

**UNITED STATES
COMMISSION ON CIVIL RIGHTS**



**SUMMARY OF PERFORMANCE AND FINANCIAL
INFORMATION FOR FISCAL YEAR 2014**

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MESSAGE FROM THE CHAIRMAN



I am pleased to present the Summary of Performance and Financial Information for the U.S. Commission on Civil Rights for Fiscal Year 2014. This report summarizes the agency's Performance and Accountability Report for Fiscal Year 2014. The full report and additional information on the Commission's briefings and reports are available on the agency's website (<http://www.usccr.gov>).

Despite the challenges we face as an agency, I am proud of the Commission's FY 2014 performance, and look forward to building on its performance to continue to advance civil rights through objective and comprehensive investigation, research, and analysis on issues of fundamental concern to the federal government and the public.

A handwritten signature in black ink, which appears to read "Martin R. Castro". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

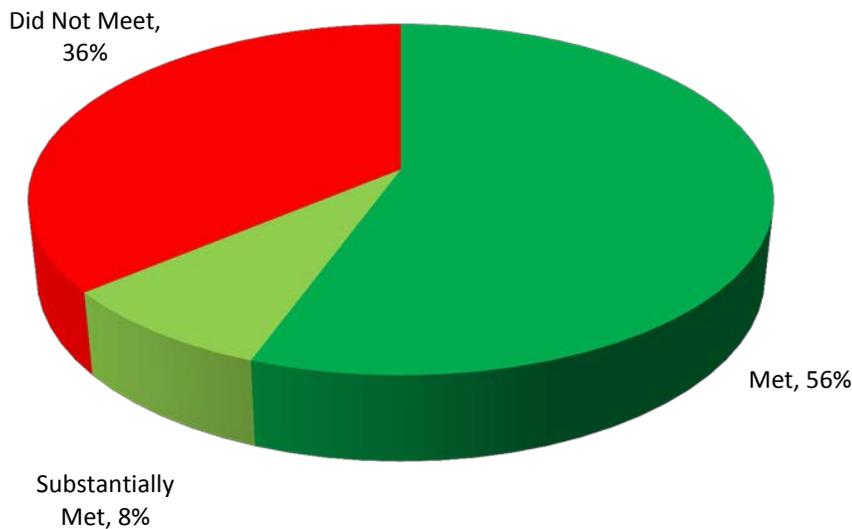
Martin R. Castro
Chairperson
United States Commission on Civil Rights
February 13, 2015

Section I: USCCR Mission

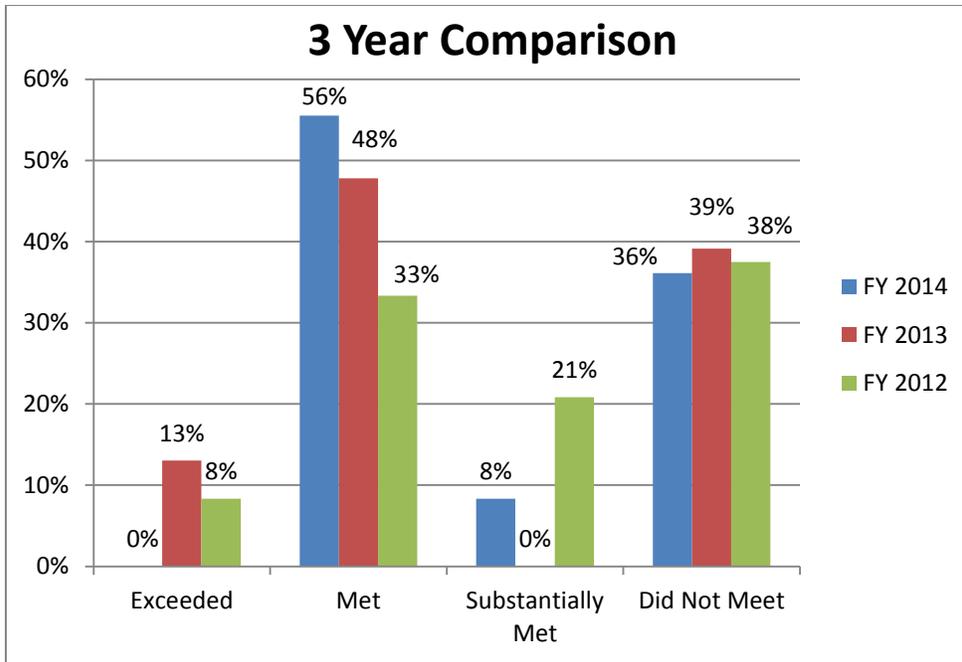
The U.S. Commission on Civil Rights was created pursuant to the Civil Rights Act of 1957, which was signed into law by President Eisenhower. Since then, Congress has reauthorized or extended the legislation creating the Commission several times; the last reauthorization was in 1994 by the Civil Rights Commission Amendments Act of 1994. Established as an independent, bipartisan, fact-finding federal agency, our mission is to appraise the development of national civil rights policy and enhance enforcement of federal civil rights laws. We pursue this mission by studying alleged deprivations of voting rights and alleged discrimination based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice. We play a vital role in advancing civil rights through objective and comprehensive investigation, research, and analysis on issues of fundamental concern to the federal government and the public.

Section II: Performance Highlights

Overall Performance During FY 2014



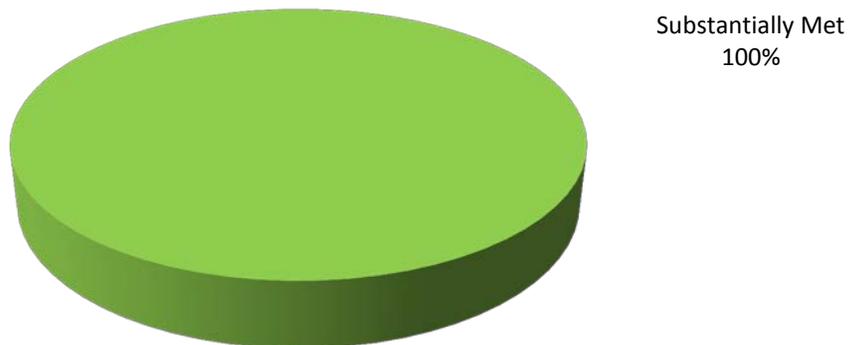
The Commission met or substantially met 64 percent of our performance targets.



The Commission’s performance has improved over the past three years.

A. 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.

Strategic Goal A: Function as an Effective Civil Right Watchdog and Conduct Studies and Issue Publications on Important Issues of Civil Rights
(actual v. target performance)



To serve as a civil rights watchdog, promote public awareness of current civil rights laws, remedies, and enforcement agencies, we held two briefings and issued five reports.

i. Briefings

Patient Dumping by Hospitals: Enforcement of the Emergency Medical Treatment and Labor Act

On March 14, 2014, the U.S. Commission on Civil Rights held a public briefing to examine compliance with the Emergency Medical Treatment and Labor Act (EMTALA), a federal law that requires Medicare-participating hospitals to treat emergency medical conditions of any person regardless of capacity to pay, and makes unlawful the discharge of patients prior to stabilizing any medical condition. The purpose of EMTALA is to prevent hospitals, states and/or localities from prematurely discharging indigent people in need of emergency care and transporting them to other entities, a practice colloquially called “patient dumping.”

Federal Enforcement of Title IX Sexual Harassment Law in Elementary, Secondary, and Post-Secondary Schools

On July 2, 2014, the U.S. Commission on Civil Rights held a briefing to examine the effect of recent federal guidance on sexual harassment in schools and possible conflicts with constitutional protections. The U.S. Departments of Education and Justice enforce Title IX, which protects the right of students in public schools and schools receiving federal funds to get an education in an atmosphere free of sexual harassment.

ii. Commission Reports

Sex Trafficking: A Gender-Based Violation of Civil Rights

On April 13, 2012, the U.S. Commission on Civil Rights (Commission) conducted a briefing to examine the federal government’s efforts to combat sex trafficking in the United States. The trafficking of persons, often described as a modern-day or twenty-first century form of slavery, affects women and children in the United States on a regular basis. In an effort to tackle this growing problem, Congress enacted the Trafficking Victims Protection Act of 2000 (TVPA). The TVPA recognizes that the victims of human trafficking are overwhelmingly targeted based on gender. The Commission sought and invited speakers that could address efforts made on the federal and local level to combat sex trafficking. (http://www.usccr.gov/pubs/SexTrafficking_9-30-14.pdf)

Federal Civil Rights Engagements with Arab and Muslim-American Communities Post 9/11

On November 9, 2012, the U.S. Commission on Civil Rights held a briefing to examine the methods, goals, and effectiveness of the federal government's post-9/11 civil rights engagement with the Arab and Muslim American community, including federal outreach to the public to end prejudice and discrimination against these communities. The panelists addressed several concerns including the Muslim community's ratings of trust for government departments and their components; solutions for improving the federal government's engagement with Arab and Muslim American communities; organization of the government's outreach and investigative efforts; and, problems with data reporting and categorization of religious-based hate crimes.

(http://www.usccr.gov/pubs/ARAB_MUSLIM_9-30-14.pdf)

Assessing the Impact of Criminal Background Checks and the Equal Employment Opportunity Commission's Conviction Records Policy

On December 7, 2012, the United States 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. The Commission sought 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.

(http://www.eusccr.com/EEOC_final_2013.pdf)

The Civil Rights Implication of Eminent Domain Abuse

On August 12, 2011, the U.S. Commission on Civil Rights convened a briefing to discuss the history of eminent domain abuse its impact on poor and minority communities, and to collect information on the efforts by federal or state legislatures to curb abuses. Information gathered by the Commission highlighted the differing opinions among advocates. Some civil rights advocates argued that urban renewal condemnations permitted by the Supreme Court's decision in *Berman v. Parker* have historically been used to target racial and ethnic minorities, using the term "blight" as a facially neutral word that masks discriminatory motives behind takings. Many states have enacted laws attempting to limit the scope of eminent domain power further sanctioned by the Court's subsequent decision in *Kelo v. City of New London*, a decision that upheld its use for private economic redevelopment. However, some scholars argue that these laws contain loopholes that continue to permit the exact same kinds of condemnations under the guise of alleviating 'blight'—a concept defined so broadly that virtually any property the government covets can be declared blighted. Some legislative attempts to reform these abusive practices have been criticized as ineffective. At the time of the briefing, 43 states

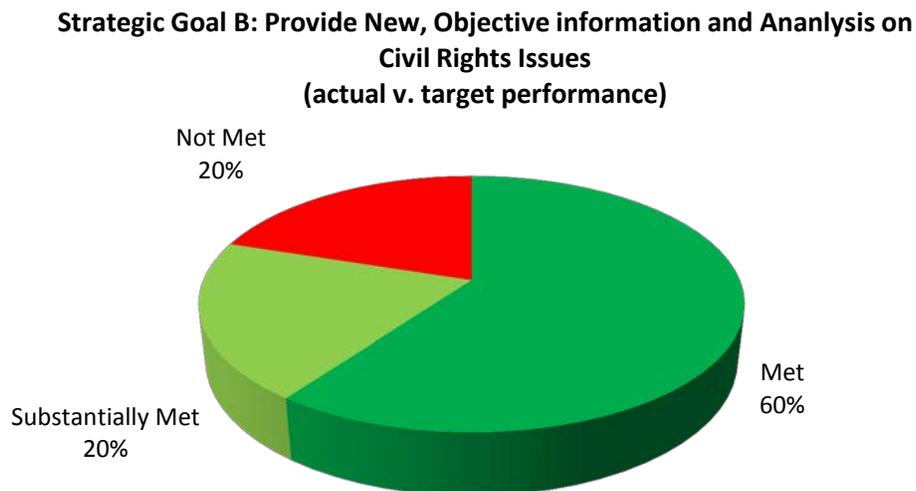
had enacted laws attempting to limit the scope of eminent domain power sanctioned by Kelo. (http://www.usccr.gov/pubs/FINAL_FY14_Eminent-Domain-Report.pdf)

Patient Dumping

The U.S. Commission on Civil Rights chose to focus on Enforcement of the Emergency Medical Treatment and Labor Act for its annual 2014 Statutory Enforcement Report. This report examines compliance with the Emergency Medical Treatment and Labor Act (EMTALA), a federal law that requires Medicare-participating hospitals to treat emergency medical conditions of any person regardless of capacity to pay, and makes unlawful the discharge of patients prior to stabilizing any medical condition. The purpose of EMTALA is to prevent hospitals, states and/or localities from prematurely discharging indigent people in need of emergency care and transporting them to other entities, a practice colloquially called “patient dumping.”

(http://www.usccr.gov/pubs/2014PATDUMPOSD_9282014-1.pdf)

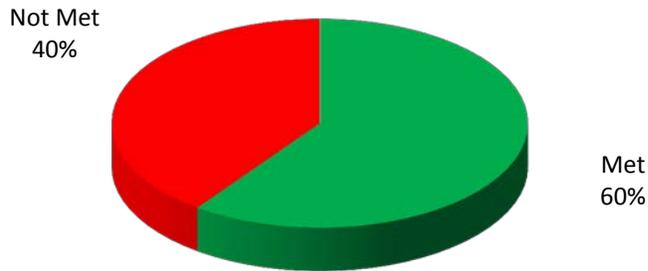
B. Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.



The Commission selected the Racial Disparities in Stand Your Ground Laws as an investigative project involving original fact-finding and/or statistical data review. The Commission strengthened its employees’ ability to conduct investigations through training and conducted a review of existing information quality standards, instructions and other quality control guidelines to ensure the objectivity of its reports.

C. 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.

Strategic Goal C: Cooperate with Other Federal Agencies to Apprise Individuals of Civil Rights Laws and Policies and to Raise Public Awareness of Civil Rights Data (actual v. target performance)



The Commission will cooperate with other federal agencies to apprise individuals of civil rights laws and policies, raise public awareness of civil rights, and strengthen its position as a national clearinghouse for civil rights information by maintaining its clearinghouse website and complaint referral program.

i. Clearinghouse Website

In FY 2014, the commission updated the Clearinghouse Webpage, changed contact information, and updated the Commission’s publication: Getting Uncle Sam to Enforce Your Civil Rights. Getting Uncle Sam to Enforce Your Civil Rights is a comprehensive resource for the American public that explains where and how an aggrieved individual can file a discrimination claim. The Commission also developed a Spanish language version of the Getting Uncle Sam to Enforce Your Civil Rights.

ii. Complaint Referral Program

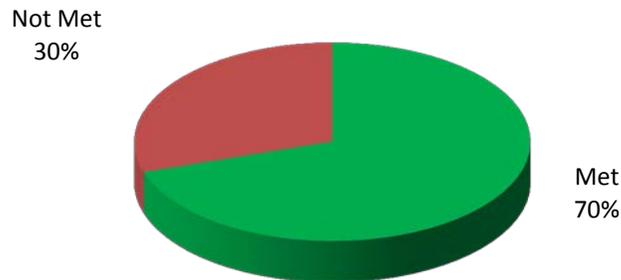
In FY 2014, Office of Civil Rights Evaluation (OCRE) processed 1,730 complaints. The response time was 10 days or less. Regional offices have a similar response time for their 448 complaints. Between OCRE and Regional Offices, 2,178 complaints were processed. We also continued to make our telephone complaint process accessible to certain LEP communities by recording our complaint voicemail message in Spanish and having Spanish-speaking staff review the complaints received on a regular basis.

Annual Number of Civil Rights Complaints



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

Strategic Goal D: Improve the Commission's Profile and Effectiveness in Communicating with the General Public (actual v. target performance)



To expand our press outreach, the Commission created a press list, issued press releases, participated in speaking engagements, and continued to expand the quantity of information provided on our website.

i. Press List

The Commission created a press list to use to engage the press during any Commission or State Advisory Committee events. In addition, the Commission also expanded its press release distribution list to include subject matter and state specific newswires.

ii. Press Releases

The Commission issued 21 press releases in FY 2014 which included a press release in Spanish in an effort to reach Limited English Proficiency Communities.

iii. Speaking Engagements

The Chairman and Staff Director participated in multiple speaking engagements. The Staff Director was the Keynote Speaker at the New Jersey Council on Developmental Disabilities (NJCDD) sixth annual Community Building Awards Luncheon; a speaker at the Anti-Defamation League (ADL) national meeting: What's Next: Challenges in the Fight for Civil Rights and Equality; and the Keynote Speaker at the U.S. Environmental Protection Agency's commemoration of the 50th anniversary of the signing of the Civil Rights Act of 1964.

The Chairman served as a guest lecturer at events sponsored by the following organizations: the University Of San Diego School Of Law's Washington Internship Program; law student chapter of the American Constitution Society, George Mason University Law School; and the Congressional Hispanic Caucus Institute (CHCI). The Chairman was also a guest speaker on the BBC radio network in the UK marking the 50th anniversary of the Civil Rights Act.

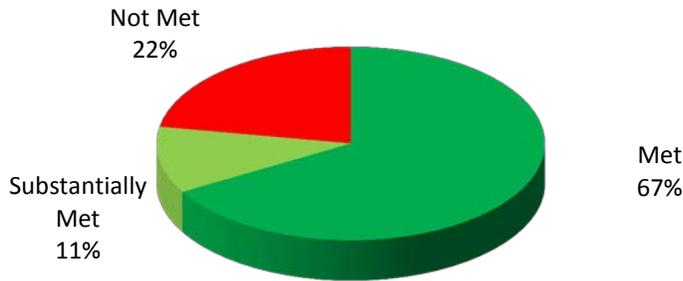
The Chairman also served as a Panelist at the following events: The Indiana Consortium of State and Local Human Rights Agencies/NAHRW Joint Training Conference; The National Association for the Advancement of Colored People (NAACP) 105th Annual Convention: "NAACP: All in for Justice and Equality"; The International Association of Official Human Rights Agencies (IAOHRA) Annual Conference: "50 Years of the Civil Rights Act of 1964: The Unfinished Agenda."

iv. Website Improvements

The Commission has begun measuring and analyzing web traffic and written requests for Commission reports in order to identify areas of civil rights interest; made Commission reports accessible under the Americans with Disabilities Act, Section 508 requirements, and added voice playback on its website. By analyzing complaint line data and written requests for assistance the Commission has also been able to identify that the greatest language access need exists in the Latino community. The Commission is currently working on a web-based complaint screening process and online guidance to improve access to the agency's complaint filing process.

E. 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.

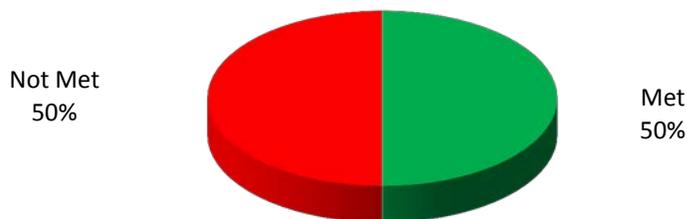
Strategic Goal E: Strengthen the Commission's Financial and Operational Controls (actual v. target performance)



The Commission is committed to not only serve as the nation’s conscience on civil rights matters, but also to serve as a model of management excellence, efficiency, and accountability. The Commission continues to strengthen the Commission’s financial, budget, and performance policy, procedures, and reports; improving the strategic management of the Commission’s human capital, and refining administrative and clearinghouse services including information technology, acquisition, and library functions.

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

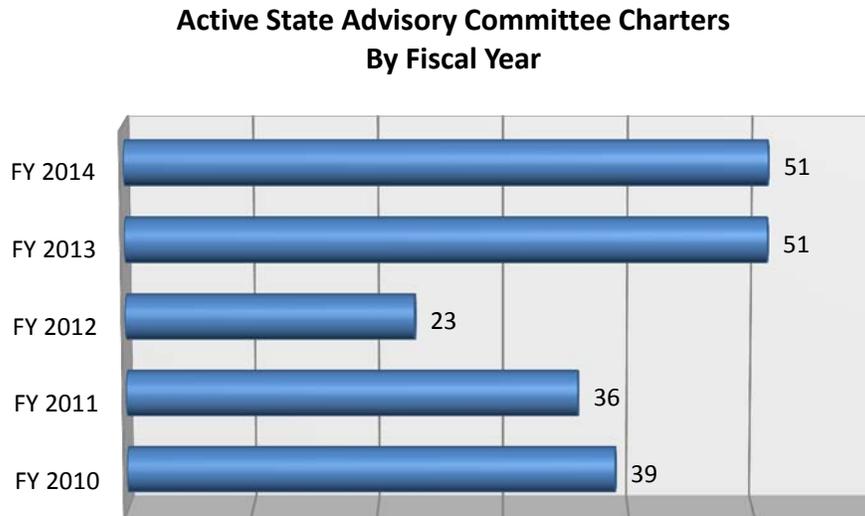
Strategic Goal F: Increase the Participation of our State Advisory Committees (SACs) in the Commission's Work (actual v. target performance)



The Commission has made great strides in increasing the work of our state advisory committees. Our regional staff has been very busy with SAC charters and appointments, holding fact-finding activities, drafting and issuing reports and processing complaint referrals.

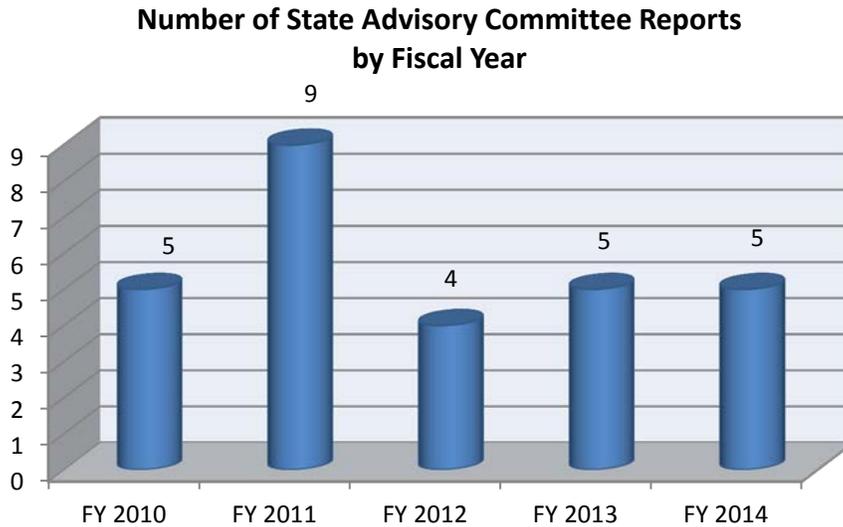
i. State Advisory Committee Charters and Appointments

Changes to our chartering process allowed all 51 state advisory committees to operate.



Currently 42 state advisory committees have appointed members and only 9 state advisory committees are awaiting appointment.

ii. State Advisory Committee Reports



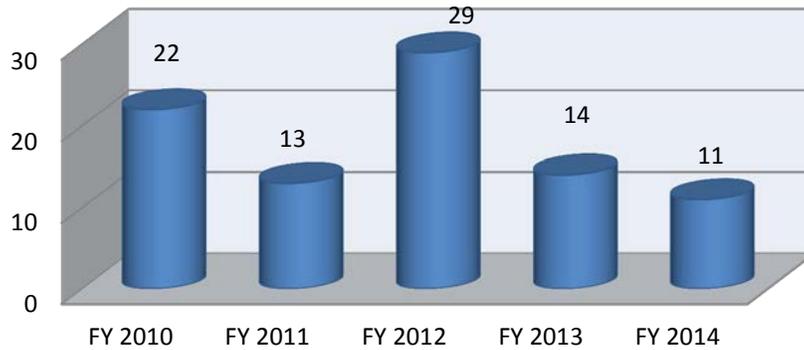
In addition to holding meetings, state advisory committees, with regional office support, published the following five SAC reports in FY 2014:

Advisory Committee	Report Title
Minnesota	Unemployment Disparity in Minnesota (http://www.usccr.gov/pubs/MNSAC_Unemployment_Final_3.pdf)
Nevada	Student Assault and Bullying in Nevada Public Schools (http://www.usccr.gov/pubs/NV_Bullying-report.pdf)
Florida	Rules of Executive Clemency Should Allow Level 1 – Offenders to Have Their Civil Rights Automatically Restored Upon Completion of Their Sentences (http://www.usccr.gov/pubs/FL_SAC_Ex-Felon-Report.pdf)
Tennessee	The Right to Vote and Ex-Felon Disenfranchisement in Tennessee (http://www.usccr.gov/pubs/TN_SAC_Ex-Felon-Report.pdf)
Georgia	Immigration and Civil Rights: Just and Fair Immigration Reform is an Urgent Matter for Georgia (http://www.usccr.gov/pubs/GA_SAC_Immigration-Report-Final.pdf)

iii. SAC Fact Finding Activity

**Regional Office Fact-Finding
By Fiscal Year**

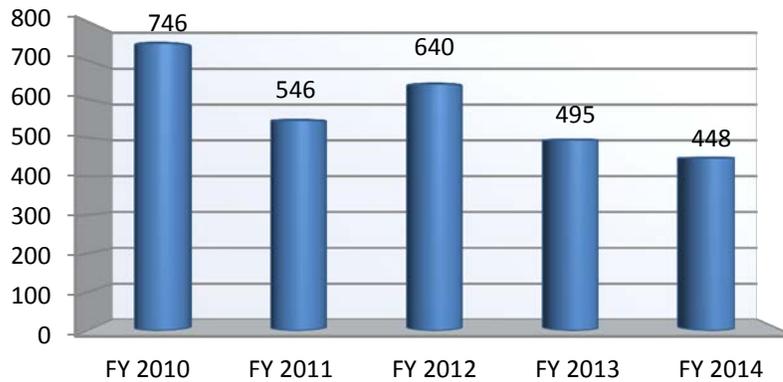
(meetings, briefings and forums)



State advisory committee fact-finding activities decreased from 14 in FY 2013 to 11 in FY 2014.

iv. Regional Office Complaint Referral

**# of Civil Rights Complaints Received By Regional
Offices By Fiscal Year**



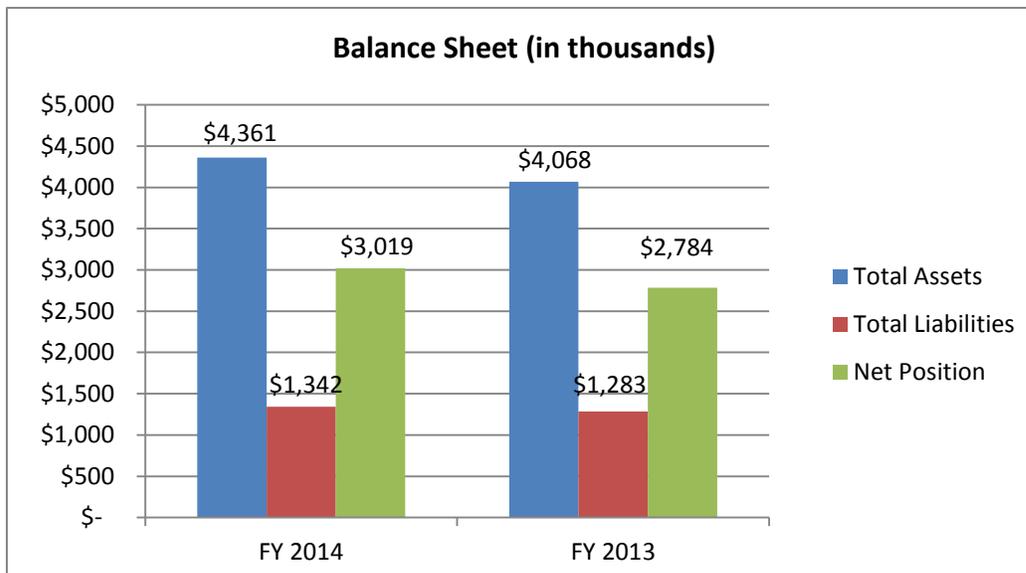
Our regional staff received 448 civil rights complaints from members of the public seeking to protect and enforce their rights. On average regional offices processed complaints in one day, well under the 10-day target.

Section III: Financial Highlights

Unfortunately, the Commission received a disclaimer on its FY 2014 financial statements. The Commission is committed to resolving our internal controls over financial reporting material weaknesses. The Commission prepares four financial statements: Balance Sheet, Statement of Net Costs, Statement of Changes in Net Position, and Statement of Budgetary Resources.

Balance Sheet

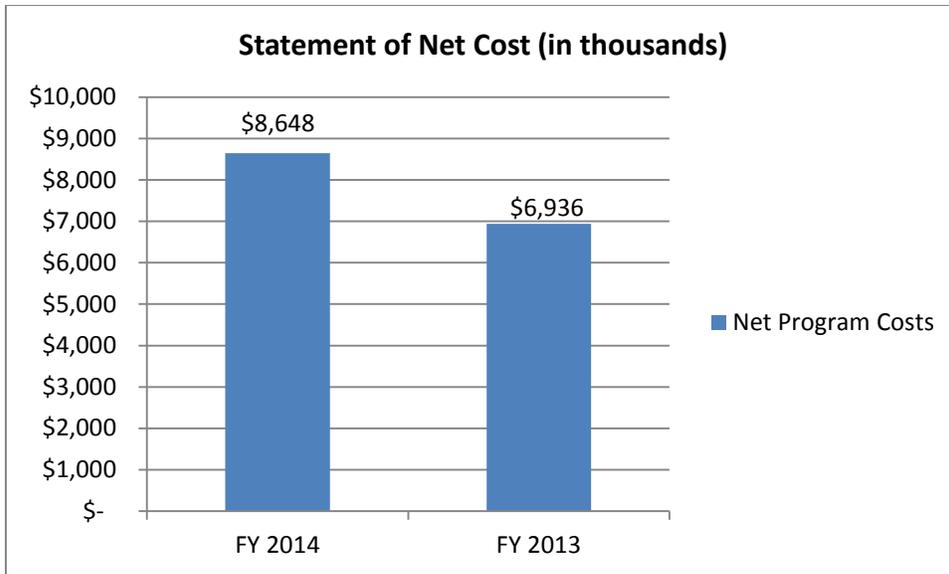
The balance sheet presents amounts of future economic benefits owned or managed by the reporting entity (assets), amounts owed by the entity (liabilities), and amounts which comprise the difference (net position).



The Commission's total assets increased in FY 2014 to \$4,361,191. The Commission's assets consist mainly of Fund Balance with Treasury (FBWT) with minimal amounts in General Property, Plant, and Equipment. Total liabilities increased from \$1,283,615 in FY 2013 to \$1,341,928 in FY 2014. Net Position increased from \$2,784,090 in FY 2013 to \$3,019,263 in FY 2014.

Statement of Net Costs

The Statement of Net Cost presents the annual cost of operating the Commission's programs.



The Commission's net cost of operation increased from \$6,936,248 in FY 2013 to \$8,648,058 in FY 2014.

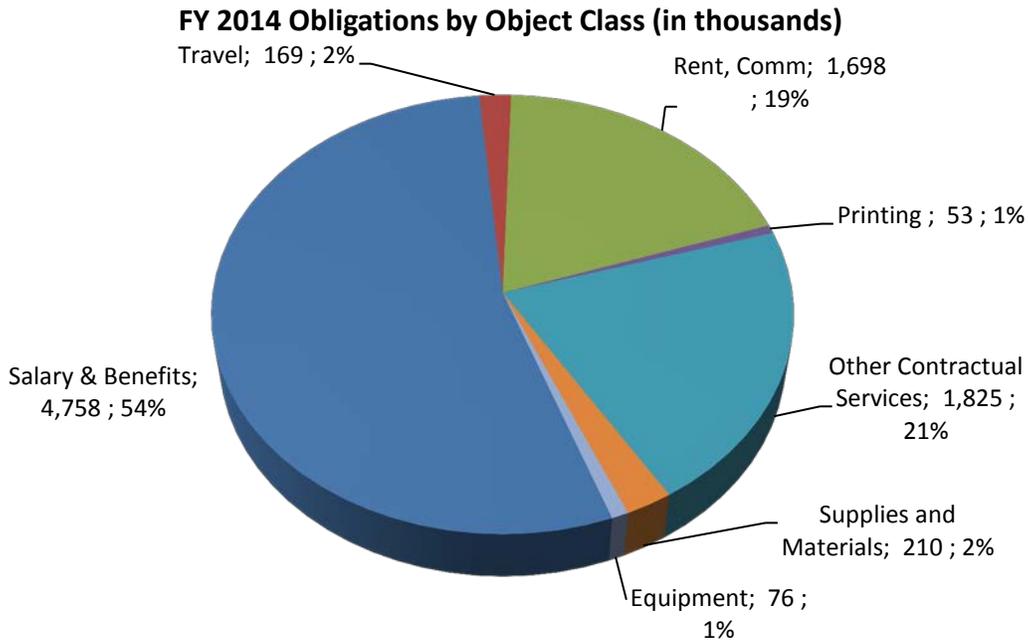
Statement of Changes in Net Position

The Statement of Changes in Net Position reports the change in Net Position between FY 2013 and FY 2014. Between the end of FY 2013 and FY 2014, the Commission's Net Position increased from \$2,784,091 to \$3,019,263.

Statement of Budgetary Resources

The Statement of Budgetary Resources provides information on the sources of budgetary resources and their status at the end of the period. The Commission received \$9,000,000 in new budgetary authority in FY 2014. The Total Budgetary Resources and Status of Budget Resources increased from \$9,041,962 in FY 2013 to \$10,664,862 in FY 2014.

Resources by Major Object Class



During FY 2014, the Commission obligated \$8,788,862.73 of its FY 2014 appropriation of \$9,000,000 for an obligation rate of 98 percent. Salary and Benefits (54 percent), Other Contractual Services (21 percent), and Rent and Communications (19 percent) consume 94 percent of the Commission's resources. The remaining 6 percent consists of travel, printing, supplies, and equipment.

Section IV: FY 2014 Annual Performance Plan, Targets, and Results

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.			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
The Commission will hold at least three briefings and/or hearings each year.	3 briefings or hearings	3 briefings or hearings	Substantially Met - 2 briefings

Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
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.	1 investigative project	1 investigative project	Met - 1 investigative project
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	Not Met
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	Met - 2 Employees are trained in statistical analysis
The Commission will amend its Human Capital Plan to prioritize developing employee capacities in the areas of statistical analysis and complaint interviews.	Update Human Capital Plan to emphasis statistical analysis and complaint interviews	Update Human Capital Plan	Substantially Met - Human Capital Plan was updated, but it needs to be finalized.
By 2015, the Commission will conduct a review of existing information quality standards, administrative instructions, and other quality control and quality assurance guidelines to ensure its reporting maximizes objectivity.	Complete review	Review Completed?	Met

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.			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
Yearly updates to the clearinghouse web page.	Update clearinghouse web page at least once a year.	Update Clearinghouse Webpage	Not Met
Review annually (FY) and update, as needed, the Uncle Sam publication, in both English and Spanish.	Review Uncle Sam yearly and update as necessary.	Review and Update Uncle Sam	Met
By FY 2016, issue quarterly data reports that list and rank clearinghouse information hits tabulated by agency (DOJ, EEOC, DOE and DOL).	Issue quarterly data report by agency	N/A	N/A
List the name, URL and contact information for each Federal Civil Rights division that we refer complaints to on the USCCR website.	Update contact information once a year	Update contact information once a year	Not Met
Contact the Federal civil rights divisions that we refer complaints to, semi-annually, to confirm accuracy of civil rights complaint contact information.	Update Federal civil rights divisions contact information twice a year.	Update contact information once a year	Met
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.)	Update phone lines for complaint referral	Update phone lines for complaint referral	Not Met

Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
Create and update press list on a regular basis.	Update press list	Update press list	Met
Issue press releases (English & Spanish) and update website prior to every hearing and briefing.	Issue press releases for all hearings and briefings	3 press releases	Met
Participate in speaking engagements and public symposia	Participate in 3 speaking engagements or public symposia	2 public speaking engagements or symposia	Met
Reformat website to increase Google hits.	Reformat webpage	Reformat webpage	Not Met - Not possible due to cost and technical issues
By FY 2016, Commission briefings and hearings will be streamed live online and made available on the website for future viewings.	Stream 2 briefings and hearings online and maintain video on the agency's website	1 Online briefing and/or hearing	Not Met
By FY 2014, issue monthly reports on downloads and written requests for USCCR publications (top ten for each category).	12 Monthly Reports	Monthly Reports	Met

Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public			
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	Met - New Items are Accessible
By FY 2016, all documents on the website shall be made available in HTML or a text-based format.	All documents on the agency website are available in HTML or text formats	25 percent of documents are in HTML or text based	Met - New Items are Accessible
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	Met
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 complaint page	Not Met

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.			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
Compliance with OMB Circular A-11	Budget is aligned with the Agency Strategic Plan	Budget is aligned with the Agency Strategic Plan	Met
Compliance with OMB Circular A-11	Budget is compliant with OMB Circular A-11	Budget is compliant with OMB Circular A-11	Met
Receive a “clean” or unqualified financial statement audit.	Unqualified Opinion on financial statement	Unqualified Opinion	Not Met
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.	Met
Implementation of commission’s and the Office of Personnel Management (OPM) Human capital Plan program, strategies and initiatives.	The Commission's Human Capital Plan is updated and implemented	Update and implement Human Capital Plan	Substantially Met - Updated Human Capital Plan is awaiting approval.
Results of the Employee Satisfaction surveys compared to previous surveys.	Employee Satisfaction survey scores increase each year.	Increase response rate by 10%	Not Met

(Cont'd)

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.			
Annual training sessions, i.e., formal training, issuance of memoranda and/or internal instructions.	Perform acquisition training as required.	Conduct acquisition training	Not Met
Annual FISMA audit	FISMA Audit	FISMA Audit	Met
Comply with OMB Cloud Computing Initiatives.	Agency is in compliance with Cloud Computer Initiatives	Compliant with Cloud Computer Initiatives	Met

Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.			
Performance Measures	Performance Goals	FY 2014 Performance Target	FY 2014 Actual Performance
Subject to budget constraints, by FY 2015, SACs will be encouraged to participate in at least two briefings/ hearings/fact-finding and/or public forums annually.	SACs will participate in 2 hearings, briefings, fact-finding, and/or public forums	SACs participation in 2 hearings, briefings, fact-finding, and/or public forums	Not Met
Issue monthly updates via listserv (from DC office to Regions).	Staff director or RPCU issues monthly updates to Regional Offices	Monthly Reports	Not Met
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	Met
Extend SAC appointee terms to 4 years.	SAC appointee terms are 4 years	SAC appointee terms are 4 years	Not Met
Eliminate SAC backlog by FY 2015	SAC backlog eliminated	Eliminate SAC backlog	Met
Re-Charter SACs set to expire after 10/1/2014 within 60 days	80 percent of SACs are chartered within 60 days	70 percent	Met