

NARRATIVE JUSTIFICATION COMMISSION BRIEFINGS AND RELATED REPORTS

During FY08 the Commission's commitments include conducting eight public briefings on civil rights issues and issuing related reports. This is in addition to preparing its annual statutory enforcement report. During FY08, the Commission plans to conduct briefings on the following issues, contingent upon the identification of other emerging issues which may require the Commission's attention:

- Religious Discrimination and Prisoner Rights
- The Patriot Act and Anti-Arab/Anti-Muslim Discrimination
- Religious Discrimination in K-12 Schools
- Corporate Diversity
- Racial Profiling: US Department of Justice Remedies
- Title IX in College Athletics: Is Cheerleading a Sport?
- Review of the Community Reinvestment Act
- The Faith-Based and Community Initiative

The estimated total cost of all national office projects, including salaries and benefits, is \$1,076,942. What follows is a brief discussion of each briefing and related report, along with their estimated costs.

1. Religious Discrimination and Prisoner Rights

Religious discrimination in federal and state prisons has many guises. It can involve the lack of prisoners' access to religious services and failure of officials to accommodate inmates' religious preferences or needs. For example, in California, the Department of Corrections allegedly denied Muslim inmates the right to attend Islamic lunchtime prayer services and retaliated against one prisoner who sought redress for the violation of his rights. Other forms of discrimination include the failure to accommodate dietary needs growing out of religious beliefs. Less understood than such violations of inmates' rights is discrimination related to prison administrators' prohibitions against using faith-based organizations to provide secular programs or services because of potential proselytizing. Reportedly, at least one state has a law against prisons contracting with faith-based organizations for such purposes. This project will also examine the tension between maintaining security at prisons and accommodating religious beliefs.

This project will yield a briefing and briefing report. The briefing will last approximately two hours, and will include the participation of four to five panelists. These expert panelists, who may include scholars, representatives from the Federal Bureau of Prisons, and representatives from state prison systems, will address issues of inmate religious accommodations, and religious freedom and prisoner rights.

The briefing report will draw on the briefing transcripts and panelists' written statements and other submissions. This project will deepen the understanding of the public, policy-

makers, prison officials and others involved in corrections decision-makers of why, how, and to what degree religious discrimination takes place in federal and state prisons. The project will provide a better understanding of:

- the efforts underway to combat religious discrimination in prisons,
- the degree to which religious discrimination has decreased or increased following the September 11, 2001, terrorist attacks on the United States,
- the ability of faith-based organizations to participate in traditional programs for prisoners,
- the accommodation of and discrimination against, the religions preferences and needs of prisoners, and
- the government's efforts to enforce federal civil rights laws prohibiting religious discrimination in the administration and management of federal and state prisons.

Estimated Cost: \$218,485.¹

Line Item Budget Justification for the Religious Discrimination and Prisoner Rights

	OGC	OCRE
Labor	43,544	57,939
Travel	3,500	3,500
Printing	15,000	17,993
Other Services	35,601	35,601
Supplies	4,400	1,407
Total	102,045	116,440

2. The Patriot Act and Anti-Arab/Anti-Muslim Discrimination

As the renewed PATRIOT Act will expire in 2009, it will be helpful to examine alleged incidents of anti-Arab and anti-Muslim backlash following 9/11 related to the PATRIOT Act. Section 215 of the Act provides that FBI personnel may apply for a court order requiring the production of business records relevant to an investigation concerning international terrorism or clandestine intelligence activities, provided that investigation of a U.S. person (a U.S. citizen or legal permanent resident) may not be conducted solely on the basis of First Amendment protected activities. Section 505 of the Act authorizes the use of administrative subpoenas and FBI-issued "national security letters" to obtain personal records relevant to an investigation concerning international terrorism or clandestine intelligence activities, without requiring probable cause. The OGC will conduct a briefing to gather information on allegations of discrimination, scape-goating, and profiling of Arab and Muslim Americans in enforcement of sections 215 and 505 of the PATRIOT Act. The briefing will review data collected by the Department of Justice on civil rights complaints arising from enforcement of the PATRIOT Act, federal legislation proposed to address the civil rights implications of the PATRIOT Act, and the

¹ This total includes the cost of the briefing and briefing report; \$185,492 and \$32,993, respectively.

impact of Sections 215 and 505 of the PATRIOT Act on civil liberties. **Estimated Cost: \$47,489.**

Line	Item	Budget
Justification for the PATRIOT Act Project		
	OGC	
	Labor	\$43,544
	Travel	\$945
	Printing	\$1,500
	Other	
	Services	\$1,100
	Supplies	\$200
	Equipment	\$200
	Total	\$47,489

3. Religious Discrimination in K-12 Schools

The issue of the proper role of religion in the public schools continues to be the subject of controversy. All three branches of government have attempted to clarify the appropriate relationship between religion and public schools. This area of constitutional law draws a fine line: while the Establishment Clause of the U.S. Constitution has been interpreted by the Supreme Court to mean that government must not solicit, encourage or discourage religious activity, the First Amendment of the Constitution does give students in public schools limited Free Speech and certain Free Exercise rights regarding religious speech and activity. Public school staff members also have certain constitutionally protected religious Free Speech rights in the public schools. The Office of General Counsel will conduct a briefing to gather information on the legal implications of religious expression in schools, e.g., prayer in school, religious displays on school property, and teachers' religious expression; legal implications of religious activity, e.g. student religious clubs and use of school facilities by religious organizations; school limitations on religious expression and activity, e.g., dress codes; and curricular treatment of religion. **Estimated Cost: \$47,489.**

Line	Item	Budget
Justification for the Religious Discrimination Project		
	OGC	
	Labor	\$43,544
	Travel	\$945
	Printing	\$1,500
	Other	
	Services	\$1,100
	Supplies	\$200
	Equipment	\$200
	Total	\$47,489

4. Corporate Diversity

In recent years, many American corporations have professed eagerness to increase racial and gender diversity in the boardroom and throughout senior management. As such, they have employed a variety of approaches, including some that are race- and gender-conscious, to achieve this diversity. However, critics of these preferences argue that racial and gender preferences, often difficult to uncover, still run afoul of federal antidiscrimination law. The race-conscious methods used by private employers to increase diversity may include minority job fairs; racially exclusive training or mentoring programs; advertised racial or ethnic quotas and goals in recruitment, hiring, and promotion; and other preferences that are not openly advertised. The Office of General Counsel will conduct a briefing to gather information on the prevalence and justification of racial, ethnic, and gender preferences in private employment; the success of race-conscious and race-neutral diversity strategies in achieving diversity in private employment; and the legal and constitutional implications of racial and gender preferences in private employment. **Estimated Cost: \$47,489.**

Line	Item	Budget
Justification for the Corporate Diversity Project		
	OGC	
	Labor	\$43,544
	Travel	\$945
	Printing	\$1,500
	Other	
	Services	\$1,100
	Supplies	\$200
	Equipment	\$200
	Total	\$47,489

5. Racial Profiling: U.S. Department of Justice Remedies

In 2003, the U.S. Department of Justice's issued its *Fact Sheet on Racial Profiling* affirming that, "racial profiling is discrimination, and it taints the entire criminal justice system," and further that, "racial profiling rests on the erroneous assumption that any particular individual of one race or ethnicity is more likely to engage in misconduct than any particular individual of other races or ethnicities."

The Civil Rights Division (CRD) of the U.S. Department of Justice is responsible for enforcing federal civil rights statutes prohibiting discrimination on the basis of race, color, or national origin. CRD's Coordination and Review Section operates a comprehensive, government-wide program of technical and legal assistance, training, interagency coordination, and regulatory, policy, and program review, to ensure that federal agencies consistently and effectively enforce various landmark civil rights statutes and related executive orders that prohibit discrimination in federally assisted programs and in the federal government's own programs and activities. Specifically, this Section

coordinates and ensures consistent and effective enforcement of Title VI of the Civil Rights Act of 1964, which prohibits intentional discrimination on the basis of race, color, or national origin in federally assisted programs, including state and local police departments. Section staff also conducts administrative investigations of selected complaints of discrimination by state and local law enforcement agencies receiving federal assistance.

CRD's Special Litigation Section enforces federal civil rights statutes in the area of law enforcement misconduct. Specifically, this Section enforces the Violent Crime Control and Law Enforcement Act of 1994, which authorizes the Attorney General to seek equitable and declaratory relief to redress a pattern or practice of illegal conduct by law enforcement agencies or agencies responsible for the administration of juvenile justice. The Section also enforces the Omnibus Crime Control and Safe Streets Act of 1968, which authorizes the Attorney General to initiate civil litigation to remedy a pattern or practice of discrimination based on race, color, national origin, gender, or religion involving law enforcement agencies receiving financial assistance from the Department of Justice.

The project will examine and evaluate the effectiveness of the enforcement and public outreach and education activities of those units of the Department of Justice's CRD that work to safeguard against practices of racial profiling by law enforcement—primarily the Coordination and Review Section and the Special Litigation Section. It will yield a briefing and briefing report that will enhance the understanding of the public, policy-makers, those involved in law enforcement, and the Commissioner's about the effectiveness of the DOJ's enforcement, public outreach, and education activities that are aimed at safeguarding against racial profiling by law enforcement.

It is anticipated that four panelists will be invited to brief the Commission on Department of Justice policies and remedies aimed at ending racial profiling. The briefing would last approximately two and one half hours. A briefing report would be prepared that would draw on the briefing transcripts, the written testimony of the panelists, and other submissions. **Estimated Cost: \$95,278.**

Line	Item	Budget
Justification for the Racial Profiling Project		
	OCRE	
	Labor	78,433
	Travel	945
	Printing	6,000
	Other	
	Services	9,700
	Supplies	200
	Total	95,278

6. Title IX in College Athletics: Is Cheerleading a Sport?

Title IX of the Educational Amendments of 1972 states that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any education program or activity receiving financial assistance.” Congress did not originally intend for Title IX to apply to athletic programs, but a 1974 amendment directed the Department of Health, Education, and Welfare (the predecessor to the Department of Education (DOEd)) to draft regulations that included provisions related to intercollegiate sports, and Congress subsequently reiterated athletic programs’ coverage under Title IX.

According to the department’s 1979 policy interpretation, to comply with Title IX, a school must:

- provide intercollegiate participation opportunities for men and women substantially proportionate to their undergraduate enrollments (known as the proportionality test);
- demonstrate that it has a history and continuing practice of extending programs to the underrepresented sex (i.e., providing equivalent treatment, benefits, and opportunities); or
- show that it is fully accommodating the interests and abilities of the underrepresented sex. Schools must meet at least one of these three criteria, collectively the three-prong test.

In 2000, OCR issued a letter defining the five factors that determine whether an athletic activity should be considered a varsity sport.

- whether selection for the team is based upon objective factors related primarily to athletic ability;
- whether the activity is limited to a defined season;
- whether the team prepares for and engages in competition in the same way as other athletic teams, with respect to coaching, recruitment, budget, tryouts, and eligibility, and length and number of practice sessions and competitive opportunities;
- whether the activity is administered by the school’s athletic department; and
- whether the primary purpose of the activity is athletic competition and not the support or promotion of other athletes.

OCR has acknowledged the distinction between sideline and competitive cheering and granted schools some flexibility to define cheerleading as a sport, within parameters. In 2003, the University of Maryland became the first National Collegiate Athletic Association (NCAA) institution to elevate cheerleading to its collegiate sports roster and began awarding scholarships. The school’s move was met with criticism by those who viewed this action as an attempt to circumvent Title IX.

This project would yield a briefing and a briefing report that would inform Commissioners’ and the public’s understanding of the effect, if any, the inclusion of cheerleading and other athletic activities in participation counts would have on a schools’ compliance with the proportionality test. The Commission’s briefing would focus on:

- the extent to which reliance on Title IX's substantial proportionality test has helped or hindered compliance with the true intent of the law,
- the effect, if any, including cheerleading and other athletic activities in participation counts has on a schools' compliance with the proportionality test, under Title IX, and
- the validity of using athletes as a way of assessing equal opportunity

Estimated Cost: \$104,654.

Line	Item	Budget
Justification for the Title IX Project		
	OCRE	
	Labor	95,309
	Travel	945
	Printing	2,500
	Other	
	Services	5,700
	Supplies	200
	Total	104,654

7. Review of the Community Reinvestment Act

Dramatic growth in mortgage lending in low-income neighborhoods lending took place during the mid-1990s. Some credit the Community Reinvestment Act (CRA), 12 U.S.C. § 2901, which was enacted to encourage depository institutions to help meet the credit needs of the communities in which they operate, including low- and moderate-income neighborhoods. Others point to deregulation, increased competition among lenders, and new information technology as the causes for this growth in mortgage lending to low-income communities. For example, increased competition in the mortgage market overall may have contributed to the growth in sub-prime mortgage lending by specialty lenders, which soon brought larger lenders into the sub-prime market as well. Information technology advances in the 1990s may have increased access to the credit market. CRA supporters argue that low-income borrowers would lack access to credit without the Act. CRA critics argue that the Act is ineffective and costly.

This project would yield a briefing and a briefing report that would enhance the understanding of decision-makers, the public, and the Commissioners of the effectiveness and efficiency of continued enforcement of the CRA. The Commission will specifically seek information to concerning these issues:

- The extent to which the CRA is responsible for the growth in mortgage lending in low-income communities.
- The extent to which deregulation, technological advances, and increased lender competition are responsible for the growth in mortgage lending in low-income communities.
- The cost of compliance with the CRA.
- Proposals to amend or repeal the CRA.

Estimated Cost: \$88,479.

Line	Item	Budget
Justification for CRA Project		
	OCRE	
	Labor	76,934
	Travel	945
	Printing	3,000
	Other	
	Services	7,400
	Supplies	200
	Total	88,479

8. The Faith-Based and Community Initiative

On January 29, 2001, President Bush signed executive orders establishing the White House Office of Faith-Based and Community Initiatives (OFBCI), creating Executive Department Centers for Faith-Based and Community Initiatives (Centers) at the U.S. Departments of Health and Human Services (HHS), Housing and Urban Development (HUD), Justice (DOJ), Labor (DOL), and Education (ED), and outlining these agencies' responsibilities with respect to the Faith-Based and Community Initiative (Initiative).

According to the White House, all too often, the federal government has put in place complicated rules and regulations preventing Faith-Based and Community Organizations (FBCOs) from competing for funds on an equal footing with other organizations. President Bush has asserted that aside from inherent unfairness, such rules waste taxpayer dollars and cut off the poor from successful programs. He launched the initiative on the basis that federal funds should be awarded to the most effective organizations – whether public or private, large or small, faith-based or secular – and all must be allowed to compete on a level playing field. The Initiative, thus, works to identify and eliminate barriers that impede the full participation of FBCOs in the federal grants process.

Among other functions, the OFBCI works to (1) develop, lead, and coordinate the Bush Administration's policy agenda affecting faith-based and other community programs and initiatives, expand the role of such efforts in communities, and increase their capacity through executive action, legislation, federal and private funding, and regulatory relief, (2) monitor implementation of the President's agenda affecting faith-based and other community organizations, and (3) ensure that the efforts of faith-based and other community organizations meet high standards of excellence and accountability. The agency Centers coordinate comprehensive departmental efforts to incorporate FBCOs in department programs and initiatives to the greatest extent possible. The Centers also have the responsibility to produce annual reports of performance indicators and measurable objectives.

The project would yield a briefing and a briefing report that will deepen the understanding of the public, policy-makers, the faith community, and others of the effectiveness of the Faith-Based and Community Initiative in meeting its goal of eliminating discrimination against religious organizations in competing for federal funds.

The Commission would convene a panel of experts from the White House and federal agencies to assess the effect of the Initiative on eliminating barriers to federal funds faced by religious organizations which provide social services. The briefing would last approximately two and a half hours, with four speakers. The briefing report would draw on briefing transcript and panelists' written testimonies.

Estimated Cost: \$77,982.

Line Item Budget
Justification for the Faith-
Based initiatives Project

	OCRE
Labor	66,437
Travel	945
Printing	2,500
Other	
Services	7,900
Supplies	200
Total	77,982

**NARRATIVE JUSTIFICATION
A RELIABLE PUBLIC RESOURCE: MONITORING AND
COMPLAINT PROCESSING**

In addition to conducting eight briefings the Commission, through its Office of Civil Rights Evaluation, plans to continue its monitoring and complaint referral functions.

1. FY08 Complaint Processing

The Commission will continue to improve its Internet-based complaint submission process, as well as traditional means of complaint submission such as U.S. Postal Service mail, facsimile, and telephone. The Commission staff, on average, receives, logs, reviews, and refers more than 3,000 civil rights complaints annually from members of the public and Congress. In FY05, the Commission received and referred 3,006 complaints. This was slightly higher than the 2,988 complaints received and referred in FY04. Thus far, 2,424 complaints have been received in FY06. Complaints most often involve discrimination in the administration of justice and employment, law enforcement misconduct, and the rights of institutionalized persons. Other types of complaints received and referred by the Commission include discrimination in housing, education, federal programs, voting, and public accommodations, violence or threats of violence based on prohibited animus, and human rights violations. More than 20 federal departments and agencies receive referrals from the Commission including the departments of Agriculture, Justice, Education, Housing, Labor, State, Transportation, and Defense. **Estimated Cost: \$53,490.**

2. FY08 Civil Rights Monitoring

The Commission will continue to monitor federal civil rights developments by monitoring news accounts, the Internet, and occasional interviews with federal agency staff. By being generally informed of relevant developments the Commission is positioned to: (1) identify potential federal enforcement efforts; (2) respond readily and knowledgeably to requests for comments and advice from other federal agencies, Congress, the media, and the public; (3) increase the quality of information available for Commission project and policy planning; and (4) identify opportunities for the Commission to timely take action that informs public debate on civil rights matters. Monitoring topics for FY08 are varied but include child labor, housing, criminal justice, hate crimes, voting rights, election reform, sentencing and death penalty, prisoner rights, access to health care, bio-terrorism and public health, access to capital, transportation, black farmer issues, and the census. **Estimated Cost: \$49,084.**

**NARRATIVE JUSTIFICATION
REGIONAL PROGRAMS**

A regional office supports each of the Commission’s six regions. The regional alignments are listed below:

- Central Region: Alabama, Arkansas, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, and Oklahoma.
- Eastern Region: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.
- Western Region: Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Texas, and Washington.
- Southern Region: Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee.
- Rocky Mountain Region: Colorado, Montana, New Mexico, North Dakota, South Dakota, Utah, and Wyoming.
- Midwestern Region: Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

During FY08 each of the Commission’s six regions will conduct at least one public briefing, forum, or fact-finding meeting that examines a local or regional civil rights issue. These examinations and their related written work product will provide timely, relevant, and useful information to the public, state and local government representatives, and organizations. In addition, each chartered advisory committee will conduct at least one telephonic advisory committee planning meeting.⁵ Travel by advisory committee members, and regional directors, is required to support briefings, forums and fact-finding functions.

Initial Estimated Cost: \$2,072,377

REGIONAL PROGRAM ACTIVITY

		FY2005 Actual	FY2006 (Actual as of 9/11/06)	FY2007 (projected)	FY2008 (projected)
SAC	Planning	36	24	45	32

⁵ In FY07, as of the writing of this budget request, 11 advisory committees are chartered by the Commission. By statute, the Commission is required to have an advisory committee in every State and the District of Columbia. 42 U.S.C. § 1975a (d) (2005).

Meetings

Briefings/Forums/Fact- finding Meetings	11	9	15	6
SAC and Regional Staff Reports	2	2	23	1

NARRATIVE JUSTIFICATION

KEEPING A NATION INFORMED: PUBLIC AFFAIRS UNIT, CONGRESSIONAL AFFAIRS UNIT, AND ADMINISTRATIVE SERVICES AND CLEARINGHOUSE DIVISION

1. Public Affairs Unit

The Public Affairs Unit (PAU), through the Office of Civil Rights Evaluation and the Office of the Staff Director, until funding is available to staff the entity, is responsible for preparing and disseminating Commission information through the use of press releases, fact sheets, press conferences, personal appearances, personal contacts, and other appropriate means. PAU serves as the agency's liaison with media and the public in connection with Commission hearings, briefings, and other activities. During the previous year, PAU was staffed by acting directors on a rotating basis. With the departure of the head of OCRE, a staff member in that office has been performing PAU related functions. This Division has been unfunded since FY03. Based on FY08 budget, this Division will remain vacant. **Estimated Cost: No Funding is Requested This Fiscal Year.**

2. Administrative Services and Clearinghouse Division

The Administrative Services and Clearinghouse Division (ASCD) is responsible for the identification and acquisition of Commission briefing and meeting facilities, oversight of the Robert Rankin National Civil Rights Library, distribution of Commission publications, procurement and acquisition of necessary goods and services, technology and information management, security and emergency management, space and facilities management, communications, transportation, printing/copy shop, mail services, and other assorted administrative duties and functions. These functions are central to the agency's day-to-day operation as well as the execution of its civil rights mission.

With the increase in the number of national office civil rights briefings, ASCD will be increasingly called upon to arrange meeting logistics such as space/meeting rooms, audio-visual services and equipment, and telecommunication services for conference calls. As the number of briefings increases so will the number of Commission written work products requiring publication, distribution, and storage. Eight reports are projected for publication and distribution in FY08. ASCD will be responsible for coordinating the publication, delivery, inspection, and mailing of approximately 1,500 to 2,000 copies of each national office report during FY08.

During FY06, the Commission printed and distributed four reports.⁶ For FY 2007, another seven reports are pending completion and Commission approval before

⁶ All national office reports are designed and printed by the Government Printing Office.

submission to the Government Printing Office (GPO) for printing. In addition to reports, through the GPO, it designed and printed a public education poster on campus anti-Semitism and a related pamphlet suitable for mailing. Though not previously planned, this poster and pamphlet were determined to be justifiable follow-up actions based on the nature and extent of the problem as described by experts and others during a public briefing on campus anti-Semitism in November 2005. In FY05 the Commission published and distributed four reports.⁷

Unlike national office reports that are published by the GPO, the Commission (through ASCD) publishes regional reports in-house. It is anticipated that eight regional office and state advisory committee reports will be published in FY08 by ASCD.

To provide the public the widest possible access to agency publications, approved reports are posted on the web site that is also managed by ASCD and supported by the GPO. Agency information technology also is a component of the operation of ASCD. Reliable internal communication systems are fundamental to the operation of any organization. ASCD's technology specialist maintains the agency's computer systems or LAN for the Commission's national and regional offices. **Estimated Cost: \$417,662** (includes salary and benefits only).

<u>Line</u>	<u>Item</u>	<u>Justification of</u>
<u>Library Budget Estimate</u>		
		<u>Library</u>
<u>Labor</u>		<u>169,119</u>
<u>Travel</u>		<u>0</u>
<u>Communication</u>		<u>7,875</u>
<u>Printing</u>		<u>4,400</u>
<u>Total</u>		<u>181,394</u>

3. Civil Rights Library

The National Civil Rights Library, operated under ASCD, will continue serving as a resource for researchers, the public, and the Commission itself. In FY05 the library received approximately 1,100 telephone inquiries, and responded to approximately 2,375 research and simple reference requests. In FY06 the library received approximately 2,001 telephone inquiries and responded to approximately 1,585 research and simple reference requests. **Initial Estimated Cost: \$181,394.**

⁷ Due to processing time, logistics, and competing agency priorities the remainder of the FY06 reports will be printed and distributed in FY07 using properly obligated FY06 funds, to the extent allowed under applicable procurement regulations.

**PLANNED ACCOMPLISHMENTS
FISCAL YEAR 2008**

The below are planned FY08 national office briefings and reports.

A full time equivalent (referred to as a "FTE"), is defined as 2,087 hours worked per year. The FTE's calculated below are based on the percentage of time employees in the responsible program offices are projected to devote to the project (as report by the office and division heads). So, for example, 2 FTEs represent an estimated 4,174 staff hours.

**NATIONAL OFFICE
PLANNED FY08 ACCOMPLISHMENTS
BRIEFINGS AND RELATED REPORTS**

	FY/Target	FTEs	Estimated Cost
Religious Discrimination and Prisoner Rights (excluding statutory report)	FY08/1 briefing and report	2	\$218,485
The Patriot Act and its Relationship to Anti-Arab/Anti-Muslim Discrimination	FY08/1 briefing and report	.5	\$47,489
Religious Discrimination in K-12 Schools	FY08/1 briefing and report	.5	\$47,489
Corporate Diversity	FY08/1 briefing and report	.5	\$47,489
Racial Profiling: US Department of Justice Remedies	FY08/1 briefing and report	1	\$95,278
Title IX in College Athletics: Is Cheerleading a Sport?	FY08/1 briefing and report	1	\$104,654
Review of the Community Reinvestment Act	FY08/1 briefing and report	.75	\$88,479

**NATIONAL OFFICE
PLANNED FY08 ACCOMPLISHMENTS
BRIEFINGS AND RELATED REPORTS**

The Faith-Based and Community Initiative	FY08/ briefing and report	.75	\$77,982
Statutory Report (excluding briefing and briefing report)	FY08/1 report	2.5	\$349,597
Totals	8 briefings; 9 reports	9.5	\$1,076,942

**REGIONAL PROGRAMS
PLANNED FY08 ACCOMPLISHMENTS
REPORTS, FACT-FINDING, AND MEETINGS**

		FY/Target	FTEs	Estimated Cost
SAC Meetings	Planning	FY08/32	4	\$545,425
Briefings/Forums/Fact-finding Meetings		FY08/6	4	\$445,425
SAC and Regional Staff Reports		FY08/1	4	\$345,425
Regional and SAC Liaison Activities		FY08/260	4	\$736,102
Total		FY08/332	16	\$2,072,377

**OTHER ACTIVITIES
FISCAL YEAR 2008**

**OTHER PLANNED
PROGRAMMATIC ACTIVITIES**

	FY	FTEs	Estimated Cost
Civil Rights Library (Clearinghouse function)	FY08	2	\$181,394
Complaint Processing	FY08	1	\$53,490

**OTHER PLANNED
PROGRAMMATIC ACTIVITIES**

Monitoring	FY08	1	\$49,084
Total	N/A	4	\$283,968

**PLANNED MANAGEMENT REFORMS
ACTIVITIES AND INITIATIVES**

	FY/Target	Estimated Cost (excluding salaries and benefits)
Fully comply with OMB Circular A-11 on performance budget preparation.	FY08/NA	N/A
Ensure full Implement recommendations made by OPM related to human capital management systems and OGE on the agency's ethics program.	FY08/TBD	N/A
Ensure full implement all adopted GAO recommendations from 2006 on quality assurance and utilization of the SACs.	FY08/TBD	N/A
Implement internal control and financial management changes, as necessary, to receive a clean financial audit in FY09.	Completed	N/A
Obtain the input of the regional offices and state advisory committees in preparation for the annual program planning process.	FY08/NA	N/A

Resolve outstanding financial audit weaknesses (if any) in preparation for a clean financial audit in FY09.	FY08/TBD	N/A
Total		0

**ACCOMPLISHMENTS
FY2006**

**FISCAL YEAR 2006
BRIEFINGS/HEARINGS AND RELATED REPORTS
PLANNED v. ACTUAL ACCOMPLISHMENTS**

	Exceeded Goal	Met Goal	Mixed Results	Not Applicable
A Review of Expiring Provisions of the Voting Rights Act		X		
An Assessment of the Effectiveness of Historically Black Colleges and Universities			X*	
Representation of Minorities in the Census			X*	
Campus Anti-Semitism		X		
Disparities Studies		X**		
Hawaiian Government Reorganization Act		X**		
Law School Affirmative Action			X*	
Racial Diversity in Grades K through 12			X**	
Racially Identifiable School Districts in Omaha			X*	
Voter Fraud and Voter Intimidation				Conducted early FY07
Voting Rights in the Territories				Project postponed

* Briefing was held and the related report is pending completion and approval for publication.

** Briefing was held and related report was approved for publication. Report is currently pending printing at GPO.

FISCAL YEAR 2006

OTHER PROGRAMMATIC ACTIVITIES: PLANNED v. ACTUAL ACCOMPLISHMENTS

	Exceeded Goal	Met Goal	Did Not Meet Goal	Not Applicable
Expand the holdings of the Robert Rankin National Civil Rights Library and continue automation of library functions, to the extent possible.				X*
Incorporate updates to the Commission's publications into the web site, to the extent possible, and post Commission reports, highlights, press releases, information on filing civil rights complaints, and briefings.		X		
Revisit the publication of <i>The Civil Rights Journal</i> , <i>The Civil Rights Update</i> , <i>Getting Uncle Sam to Enforce Your Rights</i> , and the <i>Commission Brochure</i> .				X*
Resume conducting briefings in conjunction with monthly Commission meetings, incorporating the Public Affairs Unit when resources permit.		X		
Revisit the production of public service announcements.				X*
Produce a college campus anti-Semitism poster and pamphlet as public education tools.		X		
Provide civil rights displays at public events such as conferences, meetings, and exhibits, to the extent possible within existing resources.				X*
Continue incorporating new technology in the complaint referral process.				X*
Continue encouraging advisory committee meetings via conference call.		X		
Explore the use of other technologies to increase the number of advisory committee meetings, within existing budget limitations.				X*

* This goal was eliminated after the Commission received its final appropriation and reassessed its priorities in light of its actual funding level.

**FISCAL YEAR 2006
MANAGEMENT REFORMS : PLANNED v. ACTUAL ACCOMPLISHMENTS**

	Exceeded Goal	Met Goal	Did Not Meet Goal	Not Applicable
Retain an Appropriate Accounting Services Provider		X		
Fill the position of chief of the Budget and Finance Division		X		
Retain a Financial Consultant to Assist in Developing Appropriate Processes and Guidance		X		
Reduce Reliance on Manual Tracking and Provide Direct Data Entry of Financial Transactions		X*		
Streamline the Accounting Process		X		
Develop Document Control and Integrity Processes		X		
Increase Agency FY06 Training Budget over FY05 Amounts		X		
Train Procurement and Budget Staff		X		
Provide Cross-Training or Back-up for Key Functions		X		
Assess Employee Skills, Provide Training Opportunities, and Hold Staff Accountability for Performance			X	
Train Budget Staff on New Technologies/Programs		X		
Engage in Early Acquisition Planning to Ensure Sufficient Time to Select an Auditing Firm and to Conduct the Audit		X		
Create a Formal Checklist for the Budget and Finance Division			X	
Institute Policies and Procedures to Ensure Quarterly Unaudited Financial Statements are Provided to OMB in Compliance with OMB Requirements		X		
Convert to an Automated or Web-based Travel Management System			X**	

**FISCAL YEAR 2006
MANAGEMENT REFORMS : PLANNED v. ACTUAL ACCOMPLISHMENTS**

	Exceeded Goal	Met Goal	Did Not Meet Goal	Not Applicable
Create Comprehensive Travel Regulations		X		
Revise Outdated Budget Formulation and Execution Guidance		X		
Determine the SAS 70 Review Status of the Commission's Payroll Processing Service		X		
Determine the SAS 70 Review Status of the Commission's Accounting Services Provider		X		
Hire an Information Technology Specialist		X		
Assess Internal Controls (program and financial) as per FMFIA and OMB A-123		X		
Hire a Procurement Specialist			X	
Create Senior Assessment Management Team or Council		X		
Undergo a Program Assessment Rating Tool (PART) with OMB		X		
Adopt and implement GAO and OPM policy recommendations by mid-January 2006, to the extent funds are available.		X***		

* A reduction in manual tracking results in increased accuracy of financial reporting. GSA directly inputs USCCR financial data into its systems and transmits six financial reports electronically.

**Technical problems continue to delay access by all regional offices.

*** The Commission completed a draft Strategic Plan in or about October 2005. This plan is currently being revised to reflect consideration of congressional consultation and supplemental stakeholder input. As a result, items dependent on a final Strategic Plan were delayed such as the Strategic Human Capital Plan and the Human Capital Accountability System. A final Strategic Plan is anticipated near the end of calendar year 2006. Financial data on projects is generated monthly and will be provided to Commissioners, who are informed of financial changes that may impact the ability to the Commission to accomplish its planned activities for the purposes of decision-making related to program planning and budgeting. Quarterly reporting is scheduled to begin in September 2006.