# UNITED STATES COMMISSION ON CIVIL RIGHTS



REQUEST FOR CONGRESSIONAL APPROPRIATION FOR FISCAL YEAR 2015

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### USCCR BUDGET REQUEST FOR SALARIES AND EXPENSES

Congressional Appropriation Request for FY 2015	\$9,400,000
Congressional Appropriation for FY 2014	\$9,000,000
Congressional Appropriation for FY 2013	\$8,742,652

### **APPROPRIATION LANGUAGE**

#### FEDERAL FUNDS

### Salaries and Expenses

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,400,000: Provided, That none of the funds appropriated in this paragraph shall be used to employ in excess of four full-time individuals under Schedule C of the Excepted Service exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by the Civil Rights Commission Amendments Act of 1994 (Public Law 103-419):

### **FY 2015 PROGRAM OBJECTIVES AND PRIORITIES**

Our \$9.4 million appropriation request will support our civil rights agenda of promoting equal opportunity without regard to color, race, religion, sex, age, disability, or national origin. It will allow the Commission to serve as a civil rights "watchdog;" advise and collaborate with the President, Congress, and other federal agencies; and provide the public access to critical civil rights information.

Our mission includes informing the development of national civil rights policy and enhancing enforcement of federal civil rights laws through quality research, objective findings, and sound recommendations for action. The President, Congress, and the public benefit from our mandate<sup>1</sup> of keeping all informed regarding civil rights issues, including discrimination or denial

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We have six specific statutory responsibilities: (1) investigate complaints alleging that citizens are being deprived of their right to vote by reason of their race, color, religion, sex, age, disability, or national origin, or by reason of fraudulent practices; (2) study and collect information relating to discrimination or a denial of equal protection of the laws under the Constitution because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice; (3) appraise federal laws and policies with respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin, or in the administration of justice; (4) serve as a national clearinghouse for information in respect to discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin; (5) submit reports, findings, and recommendations to the President and Congress; and (6) issue public service announcements to discourage discrimination or denial of equal protection of the laws.

of equal protection of the laws because of color, race, religion, sex, age, disability, or national origin, or in the administration of justice. We seek to achieve our mission in a manner that both recognizes the full range of civil rights issues facing Americans today and is responsive to the emergence of new issues and challenges.

Our strategic vision consists of six goals:

- The Commission will function as an effective civil rights watchdog, conduct studies, and issue publications on important issues of civil rights.
- The Commission will regularly provide new, objective information and analysis on civil rights issues.
- The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.
- The Commission will improve its profile and effectiveness in communicating with the general public.
- The Commission will continue to strengthen its financial and operational controls and advance its mission through management excellence, efficiency, and accountability.
- The Commission will increase the participation of its State Advisory Committees (SACs) in the Commission's work.

A more detailed discussion of the Commission's Strategic Plan is in the FY 2014 -2018 Strategic Goals and Objectives section in this document.

### **BUDGET SUMMARY**

Our FY 2015 Appropriation Request is \$9.4 million, an increase of \$400,000 from our FY 2014 Appropriation. This request will fund 45 full-time equivalent (FTE) positions.

### **REVIEW OF THE AGENCY'S FY 2015 FUNDING REQUEST**

### A. Budget Request by Object Class

The following table provides a summary of the Commission's Budget Request:

	Object Class and Title	FY 2015 Request	FY 2014 Appropriation	Difference
10	Personnel Compensation & Benefits	\$6,080,702	\$5,518,023	\$562,679
21	Travel & Transportation of Persons	\$168,565	\$167,796	\$769
22	Transportation of Things	\$0	\$0	\$0
23	Rent, Communications, and Utilities	\$1,682,079	\$1,720,552	(\$38,473)
24	Printing and Reproduction	\$52,600	\$51,700	\$900
25	Other Contractual Services	\$1,355,430	\$1,382,345	(\$26,915)
26	Supplies and Materials	\$41,124	\$70,084	(\$28,960)
31	Equipment	\$19,500	\$19,500	\$0
	Total Operating Budget	\$9,400,000	\$8,930,000	\$470,000
	Transfer to Government Accountability Office for Inspector General Functions	\$0	\$70,000	(\$70,000)
	Total Appropriation	\$9,400,000	\$9,000,000	\$400,000

### **B.** Description of Budget Increases and Decreases

The following is a description of the budget increases and decreases from the Commission's FY 2015 Congressional Budget Request.

#### **Increases to Maintain Current Services:**

### Personnel Compensation and Benefits - \$59,654/0 FTE

This increase is for an anticipated 1 percent pay raise in FY 2015 and annualization of the anticipated FY 2014 pay raise.

### **Program Increases:**

### Personnel, Compensation, and Benefits – \$503,025/5 FTE

The Commission plans to hire a Deputy Staff Director, a Regional Director, an attorney, and regional support staff. These positions will help reinvigorate our and State Advisory Committee activities.

### Travel – \$769

This increase will cover costs for Commissioner and State Advisory Committee travel.

### Printing – \$900

The Commission plans to reduce printing costs by relying on electronic publishing of reports.

### **Program Decreases**

### Transfer to the Government Accountability Office -(70,000)

The Government Accountability Office Inspector General will no longer serve as the Commission's Inspector General.

### Rent, Communication, and Utilities – (\$38,473)

The Commission plans to reduce postage, rental of commercial space for meetings, express mail, and other communication costs.

### Other Contractual Services – (\$26,915)

This reduction is in miscellaneous contracting services for temporary services.

### Supplies -(\$28,960)

The Commission plans to decrease supplies from non-federal sources and minimize supply purchases.

### C. Budget Request by Organization

The Commission's FY 2015 budget request supports several major organizational components. The following table provides a summary of the Commission's budget request by these components:

	FY 2015 Appropriation Request	Percent Of Request	FY 2014 Appropriation	Percent Of Request	Difference
National Program Offices	\$1,533,240	16.3%	\$1,332,490	14.8%	\$200,750
Regional Program Offices	\$1,934,404	20.6%	\$1,581,641	17.6%	\$352,763
Commissioners and Commissioner Assistants	\$1,589,772	16.9%	\$1,604,513	17.8%	(\$14,741)
Office of Staff Director	\$433,350	4.6%	\$274,740	3.1%	\$158,610
Robert S. Rankin Civil Rights Library	\$323,160	3.4%	\$319,880	3.6%	\$3,280
Operations & Administrative	<u>\$3,586,074</u>	38.2%	<u>\$3,816,736</u>	42.3%	(\$230,662)
Total Operating Budget	\$9,400,000	100%	\$8,930,000	99.2%	\$470,000
Inspector General (Transfer to GAO)	<u>\$0</u>	0.0%	\$70,000	0.8%	(\$70,000)
Total Appropriation	\$9,400,000	100.0%	\$9,000,000	100.0%	\$400,000

The National Program Offices consist of the Office of General Counsel (OGC) and Office of Civil Rights Evaluation (OCRE). The Office of the General Counsel provides legal expertise and advice to support our fact-finding and ensures the legal integrity of our written products. The Office of Civil Rights Evaluation provides subject matter and analytical expertise required to prepare social scientific evaluations of civil rights issues. Their combined budget is \$1,533,240. The National Program Offices' budget is 16.3 percent of the Commission's total budget in FY 2015. The Commission plans to fill several vacant positions in FY 2015.

The Regional Program Offices provide critical support to the 51 state advisory committees (SACs) required by our statute. The Regional Program Offices' combined budget in FY 2015 is \$1,934,404. The Regional Program Office's budget is 20.6 percent of the Commission's total budget request. The Commission plans to fill several vacant position in FY 2015.

The Commissioners and Commissioner Assistants' request covers the salary, benefits, and travel for Commissioners and their Assistants. The FY 2015 Commissioners and Commissioner Assistants' budget is \$1,589,772 or 16.9 percent of the Commission's total budget request.

The Office of Staff Director request covers the salary, benefits, and travel for Staff Director and his or her staff. The FY 2015 Office of Staff Director budget is \$433,350 or 4.6 percent of the Commission's total budget request. The Commission plans to hire a Deputy Staff Director in FY 2015.

The Library is an information source for Commission staff, government agencies, private organizations, and individuals. The FY 2015 budget request for the Library is \$323,160. The Library's budget is 3.4 percent of the Commission's total budget request.

The Operations and Administrative budget request covers rent, information technology, communication, human resources, financial management, and other functions necessary to maintain a Federal agency's operations. The FY 2015 budget request of \$3,586,074 is 38.2 percent of the Commission's budget request. The decrease is due to reductions in Communication, other contractual services, and supply costs.

### **FY 2013 PERFORMANCE HIGHLIGHTS**

This section highlights the Commission's FY 2013 program accomplishments and activities.

### A. Briefings

## Federal Civil Rights Engagement with the Arab and Muslim American Communities Post 9/11

The U.S. Commission on Civil Rights held a public briefing on Friday, November 9, 2012 to examine the methods, goals, and effectiveness of the federal government's recent and proposed post-9/11 civil rights engagement with the Arab and Muslim-American community, including federal outreach to the general public to end prejudice and discrimination against these communities.

In the wake of September 11, 2001, federal government enforcement components made proactive engagement with the Arab and Muslim-American community a new, distinct, national civil rights priority. At the same time, the sustained national security emergency that began on September 11th prompted new anti-terrorism programs with resources and attention from federal agencies which saw in religious, national, and ethnic communities the seeds of a national security challenge—especially within the Arab and Muslim-American community. Some of these programs have created concerns regarding civil rights impacts on these American communities. Evaluating the success and failure of the federal government in engaging the Arab and Muslim-American community post-9/11 is significant in terms of redressing the very real

discrimination faced by that community, but also may be instructive of how the federal government should respond in future national crises or similar events.

The briefing included three panels. Panel I included Zainab Al-Suwaij, Co-founder and Executive Director, American Islamic Congress; James Zogby, Founder and President, Arab American Institute; Kenneth Marcus, President, Louis D. Brandeis Center for Human Rights Under Law; Haris Tarin, Director of the Washington, DC Office, Muslim Public Affairs Council; and Asim Rehman, President, Muslim Bar Association of New York. Panel II included Jytte Klausen, Professor, Brandeis University; Sahar Aziz, Professor, Texas Wesleyan School of Law; Eugene Volokh, Professor, UCLA School of Law; Samuel Rascoff, NYU School of Law; and Peter Skerry, Professor, Boston College. Panel III included Eric Treene, Special Counsel for Religious Discrimination, Civil Rights Division, U.S. Department of Justice; and David Gersten, Director, Civil Rights and Civil Liberties Programs, U.S. Department of Homeland Security.

## The Impact of Criminal Background Checks and the EEOC's Conviction Records Policy on the Employment of Black and Hispanic Workers

On December 7, 2012 the U.S. Commission on Civil Rights held a briefing to examine the disparate impact provisions of the Equal Employment Opportunity Commission's (EEOC) April 2012 guidance concerning the use of criminal background histories (2012 Guidance or "new guidance"). The Commission wished to learn about the effects of the EEOC's revised policy on employers and on black and Hispanic applicants with or without a criminal record.

The briefing's 17 speakers included a high-ranking EEOC official, scholars, attorneys, social scientists, personnel executives, a former offender and now policy director of an advocacy and job placement service, a family member of a victim slain by an unscreened ex-convict sent to the victim's home as a contractor six months earlier, ex-felon advocacy groups, business associations representing home care, small business and retail, and a security company currently under investigation by the EEOC.

The experts who appeared before the Commission were Carol Miaskoff, Act.Assoc.Legal Counsel, EEOC OLC; Don Livingston, Akin Gump LLP and former EEOC GC; Harry Holzer, Georgetown Univ. and former Chief Economist, Dept. of Labor; Alfred Blumstein, Carnegie Mellon Univ.; Jeffrey Sedgwick, Keswick Advisors and former Dir., Bureau of Justice Statistics; Roberta Meyers, Dir., Nat'l HIRE Network; Glenn E. Martin, VP, Fortune Society; Lucia Bone, Founder, Sue Weaver CAUSE; Julie Payne, GC, G4S Secure Solutions (USA) Inc.; Richard Larson, Winning Work Teams and former VP, HR, Universal Studios Resort; Garen Dodge, Jackson Lewis LLP and Council for Employment Law Equity; Nick Fishman, Co-founder, EmployeeScreenIQ; Montserrat Miller, Arnall Golden Gregory LLP and Counsel, Nat'l Ass'n of Prof. Background Screeners; William Dombi, VP, Nat'l Assn. for Home Care and Hospice; Todd McCracken, Pres., Nat'l Small Business Ass'n; Jonathan Segal, Duane Morris LLP and Soc. for Human Resource Management; and Rich Mellor, VP, Nat'l Retail Federation.

### Fiscal Year 2013 Statutory Enforcement Report Briefing on Sexual Assault in the Military

Recent events demonstrate the timeliness of the Commission's investigation and report: In April 2012, the Pentagon announced new initiatives to combat what Defense Secretary Leon Panetta called a "silent epidemic" of sexual assault in the military. In September 2012, 20 current and former members of the U.S. military filed a lawsuit in federal court in San Francisco alleging that they were sexually assaulted while serving in military units and were harassed, raped, or assaulted in retaliation for reporting the incidents. The lawsuit accuses the leadership of the U.S. Army and U.S. Air Force of failing to prosecute and properly investigate claims of sexual assault. Similar lawsuits were filed earlier this year.

In its investigation and report, the Commission examined Department of Defense (DoD) policies and practices concerning sexual assault and efforts to reduce and address instances of sexual assault in the Armed Forces. The Commission gathered information on how the DoD:

- (1) educates service members, generally, about the DoD's sexual assault policies;
- (2) educates officers on how to process reports of sexual assault;
- (3) assists sexual assault victims to file reports and receive needed medical/social services;
- (4) investigates sexual assault reports, including the gathering and retention of evidence; and
- (5) disciplines perpetrators, with a special focus on the process by which officers decide what form(s) of discipline to impose.

Additionally, the Commission collected data and sought expert testimony to compare military sexual assault rates to non-military groups with similar ages, sex ratios, and other relevant demographic characteristics and settings.

Those who testified before the Commission included representatives from the Office of the Secretary of Defense; the DoD's Sexual Assault Prevention and Response Office; Judge Advocate General's Offices of the Army, Navy, Marine Corps., and Air Force; academic scholars; the Legal Director for the Service Women's Action Network (SWAN), the President of the Protect Our Defenders organization; and retired military defense attorneys.

## The Impact of Regulatory, Licensing, and Market Entry Barriers on Emerging Small Businesses

The U.S. Commission on Civil Rights held a briefing on February 8, 2013 to examine the civil rights implications of regulatory, financial, contracting, legal, and other barriers that may impede the progress of new or less-experienced businesses, including both minority-owned businesses that must compete with larger and/or unionized firms, and nonminority businesses that do not qualify for bidding preferences or special federal and state financial assistance reserved for certain minorities.

Of particular interest to the Commission was the burden that arguably excessive or unnecessary regulation (federal, state, and/or local) may place on all entrepreneurs in lower-income brackets. Part of the Commission's inquiry was examining the different effects of government-imposed race-neutral or other regulatory barriers to entrepreneurship, possibly resulting in racially-disproportionate failure rates, and regulatory barriers resulting from intentional racial discrimination from any source whether governmental or private.

Experts appearing at the briefing included Alex Cristofaro, U.S. Environmental Protection Agency Small Business Advocacy Chair and Director of the Office of Regulatory Policy and Management; Harry Alford, National Black Chamber of Commerce President and CEO; Timothy Sandefur, Principal Attorney, Pacific Legal Foundation; Omar Duque, Illinois Hispanic Chamber of Commerce President and CEO; and George LaNoue, Professor of Political Science and Professor of Public Policy, Univ. of Maryland Baltimore County.

### **Reconciling Non-Discrimination Principles with Civil Liberties**

The U.S. Commission on Civil Rights held a briefing on March 22, 2013 to examine recent legal developments concerning the intersection of non-discrimination principles with those of civil liberties. The discussion involved U.S. Supreme Court decisions involving both the ministerial exception case, Hosanna-Tabor v. EEOC, and the student group non-discrimination policy case, Christian Legal Society v. Martinez. Also at issue were religious liberty claims under First Amendment provisions other than the Religion Clauses.

There were two briefing panels. The first panel was composed of scholars involved in the Hosanna-Tabor v. EEOC or Christian Legal Society v. Martinez litigation: Kimberlee Colby, Senior Counsel at the Christian Legal Society, Ayesha Khan, Senior Litigation Counsel, Americans United for Separation of Church and State, Daniel Mach, Director, American Civil Liberties Union Program on Freedom of Religion and Belief; and Lori Windham, Senior Counsel, Becket Fund.

The second panel consisted of experts who discussed the broader conflict between antidiscrimination norms and civil liberties. Experts on the second panel included Alan Brownstein, Professor, University of California at Davis Law School; Marc DeGirolami, Associate Professor, St. John's University School of Law; Leslie Griffin, Professor, University of Nevada Las Vegas Law School; Marci Hamilton, Professor, Benjamin N. Cardozo School of Law; Michael Helfand, Associate Professor, Pepperdine University School of Law; and Edward Whelan, President, Ethics and Public Policy Center.

### **Increasing Compliance with Section 7 of the National Voter Registration Act**

The U.S. Commission on Civil Rights conducted a briefing on April 19, 2013 to examine efforts to increase compliance with Section 7 of the National Voter Registration Act (NVRA). In 1993, Congress passed the National Voter Registration Act (NVRA) to "increase the number of

eligible citizens who register to vote in elections for Federal office" and to "protect the integrity of the electoral process." Section 7 of the NVRA specifically aids this mission by requiring that state-designated public assistance offices and state offices serving persons with disabilities serve as voter registration agencies. The discussion included recent efforts to increase enforcement of NVRA Section 7 requirements. In recent years, litigation undertaken by the Department of Justice and private persons has settled and as a result, voter registration numbers increased in some states. Other states have pushed back on the federal requirements, however, citing substantial burdens on local public assistance offices.

There were four speakers: R. Kyle Ardoin, First Assistant Secretary of State for Louisiana; Gary O. Bartlett, Executive Director of the North Carolina State Board of Elections; Lisa Danetz, DEMOS Senior Counsel; and Jason Torchinsky, litigation partner at Holtzman Vogel PLLC.

### Protecting the Civil Rights of Our Veterans and Servicemembers

The U.S. Commission on Civil Rights held a public briefing on Friday, May 31, 2013 to hear testimony on whether the Federal Government is adequately protecting the civil rights of our veterans and servicemembers who have fought for our country.

It is expected that between 2011 and 2016 more than one million service members will leave the armed forces and return home. Returning military veterans will likely face competition in our labor and housing markets and could potentially experience discrimination, based on disabilities acquired as a result of service-related injuries, along with employment and housing discrimination. Female veterans with children are also likely to experience discrimination in housing programs due to the fact that most of the established housing programs for veterans do not allow children. The Commission sought to gather information on the difficulties experienced by veterans and service members alike with the goal of identifying best practices for helping veterans to transition from the battlefield to the workforce and their community. Panelists identified recommendations for accomplishing this.

The briefing included three panels. Panel I included Robert Jesse, Principal Deputy Under Secretary for Health, Department of Veterans Affairs; Kenan Torrans, Deputy Director for Compliance Programs, Veterans' Employment and Training Service, Department of Labor; Sharon Alexander, Special Assistant to Chairwoman Berrien, Equal Employment Opportunity Commission; Bryan Greene, General Deputy Assistant Secretary, Fair Housing and Equal Opportunity, Department of Housing and Urban Development; and Matt Boehmer, Acting Director, Federal Voting Assistance Program, Department of Defense.

Panel II included Heather Ansley, Vice President of Veterans Policy, VetsFirst and Co-Chair of the Consortium of Citizens with Disabilities Veterans Task Force; Albert Gonzales, National Commander, American GI Forum; Wendy McClinton, President and CEO, Black Veterans for Social Justice; and Danny Ingram, National President, American Veterans for Equal Rights.

Panel III included Kamal Kalsi, Major, U.S. Army; Sandra Strickland, Final Salute, Inc.; Elspeth Ritchie, Chief Medical Officer, District of Columbia Department of Mental Health; and Joseph Violante, National Legislative Director, Disabled American Veterans.

### **B.** Statutory Report

### **Sexual Assault in the Military**

The U.S. Commission on Civil Rights chose to focus on sexual assault in the U.S. military for its annual 2013 Statutory Enforcement Report. This report examines how the Department of Defense and its Armed Services—the Army, Navy, Marine Corps, and Air Force (the Services)—respond to Service members who report having been sexually assaulted ("victims") and how it investigates and disciplines Service members accused of perpetrating sexual assault ("perpetrators"). This report also reviewed how the military educates Service members and trains military criminal investigators and military lawyers about sexual assault offenses. The topic is both relevant and timely, as Congress is currently considering ways to address this issue.

The Commission has authority to examine questions related to sexual assault in the military because the issues involve both sex discrimination and the denial of equal protection in the administration of justice. The issue of sex discrimination involves female Service members, who represent 14 percent of the military population, but are disproportionately likely to be victims at a rate five times that of their male counterparts. The questions related to a possible denial of equal protection in the administration of justice led the Commission to examine cases in which sexual assault victims, as well as Service members accused of sexual assault, claim unfair treatment in the military justice system.

Through this report, the Commission shone a light on the scope, response, investigation, and discipline of sexual assault in the U.S. military. The Commission held a briefing on January 11, 2013 to hear the testimony of military officials, scholars, advocacy groups, and practitioners on the topic of sexual assault in the military. In response to written questions from the Commission, the Department of Defense and its Armed Services provided documents and other materials, including data on investigated sexual assault allegations, which the Commission analyzed. The results of these efforts are memorialized in our report.

The report revealed that the Department of Defense may benefit from greater data collection to better understand trends in sexual assault cases and to implement improvements in future initiatives. Although the Department of Defense has already implemented policies to reduce sexual and sexist material from the military workplace in an effort to reduce sexual harassment, the effects of such recent efforts have yet to be measured. The Department of Defense also has a plan to standardize sexual assault response and prevention training across the Services to promote best practices. There will be a need to track the success of such policies over time. Greater commander accountability for leadership failures to implement such policies, especially in cases where victims claim sexual assault at the hands of superiors within the chain of

command, should also be considered. Without increased data collection, however, it is difficult to measure the effects of any new changes the military chooses to implement.

### FY 2014-2018 STRATEGIC GOALS AND OBJECTIVES

Led by eight commissioners,<sup>2</sup> our national and regional office staff of civil rights analysts, social scientists, attorneys, and our 51 state advisory committees will carry out our mission in FY 2014 by continuing to improve the alignment of our program activities with the goals and objectives in our strategic plan. We will measure performance against established targets, and report on our challenges and successes.

Throughout our history, the Commission has worked towards fulfilling our Congressional mandate to serve as a bipartisan, fact-finding federal agency charged with making recommendations on civil rights issues that affect our nation. With this in mind, the Commission solicited the views of Commissioners, staff members and Congress to identify areas of strength and weakness within the Commission and its activities. This input was then used as the basis for drafting our strategic goals.

Key concerns that were identified through this process were the need for the Commission to: produce more data-driven reports; increase the public's accessibility to these reports; and, to efficiently integrate the SACs into the Commission's work both as a way to raise public awareness of the essential work that the Commission is doing, and as a way to leverage the state-level resources of our SACs to inform the Commission's work.

As we move towards implementing our new strategic plan, the Commission's goal is to incorporate our stakeholders' feedback into our efforts to shape the nation's civil rights debate through expanded research, information, and reports generated by agency program activities.

<sup>&</sup>lt;sup>2</sup> Four commissioners are presidential appointees and four are congressional appointees; all serve six-year terms.

### STRATEGIC GOAL A:

The Commission will function as an effective civil rights watchdog and conduct studies and issue publications on important issues of civil rights.

Objective	Strategies	Performance Measures
Strengthen the quality and objectivity of the Commission's reports.	• Concentrate studies and research on national priorities.	The Commission will hold at least three briefings and/or hearings each year.

## STRATEGIC GOAL B:

The Commission will regularly provide new, objective information and analysis on civil rights issues.

Objective	Strategies	Performance Measures
The Commission will regularly conduct original fact-finding and/or a novel statistical data review in a civil rights investigation.	The Commission will include selection of an investigation as part of its annual project planning.	<ul> <li>During its regular project planning process, the Commission will select one investigative project involving original fact-finding and/or statistical data reviews, either as a standalone project or in conjunction with a briefing or enforcement report.</li> <li>Upon approval of an investigative project by the Commission, SACs may be solicited to aid the Commission in state and local fact gathering.</li> </ul>
	The Commission will strengthen employees' ability to conduct investigations.	<ul> <li>The Commission will train and/or cross-train designated employees on field interview techniques and statistical analysis.</li> <li>The Commission will amend its Human Capital Plan to prioritize developing employee capacities in the areas of statistical analysis and complaint interviews.</li> </ul>
All Commission products will be prepared using standards that provide for maximum objectivity.	The Commission will strengthen its information quality standards and other procedures regarding the process and review	By 2015, the Commission will conduct a review of existing information quality standards, administrative instructions, and other quality control and quality

Objective	Strategies	Performance Measures
	of agency products, as well as the implementation of such standards and procedures.	assurance guidelines to ensure its reporting maximizes objectivity.

### STRATEGIC GOAL C:

The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.

Objective	Strategies	Performance Measures	
Strengthen the Commission's position as a national clearinghouse for civil rights information.	Measure and analyze     web traffic data on the     clearinghouse web page     to identify top three     civil rights areas of     interest	<ul> <li>Yearly updates to the clearinghouse web page.</li> <li>Review annually (FY) and update, as needed, the Uncle Sam publication, in both English and Spanish.</li> <li>By FY 2016, issue quarterly data reports that list and rank clearinghouse information hits tabulated by agency (DOJ, EEOC, DOE and DOL).</li> </ul>	
Consult with the civil rights divisions of other agencies to ensure dissemination of accurate information for the complaint referral process.	Maintain up to date information on the USCCR complaint referral process.	<ul> <li>List the name, URL and contact information for each Federal Civil Rights division that we refer complaints to on the USCCR website.</li> <li>Contact the Federal civil rights divisions that we refer complaints to, semi-annually to confirm accuracy of civil rights complaint contact information.</li> </ul>	

Objective	Strategies	Performance Measures
	Simplify the telephone complaint referral process.	By 2014 update the phone lines to allow callers to use a push button system to obtain complaint referral information (ex: push 1 for Employment; Push 2 for Housing, etc.)

### STRATEGIC GOAL D:

Improve the Commission's profile and effectiveness in communicating with the general public.

Objective	Strategies	Performance Measures
Raise public awareness of the Commission's work	Expand Press Outreach	Create and update press list on a regular basis
		Issue press releases (English & Spanish) and update website prior to every hearing and briefing.
		Participate in speaking engagements and public policy symposia.
<ul> <li>Modernize the Commission's information technology infrastructure to increase access to the Commission's work</li> </ul>	Revise and reformat the website to increase web traffic and access to publications.	Reformat website to increase Google hits.
products.	Increase access to     Commission briefings     and hearings using     online tools	By FY 2016, Commission briefings and hearings will be streamed live online and made available on the website for future viewings.
• Improve access to agency publications and dissemination of information for all persons	Measure and analyze     web traffic and written     requests for     Commission reports.	By FY 2014, issue monthly reports on downloads and written requests for USCCR publications (top ten for each

Objective	Strategies	Performance Measures
including persons with disabilities and persons with limited English proficiency.	Revise and update the USCCR website to make electronic and information technology (EIT) accessible to persons with disabilities.	category).  • By FY 2016, the agency shall implement accessible elements on the website, including alt tags, long descriptions, and captions, as needed. <sup>3</sup>
		• By FY 2016, all documents on the website shall be made available in HTML or a text-based format. <sup>4</sup>
	Analyze complaint line data and written requests for assistance to identify language access needs.	Maintain log (library and complaint line) to identify which language, other than English, is most often used by callers/writers when they contact the Commission.
Expand and clarify the USCCR complaint process for all individuals including LEP persons and persons with disabilities.	Improve web-based complaint screening process and online guidance to complainants.	By FY 2015, update the USCCR website to include direct links to federal agencies' civil rights complaint page.

### STRATEGIC GOAL E:

Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.

Objective	Strategies	Performance Measures
Continue to strengthen the Commission's financial, budget, and performance policy, procedures, and	Align the Commission's budget submissions with the Agency's strategic plan and annual	Compliance with OMB Circular A-11

<sup>&</sup>lt;sup>3</sup> These elements are necessary in order to make web pages accessible for persons with disabilities.

<sup>4</sup> This format is necessary so that a person using a screen reader can access online documents or documents provided library on disc.

Objective	Strategies	Performance Measures
reports	performance plan.  • Ensure that the Commission's budget submission complies with OMB Circular A- 11.	Compliance with OMB     Circular A-11
	Enhance financial policy and procedures to ensure reliability of financial reporting.	Receive a "clean" or unqualified financial statement audit.
	Monitor and report on the Commission's progress in achieving its annual performance plan goals and objectives.	Submit a Performance and Accountability Report that adheres to all relevant guidance.
Improve the strategic management of the Commission's human capital	Update and Implement the Commission's Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission.	Implementation of commission's and the Office of Personnel Management (OPM) Human capital Plan program, strategies and initiatives.
	Conduct and analyze     Employee Satisfaction     surveys and develop     specific strategies to     address issues.	Results of the Employee     Satisfaction surveys     compared to previous     surveys.
Improve administrative and clearinghouse services including information technology, acquisition,	<ul> <li>Conduct training to increase awareness of acquisition processes and procedures.</li> </ul>	• Annual training sessions, i.e., formal training, issuance of memoranda and/or internal instructions.
and library functions.	Comply with Federal information security requirements.	Annual FISMA audit
	Leverage information	Comply with OMB Cloud Computing Initiatives.

Objective	Strategies	Performance Measures
	technology to enhance the productivity and efficiency of the workforce.	

### STRATEGIC GOAL F:

Increase the participation of our State Advisory Committees (SACs) in the Commission's work.

Objective	Strategies	Performance Measures
Include SAC input in the Commission's program planning process.	Solicit SAC involvement in briefings and hearings.	By FY 2015, SACs will be encouraged to participate in at least two briefings/ hearings/fact-finding and/or public forums annually.
Enhance collaboration between and among  SAG: project of first and affine and among the first and a first and	Expand communication and information sharing	Issue monthly updates via listserv (from DC office to Regions).
SACs, regional offices and the Commission.	through the use of a listsery and webinar capabilities.	By FY 2015, Regional offices will have the capability to offer webinars.
		• Extend SAC appointee terms to 4 years.
Strengthen the SAC re-	Achieve and maintain	• Eliminate SAC backlog by FY 2015.
chartering process	chartered status for all 51 SACs.	• Re-charter SACs set to expire after 10/1/2014 within 60 days.

### **DRAFT ANNUAL PERFORMANCE PLAN**

Strategic Goal A: The Commission will function as an effective civil rights watchdog and conduct studies and issue publications on important issues of civil rights.

				FY 2014	FY 2015
Description of			Performance	Performance	Performance
Objective	Strategy	Performance Measures	Goals	Target	Target
Strengthen the quality and objectivity of the Commission's reports.	Concentrate studies and research on national priorities.	The Commission will hold at least three briefings and/or hearings each year.	3 briefings or hearings	3 briefings or hearings	3 briefings or hearings

Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.

Daniel d'anné			D. C.	FY 2014	FY 2015
Description of	Stratogy	Parformanca Magguras	Performance Coals	Performance Target	Performance
Objective The Commission will regularly conduct original fact-finding and/or a novel statistical data review in a civil rights investigation.	Strategy The Commission will include selection of an investigation as part of its annual project planning.	Performance Measures  During its regular project planning process, the Commission will select one investigative project involving original fact- finding and/or statistical data reviews, either as a stand-alone project or in conjunction with a briefing or enforcement report.	Goals  1 investigative project	Target  1 investigative project	Target  1 investigative project
The Commission will regularly conduct original fact-finding and/or a novel statistical data review in a civil rights investigation.	The Commission will include selection of an investigation as part of its annual project planning.	Upon approval of an investigative project by the Commission, SACs may be solicited to aid the Commission in state and local fact gathering.	Obtain assistance from at least 3 SACs during an investigative project	3 SACs assisting in an investigation	3 SACs assisting in an investigation
The Commission will regularly conduct original fact-finding and/or a novel statistical data review in a civil rights investigation.	The Commission will strengthen employees' ability to conduct investigations.	The Commission will train and/or cross-train designated employees on field interview techniques and statistical analysis.	Train at least 2 employees in field interview techniques and statistical analysis	2 Trained employees	2 Trained employees

## Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.

				EX 2014	FY 2015
Description of			Performance	FY 2014 Performance	Performance
Description of	Street a cry	Dawfarman as Massaures			
Objective	Strategy	Performance Measures	Goals	Target	Target
The Commission will	The Commission will	The Commission will	Update	Update Human	N/A
regularly conduct	strengthen employees'	amend its Human Capital	Human	Capital Plan	
original fact-finding	ability to conduct	Plan to prioritize developing	Capital Plan		
and/or a novel statistical	investigations.	employee capacities in the	to emphasis		
data review in a civil		areas of statistical analysis	statistical		
rights investigation.		and complaint interviews.	analysis and		
		1	complaint		
			interviews		
All Commission	The Commission will	By 2015, the Commission	Complete	Complete	N/A
products will be	strengthen its	will conduct a review of	review	review	
prepared using standards	information quality	existing information quality			
that provide for	standards and other	standards, administrative			
maximum objectivity	procedures regarding the	instructions, and other			
	process and review of	quality control and quality			
	agency products, as well	assurance guidelines to			
	as the implementation of	ensure its reporting			
	such standards and	maximizes objectivity.			
		maximizes objectivity.			
	procedures.				

Strategic Goal C: The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.

				FY 2014	FY 2015
Description of	G	D 6 34	Performance	Performance	Performance
Objective	Strategy	Performance Measures	Goals	Target	Target
Strengthen the	Measure and analyze web	Yearly updates to the	Update	Update	Update
Commission's position	traffic data on the	clearinghouse web page.	clearinghouse	Clearinghouse	Clearinghouse
as a national	clearinghouse web page to		web page at least	Webpage	Webpage
clearinghouse for civil	identify top three civil		once a year.		
rights information.	rights areas of interest				
Strengthen the	Measure and analyze web	Review annually (FY)	Review Uncle	Review and	Review and
Commission's position	traffic data on the	and update, as needed,	Sam yearly and	Update Uncle	Update Uncle
as a national	clearinghouse web page to	the Uncle Sam	update as	Sam	Sam
clearinghouse for civil	identify top three civil	publication, in both	necessary.		
rights information.	rights areas of interest	English and Spanish.			
Strengthen the	Measure and analyze web	By FY 2016, issue	Issue quarterly	Issue 4	Issue 4
Commission's position	traffic data on the	quarterly data reports that	data report by	Reports	Reports
as a national	clearinghouse web page to	list and rank	agency		
clearinghouse for civil	identify top three civil	clearinghouse			
rights information.	rights areas of interest	information hits tabulated			
		by agency (DOJ, EEOC,			
		DOE and DOL).			
Consult with the civil	Maintain up to date	List the name, URL and	Update contact	Update	Update
rights divisions of other	information on the	contact information for	information once	contact	contact
agencies to ensure	USCCR complaint referral	each Federal Civil Rights	a year	information	information
dissemination of	process.	division that we refer		once a year	
accurate information		complaints to on the			
for the compliant		USCCR website.			
referral process.					

Strategic Goal C: The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.

Description of Objective	Strategy	Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2015 Performance Target
Consult with the civil	Maintain up to date	Contact the Federal civil	Update Federal	Update	Update
rights divisions of other	information on the	rights divisions that we	civil rights	contact	contact
agencies to ensure	USCCR complaint referral	refer complaints to, semi-	divisions contact	information	information
dissemination of	process.	annually, to confirm	information	once a year	
accurate information		accuracy of civil rights	twice a year.		
for the compliant		complaint contact			
referral process.		information.			
Consult with the civil	Simplify the telephone	By 2014 update the	Update phone	Update phone	N/A
rights divisions of other	complaint referral process.	phone lines to allow	lines for	lines for	
agencies to ensure		callers to use a push	complaint	complaint	
dissemination of		button system to obtain	referral	referral	
accurate information		complaint referral			
for the compliant		information (ex: push 1			
referral process.		for Employment; Push 2			
		for Housing, etc.)			

#### Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public FY 2015 FY 2014 Performance **Performance Performance Description of Objective Strategy Performance Measures** Goals **Target Target** Raise public awareness of **Expand Press Outreach** Create and update press list Update press Update press Update press the Commission's work. on a regular basis. list list list Raise public awareness of **Expand Press Outreach** Issue press releases Issue press 3 press releases 3 press the Commission's work. (English & Spanish) and releases for all releases update website prior to hearings and every hearing and briefing. briefings Raise public awareness of **Expand Press Outreach** Participate in speaking Participate in 3 2 public 3 public the Commission's work. speaking engagements and public speaking speaking symposia engagements or engagements engagements public symposia or symposia or symposia Modernize the Revise and reformat Reformat website to Reformat Reformat N/A Commission's information the website to increase increase Google hits. webpage webpage technology infrastructure web traffic and access to publications to increase access to the Commission's work products. 2 Online By FY 2016, Commission Stream 2 1 Online Modernize the Increase access to Commission's information Commission briefings briefings and hearings will briefings and briefings briefing and/or be streamed live online and technology infrastructure and hearings using hearings online hearing and/or to increase access to the and maintain online tools made available on the hearings Commission's work website for future video on the products. viewings. agency's website

## Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public

Description of Objective Improve access to agency publications and dissemination of information for all persons including persons with disabilities and persons with limited English proficiency.	Strategy  Measure and analyze web traffic and written requests for Commission reports.	Performance Measures By FY 2014, issue monthly reports on downloads and written requests for USCCR publications (top ten for each category).	Performance Goals 12 Monthly Reports	FY 2014 Performance Target Monthly Reports	FY 2015 Performance Target Monthly Reports
Improve access to agency publications and dissemination of information for all persons including persons with disabilities and persons with limited English proficiency.	Revised and update the USCCR Website to make electronic and information technology (EIT) accessible to persons with disabilities	By FY 2016, the agency shall implement accessible elements on the website, including alt tags, long descriptions, and captions, as needed.	Website is Accessible to Persons with Disabilities	25 percent of Website is accessible	50 percent of Website is accessible

## Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public

Description of Objective Improve access to agency publications and dissemination of information for all persons including persons with disabilities and persons with limited English proficiency.	Strategy Revised and update the USCCR Website to make electronic and information technology (EIT) accessible to persons with disabilities	Performance Measures By FY 2016, all documents on the website shall be made available in HTML or a text-based format.	Performance Goals  All documents on the agency website are available in HTML or text formats	FY 2014 Performance Target 25 percent of documents are in HTML or text based	FY 2015 Performance Target 50 percent of documents are in HTML or text based
Improve access to agency publications and dissemination of information for all persons including persons with disabilities and persons with limited English proficiency.	Analyze complaint line data and written requests for assistance to identify language access needs.	Maintain log (library and complaint line) to identify which language, other than English, is most often used by callers/writers when they contact the Commission.	Log all library and complaint line calls to determine language of requester	Complaint log identifies language of request	Complaint log identifies language of request
Expand and clarify the USCCR complaint process for all individuals including LEP persons and persons with disabilities.	Improve web-based complaint screening process and online guidance to complaints	By FY 2015, update the USCCR website to include direct links to federal agencies civil rights complaint page	Website contains links to federal agencies civil rights complaint page	Updated Links to Federal Agencies' civil rights compliant page	Updated Links to Federal Agencies' civil rights compliant page

Strategic Goal E: Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.

Description of Objective	Strategy	Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2015 Performance Target
Continue to strengthen the Commission's financial, budget, and performance policy, procedures, and reports	Align the Commission's budget submissions with the Agency's strategic plan and annual performance plan.	Compliance with OMB Circular A-11	Budget is aligned with the Agency Strategic Plan	Budget is aligned with the Agency Strategic Plan	Budget is aligned with the Agency Strategic Plan
Continue to strengthen the Commission's financial, budget, and performance policy, procedures, and reports	Ensure that the Commission's budget submission complies with OMB Circular A-11.	Compliance with OMB Circular A-11	Budget is compliant with OMB Circular A- 11	Budget is compliant with OMB Circular A-11	Budget is compliant with OMB Circular A-
Continue to strengthen the Commission's financial, budget, and performance policy, procedures, and reports	Enhance financial policy and procedures to ensure reliability of financial reporting.	Receive a "clean" or unqualified financial statement audit.	Unqualified Opinion on financial statement	Unqualified Opinion	Unqualified Opinion
Continue to strengthen the Commission's financial, budget, and performance policy, procedures, and reports	Monitor and report on the Commission's progress in achieving its annual performance plan goals and objectives.	Submit a Performance and Accountability Report that adheres to all relevant guidance.	Performance and Accountability Report adheres to all relevant guidance.	Performance and Accountability Report (PAR) adheres to all relevant guidance.	PAR adheres to all relevant guidance.

Strategic Goal E: Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.

Description of Objective Improve the strategic management of the Commission's human capital	Strategy Update and Implement the Commission's Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission.	Performance Measures Implementation of commission's and the Office of Personnel Management (OPM) Human capital Plan program, strategies and initiatives.	Performance Goals The Commission's Human Capital Plan is updated and implemented	FY 2014 Performance Target Update and implement Human Capital Plan	FY 2015 Performance Target Human Capital Plan is updated and is being implemented
Improve the strategic management of the Commission's human capital	Conduct and analyze Employee Satisfaction surveys and develop specific strategies to address issues.	Results of the Employee Satisfaction surveys compared to previous surveys.	Employee Satisfaction survey scores increase each year.	Increase response rate by 10%	Increase response rate by 10%
Improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Conduct training to increase awareness of acquisition processes and procedures.	Annual training sessions, i.e., formal training, issuance of memoranda and/or internal instructions.	Perform acquisition training as required.	Conduct acquisition training	Conduct acquisition training
Improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Comply with Federal information security requirements.	Annual FISMA audit	FISMA Audit	FISMA Audit	FISMA Audit

Strategic Goal E: Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.

Description of Objective	Strategy	Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2015 Performance Target
Improve administrative	Leverage information	Comply with OMB	Agency is in	Compliant	Compliant
and clearinghouse	technology to enhance the	Cloud Computing	compliance with	with Cloud	with Cloud
services including	productivity and	Initiatives.	Cloud Computer	Computer	Computer
information technology,	efficiency of the		Initiatives	Initiatives	Initiatives
acquisition, and library	workforce.				
functions.					

Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.

Description of			Performance	FY 2014 Performance	FY 2015 Performance
Objective	Strategy	Performance Measures	Goals	Target	Target
Include SAC input in the Commission's program planning process.	Solicit SAC involvement in briefings and hearings	By FY 2015, SACs will be encouraged to participate in at least two briefings/ hearings/fact-	SACs will participate in 2 hearings, briefings, fact-	SACs participation in 2 hearings, briefings,	SACs participation in 2 hearings, briefings,
		finding and/or public forums annually.	finding, and/or public forums	fact-finding, and/or public forums	fact-finding, and/or public forums
Enhance collaboration between and among SACs, regional offices and the Commission.	Expand communication and information sharing through the use of a listserv and webinar capabilities.	Issue monthly updates via listserv (from DC office to Regions).	Staff director or RPCU issues monthly updates to Regional Offices	Monthly Reports	Monthly Reports
Enhance collaboration between and among SACs, regional offices and the Commission.	Expand communication and information sharing through the use of a listserv and webinar capabilities.	By FY 2015, Regional offices will have the capability to offer webinars.	Regionals office have the capacity to offer webinars	All regional office can conduct webinars	All regional office can conduct webinars
Enhance collaboration between and among SACs, regional offices and the Commission.	Expand communication and information sharing through the use of a listserv and webinar capabilities.	Extend SAC appointee terms to 4 years.	SAC appointee terms are 4 years	SAC appointee terms are 4 years	SAC appointee terms are 4 years
Strengthen the SAC re- chartering process	Achieve and maintain chartered status for all 51 SACs	Eliminate SAC backlog by FY 2015	SAC backlog eliminated	Eliminate SAC backlog	N/A

Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.

Description of Objective	Strategy	Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2015 Performance Target
Strengthen the SAC re-	Achieve and maintain	Re-Charter SACs set to	80 percent of	70 percent	75 percent
chartering process	chartered status for all 51	expire after 10/1/2014	SACs are	_	_
	SACs	within 60 days	chartered within		
			60 days		