

**UNITED STATES
COMMISSION ON CIVIL RIGHTS**



**REQUEST FOR CONGRESSIONAL APPROPRIATION FOR
FISCAL YEAR 2013**

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USCCR BUDGET REQUEST FOR SALARIES AND EXPENSES

Congressional Appropriation Request for FY 2013.....	\$9,400,000
Congressional Appropriation for FY 2012	\$9,193,000
Congressional Appropriation for FY 2011	\$9,381,200

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 42 U.S.C. 1975a: Provided further, That there shall be an Inspector General at the Commission on Civil Rights who shall have the duties, responsibilities, and authorities specified in the Inspector General Act of 1978, as amended: Provided further, That an individual appointed to the position of Inspector General of the Government Accountability Office (GAO) shall, by virtue of such appointment, also hold the position of Inspector General of the Commission on Civil Rights: Provided further, That the Inspector General of the Commission on Civil Rights shall utilize personnel of the Office of Inspector General of GAO in performing the duties of the Inspector General of the Commission on Civil Rights, and shall not appoint any individuals to positions within the Commission on Civil Rights: Provided further, That of the amounts made available in this paragraph, \$250,000 shall be transferred directly to the Office of Inspector General of GAO upon enactment of this Act for salaries and expenses necessary to carry out the duties of the Inspector General of the Commission on Civil Rights.

FY 2013 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 mandate¹ of keeping all informed regarding civil rights issues, including discrimination or denial 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 is rooted in four goals that call for us to:

- Shape a national conversation on current and future civil rights issues that identifies civil rights priorities for policy makers.
- Expand the capacity of federal agencies to raise public awareness of civil rights and efficiently and effectively execute their civil rights enforcement responsibilities by engaging in strategic partnerships.
- Serve as an authoritative national clearinghouse and repository of civil rights data and information.
- Normalize the Commission’s financial and operational controls and modernize its information technology management and dissemination.

The key goals and objectives that we will focus on during FY 2013 are in the following table:

FY 2013 KEY USCCR GOALS AND OBJECTIVES
Reinvigorating and energizing a network of 51 state advisory committees.
Improving the ability of federal agencies to execute their civil rights enforcement responsibilities through issuing an annual assessment report on federal enforcement efforts, engaging in strategic partnerships, and advising the President and Congress on substantive civil rights matters.
Raising public awareness of civil rights by promoting awareness of civil rights laws, remedies, and federal enforcement agencies.
Serving as an authoritative clearinghouse and repository of civil rights information by issuing reports, analyzing data on disparities and assessing claims of systemic discrimination, and strengthening the quality and objectivity of the Commission’s reports.

¹ 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.

Normalizing financial controls by promoting sound financial management and being good stewards of our resources.
Normalizing operational controls by implementing a sound and relevant human capital management system that includes employee development and accountability.
Modernizing the use of information technology to improve effectiveness and efficiency.

A more detailed discussion of the Commission FY 2013 Key Goals and Objectives is in the FY 2013 Proposed Agency Annual Performance Plan section of this document.

REVIEW OF THE AGENCY’S FY 2013 FUNDING REQUEST

A. Budget Request by Object Class

Our total budget request is \$9.4 million. Our request includes \$250,000 that the Commission will transfer to the Government Accountability Office to carry out the duties of the Commission’s Inspector General. The remaining \$9.15 million will support the Commission’s mission. The Commission’s request will support 44 full-time-equivalent positions. The following table provides a summary of the Commission’s Budget Request:

Object Class and Title	FY 2012 Congressional Appropriation	FY 2013 Congressional Request	FY 2013/FY 2012 Difference
10 Personnel Compensation & Benefits	\$5,557,300	\$5,822,328	\$265,028
21 Travel & Transportation of Persons	\$181,000	\$171,000	(\$10,000)
22 Transportation of Things	\$0	\$500	\$500
23 Rent, Communications, and Utilities	\$1,532,000	\$885,152	(\$646,848)
24 Printing and Reproduction	\$59,450	\$61,700	\$2,250
25 Other Contractual Services	\$1,493,350	\$1,662,538	\$169,188
26 Supplies and Materials	\$95,000	\$92,282	(\$2,718)
31 Equipment	\$24,900	\$454,500	\$429,600
Total Direct Obligations	\$8,943,000	\$9,150,000	\$207,000
Transfer to Government Accountability Office	\$250,000	\$250,000	\$0
Total Appropriation	\$9,193,000	\$9,400,000	\$207,000

B. Description of Budget Increases and Decreases

The following is a description of the budget increases and decreases from the Commission’s FY 2012 Congressional Appropriation.

Increases to Maintain Current Services:

Personnel Compensation and Benefits – \$21,640/ 0 FTE

This increase is for a .5 percent pay raise.

Program Increases:

Personnel Compensation and Benefits – \$243,388/ 2 FTE

The Commission began Fiscal Year 2012 with several vacancies. The Commission will fill these by Fiscal Year 2013.

Transportation of Things – \$500/ 0 FTE

This increase is for shipping materials for State Advisory Committee meetings.

Rent, Communication, and Utilities – \$73,200/ 0 FTE

The Commission will rent commercial space for a Contingency of Operation Exercise, a national conference, and State Advisory Committee meetings. These are one-time costs made possible by anticipated rent credits in Fiscal Year 2013.

Rent, Communication, and Utilities – \$25,652

The Commission must implement Managed Trusted Internet Protocol Services (MTIPS) as required of OMB Memorandum M-08-05 and cover increases to communication costs. MTIPS will optimize and standardize the security of individual external network connections.

Printing and Reproduction – \$2,250

The Commission needs to reprint popular Commission reports for distribution upon request.

Other Contractual Services – \$153,000

These funds will allow the Commission to re-examine the Commission's limited English Proficiency LEP program plan, translate the most commonly accessed Commission publications into languages other than English, and improve the Commission website for the LEP community. This is a one-time cost made possible by anticipated rent credits in Fiscal Year 2013.

Other Contractual Services – \$120,000

The Commission plans to conduct a national conference to elicit diverse, multi-disciplinary, and bipartisan perspectives on rights. This will cover the event planning services, video teleconferences, or web hosting services, program materials, interpreter services, and other costs of hosting a conference. This is a one-time cost made possible by anticipated rent credits in Fiscal Year 2013.

Other Contractual Services – \$14,800

The Commission anticipates increased costs for transcripts of Commission hearings, meetings and briefings, and required Federal Protective Service fees.

Equipment – \$429,600

In the past two budgets, the Commission eliminated all information technology investments. The Commission will replace current printers, fax machines, copiers, and scanners with multifunction copiers; upgrade IT hardware and software; and install equipment for teleconferencing and web streaming of Commission meetings. The resulting teleconferencing and web stream capacity will allow the Commission to reduce travel expenses and increase public access to civil rights information. This is a one-time cost made possible by anticipated rent credits in Fiscal Year 2013.

Program Decreases

Travel – (\$10,000)

The Commission will reduce travel by using local and technological alternatives such as teleconferencing and video conferencing.

Rent, Communication, and Utilities – (\$745,700)

The Commission's headquarters lease expires in December 2013. The Commission will move to a new-leased building before the lease expires. However, the exact date is unknown. The winning bidder is offering rent credits. These rent credits will reduce the Commission's Fiscal Year 2013 rent costs, but will expire in Fiscal Year 2014. This is a one-time reduction.

Other Contractual Services – (\$118,612)

This decrease is due to FY 2012 headquarters moving costs that the Commission will not incur in FY 2013.

Supplies and Materials – (\$2,718)

The library will reduce purchases of library materials and other supplies.

C. Budget Request by Organization

The Commission's FY 2013 budget request supports several major organizational components. The following table provides a summary of the Commission's budget request by these components:

	FY 2012 Congressional Appropriation	Percent Of Request	FY 2013 Congressional Request	Percent Of Request	FY 2013- FY 2012 Difference
National Program Offices	\$1,133,400	12.3%	\$1,216,740	12.9%	\$83,340
Regional Program Offices	\$1,608,800	17.5%	\$1,596,841	17.0%	(\$11,959)
Commissioners and Commissioner Assistants	\$1,534,700	16.7%	\$1,566,412	16.7%	\$31,712
Office of Staff Director	\$677,000	7.4%	\$895,500	9.5%	\$218,500
Robert S. Rankin Civil Rights Library	\$389,000	4.2%	\$390,960	4.2%	\$1,960
Operations & Administrative	\$3,600,100	39.2%	\$3,483,547	37.1%	(\$116,553)
Total Operating Budget	\$8,943,000	97%	\$9,150,000	97.3%	\$207,000
Inspector General (Transfer to GAO)	\$250,000	2.7%	\$250,000	2.7%	\$0
Total Appropriation	\$9,193,000	100.0%	\$9,400,000	100.0%	\$207,000

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 ensure 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 \$1,216,740.

The National Program Offices' budget is 12.9 percent of the Commission's total budget in FY 2013. The increase between FY 2012 and FY 2013 is due to vacancies.

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 2013 is \$1,596,841. The Regional Program Office budget is 17.0 percent of the Commission's total budget request.

The Commissioners and Commissioner Assistants' request covers the salary, benefits, and travel for Commissioners and their assistants. The Commissioners' FY 2013 budget request is \$1,566,412 or 16.7 percent of the Commission's total budget request.

The Office of Staff Director (OSD) oversees the operation and management of the agency including: disseminating policies, recommending program activities, managing agency-wide performance, and overseeing the completion of the agency's substantive civil rights work. The FY 2013 budget request for the Office of Staff Director is \$895,500 or 9.5 percent of the Commission's total budget request. The increase between FY 2012 and FY 2013 is due to position vacancies and costs associated with the planned FY 2013 National Conference.

The Robert S. Rankin Civil Rights Library is an information source for Commission staff, government agencies, private organizations, and individuals. The library responds to requests from the public for copies of Commission publications, maintains a limited collection of books and publications on civil rights-related issues, and serves as a clearinghouse for information on civil rights issues. The FY 2013 budget request for the Library is \$390,960. The Library's budget is 4.2 percent of the Commission's total budget request.

The Operations and Administrative budget request covers rent, human resources, financial management, information technology, and various other management functions. The decrease between FY 2012 and FY 2013 is primarily due to rent credits under the new headquarters office lease. The FY 2013 budget request of \$3,483,547 is 37.1 percent of the Commission's budget request.

The Commission's FY 2012 appropriation language established the Government Accountability Office (GAO) as the Commission's Inspector General. The Commission's FY 2013 budget request includes \$250,000 that the Commission will transfer to GAO.

FY 2011 PERFORMANCE HIGHLIGHTS

This section highlights the Commission's FY 2011 program accomplishments and activities.

A. Briefings and Hearings

To promote public awareness of current civil rights laws, remedies, and enforcement agencies, we held three successful briefings. The briefings were School Discipline and Disparate Impact, Peer-to-Peer Student Violence and Bullying: Examining the Federal Response, and Civil Rights Implications of Eminent Domain Abuse.

School Discipline and Disparate Impact

In February 2011, the Commission held a public briefing on the Department of Education's initiative to investigate school districts for disparities in discipline rates among racial and ethnic groups under Title VI, a statute that bans disparate treatment. The Department had announced that it intended to initiate compliance reviews based on a disparate impact analysis in an effort to find districts that have such disparities. The Commission's briefing asked teachers and administrators of large, racially-diverse public school districts to discuss their schools' discipline policies, and whether they suspect racial bias in administering discipline. In addition, the Commission asked how they have responded to the Department of Education's new policy, and whether they have changed their discipline practices in response to the new initiative and/or weakened disciplinary standards for all students. The Commission also sought data from school districts showing the extent of the disparities and the effect the schools' policies have had on reducing such disparities.

In addition to classroom teachers from the larger metropolitan areas and Pennsylvania, speakers included the principal of T.C. Williams High School in Alexandria, VA; an assistant principal of East Lake High School in the Tampa Bay area (Pinellas County FL); the former director of all alternative schools in Austin (Travis County TX) that receive all suspended or expelled students from the 80,000-plus student district; the associate superintendent of Fresno County CA schools in charge of prevention and intervention; and the superintendents of school districts in Evanston/Skokie (Cook County IL), Blanding (San Juan County UT), and Rochester (Olmstead County MN).

Peer-to-Peer Student Violence and Bullying: Examining the Federal Response

In May 2011, the Commission held a public briefing in connection with its FY 2011 statutory enforcement report. For this briefing, the Commission brought in four panels of 20 experts in the areas related to bullying and harassment in K-12 public schools. Among other issues, the panelists discussed (1) the scope and seriousness of student-on-student bullying, harassment, and violence against students who are targeted due to their race/national origin, religion, disability, gender, and/or their real or perceived sexual orientation or gender expression; (2) the content of applicable federal laws, the enforcement of those laws, and the effectiveness of the Departments of Education and Justice in carrying out their enforcement responsibilities; (3) the range of effective intervention and prevention efforts and programs currently promoted by the federal government; and (4) recommendations for enhanced enforcement practices, and/or the need for additional legislation, as appropriate, with respect to efforts by the Departments of Education and Justice.

Panelists included Russlynn Ali, Assistant Secretary for Civil Rights, Department of Education; Jocelyn Samuels, Senior Counselor to the Assistant Attorney General for Civil Rights, Department of Justice; Fatima Goss Graves, National Women's Law Center; Roger Clegg, Center for Equal Opportunity; Gregory Herek, University of California, Davis; Ian Meyer, Columbia University; Hiram Sasser, Liberty Institute; Eliza Byard, Gay, Lesbian and Straight Education Network; John Eastman, Chapman University; Paula Goldberg PACER Center; Helen Gym, Asian Americans United; Stuart Buck, University of Arkansas; Kenneth Marcus, Institute for Jewish & Community Research; Hilary Shelton, NAACP; Rajdeep Singh, Sikh Coalition;

Tammy Aaberg, Parent Advocate; Francisco Negron, National School Boards Association; Ken Trump, National School Safety and Security Services; Eugene Volokh, UCLA School of Law; and Deborah Lauter, Civil Rights Director at the Anti-Defamation League.

Civil Rights Implications of Eminent Domain Abuse

In August 2011, the Commission held a public briefing on eminent domain abuse. The briefing included scholars and civil rights advocates who discussed the history of eminent domain abuse, its impact on poor and minority communities, and efforts by federal or state legislatures to curb abuses. Some civil rights advocates have 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 masked 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, but some legislative attempts to reform abusive practices have been criticized as ineffective. Panelists included: David T. Beito, Chairman of the Alabama State Advisory Committee to the U.S. Commission on Civil Rights; J. Peter Byrne, Professor of Law, Georgetown University Law Center; Hilary O. Shelton, Senior Vice-President for Advocacy, NAACP; and Ilya Somin, Associate Professor of Law, George Mason Law School.

B. Statutory Reports

New Black Panther Party Enforcement Report

In January 2011, the Commission published online its FY 2010 statutory enforcement report on enforcing prohibitions against voter intimidation, including an examination of DOJ and the New Black Panther Party litigation. In the course of the investigation, the Commission held four public hearings and took several depositions. The report contained findings and recommendations approved at the November 19, 2010 business meeting.

Peer-to-Peer Violence and Bullying: Examining the Federal Response

In September 2011, the Commission published online its FY 2011 statutory enforcement report. The report focuses on the government's efforts to enforce federal civil rights laws with respect to peer-to-peer violence based on race, national origin, sex, disability, religion, and sexual orientation or gender identity. The report contained findings and recommendations approved at the August 12, 2011 business meeting.

The Commission, by majority vote, concluded that bullying and harassment, including bullying and harassment based on sex, race, national origin, disability, sexual orientation, or religion, are harmful to American youth, and developed findings and recommendations to address the problem, including the following recommendations:

- The U.S. Departments of Education and Justice should track their complaints/inquiries regarding sexual harassment or gender-based harassment by creating a category that explicitly encompasses Lesbian, Gay, Bisexual, and Transgender (LGBT) youth.

- The U.S. Departments of Education and Justice should track complaints that they receive regarding harassment based solely on sexual orientation that are closed for lack of jurisdiction.
- The U.S. Department of Education should track complaints that it receives regarding harassment based solely on religion that are closed for lack of jurisdiction.
- The U.S. Department of Education should consider issuing a new Dear Colleague Letter regarding the First Amendment implications of anti-bullying policies. The new Letter should provide concrete examples to clarify the guidance that the Department of Education previously provided in its Dear Colleague Letter on the First Amendment dated July 28, 2003.

C. Briefing Reports

School Choice, the Blaine Amendments, and Anti-Catholicism

The Commission posted panelists' written statements and the transcript of the briefing on school choice, Blaine Amendments, and anti-Catholicism to its website in December 2010. On June 1, 2007, The Commission conducted a briefing in Washington, D.C. on the status and effect of Blaine Amendments, which are provisions in state constitutions that restrict the use of public funds to support private religious schools. The Commission heard testimony from Anthony R. Picarello, Jr., Vice President and General Counsel of the Becket Fund; K. Hollyn Hollman, General Counsel of the Baptist Joint Committee for Religious Liberty; Ellen Johnson, President of American Atheists; and Richard D. Komer, Senior Litigation Attorney at the Institute for Justice.

Discrimination Against Native Americans in Border Towns

The Commission published an online report based on a November 2007 briefing that included two panels of experts representing Native American reservations and the contiguous towns. The briefing examined recent changes for Native American communities on or off reservations. Specifically, the Commission sought information from panelists on policies, procedures, or events that had improved relationships between Native Americans and residents of border towns in local areas, and that other areas could implement. As part of this examination, panelists assessed (1) the number of reported incidents of alleged discrimination against Native Americans in the communities selected for study; (2) the state of race relations in the selected communities, including both conflicts and efforts to alleviate tensions; (3) the ways in which perceived discrimination was inflicted, felt, and understood in border towns have changed over time; and (4) how Native Americans' experiences in border towns differ from their experiences elsewhere in the country.

Health Care Disparities

The Commission published a briefing report on health care disparities based on a June 2009 briefing. In the briefing, Commissioners examined health disparities through the microcosm of

cardiovascular disease and the related condition of hypertension. Conditions arising from cardiovascular disease are the leading cause of death in America, cutting across all racial and ethnic groups, socioeconomic levels, and affecting both men and women. Among other issues, the panelists discussed (1) why disparities persist, (2) possibly-flawed conclusions resulting from omission of important variables in earlier studies such as the 2002 Institute of Medicine report, (3) health care delivery system differences, (4) recent and ongoing research, (5) access to care and quality of care, (6) patient behavior, and (7) other differences between population groups in terms of cardiac/hypertension health and cardiac/hypertension care.

English-Only in the Workplace

Commissioners approved a briefing report on English-only policies in the workplace based on a briefing in December 2008 concerning the Equal Employment Opportunity Commission's (EEOC) enforcement policies that view efforts by some employers to require their employees to speak English while on the job as violations of law. Among the reasons employers give for such requirements are (1) the need for more effective supervision, (2) ensuring safety of both workers and customers, (3) preventing sexual or other illegal harassment among employees, and (4) the need to serve customers effectively. The body of the report was approved on October 8, 2010 by then-Chairman Reynolds and Commissioners Gaziano, Heriot, Kirsanow, and then-Commissioner Taylor. Commissioner Yaki voted in opposition. Voting for and against the Commission's Findings and Recommendations was conducted on November 19, 2010 and December 3, 2010.

FY 2013 PROPOSED AGENCY ANNUAL PERFORMANCE PLAN

Led by eight commissioners,² 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 2013 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.

Our Strategic Plan for FY 2008-FY 2013 has four agency-wide goals and several objectives for each goal. To develop our annual performance plan, we incorporated a combination of these goals and objectives to create an agency-level annual performance plan. Individual offices and divisions create performance plans to execute the agency's performance plan. In FY 2013, the Commission will focus on the following key goals and objectives:

A. Reinvigorating and Energizing a Network of State Advisory Committees

Our mandate includes supporting a network of advisory committees composed of citizen volunteers in each of the 50 states and the District of Columbia. The operation of the regional offices and advisory committees continues to be a congressional interest item. During FY 2013, we plan to renew 26 expiring committee charters. We will focus in FY 2013 on energizing our committees to increase productivity and decrease the time it takes to renew expiring charters.

² Four commissioners are presidential appointees and four are congressional appointees; all serve six-year terms.

Internal policies require the staff director to approve and submit re-charter packages to the commissioners for a vote no later than 60 days after the expiration of the charter.³

<p>KEY FY 2013 REGIONAL OPERATIONS ACTIVITIES AND STRATEGIES</p>
<p>1. Re-chartering 26 advisory committees to meet our statutory mandate and energize the advisory committees.</p>
<p>2. Increasing regional productivity by completing 33 civil rights fact-finding activities that will contribute to the nation’s civil rights conversation.⁴</p>

B. Improving Civil Rights Enforcement by Federal Agencies

This FY 2013 budget request will allow us to show substantial achievements in reinvigorating and energizing our network of advisory committees. It also allows the Commission’s national office to continue influencing federal enforcement of the nation’s civil rights laws. We propose doing so in several ways. We will focus on three key activities and strategies during FY 2013. We review each, in turn, in this subsection.

<p>KEY FY 2013 NATIONAL OFFICE ACTIVITIES AND STRATEGIES</p>
<p>1. Completing a statutorily-mandated annual report assessing federal civil rights enforcement efforts and making specific recommendations for future action.</p>
<p>2. Engaging in one or more strategic partnerships with federal stakeholders through Executive Branch working groups or task forces to strengthen enforcement and protections.</p>
<p>3. Advising the President and Congress on civil rights matters through letters, reports, and testimony.</p>

Annual Enforcement Report

Each year our statutorily-mandated annual enforcement report, usually containing findings and recommendations for future action by the President, Congress and others, is widely distributed. Civil rights developments in the news and the courts, pending in Congress, and proposed by the administration influence the topic of the report. The Commission also solicits input from external and internal stakeholders, including state advisory committees.

The Commission cannot mandate that other agencies address the report’s findings or fully implement its recommendations because our authorizing statute does not create that authority.⁵ Nonetheless, our historic role as the conscience of the nation provides weight and credibility to our work.

³ Administrative Instruction 5-7, *Regional Program Development and Implementation*, section 6.02, provides for “a completed and approved charter memorandum and SAC appointments no later than 60 days after the charter’s expiration date.”

⁴ Fact-finding activities, as used here, include substantive briefings, forums, consultations, and civil rights-related reports.

⁵ Civil Rights Commission Amendments Act of 1994, Pub. L. No. 103-419, 108 Stat. 4338 (1994) (codified at 42 U.S.C.A. § 1975 (2005)).

Engaging in Strategic Partnerships

Issuing various reports with findings and recommendations is one of several ways we influence national civil rights enforcement. Our reputation as a civil rights leader and authoritative source of information makes the Commission an attractive and productive strategic partner. Consequently, during FY 2013, we will engage in one or more strategic partnerships with federal stakeholders to strengthen civil rights enforcement and protections. For example, an Executive Branch working group or task force on civil rights-related issues would provide the Commission a venue for shaping policy before it becomes the subject of one of our annual enforcement reports. In this regard, we are mindful that we are an independent agency with a “watchdog” role. Our participation in these groups must not compromise our ability to critically assess and report on the likely impact of the administration’s policies and programs.

In addition to pursuing these collaborative opportunities, we expect to continue working cooperatively with the Department of Justice (DOJ), the Equal Employment Opportunity Commission (EEOC), and various other federal agencies with enforcement responsibilities to collect, consolidate, and make available civil rights complaint data. This data is on a Commission website hosted by the National Technical Information Service (NTIS). This is an example of how expanding our relationships with DOJ and other agencies, and our use of the Internet, can increase the amount of information we make available. More importantly, the Commission has made it easier for the public, government agencies, and researchers to identify trends and issues that may require concentrated enforcement efforts or other attention.

Advising the President and Congress

The history of the Commission is rooted in advising Presidents and Congress on seminal civil rights legislation. The Commission directly influences the course of national civil rights policy and continues to have an impact that is disproportionate to its size. The Commission's 1961 report provided the intellectual and factual foundation for the landmark 1964 Civil Rights Act. Similarly, the Commission's hearings on the disenfranchisement of black voters in the 1950s and 1960s formed the basis of the Voting Rights Act of 1965. The Commission's impact on civil rights legislation can be measured further still by its 1983 report on the challenges disabled individuals face in their daily lives. Congress relied upon this report in enacting the Americans with Disabilities Act.

Today, the President and Congress continue to rely upon Commission reports and recommendations. By expanding our role as an authoritative source of civil rights policy analysis, we are continuing to build upon that legacy. During FY 2013, we will continue monitoring legislative proposals and issue letters or other analyses on the impact these proposals will have on civil rights protections. This will ensure that our unique voice remains heard as the key civil rights issues of our day are decided.⁶

C. Raising Public Awareness of Civil Rights Laws, Remedies, and Federal Enforcement

Historically, our most significant impact has been through advising the President and Congress. An equally important part of our history and mission is raising the public’s awareness of civil

⁶ The Supreme Court has cited Commission reports in its decisions.

rights enforcement and protections. We propose focusing on six key activities and strategies to promote public awareness of civil rights enforcement and protections.

KEY FY 2013 NATIONAL OFFICE ACTIVITIES AND STRATEGIES
1. Conducting substantive civil rights public briefings and hearings.
2. Completing studies and reports on substantive civil rights issues, including examining disparities and systemic discrimination.
3. Using a complaint referral service to provide access to information on civil rights protections, resources, and federal enforcement agencies.
4. Participating in public symposia and other venues where the Commission can share its civil rights views.
5. Using our library as a clearinghouse to provide civil rights publications to the public and support civil rights research.
6. Expanding the use of technology to disseminate more civil rights information.
7. Increase limited English Proficiency (LEP) access

We propose holding five civil rights public briefings and hearings, and approving five studies and reports on some of the most critical civil rights issues of the day.

We will continue to provide referrals to the appropriate enforcement agencies for individuals who believe that their civil rights were violated. This service is part of our goal to raise public awareness of civil rights enforcement and protections. We believe it also assists the efforts of federal enforcement agencies.

We will continue to look for opportunities to participate in public symposia and other venues where the Commission can share its views concerning civil rights. This further diversifies our public awareness opportunities. At the same time, we will continue to provide the public access to general civil rights information through our Robert Rankin National Civil Rights Library. The library responds to requests from the public for copies of Commission publications, maintains a limited collection of books and publications on civil rights-related issues, and serves as a clearinghouse for information on civil rights issues.

Other efforts to raise awareness include expanded use of the Internet as discussed in the *Engaging in Strategic Partnerships* subsection in section B above.

D. Serving as an Authoritative National Clearinghouse and Repository of Civil Rights Information

The written work products of the Commission are substantive and quality products. The American public deserves no less. The Information Quality Act (IQA) requires that federal agencies create guidance for ensuring the quality, objectivity, utility, and integrity of information (including statistical information) distributed by them. The Commission’s guidelines create a process for petitioning for the correction of information distributed by the agency. We have

internal processes in place for ensuring the accuracy and the impartiality of the information we disseminate.

Our products undergo various levels of internal substantive reviews, as well as an external review to ensure compliance with established quality and diversity of procedures. Furthermore, consistent with our administrative policies, we document report production and the briefing process along the way to create accountability and transparency. During FY 2013, we will continue to monitor challenges to information under the IQA guidelines.⁷

E. Normalizing Financial Controls by Promoting Sound Financial Management

With our budget director and external accounting service provider, we plan to continue sound financial management practices in FY 2013.

KEY FY 2013 NATIONAL OFFICE FINANCIAL MANAGEMENT ACTIVITIES AND STRATEGIES
1. Complying with the Stewardship of Tax Dollars Act by completing a timely financial audit and having no findings of material weakness.
2. Supporting sound financial management by continuing to use external accounting services that meet all applicable standards and regulations.
3. Receiving a “clean” financial audit.

F. Normalizing Operational Controls by Implementing a Sound and Relevant Human Capital Management System

We must manage our human capital as well as we do our financial capital. Relevant research indicates that successful companies and organizations manage their human capital well. There is little question that government agencies, like the private sector, must develop and implement strategies that address the changing workforce environment. Effectively managing human capital is of critical importance to Commission management, and the resulting benefits include creating a better, more efficient workforce. Our Human Capital Plan⁸ (HCP) includes objectives, strategies and initiatives, measures, and an implementation timetable. In FY 2013, we will continue to build upon this foundation.

KEY FY 2013 NATIONAL OFFICE HUMAN CAPITAL MANAGEMENT ACTIVITIES AND STRATEGIES
1. Providing cross-training opportunities for mission-critical positions and cross-training 50 percent of identified mission-critical positions.
2. Creating an agency system/process in FY 2013 for identifying high-potential employees.

⁷ In the continued absence of challenges to information under the IQA, the Commission is reviewing whether this performance target is sufficiently ambitious and whether new or additional performance targets may be appropriate. See *Reinvigorating the Nation’s Civil Rights Debate: The Strategic Plan of the United States Commission on Civil Rights for Fiscal Years 2008-2013*, APPENDIX A: Summary of the Commission’s Mission and Goals, Strategic Goal 3, p. 25 (Oct. 2007).

⁸ *Strategic Human Capital Plan for Fiscal Years 2010-2015*, U.S. Commission on Civil Rights, March 2010.

KEY FY 2013 NATIONAL OFFICE HUMAN CAPITAL MANAGEMENT ACTIVITIES AND STRATEGIES
3. Identifying high-potential employees using the established agency system/process.
4. Developing and approving new position descriptions and performance plans.
5. Creating and executing a pilot project to phase in agency implementation of a new performance accountability system.
6. Increasing training for all managers

Over the long term, these activities and strategies contribute to our ability to:

- recruit, retain, and develop a workforce that has the skills and competencies necessary to support completion of the agency’s mission and strategic goals;
- capture and share individual and organizational knowledge to stem organizational “brain drain;”
- create leadership continuity; and
- update the Commission’s performance management system to reflect new skills, performance requirements, and job expectations.

G. Using Information Technology to Improve Effectiveness and Efficiency

In FY 2013, we will continue to modernize our information technology infrastructure and improve IT management to enhance program efficiency.

KEY FY 2013 NATIONAL OFFICE INFORMATION TECHNOLOGY (IT) ACTIVITIES AND STRATEGIES
1. Maintaining and upgrading the Commission’s website.
2. Expanding a website developed in FY 2010 that is modeled on “USA.gov” or “First.gov” named “CivilRightsUSA.”
3. Conducting a continuity of operations (COOP) desktop exercise as a first test of agency preparedness.
4. Maintaining and upgrading Commission computer and office equipment to increase capacity and efficiency.
5. Implementing HSPD-12, as required, to improve IT security.
6. Resolving identified FISMA weaknesses to improve IT security.
7. Developing the Commission’s teleconferencing and web streaming capabilities to allow the Commission to stream meetings and briefings.

Among the many outcomes of these IT projects is an expansion of our use of technology to inform and educate the public through new web portals. Our “CivilRightsUSA” website consolidates information about civil rights enforcement efforts of other federal agencies in one location to inform the public about their rights and the enforcement of the nation’s civil rights laws. In FY 2013, we propose expanding this site to include general civil rights information and resources. The website will allow the public to file complaints online, stay informed with current civil rights news, and view civil rights enforcement by major agencies within the federal government.