioner Gaziano wants to say something.

1 COMMISSIONER GAZIANO: I just suppose I
2 think that is a reasonable compromise, since it
3 seems to have -- I'm anticipating a majority of the
4 Commission. But I did want to say, before we take
5 the vote, that I was very interested in a number of
6 the other topics. So if this is what we end up
7 settling on, I wanted to thank other Commissioners
8 who took the time to write concept papers. And this
9 wasn't even my favorite Kladney.

10 CHAIRMAN CASTRO: It wasn't Kladney's
11 favorite Kladney one, either.

12 (Laughter.)

13 COMMISSIONER GAZIANO: Which is
14 understandable, you know? You don't get to one -- I
15 helped cosponsor a program on the 50th anniversary
16 of Gideon, for example, with the National
17 Association of Criminal Defense Lawyers, and share a
18 great interest in that topic, for example. I'm not
19 sure how it would have fit in within our
20 jurisdiction, but I'm sure we could have -- that was
21 my only concern with that one. Well, sometimes fake
22 shoehorning doesn't work as well. But anyway, there
23 were several very interesting topics.

24 There were also one or two others that I
25 hope further accommodations we can work out, so that

1 we can maybe come to other understandings on other
2 briefing topics, others that were recommended by
3 sort of both sides of our ideological, or many
4 sides, of our ideological spectrum. So I hope that
5 whatever agreement we reach today can bode well for
6 similar agreements on other topics.

7 CHAIRMAN CASTRO: We certainly intend at
8 some point later on in the life of this Commission
9 and in the next few months to begin to look at what
10 briefing topics we're going to have for the
11 following months, and at that time I'm sure
12 Commissioners will not only renew some of these
13 topics, but come up with others. I know some of
14 these topics have been looked at even last year, so
15 these will remain in the hopper as we begin to
16 explore that. But we won't deal with those issues
17 today. But I appreciate your making that point.
18 Any other comments?

19 VICE CHAIR THERNSTROM: Mr. Chairman, I
20 have a question.

21 CHAIRMAN CASTRO: Yes, ma'am?

22 VICE CHAIR THERNSTROM: So we all voted.
23 We rank ordered these topics. What happens to
24 those votes?

25 CHAIRMAN CASTRO: Well, as we did last

1 year, it was used primarily to guide the discussion
2 at this meeting. Because initially when I first
3 became chair, there was a question as to which of
4 these do we begin to vote on first. And so it was
5 decided that we would rank them and use the ranking
6 to help guide our discussion at the meeting that
7 would decide it. The ranking itself was not the
8 decision on what would happen, and I believe even
9 last year the highest ranked one may not have
10 actually ended up being chosen, ultimately, as the
11 Statutory Enforcement Report. So it really is a
12 guide to help us with the discussion.

13 VICE CHAIR THERNSTROM: And so you're
14 not going to report to us -- this is really not a
15 hostile question, but it's a question.

16 CHAIRMAN CASTRO: I'm sorry. I thought
17 that --

18 VICE CHAIR THERNSTROM: You're not going
19 to report to us what the ranking votes ended up
20 being, and how these were ranked?

21 CHAIRMAN CASTRO: I apologize. I
22 thought our Staff Director had circulated this last
23 night after the vote. I know I have a copy, because
24 it was --

25 VICE CHAIR THERNSTROM: I don't have

1 anything.

2 CHAIRMAN CASTRO: Okay. Was that
3 circulated, Madam Staff Director?

4 MS. SALLO: No.

5 CHAIRMAN CASTRO: Okay. I have a copy
6 here, then. I apologize. Maybe we can -- can
7 someone email this to the other Commissioners?

8 VICE CHAIR THERNSTROM: I don't have it.

9 CHAIRMAN CASTRO: I can tell you right
10 now, if you'd like to know. I will -- let's see.
11 So Assessing Compliance with Section 342 of the
12 Dodd-Frank was ranked as follows by various
13 Commissioners without names. Someone ranked it
14 number 10, number 8, number 12, number 5, number 7,
15 number 6, number 7. It did not obtain a final rank.

16 I think only the top three got ranked. So I can
17 actually -- let me read you the top three, I guess.

18 MS. SALLO: There were ties.

19 CHAIRMAN CASTRO: There were ties, okay.

20 So first place was Identifying and Remediating
21 Discrimination Against Asian-Americans in University
22 and Professional Schools. That had three votes for
23 first place. And two votes for first place came for
24 Narcotics Policing, as well as two votes for second
25 place. Gideon had two votes for second place, Felon

1 Disenfranchisement had two votes for third place.
2 Religious Discrimination by the Federal Government
3 had two votes for second place. OCR and DOJ's
4 Enforcement of Sexual Harassment Law at Colleges and
5 Universities had two votes for third. And Enforcing
6 the Americans With Disabilities Act Online had two
7 votes for second.

8 VICE CHAIR THERNSTROM: Thank you very
9 much.

10 CHAIRMAN CASTRO: You're welcome.

11 VICE CHAIR THERNSTROM: And I would love
12 a copy of that.

13 CHAIRMAN CASTRO: We'll make sure that
14 gets to you. I apologize for that.

15 VICE CHAIR THERNSTROM: If the Staff
16 Director could just send it to Tim Fay, I will get
17 it.

18 CHAIRMAN CASTRO: Okay.

19 MS. SALLO: I will do so.

20 CHAIRMAN CASTRO: Okay. So we have a
21 motion and a second. Any other discussion?

22 (No response.)

23 CHAIRMAN CASTRO: If not, I'm going to
24 call the question. Vice Chair Thernstrom, how do
25 you vote?

1 VICE CHAIR THERNSTROM: So you -- I'm
2 sorry. Say it again? What's the question you're
3 calling?

4 CHAIRMAN CASTRO: Sure. This is the
5 motion to approve the Statutory Enforcement Report
6 for 2013 being "Narcotics Policing, Discretionary or
7 Discriminatory?" as well as a briefing topic of
8 "Enforcing the Americans With Disabilities Act
9 Online."

10 VICE CHAIR THERNSTROM: I'm going to
11 take a pass on this. I haven't decided what my
12 position is.

13 CHAIRMAN CASTRO: Okay, so I'll come
14 back to you. Commissioner Kirsanow, how do you
15 vote?

16 COMMISSIONER KIRSANOW: I vote yes.

17 CHAIRMAN CASTRO: Commissioner Heriot,
18 how do you vote?

19 COMMISSIONER HERIOT: Yes.

20 CHAIRMAN CASTRO: Commissioner Gaziano,
21 how do you vote?

22 COMMISSIONER GAZIANO: Yes.

23 CHAIRMAN CASTRO: Commissioner
24 Achtenberg, how do you vote?

25 COMMISSIONER ACHTENBERG: Yes.

1 VICE CHAIR THERNSTROM: Commissioner

2 Yaki, how do you vote?

3 COMMISSIONER YAKI: Yes.

4 CHAIRMAN CASTRO: Commissioner Kladney,

5 how do you vote?

6 COMMISSIONER KLADNEY: Yes.

7 CHAIRMAN CASTRO: And I vote yes. Madam

8 Vice Chair?

9 VICE CHAIR THERNSTROM: I'll vote yes.

10 CHAIRMAN CASTRO: Okay, it's unanimous.

11 Great. Thank you all.

12 The next item on our agenda is

13 Management and Operations.

14 **III. Management and Operations**

15 **Consideration of Changes to Business Meeting**

16 **Calendar for August 2013**

17 CHAIRMAN CASTRO: At the last meeting,

18 we had changed the September meeting date to

19 September 27th, at my request, because I'll be out

20 of the country, and I appreciate folks' indulgence

21 on that. We also left to today the discussion of

22 whether or not we would have an August meeting,

23 which is currently set for the 16th of that month,

24 but I also understand that Commissioner Heriot

25 wanted to raise an issue regarding timing of

1 surreplies, because we changed the September
2 meeting.

3 So, why don't we sort of talk about that
4 all right now?

5 COMMISSIONER HERIOT: My understanding
6 is that, as a result of moving the date of the
7 September meeting, if surrebuttals are necessary in
8 the Criminal Background Check Report, which we are
9 planning on voting on in September, as I understand
10 it, it will go past the date of the expiration of
11 some of the Commissioners. Now, usually we don't
12 need surrebuttals, and I'm hoping we won't need them
13 in this case either, but just in case I'd like an
14 understanding that, as a result of moving the
15 meeting, it will be possible to get those
16 surrebuttals in and still be on time.

17 CHAIRMAN CASTRO: And I had no issue
18 with that. I don't know if other Commissioners are
19 comfortable with that?

20 COMMISSIONER GAZIANO: Let me just ask -
21 -

22 CHAIRMAN CASTRO: Sure.

23 COMMISSIONER GAZIANO: Let me just ask a
24 question of both Commissioner Heriot and the other
25 Commissioners, I suppose.

1 Would your preference, Commissioner
2 Heriot, be -- as well as the rest of the Commission
3 -- that if a surrebuttal were needed, that the
4 timeframe wouldn't be compressed for them, but that
5 they would be accepted after a Commissioner's term
6 expired, if that Commissioner submitted, say, an
7 original or rebuttal statement? Or would your
8 thought to solve this issue be to compress somewhat
9 the times to allow the surrebuttal to be in before
10 some of our terms expired?

11 COMMISSIONER HERIOT: I guess my
12 preference would be to not compress, and to just let
13 them be submitted after the dates of the expiration.

14 But I'm willing, if anybody feels strongly on a
15 direction --

16 COMMISSIONER YAKI: This is Commissioner
17 Yaki.

18 CHAIRMAN CASTRO: Hello, Commissioner.

19 COMMISSIONER YAKI: If I recall, and I
20 may not recall correctly, I was not allowed to
21 submit something after my Commissioner term has
22 expired.

23 CHAIRMAN CASTRO: Yes, my concern was
24 going to be letting anyone do something after their
25 term expires. So if we could compress the time, I

1 think that would be best, and the details of how we
2 do that can be handled with our staff director. But
3 I think, if there's a general understanding I don't
4 know if we need to vote on that, and if we need to
5 vote on it, we'll have a motion. But without a
6 date, maybe we just --

7 (Off-mic comments.)

8 CHAIRMAN CASTRO: Oh, that's me. You
9 know what, I accidentally muted you. I have a
10 special mic here.

11 COMMISSIONER GAZIANO: The Chairman has
12 power, ladies and gentlemen.

13 CHAIRMAN CASTRO: Finally I have power,
14 beyond just this gavel. There's ejection seats as
15 well, so I'll just give you early warning on that.

16 COMMISSIONER KIRSANOW: I want that
17 power, too. Give it to me. Especially on Todd.

18 COMMISSIONER GAZIANO: Anyway, I don't
19 think we need to vote on that. And while we may be
20 able to make an exception to an exception, it may be
21 cleaner. But as long as we have kind of a general
22 understanding, a willingness to do that, then I'm
23 fine.

24 CHAIRMAN CASTRO: Okay. Great.

25 So then in terms of the August meeting,

1 what do folks think? I know we've had brief
2 conversations about this at a couple of our
3 meetings, but we -- since it is June, we need to
4 decide whether we're going to move forward with an
5 August meeting. I think we need to, but I want,
6 obviously, to give the Commissioners an opportunity
7 to discuss that. And I'll go with the will of the
8 majority.

9 COMMISSIONER HERIOT: My preference is
10 to have a meeting, because we've got lots of work we
11 haven't done. We need to get SACs chartered,
12 something may go wrong with the enforcement report,
13 and so that's my preference.

14 COMMISSIONER GAZIANO: What was the
15 proposed day? I don't --

16 CHAIRMAN CASTRO: For August, it was
17 either have the meeting or not. It's already set
18 for August 16th.

19 VICE CHAIR THERNSTROM: I thought there
20 was a temporary -- we were putting the 16th
21 temporarily on hold.

22 CHAIRMAN CASTRO: Well, we put the 16th
23 down. What we put temporarily on hold was whether
24 or not we were going to proceed or not.

25 COMMISSIONER KLADNEY: Here's a

1 proposal.

2 CHAIRMAN CASTRO: Yes?

3 COMMISSIONER KLADNEY: Why don't we move
4 the July meeting to the end of July and see what --
5 I'm just saying. You don't have to shake your head
6 right away.

7 CHAIRMAN CASTRO: I didn't shake my
8 head.

9 COMMISSIONER KLADNEY: No, no.

10 CHAIRMAN CASTRO: I'm just turning to
11 look at you.

12 COMMISSIONER KLADNEY: Never mind.

13 CHAIRMAN CASTRO: Certainly -- you were
14 just joking?

15 COMMISSIONER KLADNEY: No.

16 CHAIRMAN CASTRO: Because I was looking
17 at my calendar. What do folks think about that?

18 MS. SALLO: May I?

19 CHAIRMAN CASTRO: Madam Staff Director,
20 yes, you may.

21 MS. SALLO: At the present time, we need
22 any and all statements from the Commissioners on the
23 Statutory Enforcement Report no later than July
24 26th.

25 CHAIRMAN CASTRO: Okay.

1 MS. SALLO: And it is our goal --

2 COMMISSIONER HERIOT: What did you say?

3 MS. SALLO: Your statements, which I
4 know a lot of folks are already preparing --

5 COMMISSIONER HERIOT: Statements? We
6 don't have 30 days to do our statement?

7 MS. SALLO: Well, we are in a bind right
8 now, because the first draft that was circulated to
9 the Commissioners has received significant
10 revisions. And at this point in time, we are trying
11 our very best to send out an additional revised
12 report by next Monday.

13 CHAIRMAN CASTRO: Which is the 17th?

14 MS. SALLO: Yes.

15 CHAIRMAN CASTRO: Okay.

16 MS. SALLO: Which then puts us in a
17 position where I actually need comments by Friday
18 the 28th of June, in order to incorporate those
19 comments the week of July 1st, and then get the
20 report back to you once again with a goal that has
21 been, from the beginning, to vote on the final
22 report at the July 12th meeting.

23 COMMISSIONER HERIOT: And I was figuring
24 we would then have 30 days from that date to do our
25 statements.

1 MS. SALLO: And if we do that, it's
2 going to put us past our statutory enforcement
3 deadline.

4 COMMISSIONER GAZIANO: Well, let's work
5 out a schedule. We need -- I mean, let's do it now.

6 COMMISSIONER HERIOT: Hold on here.

7 COMMISSIONER GAZIANO: For all this.

8 MS. SALLO: Because we need to have the
9 plan to Pam, the actual report, by August 26th so we
10 can start working with GPO. And then we have to
11 publish it, and it has to be disseminated by
12 September 30th.

13 COMMISSIONER GAZIANO: Well, in the
14 past, we've disseminated an electronic version, and
15 --

16 MS. SALLO: And we will be.

17 COMMISSIONER GAZIANO: -- then worked
18 out the formal dead wood version later. So let's
19 just --

20 MS. SALLO: But you still need the GPO
21 to take a look at it and decide how it's going to be
22 laid out.

23 COMMISSIONER GAZIANO: I understand, but
24 most of it can be laid out without the
25 Commissioners' statements, and most of the work can

1 be done, and then you can add the Commissioners'
2 statements. So if we do approve this July 12th,
3 let's just say that the first Commissioners'
4 statements are due August 12th, rebuttal would be,
5 say, September 11th, or something like that.

6 MS. SALLO: Can we compress the rebuttal
7 time, please?

8 COMMISSIONER GAZIANO: I'd rather not.
9 And hopefully there will be no surrebuttal, and
10 therefore we'd be done September 11th. That would
11 leave almost 20 days to put it in -- but if
12 everything else is done on it, all charts, all
13 graphs, all everything, and you're just -- you know,
14 we Commissioners, we tend to just have a few words.

15 (Laughter.)

16 CHAIRMAN CASTRO: Few meaning googol.

17 COMMISSIONER HERIOT: But not very many
18 charts.

19 COMMISSIONER GAZIANO: But not very many
20 charts or whatever. I would certainly hope that 15
21 days or so would be fine to append. And obviously,
22 you could be working on the original statements from
23 August 12th, and the only thing you'd need to add is
24 the rebuttal statements, if any, on September 11th.

25 MS. SALLO: My report needs to be to

1 copy editing the week of July 15th through the 26th.

2 I mean, that's the time period that I need to have
3 it to the copy editor in order to be on track for
4 our printing, in order to be on track for our
5 publishing and for dissemination.

6 And when I talked to the folks up at the
7 Hill, they really don't want paper copies. They
8 want online. Which means that my staff has to do
9 the actual email to each individual Senator and
10 Representative. And the deadline is September 30th,
11 so I need the time to get this done effectively,
12 efficiently, and appropriately.

13 COMMISSIONER GAZIANO: And I understand
14 that, and I think this schedule is -- Commissioners
15 are pretty much responsible for copy editing their
16 own work. There may be some details, page numbers
17 and things that need to be inserted, but I would
18 think a few days would be -- I used to work at a
19 think tank that had publishing schedules and
20 published long documents, and copy editing could be
21 done in a few hours if necessary, but usually in a
22 few days, for --

23 MS. SALLO: Ah, but you had staff in-
24 house that could do that.

25 COMMISSIONER GAZIANO: I understand, but

1 if everything else is done when Commissioners'
2 statements come in on August 12th, that's a month
3 and a half. And the additional rebuttal statements,
4 the copy editing that would be associated with
5 additional rebuttal statements ought to be able to
6 be done in a few days or a week.

7 COMMISSIONER KLADNEY: I'd like to just
8 say that I've noticed Commissioner Gaziano's
9 relaxation at this meeting as compared to the past,
10 when he was working elsewhere.

11 COMMISSIONER GAZIANO: I won't respond
12 to that. But anyway, Gail?

13 COMMISSIONER HERIOT: I'm worried, in
14 that my summer schedule is -- everything has to fall
15 into place exactly right. I've got other deadlines
16 for other projects. And I think I can compress the
17 time for my initial statement to less than 30 days.

18 I think that that's actually the end I feel most
19 comfortable.

20 But I've got -- I've been waiting on
21 Supreme Court opinions that I've committed to write
22 essays on, and they want it in mid-July, and there's
23 no opinion for me to write about, so I'm in an
24 awkward position. I was thinking, when I agreed to
25 do that, that I was going to get an opinion in April

1 and I would have it done before this meeting, but I
2 don't.

3 What's the latest that you think you can
4 deal with on the initial statements?

5 MS. SALLO: If you -- if we wait until
6 the August meeting, that just puts us behind
7 completely, because then you have another clock
8 totaling for 30 days for rebuttal, which then pushes
9 us into mid-September, and I just can't push the
10 final report into mid-September. We have a duty to
11 issue this by September 30th, and that to me is
12 front and center.

13 (Off-mic comments.)

14 MS. SALLO: I know, but I'm just
15 stressing how important it is that, the faster we
16 get the initial statements submitted in July, the
17 faster we can get the rebuttals in and really make
18 this report come together to give us enough time to
19 disseminate, to get it printed or --

20 CHAIRMAN CASTRO: So how much earlier
21 than July 26th could we do those initial statements,
22 then?

23 COMMISSIONER HERIOT: Earlier than July
24 26th?

25 CHAIRMAN CASTRO: Isn't that what you

1 said?

2 COMMISSIONER GAZIANO: No, we're talking
3 about August 12th.

4 CHAIRMAN CASTRO: Okay. Because I
5 thought you said Commissioners' statements, pressing
6 that time.

7 COMMISSIONER HERIOT: Yes, but she did.
8 I mean, the 26th is a huge --

9 CHAIRMAN CASTRO: Oh, so you want it
10 less compressed than that, is what you're saying.

11 COMMISSIONER HERIOT: Less compressed,
12 yes.

13 CHAIRMAN CASTRO: Okay. Never mind.

14 COMMISSIONER HERIOT: But more
15 compressed than what we were supposed to get.

16 COMMISSIONER GAZIANO: I still don't
17 quite understand why August 12th is not -- a month
18 and a half is not early enough.

19 CHAIRMAN CASTRO: Well, that's my
20 birthday. Just kidding.

21 COMMISSIONER GAZIANO: Why August 12th
22 isn't early enough for initial statements, since
23 that's most of what we write. Why any compression
24 is necessary for a month and a half for copy
25 editing, especially since the main report's going to

1 be approved June 28th -- I'm sorry, July 12th.
2 That's two and a half months for copy editing. To
3 just copy edit our statements, it seems like a month
4 and a half is fine for original statements. Why --
5 I mean, we ought to be able to -- and I'm certainly
6 willing to say, particularly on rebuttal statements,
7 that if I have typos in mine I'll bear the
8 embarrassment.

9 MS. SALLO: I don't want to bear the
10 embarrassment for the Commission.

11 COMMISSIONER GAZIANO: But how long does
12 it take? I mean, what's your --

13 MS. SALLO: Todd, I have to be honest.
14 I haven't been here long enough to be overseeing
15 this to give you a complete answer. I would be more
16 than happy to go back and answer all the questions
17 and send something out to all the Commissioners by
18 early this afternoon.

19 COMMISSIONER GAZIANO: We've done --

20 MS. SALLO: I can't explain the process
21 for copy editing.

22 COMMISSIONER GAZIANO: We've had similar
23 --

24 COMMISSIONER HERIOT: In the past, we've
25 gone much further towards the end of September.

1 COMMISSIONER GAZIANO: That's what I
2 mean. We've sort of been over this, I think, the
3 last five years, and that's why I was assuming that
4 the schedule we were on was going to be consistent
5 with that. And I know that there is an awful lot of
6 work, and I didn't mean to minimize that. But I
7 know, and it's sort of been my understanding, the
8 way we've done this in the past, that most of that
9 work proceeds while Commissioners are writing
10 statements.

11 MS. SALLO: So if I were to say "Go
12 ahead and give your statements by the August
13 meeting," can you --

14 COMMISSIONER GAZIANO: I think we can
15 set the schedule for the statements to be
16 independent of meeting dates. So if, for example,
17 we want to say around August 10 -- I don't know what
18 day of the week that is.

19 MS. SALLO: I will let you know in a
20 second.

21 COMMISSIONER HERIOT: It's a Saturday.

22 MS. SALLO: It's a Saturday. So if you
23 were to say to submit it to me by August 9th --

24 COMMISSIONER HERIOT: But that's only
25 two days. I can chop more off the time than that,

1 but not a lot more. I mean, if we went all the way
2 to the 12th, that's the full -- actually, if we went
3 to the 11th, that's a full 30 days, because July has
4 31 days in it. So that would be what I was figuring
5 that we were going to get, until the 11th, which
6 would be a Sunday.

7 MS. SALLO: Okay.

8 COMMISSIONER HERIOT: Todd, can you get
9 it in two weeks before that, one week before?

10 COMMISSIONER GAZIANO: I'd rather -- I'm
11 not sure why it's necessary to compress it any, but
12 a week is as much as I'd want to do.

13 COMMISSIONER HERIOT: How about that?
14 The fourth?

15 COMMISSIONER GAZIANO: Could we go
16 through a Sunday?

17 MS. SALLO: That's a Sunday.

18 COMMISSIONER HERIOT: Get it in by
19 midnight Pacific time, which is -- it's when I do my
20 best work.

21 COMMISSIONER GAZIANO: I hate being
22 allowed to work until 3:00.

23 COMMISSIONER HERIOT: I love it.

24 COMMISSIONER GAZIANO: Pardon?

25 COMMISSIONER KLADNEY: I didn't say a

1 word.

2 COMMISSIONER GAZIANO: Okay. And then I
3 suppose rebuttals would be September 3rd?

4 MS. SALLO: Yes.

5 COMMISSIONER GAZIANO: Can we approve
6 that as the tentative for right now?

7 MS. SALLO: So Tuesday, September 3rd,
8 you want the rebuttal? Or do you want it Sunday,
9 September 1st?

10 COMMISSIONER GAZIANO: Tuesday,
11 September 3rd.

12 CHAIRMAN CASTRO: Isn't this really
13 interesting, interns?

14 (Laughter.)

15 MS. SALLO: Then we're set in stone?

16 CHAIRMAN CASTRO: Maybe clay.

17 COMMISSIONER GAZIANO: Yes, maybe clay.

18 CHAIRMAN CASTRO: Is there a motion,
19 then? Do we need a motion on this?

20 MS. SALLO: No.

21 CHAIRMAN CASTRO: So I'm assuming as a
22 result of this, we're going to have the August
23 meeting, which is what really generated this
24 discussion. Is that sort of the sense of the
25 Commission?

1 COMMISSIONER HERIOT: Something's sure
2 to come up that we need to.

3 CHAIRMAN CASTRO: All right then. The
4 next item --

5 VICE CHAIR THERNSTROM: Marty, I'm
6 sorry.

7 CHAIRMAN CASTRO: I'm sorry, Madam Vice
8 Chair.

9 VICE CHAIR THERNSTROM: Is the date set
10 on the August meeting?

11 CHAIRMAN CASTRO: Yes. We'd set it for
12 the 16th.

13 VICE CHAIR THERNSTROM: Okay, so the
14 question -- I've got the 16th down with a question
15 mark, so this eliminates the question mark?

16 CHAIRMAN CASTRO: You can remove the
17 question mark, correct.

18 Okay, thank you. The next item under --
19 I'm sorry.

20 MS. SALLO: May I just review, so that
21 we're all on the same page?

22 CHAIRMAN CASTRO: Yes.

23 MS. SALLO: July 12th is when we vote on
24 the final report. August 4th is when your
25 statements are due. And then rebuttals are due

1 September 3rd. Correct?

2 COMMISSIONER GAZIANO: Correct.

3 MS. SALLO: Thank you.

4 CHAIRMAN CASTRO: And then you'll
5 circulate that by email to everybody as well.

6 MS. SALLO: Absolutely.

7 COMMISSIONER HERIOT: One more aspect of
8 this. It's always important that the statements be
9 circulated immediately.

10 MS. SALLO: Yes, ma'am.

11 COMMISSIONER HERIOT: Because that way
12 we get the full period.

13 MS. SALLO: So at 12:01 in the morning?

14 COMMISSIONER HERIOT: Absolutely.

15 (Laughter.)

16 CHAIRMAN CASTRO: Okay. Good. I think
17 we're done with that. So next on the Management and
18 Operations agenda items is the Consideration of a
19 Letter from the Commission supporting equal
20 opportunity in the U.S. Armed Forces for Sikh
21 Americans.

22 **III. Management and Operations**

23 **Consideration of Commission Letter supporting**

24 **Equal Opportunity in the U.S. Armed Forces for**

25 **Sikh Americans**

1 CHAIRMAN CASTRO: As you recall, at our
2 briefing last month we heard from Major Kamal Kalsi.
3 He highlighted the issue of a presumptive ban in
4 the Armed Forces for service by Sikh Americans who
5 would wear items that are integral to their
6 expression of religious faith: their facial hair,
7 unshorn hair, and their turbans.

8 And after the briefing, I think many of
9 us were moved by that presentation -- there was a
10 bipartisan brief conversation among some
11 Commissioners about the possibility of exploring, in
12 advance of a report, a letter by the Commission on
13 this topic. And so I took it upon myself to draft
14 something. And since I don't have a special
15 assistant right now, Alec has been kind enough to be
16 partially detailed to me by Commissioner Achtenberg
17 to help with meeting prep, I thought "Oh, I'll give
18 it a shot." And I didn't get a draft out to folks
19 until the wee hours of this morning, so I don't
20 intend to review for approval a letter today.

21 I just wanted to get something out so
22 that we could begin a discussion and consideration
23 of this at some point in the future as to some
24 letter that we would draft, and I just addressed it
25 here to individuals, but it could be -- talking to

1 some Commissioners, perhaps it's an initial request
2 to the Army for a response on this. But just the
3 concept of this, I wanted to share with folks so
4 that we can begin a conversation, and hopefully at
5 maybe the next meeting be in a position to have a
6 letter that we would all be comfortable supporting,
7 to at least address this emergent issue.

8 I think it's not necessarily an
9 emergency, but it's something that I think many of
10 us were not aware of, and it's a significant issue
11 in the Sikh community. So I'm happy to open it up
12 and get some input and some thoughts, but again, I
13 don't intend to vote on this today.

14 Yes, Commissioner Heriot?

15 COMMISSIONER HERIOT: I think that we're
16 on the right track that this is an issue that the
17 Commission ought to be able to deal with, but I do
18 think we've skipped a step here, and that is that we
19 need to go to the Army and ask them exactly what
20 their policy is and why. And this may be simply an
21 issue where we can perform a function as a
22 negotiator here, to bring the issue to the
23 military's attention and try to come up with
24 something that would accommodate the needs of both
25 sides.

1 COMMISSIONER KLADNEY: Mr. Chairman?

2 CHAIRMAN CASTRO: Yes?

3 COMMISSIONER KLADNEY: I think that we
4 actually need to ask all the service branches for a
5 response.

6 CHAIRMAN CASTRO: Yes. I agree. And my
7 initial thought was the Secretary of Defense, but it
8 is actually an Army regulation that came up. But
9 you're right, there is a DoD policy as well, so I
10 think asking all the branches would be important,
11 not just the Army.

12 VICE CHAIR THERNSTROM: Mr. Chairman?

13 CHAIRMAN CASTRO: Yes, Madam Vice Chair,
14 and then Commissioner Gaziano. Madam Vice Chair?

15 VICE CHAIR THERNSTROM: When we ask
16 about this issue to whatever authority is going to
17 end up being appropriate, I would like it to be put
18 in a larger context of military rules. Because
19 people volunteer for the Army. Nobody is drafted.
20 So you're volunteering for a really -- service in a
21 very special organization in American life. And you
22 know, in general I would like to know what are the
23 liberties you give up? What are you signing onto?
24 I mean, I need a broader context here in order to
25 think about this specific one.

1 CHAIRMAN CASTRO: Well, that sounds like
2 a concept paper to me. But I don't know how we
3 would go about doing that and stay focused on this,
4 but perhaps there is some more context that may not
5 be that extensive that may be of some assistance in
6 framing this. We can explore that, but I don't
7 necessarily want this to turn into a law review
8 article.

9 VICE CHAIR THERNSTROM: Right.

10 CHAIRMAN CASTRO: Any other comments?
11 Oh Commissioner Gaziano.

12 COMMISSIONER GAZIANO: Yes, I wanted to
13 thank the Chair for putting it on the agenda and
14 drafting the letter. I, like I think probably
15 everyone else, was moved by Major Kalsi's personal
16 statement, and very well-put, and I think very
17 respectfully put. And one of the reasons I am even
18 more inclined to pursue it is because he was so --
19 in some sense, thankful and respectful for those who
20 had eventually accommodated him. And you always
21 want to help someone who is not hyperbolic in
22 putting their claim.

23 At the same time, I too want to hear
24 from the different services, and I wanted to draw to
25 the Commissioners' attention that, in our role in

1 sort of seeking -- or possibly seeking a change in
2 policy, possibly seeking a greater flexibility in
3 accommodation, we're sort of playing a policy rule.

4 There is a Supreme Court case that most of you I'm
5 sure know, of Goldman v. Weinberger from 1986, and
6 in it the Supreme Court (7-2) held that an ordained
7 rabbi who was also a medic in the Air Force did not
8 have a 1st Amendment constitutional right for an
9 exemption from the Air Force's then policy that he
10 wear a yarmulke.

11 And what was interesting about the facts
12 of that case is that he was sort of able to get away
13 with wearing his yarmulke, because inside the clinic
14 -- he tried to stay inside the clinic. When he went
15 outside, he wore his service cap on top. So
16 obviously there was no issue with regard to whether
17 he could wear a helmet or gas mask, as was
18 supposedly one of the concerns in accommodated Sikh
19 Americans in the military.

20 There's just some language in the
21 Supreme Court opinion that's at least slightly
22 instructive as far as the military's interest in
23 uniform dress and appearance and subordinating the
24 individual and having any outward sign of
25 differences subordinated solely to rank. And those

1 are -- we are not necessarily taking this on as a
2 constitutional issue --

3 CHAIRMAN CASTRO: No.

4 COMMISSIONER GAZIANO: -- and if so we'd
5 be doing it in the face of the Supreme Court's 7-2
6 decision. But I think some of the things that the
7 Supreme Court wrote about may inform our policy
8 views.

9 CHAIRMAN CASTRO: I'll take a look at
10 that.

11 COMMISSIONER GAZIANO: And it is a good
12 reason to hear from the services.

13 CHAIRMAN CASTRO: Absolutely, and thanks
14 for bringing that case to our attention. We'll take
15 a closer look at it.

16 Any other feedback, input?

17 (No response.)

18 CHAIRMAN CASTRO: If not, then we'll
19 take that and run with it, and follow up and put it
20 on the agenda next, and hopefully we'll have
21 something a little more solid. Thank you.

22 So next on the agenda is -- actually,
23 both our next items are our Staff Director
24 reporting, both on the status update on the issue of
25 agency reorganization, and then I'll let her go

1 right into the Staff Director's Report after that.

2 **III. Management and Operations**

3 **Status Update on Agency Reorganization**

4 MS. SALLO: Thank you, Mr. Chairman. As
5 the Commission is aware, during the continuing
6 resolution earlier this year, we were instructed to
7 look at our organization and to come up with a
8 report that needed to be submitted to the Committees
9 on Appropriations that addressed any ideas that we
10 might have to reorganize both the Commission here at
11 headquarters, as well as the regional offices and
12 the regional programs, and to report back to them as
13 to how the work that we're currently doing is
14 beneficial to our mission.

15 Because my appointment became official
16 two weeks ago and we had yet to address the very
17 important directive to perform reorganization or to
18 provide a report on possible reorganization, I have
19 submitted letters requesting a 90-day extension to
20 the Committees on Appropriations in both the House
21 and Senate. Thus far, I have received one
22 confirmation that the extension will be granted, and
23 that's from the Majority Office in the House. I
24 have sent emails as a follow-up to everyone else,
25 and hopefully they will get back to me by close of

1 business today. But going into this, when I did
2 submit the letters, they had said that they were
3 amenable to hearing from us and possibly granting a
4 reasonable extension. So once I receive final
5 confirmation, I will let the Commissioners know.

6 So that you are aware, I have started
7 looking our internal structure and our different
8 positions, and I will be meeting with folks and
9 requesting input as well from the Commission, as I
10 move forward in putting together a reorg report for
11 Appropriations.

12 CHAIRMAN CASTRO: Any questions?

13 (No response.)

14 MS. SALLO: And then moving on to the
15 Staff Director Report.

16 **III. Management and Operations**

17 **Staff Director's Report**

18 MS. SALLO: I put together my first
19 Staff Director Report and I did disseminate it. It
20 was a very short reporting period. The period ran
21 from May 13th through May 24th. I don't know if
22 anyone has any particular questions as to what was
23 indicated in the report.

24 I did want to bring to the forefront the
25 fact that we have been undergoing an audit by the

1 Office of Ethics, and we did meet, had our entrance
2 meeting with our auditors that occurs every year
3 around the summer, so we have had our entrance
4 meeting with them as well. We continue to move
5 forward in getting staff reports approved to be
6 uploaded onto our website.

7 We have also submitted a request to
8 allow us to change our regs, so we have a 12 month
9 period wherein if we want to submit any changes to
10 our regulations we will be allowed to do so, and
11 that should become live soon, because the spring
12 regulation agenda has yet to go live on the web.

13 As we move forward, I know that there is
14 a concern about current positions that remain open.

15 Obviously, the goal is to bring in any necessary
16 employees that we need in order to meet our mission.

17 I know that there have been questions about filling
18 two particular positions, OGC and OCRE Director. At
19 this point in time, I think it would be in our best
20 interests to only move forward on filling one
21 position and not both, simply because although we
22 currently have money in our budget, there is no --
23 we have no idea as of yet what our budget is going
24 to look like in 2014.

25 As we move forward in preparing our 2015

1 budget, we have been instructed that we have to come
2 up with a budget that's five percent, as well as 10
3 percent, below our control number, and our control
4 number is 9.4 million dollars, and that's before the
5 money that goes to the IG. So we're currently in
6 the process of looking at how to put that together.

7 So as I move forward, I will advise the
8 Commissioners -- I'll keep you apprised of any
9 movements that we have in reference to putting
10 together a reorg plan. And if you have any
11 questions, I'm more than able to answer.

12 CHAIRMAN CASTRO: Any questions for the
13 Staff Director?

14 VICE CHAIR THERNSTROM: I have a
15 question.

16 CHAIRMAN CASTRO: Go ahead, Madam Vice
17 Chair, then Commissioner Yaki.

18 VICE CHAIR THERNSTROM: No, whoever also
19 had one.

20 COMMISSIONER YAKI: No, I defer to the
21 Vice Chair.

22 VICE CHAIR THERNSTROM: Welcome, by the
23 way, to your first meeting as Staff Director. I'm
24 delighted to have you.

25 MS. SALLO: Thank you.

1 VICE CHAIR THERNSTROM: I think in
2 general, and maybe other Commissioners don't share
3 this view, but I think in general we need more
4 information about the budget. How much money we
5 have, what it's being spent on, what we can afford.

6 I mean, at the last meeting, the briefing that was
7 held in the Marriott, I assumed that was quite an
8 expensive decision. And I would have liked to have
9 known exactly what that cost us, what the tradeoffs
10 were in terms of was it money that would have come
11 out of X or Y commitments, or potential commitments.

12 I mean, this has been true ever since I got on the
13 Commission. There has not been enough information
14 given to Commissioners about the budget and where we
15 stand, and what we're spending money on, and how
16 much.

17 MS. SALLO: I totally appreciate you
18 bringing that to my attention. I will try, as I
19 move forward and I get more comfortable in this
20 position, I'll be more than happy to answer any
21 questions. What I can tell you right now is we
22 currently have a balance of about 3.4 million.
23 However, that doesn't mean that it's there to be
24 used, because what goes against that money is
25 obviously the continued salaries until the end of

1 this fiscal year, any outstanding travel that the
2 Commissioners may have, the Commissioners'
3 timesheets, any outstanding obligations that we have
4 to pay off anything that we've purchased thus far.

5 So at least I can give you that ballpark
6 figure today, because that's what I'm ready to speak
7 about, and then next month we can take it from there
8 and I can be a bit more comprehensive, if that's
9 okay with you, Madam Vice Chair.

10 VICE CHAIR THERNSTROM: That's fine.
11 And would you like to make a comment on how much
12 moving the briefing to the Marriott cost?

13 MS. SALLO: I'm sorry, Ma'am. I don't
14 have those numbers in front of me. But if everyone
15 is interested in having that information, then I can
16 relay that to you.

17 VICE CHAIR THERNSTROM: Well, I at least
18 would be. But I don't want you working solely for
19 me.

20 CHAIRMAN CASTRO: Any other --
21 Commissioner Yaki, you had a questions.

22 COMMISSIONER YAKI: This is directed at
23 you, Mr. Charles, as well as the Staff Director.
24 But at what point should we go to ask the Senate for
25 relief from the IG expenditure? Ask if it can be

1 every other year, every four years, or something
2 like that, because it's disproportionate to our
3 budget, for agencies our side. I think we offered
4 that at the time, and if this is something that
5 we're ready to do at this point, ask for signatures,
6 I'd be the first one to volunteer to help do that.

7 CHAIRMAN CASTRO: I know we have had
8 conversations around that issue already when I and
9 then my special assistant, now the Staff Director,
10 as well as our head of management and operations,
11 Tina Martin, and John, I don't remember if you were
12 with us. We were asked to appear before the House -
13 - well, not to appear, but to meet with the House
14 Appropriations Staff, and I know that those issues
15 are issues that they're thinking about as well.

16 We have not had a formal conversation
17 with the Senate on that, but I do know that those
18 are conversations that are already beginning, as to
19 how the IG will apply, or what funds go to it,
20 especially since, as our IG has done their work,
21 they're not really finding any issues, and so there
22 may be a way to adjust those. What that adjustment
23 may or may not be, we don't know. But certainly the
24 House Appropriations Committee is already thinking
25 about those issues, and they have raised them with

1 us, and no doubt the Senate will have a conversation
2 with us about that as well.

3 So I think you're right, we will follow
4 up on those.

5 COMMISSIONER YAKI: Thank you, Mr.
6 Chair.

7 CHAIRMAN CASTRO: You're welcome. Thank
8 you. Any other questions.

9 (No response.)

10 CHAIRMAN CASTRO: If not, is there
11 anything else you have on your Staff Director
12 Report?

13 MS. SALLO: No, sir.

14 CHAIRMAN CASTRO: Okay. Thank you. The
15 next item under Management and Operations is a
16 report from the Chief of Regional Programs.

17 **III. Management and Operations**

18 **Chief of Regional Programs Report**

19 CHAIRMAN CASTRO: David Mussatt, if you
20 could approach the microphone, please? Oh, Acting
21 Chief.

22 MR. MUSSATT: Good morning.

23 CHAIRMAN CASTRO: Good morning.

24 MR. MUSSATT: I submitted the RPC
25 monthly report, so if you have any questions feel

1 free to ask me. But I just wanted to -- since it's
2 been a few months since I appeared before you, I
3 wanted to update you on a few things that have gone
4 on.

5 First, just some positive news that I
6 wanted to share, and it may be in the PAU report,
7 but it's always good to repeat positive stuff. It's
8 some press that the advisory committees have been
9 receiving. In the past few months, the New
10 Hampshire Advisory Committee, its report on the
11 inequality of women's prisons was cited, and the
12 Chair was quoted, in the Concord Monitor dealing
13 with Governor Hassan's inclusion of money for a new
14 women's prison in the State budget.

15 Last week, the Ohio Advisory Committee
16 held a fact finding meeting in Toledo, Ohio, which
17 is an international and national hub of human
18 trafficking, and they held it on that topic. And
19 all three major local TV affiliates covered it. We
20 had quite lengthy articles in the Toledo Blade, a
21 major local paper, and also an article posted on the
22 Faith and Values website.

23 Also, this Sunday, a story is scheduled
24 to be printed in the Savannah Daily News that will
25 feature findings from the Georgia SAC reports on

1 school desegregation. So all good things going on
2 in the regions that I wanted to share with you.

3 A couple other new developments from our
4 GSA committee management secretariat. They have
5 made live and available for use their new user-
6 friendly database of federal advisory committees.
7 It is also an easier website address, just
8 facadatabase.gov, and that's FACA, F-A-C-A,
9 database, one word, dot gov. And in that, you can
10 access the minutes to SAC meetings, you get an end-
11 of-year budget, to the Vice Chair's question about
12 money.

13 So there's -- it's much more user-
14 friendly than the old system. If you remember the
15 old system, it was kind of clunky, and this is a lot
16 more efficient. There may be some glitches, and
17 things may not be updated. It just came live, so
18 I'm not sure how everything transferred over to the
19 new system, but it's worth looking at.

20 Also, if Commissioners or their
21 assistants are interested, GSA now has made the FACA
22 management course 101 available free and online for
23 staff to be trained, or retrained, whatever the case
24 may be, in FACA matters. It's a pretty lengthy --
25 my interns just did it last week. It's five or six

1 hours, and you have to take a test at the end of it.

2 But it's a pretty thorough introduction to FACA for
3 people who are interested in it. It also is for our
4 DFOs in the field, required to be able to take the
5 201 course, the more advanced class, which is an in-
6 person class in DC and costs money. So those are
7 two interesting developments from our committee
8 management secretariat.

9 And then the only last quick thing is, I
10 just wanted to highlight that I submit the
11 reappointment spreadsheets every month, and a few
12 months ago I kind of started highlighting the last
13 column, which is when SACs are to be reappointed
14 within 90 days. And for the Commissioners, I just
15 wanted to bring that to your attention, they're
16 highlighted in blue, so when you go through that
17 spreadsheet and you see a blue box at the end of it,
18 that's a state that's going to be coming up for
19 reappointments, so if you know people in that state
20 that you'd like to nominate please send those names
21 to our new Staff Director.

22 MS. SALLO: May I?

23 CHAIRMAN CASTRO: Yes, Madam Staff
24 Director?

25 MS. SALLO: And I will also be sending a

1 reminder out to all of the Commissioners and their
2 Special Assistants reminding them that a SAC may be
3 up for reappointment, because I'd like to be able to
4 streamline any recommendations that anyone may be
5 willing to submit before we move forward on any
6 slates.

7 CHAIRMAN CASTRO: Great, thank you.
8 Anything else, Mr. Acting Chief?

9 MR. MUSSATT: No, that's it.

10 CHAIRMAN CASTRO: Any questions for the
11 Acting Chief of RPCU?

12 (No response.)

13 CHAIRMAN CASTRO: Hearing none, thank
14 you. And since we have amended the agenda, we don't
15 have any SAC advisory slates, so the next item is
16 the all-important motion to adjourn.

17 **V. Adjourn Meeting**

18 CHAIRMAN CASTRO: Is there one?

19 VICE CHAIR THERNSTROM: No.

20 CHAIRMAN CASTRO: No? So I'll make the
21 motion. Do I have a second?

22 COMMISSIONER KLADNEY: Second.

23 CHAIRMAN CASTRO: Okay. All in favor,
24 say aye.

25 (Chorus of ayes.)

1 CHAIRMAN CASTRO: Okay. I'll assume
2 there's no opposed?

3 VICE CHAIR THERNSTROM: No, I always
4 oppose. I always oppose on principle.

5 CHAIRMAN CASTRO: Any abstentions?

6 (No response.)

7 CHAIRMAN CASTRO: Thank you, everybody.

8 The meeting is now adjourned at 10:29 a.m. Eastern
9 Time.

10 (Whereupon, the above-entitled meeting
11 was adjourned at 10:29 a.m.)

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