

**UNITED STATES  
COMMISSION ON CIVIL RIGHTS**



**PERFORMANCE AND ACCOUNTABILITY REPORT (PAR)  
FOR FISCAL YEAR 2014**

**Table of Contents**

**Section I: Management Discussion and Analysis..... 1**

**A. USCCR Mission..... 1**

**B. USCCR Organizational Structure..... 1**

    i. Headquarters Organization ..... 2

    ii. Regional Programs..... 5

**C. Performance Highlights ..... 6**

**D. Federal Managers’ Financial Integrity Act (FMFIA) ..... 7**

**E. Financial Highlights..... 8**

**F. Limitations on Financial Statements ..... 10**

**G. Management Statement of Assurance ..... 11**

**Section II: Performance Report ..... 13**

**A. Reliability of Performance Data ..... 13**

**B. 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..... 13**

    i. Briefings ..... 15

    ii. Commission Reports..... 16

**C. Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues. .... 19**

**D. 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. .... 20**

    i. Clearinghouse Website ..... 21

    ii. Complaint Referral Program..... 22

**E. Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public ..... 22**

    i. Press List ..... 24

    ii. Press Releases..... 24

    iii. Speaking Engagements..... 24

    iv. Website Improvements..... 25

<b>F. 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. ....</b>	<b>25</b>
<b>G. Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission’s work. ....</b>	<b>26</b>
i. State Advisory Committee Charters and Appointments .....	27
ii. State Advisory Committee Reports .....	28
iii. SAC Fact Finding Activity .....	32
iv. Regional Office Complaint Referral .....	32
<b>F. Other Information Related to Annual Performance Reporting.....</b>	<b>33</b>
<b>Section: III: Auditors Report and Financial Statements .....</b>	<b>34</b>
<b>A. Message from the Chief of Budget and Finance .....</b>	<b>34</b>
<b>B. Auditor’s Report, Financial Statements &amp; Notes.....</b>	<b>35</b>
<b>Section: IV: Other Accompanying Information .....</b>	<b>59</b>
<b>A. Summary of Financial Statement Audit and Management Assurances.....</b>	<b>59</b>
<b>B. Improper Payments Information Act Reporting Details .....</b>	<b>60</b>
<b>APPENDICES.....</b>	<b>61</b>
<b>Appendix A: Strategic Plan Goals, Objectives, and Measures .....</b>	<b>61</b>
<b>Appendix B: FY 2013 Annual Performance Plan, Targets, and Results .....</b>	<b>70</b>

## MESSAGE FROM THE CHAIRMAN



I am pleased to present the annual Performance and Accountability Report (PAR) for the U.S. Commission on Civil Rights for Fiscal Year 2014. This report reflects the agency's program and financial accomplishments over the past year. Unfortunately, we received a Disclaimer on our Financial Statements. Agency staff is committed to resolving these financial reporting weaknesses in FY 2015.

In FY 2014, the Commission continued to deliver quality civil rights programming, studies, policy analysis, and recommendations to the President, Congress, and the Nation. To promote public awareness of current civil rights laws, remedies, and enforcement agencies, we held two successful briefings: Patient Dumping by Hospitals: Enforcement of the Emergency Medical Treatment and Labor Act and Federal Enforcement of Title IX Sexual Harassment Law in Elementary, Secondary, and Post-Secondary Schools. The Commission issued five reports: Sex Trafficking: A Gender-Based Violation of Civil Rights; Federal Civil Rights Engagements with Arab and Muslim-American Communities Post 9/11; Assessing the Impact of Criminal Background Checks and the Equal Employment Opportunity Commission's Conviction Records Policy; The Civil Rights Implication of Eminent Domain Abuse; and Patient Dumping.

Our state advisory committee members, working with regional office staff, held 11 civil rights briefings and forums. In addition, state advisory committees published five SAC reports and regional staff processed 448 civil rights complaints from members of the public seeking to protect and enforce their rights. I have been pleased in my capacity as Chair of the Commission to attend meetings of some of our State Advisory Committees

and to meet with representatives of state civil and human rights agencies, community groups, civil rights advocates, and public officials regarding the work of the Commission and the civil rights challenges facing diverse communities.

We continue to be challenged by staff vacancies and limited resources. 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, appearing to read "Martin R. Castro". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Martin R. Castro  
Chairperson  
United States Commission on Civil Rights  
November 17, 2014

## **Section I: Management Discussion and Analysis**

The Management Discussion and Analysis (MD&A) section explains our mission, describes our organizational structure, presents performance highlights, analyzes our internal control environment, identifies financial highlights, and discusses the limitation of financial statements.

### **A. 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.<sup>1</sup> 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.<sup>2</sup> 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.

### **B. USCCR Organizational Structure**

The Commission is an independent federal agency led by eight appointed commissioners. Their responsibilities include establishing agency policy on civil rights issues; adopting program plans, goals, and priorities; approving national office project proposals; and adopting the agency's budget. The staff director, appointed by the President with the concurrence of a majority of the commissioners, is the administrative head of the agency. The organizational chart below shows our current structure.

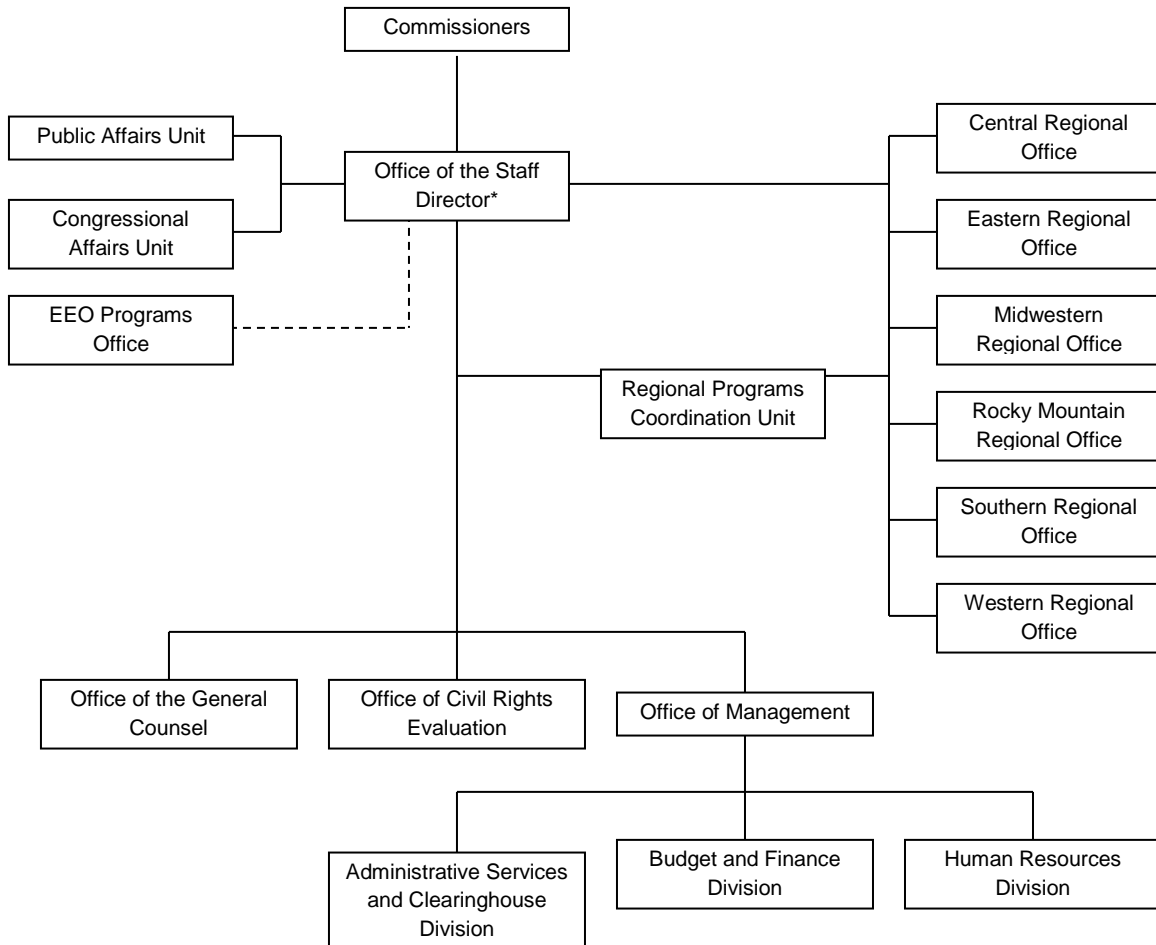
---

<sup>1</sup>Civil Rights Act of 1957, Pub. L. No. 85-315, § 101, 71 Stat. 634 (1957). See United States Commission on Civil Rights Act of 1983, Pub. L. No. 98-183, 97 Stat. 1301 (1983); United States Commission on Civil Rights Act of 1991, Pub. L. No. 102-167, \_\_\_ Stat. \_\_\_ (1991).

<sup>2</sup>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)).

# Organizational Structure

## U.S. Commission on Civil Rights



\* Although current agency regulations describe an “Office of the Deputy Staff Director,” the Commission eliminated that office and the deputy staff director position has been transferred to the Office of the Staff Director.

### **i. Headquarters Organization**

There are eight offices and units in our national office and six regional offices. Of the national offices, two are primarily responsible for civil rights-related research and study—the Office of Civil Rights Evaluation and the Office of the General Counsel. The Inspector General of the U.S. Government Accountability Office (GAO) ended its duties,

responsibilities, and authorities of the Commission's Inspector General in FY 2014. Descriptions of the key functions for each office and unit are below.

#### Office of the Staff Director

The Office of the Staff Director (OSD), through the staff director, oversees the overall operation and management of our agency including:

- disseminating policies established by the commissioners to staff;
- recommending program activities and projects for approval by the commissioners,
- managing agency-wide performance and evaluating program results;
- overseeing and coordinating the completion of the agency's substantive civil rights work;
- ensuring that the budget is executed in a manner consistent with established agency priorities; and,
- serving as the liaison between the Commission and the Executive Office of the President, Congress, and other federal agencies.

#### Office of the General Counsel

The Office of the General Counsel (OGC) provides the legal expertise and advice required to support our fact-finding and ensure the legal integrity of our written products. This office supports the lawful operation of the agency and advises agency leadership and managers on a range of legal matters. This may include analyzing proposed legislation, interpreting various laws and regulations, advising on the scope of the agency's jurisdiction, and representing the agency in contractual disputes. The general counsel and his or her staff also represent the agency in personnel matters including litigation arising from equal employment discrimination complaints and other alleged employment violations. In addition, this office develops concepts for briefings and hearings on civil rights issues and generates related reports for public dissemination.

#### Office of Civil Rights Evaluation

The Office of Civil Rights Evaluation (OCRE) provides the subject matter and analytical expertise required to prepare social-scientific evaluations of civil rights issues. This office monitors the activities of numerous federal agencies as well as national and regional civil rights trends. Based on information gathered through monitoring and other sources, this office develops concepts for, and conducts, civil rights studies and other projects. In addition to these functions, this office receives, reviews, and refers civil rights complaints to other agencies for appropriate enforcement action.



### Office of Management

The Office of Management (OM) supports all of the agency's strategic goals and objectives by ensuring that human and financial capital are available, and administrative support is in place to achieve the agency's mission. The Office of Management (OM) provides administrative support to all other Commission offices. Several divisions fall within this office: the Budget and Finance Division, the Human Resources Division, and the Administrative Services and Clearinghouse Division. The Administrative Services and Clearinghouse Division is responsible for information technology, procurement and acquisition, copying, printing, mail and distribution services, and the Rankin National Civil Rights Library.

### Congressional Affairs Unit

The Congressional Affairs Unit (CAU) serves as our liaison with Congress, responding to requests for specific information, identifying opportunities for our commissioners and others to provide testimony and information to congressional members and their staff on civil rights matters, and ensuring the distribution of our studies and reports to all members. CAU monitors the legislative activities of Congress and provides support in the conceptualization and production of studies and reports with information gathered via its monitoring activities. All staff positions in CAU are vacant. An attorney advisor in the Office of the Staff Director performs the essential responsibilities of the congressional and public affairs units.

### Public Affairs Unit

The Public Affairs Unit (PAU) serves as the public voice of the Commission and ensures that the public knows about our activities and publications. It is also responsible for coordinating and carrying out such activities as briefing reporters, holding press conferences, issuing press releases, arranging press interviews and speaking engagements for commissioners and approved staff, and monitoring press activity regarding the Commission and civil rights issues. PAU deals directly with the public in responding to inquiries and by attending meetings of civil rights organizations. All staff positions in PAU are vacant. An attorney advisor in the Office of the Staff Director performs the essential responsibilities of the congressional and public affairs units.

### Equal Employment Opportunity Programs

The Equal Employment Opportunity (EEO) Programs office is responsible for the overall management of our equal employment opportunity compliance system. This system provides a means of review and appeal for applicants for employment and employees of the Commission, who believe that they were victims of discrimination based on race, color, age, religion, national origin, sex (including sexual harassment), physical or mental

disability, or reprisal in connection with EEO-related activities. This office currently has no full-time staff; a staff member for the Office of Civil Rights Evaluation serves as the head of our EEO office as a collateral duty.

### Office of Inspector General

The Inspector General's statutory authority over the USCCR ended in 2014 (See Consolidated Appropriations Act of 2014, Pub. L. No. 113-76). On October 2, 2014, the GAO Inspector General certified that all pending investigations have been completed, all work related to pending or closed investigations have been closed out, and all activities related to the duties, responsibilities, and authorities of the Commission's Inspector General have ended.

## **ii. Regional Programs**

### Regional Programs Coordination Unit

The chief of the Regional Programs Coordination Unit (RPCU) supervises the activities of the Commission's six regional offices. The chief of RPCU is responsible for coordinating, monitoring, and reporting on regional activities for the national office, and communicating national office policies and priorities to regional offices. The chief of RPCU also serves as the agency's Committee Management Officer (CMO) regarding the agency's public reporting under the Federal Advisory Committee Act (FACA) on its 51 state advisory committees.

### Regional Offices: Organization and State Alignment

The six regional offices provide critical support to the 51 state advisory committees required by our statute. A regional director leads each office and generally has one administrative assistant. These offices coordinate the Commission's operations in their regions and assist the state advisory committees in their activities. Regional directors are also responsible for the day-to-day administration of their office and the supervision of office staff.

Presented below is our regional alignment.

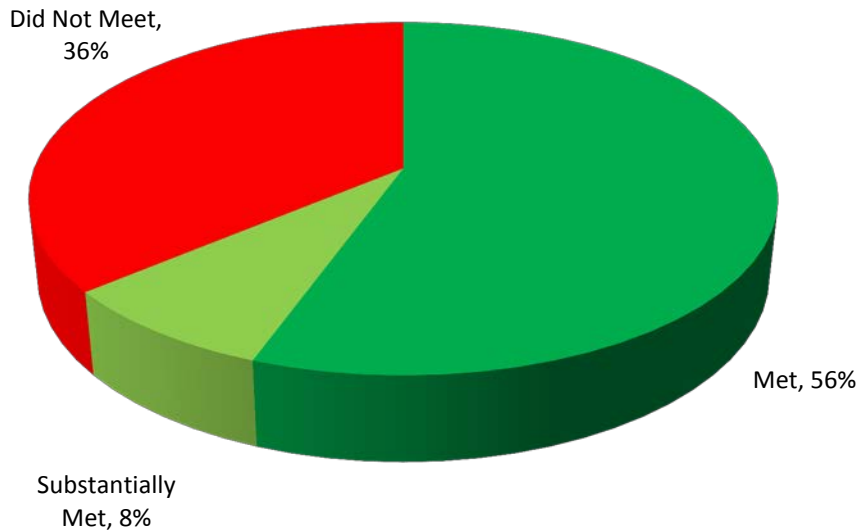
- Central Region (CRO): Alabama, Arkansas, Iowa, Kansas, Louisiana, Mississippi, Missouri, Nebraska, and Oklahoma.
- Eastern Region (ERO): Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, Vermont, Virginia, and West Virginia.
- Western Region (WRO): Alaska, Arizona, California, Hawaii, Idaho, Nevada, Oregon, Texas, and Washington.

- Southern Region (SRO): Florida, Georgia, Kentucky, North Carolina, South Carolina, and Tennessee.
- Rocky Mountain Region (RMRO): Colorado, Montana, New Mexico, North Dakota, South Dakota, Utah, and Wyoming.
- Midwestern Region (MWRO): Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin.

### C. Performance Highlights

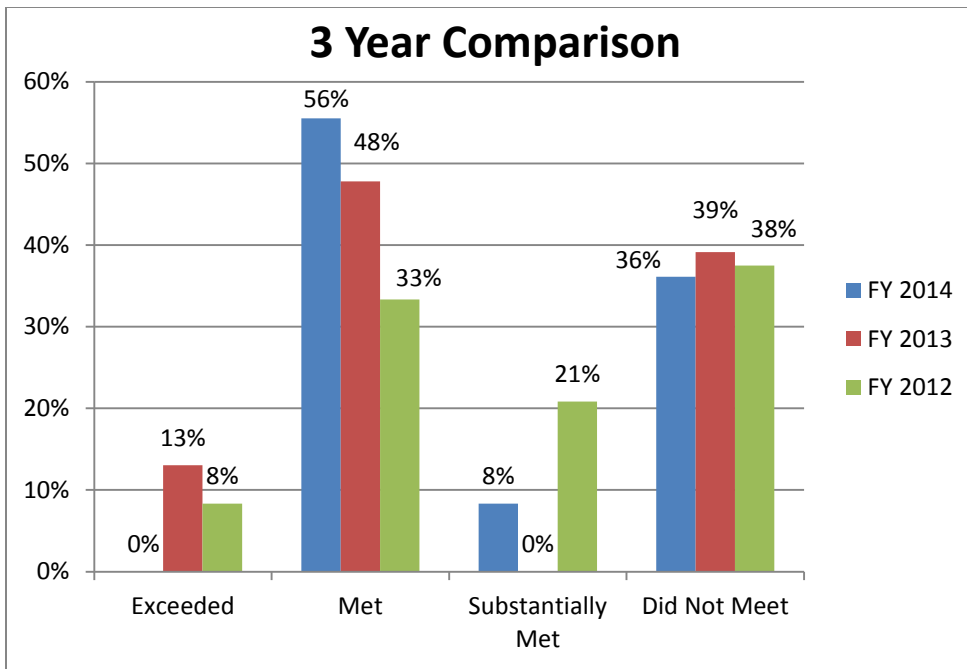
This subsection highlights our performance during the fiscal year. We met or substantially met 66 percent of our performance targets. The pie chart represents our overall level of performance for the year.

**Overall Performance During FY 2014**



While we faced significant staffing and management constraints, we were able to meet or substantially meet most of our goals.

A detailed discussion of each strategic goal, its FY 2014 target performance, and our actual performance are in the section titled “Section II: Performance Report.” A comparison of agency performance for the last three years is presented in the below bar chart.



#### D. Federal Managers' Financial Integrity Act (FMFIA)

OMB Circular A-123, Management's Responsibility for Internal Control, the Federal Managers' Financial Integrity Act (FMFIA), and the Federal Financial Management Improvement Act (FFMIA) require Federal managers to improve accountability and effectiveness of Federal programs and operations by establishing, assessing, correcting, and reporting on internal controls. Commission management is responsible for establishing and maintaining an effective internal control and financial management system. The Commission's Administrative Instruction 1-13 requires office and division heads to complete an annual self-assessment of internal controls as of June 30 each year. In FY 2014, all offices and division heads completed a self-assessment. The Commission identified one material weakness. The Agency lacks adequate controls to ensure reliability of financial reporting. Regional and headquarters' offices did identify several immaterial weaknesses. Based on this evaluation, the Commission is able to provide a statement of assurance that the internal controls except for internal controls over financial reporting are compliant.

## E. Financial Highlights

The Commission continues to use the General Services Administration's (GSA) Heartland Finance Center as its accounting services provider. GSA provides a broad range of financial and accounting services including:

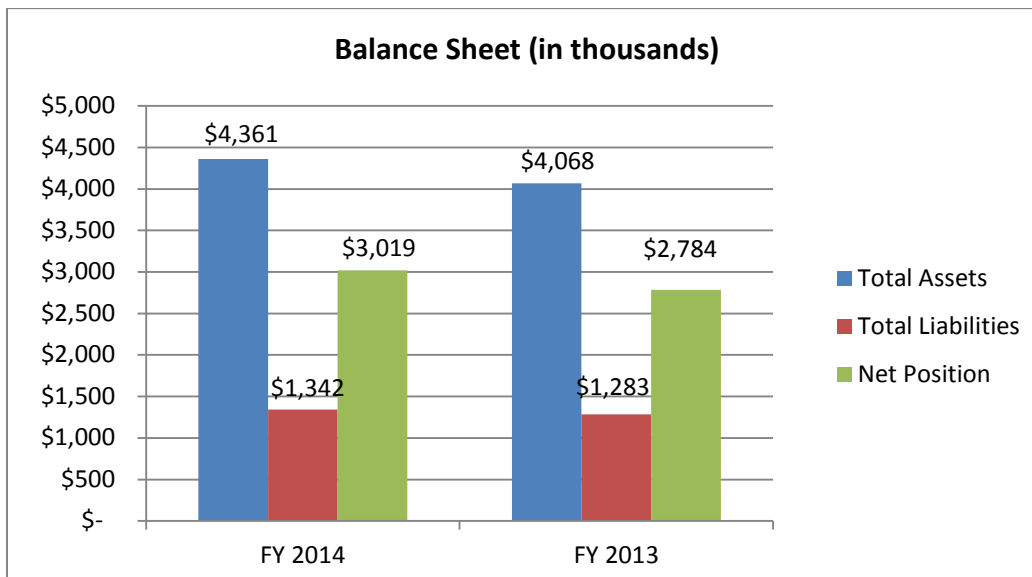
- maintaining the agency's standard general ledger;
- using a system (Pegasys) that is compliant with federal government standards;
- generating required financial reports for the Commission; and
- requiring appropriate documentation of financial transactions prior to payment.

With the Commission's limited budget and accounting staff, the services provided by GSA are essential to the financial stewardship of our resources.

The Commission's FY 2014 financial statements were prepared in accordance with Office of Management and Budget (OMB) Circular A-136. 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

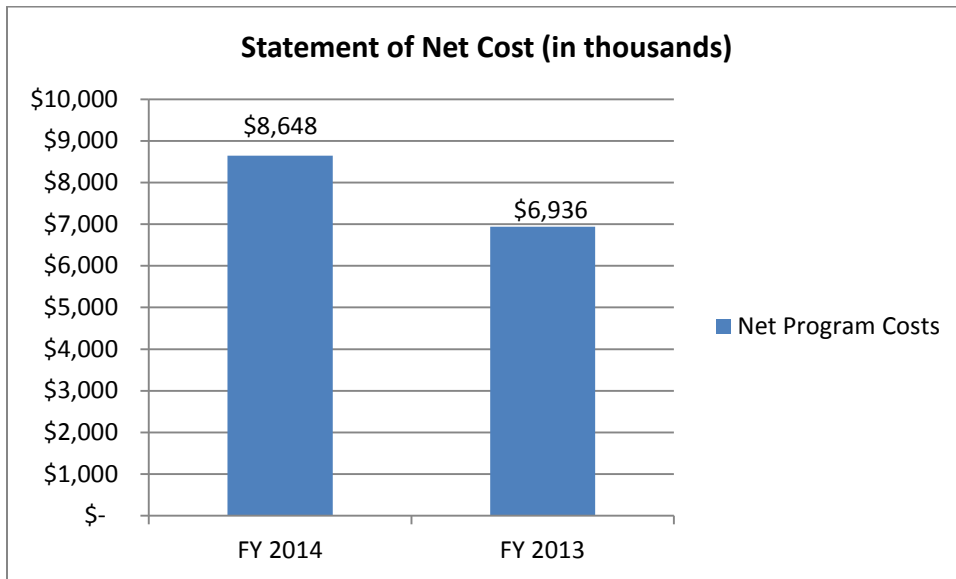
The balance sheet presents amounts of future economic benefits owned or managed by the reporting entity (assets), amounts owed by the entity (liabilities), and amounts which comprise the difference (net position).



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.

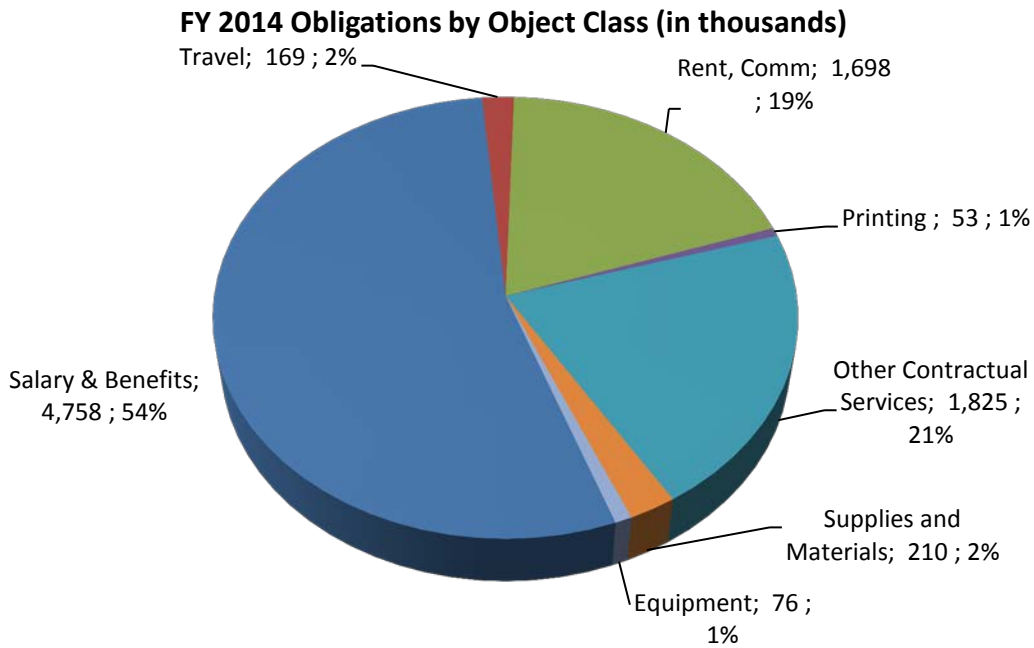
Statement of Changes in Net Position

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 \$8,930,000 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 \$8,930,000 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.

### **F. Limitations on Financial Statements**

The principal financial statements have been prepared to report the financial position and results of operations of the entity, pursuant to the requirements of 31 U.S.C. 3515 (b). While the statements have been prepared from the books and records of the entity in accordance with GAAP for Federal entities and the formats prescribed by OMB, the statements are in addition to the financial reports used to monitor and control budgetary resources, which are prepared from the same books and records. The statements should be read with the realization that they are for a component of the U.S. Government, a sovereign entity.

## **G. Management Statement of Assurance**

The U.S. Commission on Civil Rights is responsible for establishing and maintaining effective internal control and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act (FMFIA). The Commission is unable to provide an unqualified statement of assurance that the internal controls over financial reporting and financial management systems meet the objectives of FMFIA as of September 30, 2014.



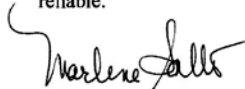
**Statements of Assurance: Federal Managers' Financial Integrity Act, OMB Circular A-123, and the Federal Financial Managers Improvement Act of 1996**

The management of the U.S. Commission on Civil Rights is responsible for establishing and maintaining effective internal control and financial management systems that meet the objectives of the Federal Managers' Financial Integrity Act (FMFIA). The Commission conducted its assessment of the effectiveness of internal control and efficiency of operations and compliance with applicable laws and regulations in accordance with OMB Circular A-123, Management's Responsibility for Internal Control. Based on the results of this evaluation, the Commission can provide reasonable assurance that our internal control over the effectiveness and efficiency of operations, and compliance with applicable laws and regulations as of September 30, 2014, were operating effectively except for internal controls over financial reporting.

In addition, the Commission conducted its assessment of the effectiveness of internal control over financial reporting. This includes safeguarding of assets and compliance with applicable laws and regulations. Based on the results of this evaluation, the Commission cannot provide reasonable assurance that its internal controls over financial reporting as of June 30, 2014 were operating effectively in the design or operation. The Commission identified lack of controls to ensure reliability of financial reporting as a material weakness.

The Federal Financial Managers' Improvement Act of 1996 (FFMIA) requires that "each agency shall implement and maintain financial management systems that comply substantially with federal financial management systems requirements, applicable federal accounting standards, and the United States Government Standard General Ledger at the transaction level." The Commission's external accounting services provider, the General Services Administration (GSA), uses Pegasys Financial Management Application to process our accounting transactions. This application is a commercial-off-the-shelf (COTS) package based on CGI Federal's Momentum Financials. We also use the National Finance Center (NFC), a service provider agency within the Department of Agriculture, for our payroll and personnel processing. Both of these systems meet the standards established by FFMIA.

The performance data contained in this report, to the best of my knowledge, are complete and reliable.



Marlene Sallo  
Staff Director  
United States Commission on Civil Rights  
November 17, 2014

## Section II: Performance Report

Our agency performs an important role in identifying emergent civil rights trends and evaluating federal agency civil rights enforcement programs. Our agency's strategic plan articulates the Commission's vision for executing our vital mission from FY 2014 through FY 2018 and for overcoming various administrative challenges. The plan contains six long-term strategic goals. Associated with each of these goals are one or more objectives or specific statements of what we plan to accomplish.

Our FY 2014 annual performance plan includes performance goals and targets that support the accomplishment of our strategic objectives. Below, we describe our FY 2014 annual plan performance targets. We evaluate and report our performance using these categories: Exceeded, Met, Substantially Met, and Not Met.

### A. Reliability of Performance Data

Over the course of the year, Commission managers monitor and record their progress on achieving their performance goals.

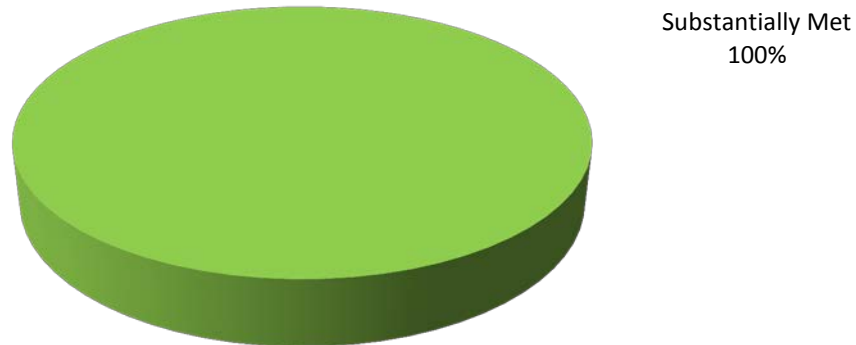
In headquarters, the Office of General Counsel, Office of Civil Rights Evaluation, and Office of Management typically begin reporting performance data during the last quarter of the fiscal year. The Office of General Counsel and Office of Civil Rights Evaluation performance data is on the quantity, quality, effectiveness, and efficiency of their civil rights reports and briefings. While the agency continues to make progress, data collection, annual planning, and determining accurate cost to achieve performance goals, remain challenging. The Office of Management reports on the administrative functions of the Commission. Senior managers review and validate headquarters performance data for accuracy.

For our regional staff, performance management involves determining which advisory committees need re-appointed to meet their annual goals, and documenting their advisory committee re-charter and member appointment progress. It also involves submitting quarterly and end-of-year reports on their complaint referral services, participating in periodic meetings with the chief of RPCU, and submitting end-of-the-year performance data using standardized agency reporting forms.

### **B. 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.**

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our first strategic goal of functioning as an effective civil rights watchdog and conduct studies and issue publications.

**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)**



Fifty years after the founding of the Commission, an extensive governmental structure has been erected to protect civil rights. Bulwarks against discrimination are well-entrenched features of America’s legal landscape and include the Equal Employment Opportunity Commission (EEOC); the Office of Federal Contract Compliance Programs (OFCCP) of the Department of Labor; the Civil Rights Division of the Department of Justice; the Office for Civil Rights of the Department of Education; the Office of Civil Rights of the Department of Health and Human Services; the Office of Fair Housing and Equal Opportunity of the Department of Housing and Urban Development; the various state civil and human rights commissions; the innumerable local civil and human rights commissions; the tens of thousands of private attorneys who pursue actions under Title VII of the Civil Rights Act of 1964, Title VI and Title IX of the 1972 Education Amendments, the Voting Rights Act of 1965, the Fair Housing Act of 1968, the Civil Rights Act of 1991, Executive Order 11246, the Americans with Disabilities Act, the Age Discrimination in Employment Act, and their state and local comparatives; and affirmative action compliance officers in thousands of corporations and political subdivisions.

The Commission’s unique position in the civil rights landscape allows it to think and act prospectively. We sought to accomplish this by functioning as an effective Civil Rights watchdog and conducting studies and issuing publications on important issues of Civil Right.

## **i. Briefings**

To promote public awareness of current civil rights laws, remedies, and enforcement agencies, we held two successful 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.”

Of concern to the Commission is the extent to which patients with a psychiatric disability are denied adequate care and whether there has been systemic neglect of this group. Experts at the briefing presented research on how many patients across the country may have been prematurely discharged; discussed what policies are in place to detect potential violations of the law; reported on possible links between deficiencies in federal expenditures to states and prevalence of patient dumping; and discussed whether hospital policies governed by the Act should be revised to ensure the protection of patients’ rights.

The Commission heard from nine speakers in three panels. The speakers on the government panel were: Marilyn Dahl, Department of Health & Human Services, Centers for Medicare & Medicaid Services; Eileen Hanrahan, Department of Health & Human Services, Office of Civil Rights; and Sandra Sands, Department of Health & Human Services, Office of the Inspector General. The speakers in the advocates/practitioners panel were Staci Pratt, ACLU; Gina Greenwood, Baker Donelson; Hernan Vera, Public Counsel; and Susan Preston, Goodell, DeVries, Leech and Dann LLP. On the scholars/academics panel, the speakers were Katharine Van Tassel, The University of Akron School of Law; and Richard Elliott, Mercer University School of Medicine and School of Law.

### **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.

The Commission heard from the following speakers: James Cadogan, Civil Rights Division of the Department of Justice (DOJ); Chris Chapman, Nat'l Center for Education Statistics, Dept. of Education; Seth Galanter, Office for Civil Rights, Department of Education (ED-OCR); Fatima Goss Graves, National Women's Law Center; Catherine Hill, American Association of University Women; Anita Levy, American Association of University Professors; Greg Lukianoff, Foundation for Individual Rights in Education; Ken Marcus, former head of ED-OCR, now Louis D. Brandeis Center; Ada Meloy, American Council on Education; Allison Randall, Office on Violence Against Women (DOJ); and Eugene Volokh, University of California Los Angeles Law School.

## **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. The Commission heard from: (1) Maggie Wynne, U.S. Department of Health and Human Services; (2) Greg Zoeller, National Association of Attorneys General; (3) Bridgette Carr, Human Trafficking Clinic at the University of Michigan Law School; (4) Salvador Cicero, Cook County Anti-Trafficking Task Force; (5) Merrill Matthews, Texas State Advisory Committee to the U.S. Commission on Civil Rights; (6) Karen Hughes, Las Vegas Metropolitan Police Department; (7) Mary Ellison, Polaris Project; (8) Amy Rassen, The SAGE Project, Inc.; (9) Rhacel Parreñas, University of Southern California; and (10) Tina Frundt, Courtney's House. The speakers addressed many concerns and provided several recommendations, which included enhancing human trafficking enforcement and providing a comprehensive service delivery model for victims.

[http://www.usccr.gov/pubs/SexTrafficking\\_9-30-14.pdf](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 Commission heard from: (1) Zainab al-Suwaij, American Islamic Congress; (2) James Zogby, Arab American Institute; (3) Kenneth Marcus, Louis D. Brandeis Center for Human Rights Under Law; (4) Haris Tarin, Muslim Public Affairs Council; (5) Asim Rehman, Muslim Bar Association of New York; (6) Dr. Jytte Klausen, Brandeis University; (7) Professor Sahar Aziz, Texas Wesleyan Law School; (8) Professor Eugene Volokh, UCLA School of Law; (9) Professor Sam Rascoff, NYU School of Law; (10) Dr. Peter Skerry, Boston College; (11) Eric Treene, Special Counsel for Religious Discrimination, Department of Justice, Civil Rights Division; and (12) David Gersten, Director of Civil Rights & Civil Liberties Programs Branch, Department of Homeland Security. 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](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.

The Commission heard from a variety of speakers during the briefing. The speakers that appeared before the Commission were: Carol Miaskoff, Act.Assoc.LC, EEOC OLC; Don Livingston, Akin Gump LLP and former EEOC GC; Harry Holzer, Georgetown Univ. and former Chief Economist, Dept. of Labor; Alfred Blumstein, Carnegie Mellon Univ.; Jeffrey Sedgwick, Keswick Advisors and former Dir., Bureau of Justice Statistics; Roberta Meyers, Dir., Nat'l HIRE Network; Glenn E. Martin, VP, Fortune Society; Lucia Bone, Founder, Sue Weaver CAUSE; Julie Payne, GC, G4S Secure Solutions (USA) Inc.; Richard Larson, WinningWorkTeams and former VP, HR, Universal Studios Resort; Garen Dodge, Jackson Lewis LLP and Council for Employment Law Equity; Nick Fishman, Co-founder, EmployeeScreenIQ; Montserrat Miller, Arnall Golden Gregory LLP and Counsel, Nat'l Ass'n of Prof. Background Screeners; William Dombi,

VP, Nat'l Assn. for Home Care and Hospice; Todd McCracken, Pres., Nat'l Small Business Ass'n; Jonathan Segal, Duane Morris LLP and Soc. for Human Resource Management; and Rich Mellor, VP, Nat'l Retail Federation.

The speakers gave views on the effects of the 2012 Guidance, its legal complexities, the sufficiency of its evidentiary basis, and on whether the 2012 Guidance would result in a negative disparate impact on the very groups the agency intends to protect. Former-offender advocacy groups welcomed the 2012 Guidance for its virtual prohibition on blanket exclusionary policies and its strongly suggested consideration of applicants and employees with criminal records of many kinds on a narrowly drawn or case-by-case basis. These records included arrest records only, criminal citations, misdemeanor convictions, expungements, and felony convictions, among others. Speakers representing employers discussed whether the majority of employers, who for legal, statutory mandate, business and/or safety reasons must exclude applicants with particular criminal convictions, might as a result reduce hiring overall, increase automation, or move some jobs overseas. Some thought that such reduction in hiring of entry-level workers would likely have the unfortunate effect of disproportionately lowering job opportunities and reducing employment among blacks and Hispanics.

([http://www.eusccr.com/EEOC\\_final\\_2013.pdf](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*.

The Commission heard from the following speakers during the briefing: David T. Beito, Chair 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.

([http://www.usccr.gov/pubs/FINAL\\_FY14\\_Eminent-Domain-Report.pdf](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](http://www.usccr.gov/pubs/2014PATDUMPOSD_9282014-1.pdf)

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

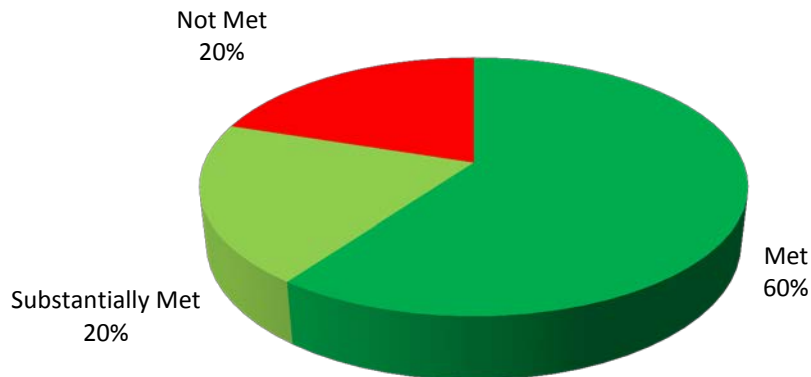
We continue to work to provide new, objective information and analysis. The Commission will regularly conduct original fact-finding and/or a novel statistical data review in civil rights investigation. All Commission products will be prepared using standards that provide for maximum objectivity. We seek to accomplish this by:

- Selecting an investigation as part of its annual project planning.
- Strengthening employees’ ability to conduct investigations.
- Improving information quality standards and other procedures regarding the process and review of agency products, as well as the implementation of such standards and procedures.

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our second strategic goal to regularly provide new, objective information and analysis on civil rights issues.



**Strategic Goal B: Provide New, Objective information and Analysis on Civil Rights Issues  
(actual v. target performance)**



During its regular project planning process, 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 will convene a national panel of experts in Orlando, Florida to examine whether there are racial disparities in the application or enforcement of Stand Your Ground laws.

To strengthen our employees' ability to conduct investigations, we hired a Social Scientist who specializes in statistical analysis and provided training to staff. The Commission is in the process of updating its Human Capital Plan to emphasize statistical analysis and field interview techniques. The Commission also conducted a review of existing information quality standards, instructions and other quality control guidelines to ensure its reports are objective.

Appendix B contains additional detail on our performance targets and actual result.

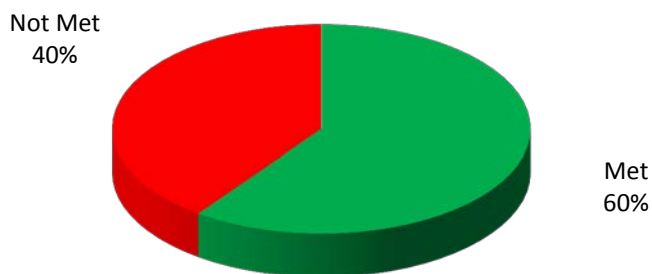
**D. Strategic Goal C: The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.**

The Commission will cooperate with other federal agencies to apprise individuals of civil rights laws and policies and raise public awareness of civil rights. The Commission will strengthen its position as a national clearinghouse for civil rights information and consult with the civil rights divisions of other agencies to ensure dissemination of accurate information for the complaint referral process. We seek to accomplish this by:

- Measuring and analyzing web traffic data on the clearinghouse web page to identify top three civil rights areas of interest
- Maintaining up-to-date information on the USCCR complaint referral process.
- Simplifying the telephone complaint referral process

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our third strategic goal to cooperate with other federal agencies to apprise individuals of civil rights laws and policies and 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)**



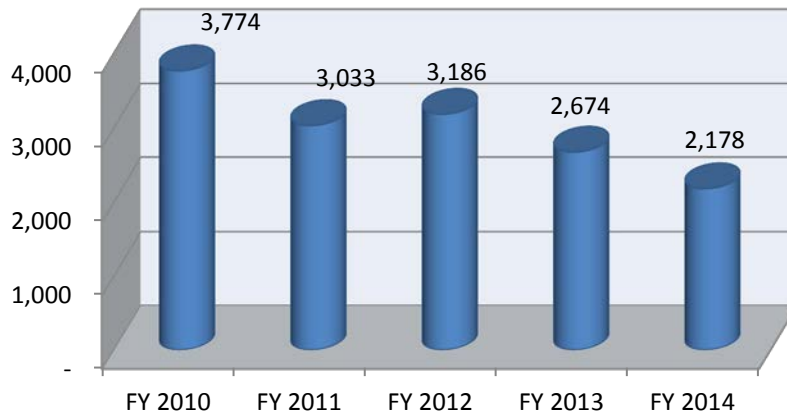
**i. Clearinghouse Website**

The Commission maintains a Clearinghouse Website to serve as a national clearinghouse for information about discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin. 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. As part of the updating process for this publication staff reached out to all of the federal agencies to obtain updated agency contact information and to ensure the accuracy of the information being provided in the publication. The U.S. Commission on Civil Rights publishes this guide to aid the public in accessing entities responsible for civil rights enforcement. The Commission also developed a Spanish language version of the Getting Uncle Sam to Enforce Your Civil Rights. The Commission is also working on updating its complaint referral phone system to improve service.

**ii. Complaint Referral Program**

The Commission increases public awareness and federal civil rights enforcement through our complaint referral program. The Office of Civil Rights Evaluation (OCRE) and our Regional Offices receive complaints alleging denial of civil rights because of color, race, religion, sex, age, disability, or national origin and refers these complaints to the appropriate government agency for investigation and resolution. In FY 2014, 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 made our telephone complaint process accessible to certain LEP communities by recording it in Spanish and having Spanish-speaking staff review the complaints received.

**Annual Number of Civil Rights Complaints**



The majority of OCRE complaints are from inmates (34 percent), African Americans (5 percent), and persons with disabilities (3 percent). Of the complaints received, OCRE referred 537 complaints to civil rights enforcement agencies. Approximately 89 percent of referrals went to the Department of Justice (DOJ) and 6 percent went to the Equal Employment Opportunity Commission (EEOC). The remaining referrals spread amount the Department of Education, Department of Health and Human Services, Department of Housing and Urban Development, and Department of Agriculture.

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

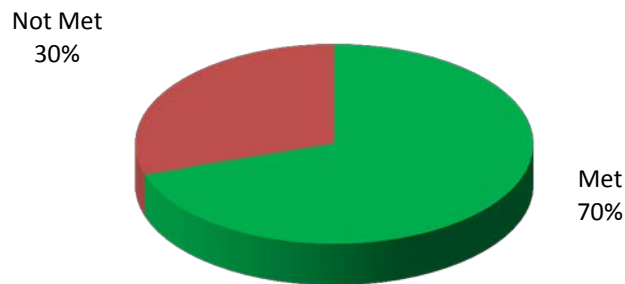
The Commission will raise public awareness of its work and modernize its information technology to increase access to the Commission's work products. The Commission will improve access to agency publications and expand its complaint process to increase

service to persons with disabilities and persons with limited English proficiency. We seek to accomplish this by:

- Expanding press outreach
- Revising and reformatting the website to increase web traffic and access to publications
- Increasing access to Commission briefings and hearings using online tools
- Measuring and analyzing web traffic and written requests for Commission reports.
- Revising and updating the USCCR Website to make electronic and information technology (EIT) accessible to persons with disabilities
- Analyzing complaint line data and written requests for assistance to identify language access needs.
- Improving web-based complaint screening process and online guidance to complaints

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our fourth strategic goal to 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 improved its 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**

We issued 21 press releases on Commission activities (a number of press releases were also issued in Spanish in an effort to reach Limited English Proficiency Communities), including Commission meetings, SAC activities and reports, and announcements or comments on significant civil rights-related events. This is significant public outreach activity for an agency without full-time, experienced staff in our Public Affairs and Congressional Affairs Units. In addition, our Chairman has conducted press interviews on the work of the Commission and the Chairman and the Staff Director have personally met with members of Congress and congressional staff.

### **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) 105<sup>th</sup> 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 FY 2014 – FY 2018 Strategic plan calls for reformatting the Commission’s website to increase Google hits. However, due to technical and cost issues, this performance measure is not achievable.

The Commission has begun measuring and analyzing web traffic and written requests for Commission reports. To make reports accessible to persons with disabilities, newly issued Commission reports are available in HTML and text-based versions. In addition, as part of the agency’s Section 508 plan the Commission installed Readspeak for voice playback on the main pages of the Commission’s website. The Commission also procured and installed a custom 508 compliant computer system in the Rankin Library to allow improved access for the public. To improve service to the LEP community, the Commission has begun analyzing complaint line data and written requests for assistance to identify language access needs. Thus far, the language access need is in the Latino community. The Commission is currently working on a web-based complaint screening process and online guidance to improve the complaint process in both English and Spanish.

Appendix B contains additional detail on our performance targets and actual result.

#### **F. 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.**

The Commission is committed not only to serving as the nation’s conscience on civil rights matters, but also as a model of management excellence, efficiency, and accountability. The Commission is strengthening 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.

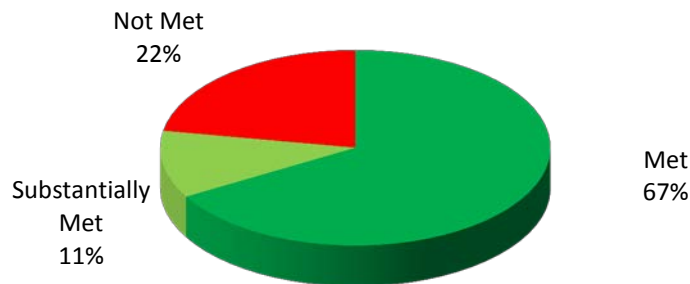
We seek to accomplish this through our strategic goals by:

- Aligning the Commission's budget submissions with the Agency's strategic plan and annual performance plan
- Ensuring that the Commission's budget submission complies with OMB Circular A-11
- Enhancing financial policy and procedures to ensure reliability of financial reporting
- Monitoring and report on the Commission's progress in achieving its annual performance plan goals and objectives

- Updating and Implementing the Commission's Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission
- Conducting and analyzing Employee Satisfaction surveys and developing specific strategies to address issues
- Conducting training to increase awareness of acquisition processes and procedures
- Complying with Federal Information Security Act (FISMA) requirements.
- Leveraging information technology to enhance the productivity and efficiency of the workforce

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our fifth strategic goal 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)**



Appendix B contains additional detail on our performance targets and actual result.

The Commission budget submission is fully compliant with OMB Circular A-11 and aligned with the Agency's strategic and annual performance plans. The Performance and Accountability report adheres to all relevant guidance. The Commission is finalizing the revised Human Capital Plan. The Agency continues to comply with OMB Cloud Computing Initiatives.

Appendix B contains additional detail on our performance targets and actual result.

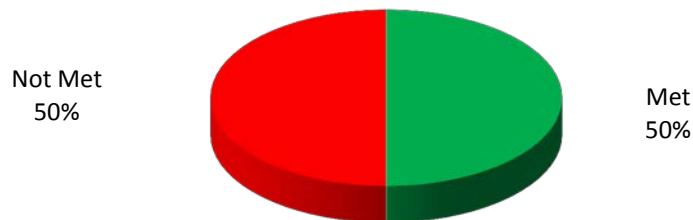
**G. Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.**

The Commission is committed to increasing State Advisory Committees' participation in the Commission's work. The Commission is striving to include SAC input in the Commission's program planning process; enhancing collaboration between and among SACs, regional offices, and the Commission; and strengthening the SAC re-chartering process. We seek to accomplish this through our strategic goals by:

- Soliciting SAC involvement in briefings and hearings
- Expanding communication and information sharing via a listserv and use of webinars.
- Achieving and maintaining chartered status for all 51 SACs

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our sixth strategic goal to 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)**



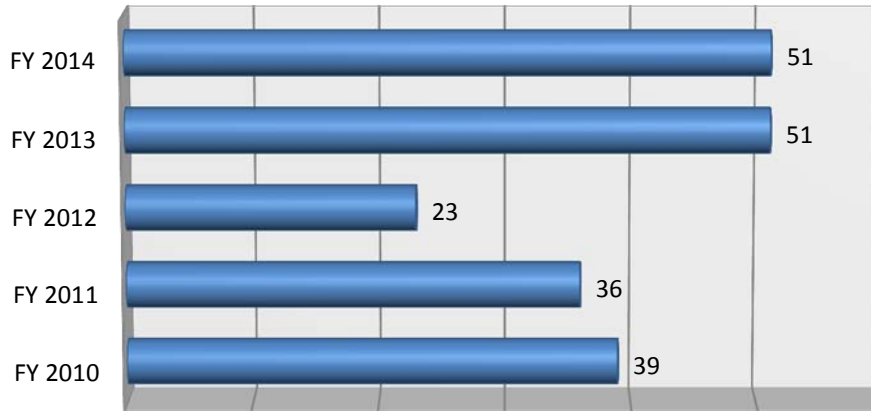
The Commission has made great strides in increasing the work of our state advisory committees. Our regional staff has been very busy with SAC charters and appointments, reports, fact-finding activities, and complaint referral.

#### **i. State Advisory Committee Charters and Appointments**

The Commission's state advisory committees operate in compliance with the Federal Advisory Committee Act (FACA). FACA requires that agencies file federal advisory committee charters every two years. In FY 2013, the Commission started filing one charter for all state advisory committees. This allows the Commission to ensure all 51 state advisory committees can operate.



**Active State Advisory Committee Charters  
By Fiscal Year**



Along with chartering, commissioners approve recommendations for committee member appointments. Currently 42 state advisory committees have appointed members and only 9 state advisory committees are awaiting appointment. Our chartered advisory committee members, working with regional office staff, held 11 civil rights briefings and forums, and 82 business, orientation, and 13 subcommittee meetings. During FY 2014, the Eastern Regional Office convened a regional meeting of SAC members to discuss best practices and to foster collaboration among the SAC members of the Eastern Regional Office. Headquarters staff also participated in the daylong event. In a further attempt to reinvigorate our SACs, our Chairman and Staff Director have personally attended SAC meetings or met with SAC Chairs. In addition, the Staff Director has held conference calls with members of state advisory committees to discuss Commission work and to provide updates on current or ongoing projects. Finally, in FY2014, the agency redesigned the regional programs’ link on the Commission website. The redesign will continue in FY 2015 so that it can become a central repository of state advisory committee activities and reports.

**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
Nevada	Student Assault and Bullying in Nevada Public Schools

Florida	Rules of Executive Clemency Should Allow Level 1 – Offenders to Have Their Civil Rights Automatically Restored Upon Completion of Their Sentences
Tennessee	The Right to Vote and Ex-Felon Disenfranchisement in Tennessee
Georgia	Immigration and Civil Rights: Just and Fair Immigration Reform is an Urgent Matter for Georgia

### **Unemployment Disparities in Minnesota**

On September 15, 2011, the Minnesota Advisory Committee to the U.S. Commission on Civil Rights held a daylong community forum, which focused on the unemployment disparities in Minnesota, the underlying causes of the racial disparities, and recommendations for change. The presenters represented a range of perspectives and diverse backgrounds including business, government, community-based organizations, the faith community, and nonprofits. The common thread that flowed through each of the presentations was the belief that Minnesota’s unemployment disparity, in which Blacks are more than three times as likely to be unemployed than their White counterparts, is detrimental to the African American community in particular, and to the current and future regional competitiveness of the State of Minnesota as a whole.

The SAC report included various aspects of the testimony that were presented during the community forum, the current trends that might contribute to the racial disparities, and identified existing opportunities to make a positive impact in closing the disparities in unemployment between Blacks and Whites in the Twin Cities metropolitan area. The report also examined the demographic shifts that are occurring in the State of Minnesota and their impacts on current employment opportunities and future workforce preparedness. The result also addressed challenges that exist regarding educational attainment for African Americans in Minnesota. The release of the Minnesota report was featured on Minnesota Public Radio.

([http://www.usccr.gov/pubs/MNSAC\\_Unemployment\\_Final\\_3.pdf](http://www.usccr.gov/pubs/MNSAC_Unemployment_Final_3.pdf))

### **Equal Educational Opportunity: Student Assault and Bullying in Nevada Public Schools**

The Nevada Advisory Committee to the U.S. Commission on Civil Rights issued a report on bullying and equal educational opportunity which builds upon an examination of peer-on-peer bullying that was completed by the U.S. Commission on Civil Rights in 2012.

The Committee issued findings, which included the following: implementation of anti-bullying policies can be problematic when efficacy depends on diminished available resources and active participation of all stakeholders (students, parents and faculty); bullying data is only available from 2011 to the present and only some data is available from the public charter schools and that data is incomplete.

([http://www.usccr.gov/pubs/NV\\_Bullying-report.pdf](http://www.usccr.gov/pubs/NV_Bullying-report.pdf))

### **Rules of Executive Clemency: Should Allow Level-1 Offenders to Have Their Civil Rights Automatically Restored Upon Completion of Their Sentences**

The Florida Advisory Committee report re-examined Clemency Rules for ex-felons in the State of Florida. It expanded upon the Committee's 2009 report on the same issue. The report findings supported former Governors Jeb Bush (R) and Charlie Crist's (R) modification to the rules for executive clemency. The Florida SAC recommended that the modifications remain in place, absent the introduction of a compelling government interest or purpose, in order to allow deserving persons who have made full and proper restitution to regain their privilege to vote and successfully integrate back into society.

([http://www.usccr.gov/pubs/FL\\_SAC\\_Ex-Felon-Report.pdf](http://www.usccr.gov/pubs/FL_SAC_Ex-Felon-Report.pdf))

### **The Right to Vote and Ex-Felon Disenfranchisement in Tennessee**

The Tennessee Advisory Committee issued a report on voting rights and ex-felon disenfranchisement. The report found that Tennessee's disenfranchisement of ex-felons is one of the most restrictive in the nation. Tennessee is one of eleven states nationwide that permanently disenfranchises citizens from voting. This lifetime ban on voting means that in Tennessee ex-felons may not vote even after such individual has fully completed his or her sentence and has satisfied all related terms and conditions of such sentences. The Tennessee Advisory Committee independently estimated that in the past thirty years approximately 160,000 Tennessee citizens have been banned from exercising the right to vote following completion of all of the terms of their sentence. Although under current state law it is possible for certain ex-felons to have their civil rights restored, the Tennessee Advisory Committee found that the process for regaining the right to vote in Tennessee tends to be both lengthy and complicated and, in some instances, prohibitive.

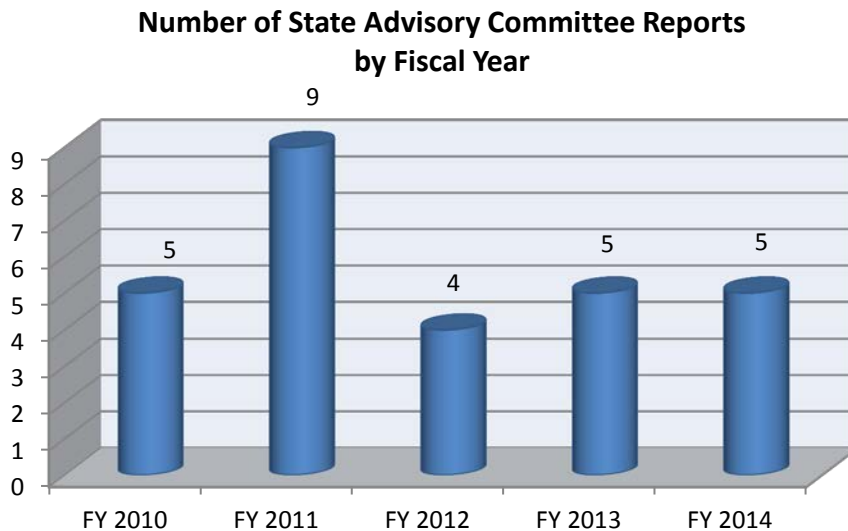
The Committee also found that the Tennessee ex-felon disenfranchisement statutes tend to have a disparate impact on African Americans, who make up nearly one-half of the prison population but only approximately 17 percent of the state's population. Finally, the Committee found that the Tennessee law governing restoration of ex-felon voting rights is cumbersome and complicated.

([http://www.usccr.gov/pubs/TN\\_SAC\\_Ex-Felon-Report.pdf](http://www.usccr.gov/pubs/TN_SAC_Ex-Felon-Report.pdf))

### **Immigration and Civil Rights: Just and Fair Immigration Reform Is an Urgent Matter for Georgia**

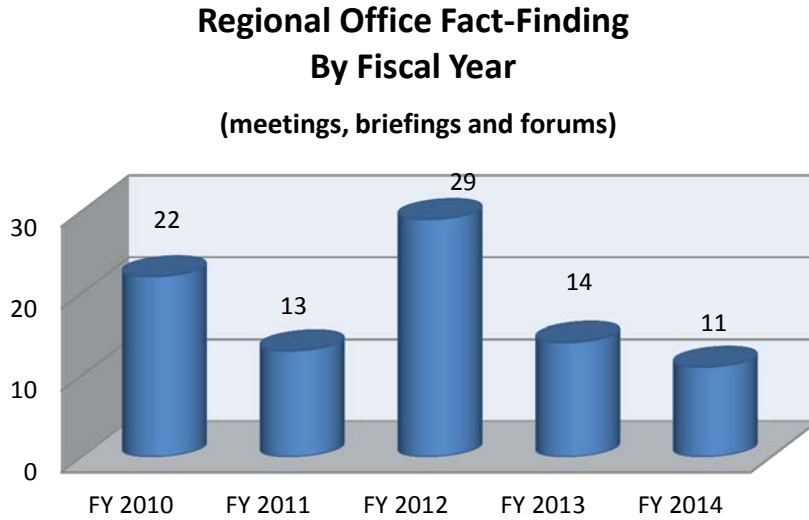
The Georgia Advisory Committee report, *Immigration and Civil Rights: Just and Fair Immigration Reform*, was viewed by the GA SAC as an urgent matter in Georgia. During the past few years, Georgia has become entangled in the national debate over immigration. The state ranks sixth in the Nation for the highest number of undocumented immigrants. In response to local concerns about immigration, the Georgia General Assembly passed the *Illegal Immigration Reform and Enforcement Act*, commonly referred to as House Bill 87, in 2011. Concerns with immigration led the GA SAC to hold a public meeting on February 19, 2013, in Duluth, GA. The report summarizes the Committee’s findings and recommendations which includes the following: the Nation’s present immigration laws and their enforcement, as administered, serve to undermine the essential trust between law enforcement officials and the public; employers who attempt to act in accordance with the Nation’s immigration laws and abide by worker laws are at a competitive disadvantage with those who use the current situation as a shield to gain an un-fair competitive advantage; and, the present immigration laws are disrupting families, with spouses being separated and in some cases parents being deported while their children are placed in foster care.

([http://www.usccr.gov/pubs/GA\\_SAC\\_Immigration-Report-Final.pdf](http://www.usccr.gov/pubs/GA_SAC_Immigration-Report-Final.pdf))



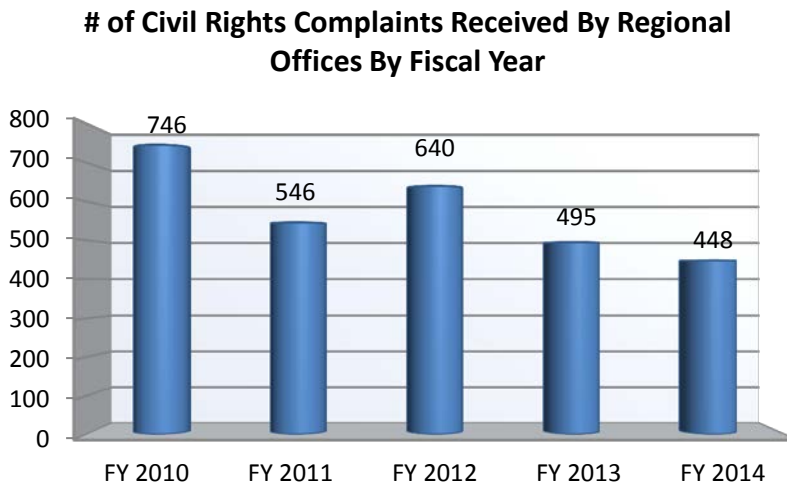
In addition to the five published reports, state advisory committees did complete one additional report that is pending review by headquarters staff. The Commission considers reports published when they are available on the Commission’s website.

**iii. SAC Fact Finding Activity**



State advisory committee fact-finding activities decreased from 14 in FY 2013 to 11 in FY 2014. Starting in FY 2014 all regional offices had the technological capability to use conference call and video conferencing equipment to conduct public meetings and to provide access to briefings and forums to the public.

**iv. Regional Office Complaint Referral**



While SAC appointments, completion of civil rights reports, meetings and briefings account for a sizable portion of the regional activity, we also dedicate regional resources to complaint referral service to the public. 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.

Appendix B contains additional detail on our performance targets and actual result.

#### **F. Other Information Related to Annual Performance Reporting**

The Government Performance and Results Act of 1993 requires that the Annual Performance Report include information on program evaluations that are relevant to an agency's efforts to attain its goals and objectives as identified in its Strategic Plan or to performance measures and goals reported at the agency level. There were no program evaluations conducted during the fiscal year that meet the criteria established by OMB's Program Assessment Rating Tool (PART) guidance.

No significant contribution to the preparation of our annual performance report was made by a non-federal entity.

## **Section: III: Auditors Report and Financial Statements**

This section demonstrates our commitment to effective stewardship over our funds and compliance with applicable federal financial management laws and regulations. It includes a message from the Chief of Budget and Finance; Financial Statements and Notes to the Financial Statements; Independent Auditors' Report – an independent opinion on the Financial Statements; and Required Supplemental Information.

### **A. Message from the Chief of Budget and Finance**

Unfortunately, we received a disclaimer on our fiscal year 2014 financial statements. We will work to resolve the issues that prevented us from receiving a clean audit opinion. In FY 2014, we continued our contract with an accounting services provider to supplement our budget staff and provide an accounting system that complies with all applicable federal laws and regulations. We will work with our accounting service provider to improve our internal controls over financial reporting and anticipate an unqualified opinion for FY 2015.



John Ratcliffe  
Chief, Budget and Finance Division  
November 17, 2014

## B. Auditor's Report, Financial Statements & Notes



Grant Thornton LLP  
333 John Carlyle Street, Suite 400  
Alexandria, VA 22314-5745  
T 703.837.4400  
F 703.837.4455  
[www.GrantThornton.com](http://www.GrantThornton.com)

### REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS

The Honorable Martin R. Castro  
Chairperson  
United States Commission of Civil Rights

We were engaged to audit the accompanying financial statements of the United States Commission of Civil Rights (the "Commission"), which comprise the balance sheet as of September 30, 2014, and the related statements of net cost, changes in net position, and budgetary resources for the year then ended, and the related notes to the financial statements.

#### Management's responsibility for the financial statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

#### Auditor's responsibility

Our responsibility is to express an opinion on these financial statements based on conducting the audit in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, *Audit Requirements for Federal Financial Statements*. Because of the matters described in the Basis for Disclaimer of Opinion paragraph, however, we were not able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion.

#### Basis for disclaimer of opinion

We were unable to complete audit procedures over Payroll Expense, Accounts Payable, Accrued Payroll, Recoveries of Prior Year Obligations, Obligations Incurred, and Unpaid Obligations. The balances of the related accounts are material to various line items on the balance sheet, statement of net cost, statement of net position and statement of budgetary resources. Management was unable to provide us with sufficient, competent evidential matter to allow us to complete our audit procedures and determine whether any adjustments to the financial statements might have been found necessary in respect of recorded or unrecorded amounts.

#### Disclaimer of opinion

Because of the significance of the matters described in the Basis for Disclaimer of Opinion paragraph, we have not been able to obtain sufficient appropriate audit evidence to provide a basis for an audit opinion. Accordingly, we do not express an opinion on these financial statements.

Grant Thornton LLP  
U.S. member firm of Grant Thornton International Ltd



#### Other matters

##### *Required supplementary information*

Accounting principles generally accepted in the United States of America and OMB Circular A-136, *Financial Reporting Requirements*, require that the Management's Discussion and Analysis (MD&A) included in Section I of the Performance and Accountability Report (PAR) be presented to supplement the basic financial statements. Such information, although not part of the basic financial statements, is required by the Federal Accounting Standards Advisory Board and the OMB who consider it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. We were unable to apply certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America because of the significance of the matters described above resulting in a disclaimer of opinion on the basic financial statements. We do not express an opinion or provide any assurance on the required supplementary information.

##### *Other information*

The Performance Report included in Section II, the Message from the Chief of Budget and Finance included in Section III, the Other Accompanying Information included in Section IV, and the information included within the Appendices to the PAR is presented for purposes of additional analysis and is not a required part of the basic financial statements. Such information has not been subjected to auditing procedures, and we do not express an opinion or provide any assurance on it.

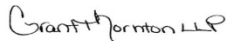
##### *2013 financial statements*

The accompanying financial statements of the Commission as of and for the year ended September 30, 2013 were not audited, reviewed, or compiled by us, and accordingly, we do not express an opinion or any other form of assurance on them.

##### **Other reporting required by Government Auditing Standards**

In accordance with *Government Auditing Standards*, we have also issued our report, dated November 14, 2014, on the Commission's internal control over financial reporting and on its compliance with certain provisions of laws, regulations, contracts, and grant agreements and other matters. The purpose of that report is to describe our findings related to internal control over financial reporting and compliance, and not to provide an opinion on the effectiveness of internal control over financial reporting or on compliance. That report is an integral part of an audit conducted in accordance with *Government Auditing Standards* in considering the Entity's internal control over financial reporting and compliance.

GRANT THORNTON LLP



Alexandria, VA

November 14, 2014

Grant Thornton LLP  
U.S. member firm of Grant Thornton International Ltd



Grant Thornton LLP  
333 John Carlyle Street, Suite 400  
Alexandria, VA 22314-5745  
T 703.837.4400  
F 703.837.4455  
[www.GrantThornton.com](http://www.GrantThornton.com)

**REPORT OF INDEPENDENT CERTIFIED PUBLIC ACCOUNTANTS  
ON INTERNAL CONTROL OVER FINANCIAL REPORTING AND ON  
COMPLIANCE AND OTHER MATTERS REQUIRED BY GOVERNMENT  
AUDITING STANDARDS**

The Honorable Martin R. Castro  
Chairperson  
United States Commission of Civil Rights

We were engaged to audit, in accordance with auditing standards generally accepted in the United States of America; the standards applicable to financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; and Office of Management and Budget (OMB) Bulletin No. 14-02, *Audit Requirements for Federal Financial Statements*, the financial statements of the United States Commission of Civil Rights (the "Commission"), which comprise the consolidated balance sheet as of September 30, 2014, the related consolidated statements of net cost and changes in net position, and the combined statement of budgetary resources for the year then ended, and the related notes to the financial statements. We have issued our report dated (date), which expressed a disclaimer of opinion on those financial statements.

**Internal control over financial reporting**

A deficiency in internal control exists when the design or operation of a control does not allow management or employees, in the normal course of performing their assigned functions, to prevent, or detect and correct, misstatements on a timely basis. A material weakness is a deficiency, or a combination of deficiencies, in internal control, such that there is a reasonable possibility that a material misstatement of the Commission's financial statements will not be prevented, or detected and corrected, on a timely basis. A significant deficiency is a deficiency, or a combination of deficiencies, in internal control that is less severe than a material weakness, yet important enough to merit attention by those charged with governance.

As described below, we identified certain deficiencies in internal control that we consider to be material weaknesses in the Commission's internal control. Material weaknesses or significant deficiencies may exist that were not identified.

**Material Weakness – Lack of Controls to ensure Reliability of Financial Reporting**

We identified that management lacks sufficient internal controls over financial reporting to ensure the reliability of its financial reporting, as required by the Federal Managers' Financial Integrity

Grant Thornton LLP  
U.S. member firm of Grant Thornton International Ltd

Act (FMFIA) of 1982. Specifically, we noted that management does not have adequate controls in place to ensure that appropriate accounting standards are used when recording Payroll Expense, Accounts Payable, Accrued Payroll, Obligations Incurred, Unpaid Obligations and Undelivered Orders. The Commission relies on a service provider to process its financial reporting transactions. However, the Commission's management has ultimate responsibility for the Commission's financial reporting and the fair presentation of its financial statements. The lack of control can lead to potential material misstatements to the financial statements.

### **Recommendations**

Management should:

1. Develop appropriate processes and controls to ensure Payroll Expense, Accounts Payable, Accrued Payroll, Obligations Incurred, Unpaid Obligations and Undelivered Orders are appropriately accounted and reported on the financial statements.
2. Develop effective reconciliations and fluctuation analyses over all significant balances on their financial statements. This will enable management to validate the reasonableness of amounts recorded in their financial statements. These analyses should be performed on an ongoing basis in order to ensure potential errors are identified in a timely manner.

### **Compliance and other matters**

The Commission is responsible for its compliance with certain provisions of laws, regulations, contracts, and grant agreements, noncompliance with which could have a direct and material effect on the determination of financial statement amounts. We identified instances of noncompliance, described in the following paragraphs that are required to be reported under *Government Auditing Standards*.

### **Lack of Substantial Compliance with the requirements of FMFIA**

Pursuant to OMB Circular A-123, management is responsible for establishing and maintaining internal control to achieve the objectives of effective and efficient operations, reliable financial reporting, and compliance with applicable laws and regulations. The Circular is issued under the authority of the FMFIA of 1982 as codified in 31 U.S.C. 3512. As described on our report on internal control over financial reporting, we identified that management does not have adequate controls to ensure the reliability of financial reporting. Specifically, management does not have adequate controls in place to ensure that appropriate accounting standards are used when recording Payroll Expense, Accounts Payable, Accrued Payroll, Obligations Incurred, Unpaid Obligations and Undelivered Orders. The lack of controls can lead to potential material misstatements to the financial statements. We determine this to be a lack of substantial compliance with the requirements of FMFIA.

**Lack of Substantial Compliance with the requirements of the Federal Financial Management Improvement Act of 1996 (FFMIA)**

FFMIA Section 803(a) requires CFO Act agencies to establish and maintain financial management systems that substantially comply with three elements: Federal financial management systems requirements, applicable Federal accounting standards, and the United States Standard General Ledger (USSGL) at the transaction level. OMB Circular A-123, Appendix D, issued pursuant to FFMIA, states that a financial management system includes an agency's overall financial operation, reflecting the people, processes, and technology to capture, classify, summarize, and report data in a meaningful manner to support business decisions. It includes hardware, application, and system software, personnel, procedures, data, and reporting functions. We determined a lack of substantial compliance with FFMIA. Specifically, we deemed the Commission to be in non-compliance of the following elements of FFMIA:

***Applicable Federal Accounting Standards***

Appropriate accounting standards are not being followed when recording Payroll Expense, Accounts Payable, Accrued Payroll, Obligations Incurred, Unpaid Obligations and Undelivered Orders. This non-compliance with applicable accounting standards can lead to potential material misstatements to the financial statements.

***United States Standard General Ledger at the Transaction Level***

The appropriate USSGL posting logic to record Undelivered Orders is not being followed. We noticed instances where Undelivered Orders were not decreased upon the receipt and payment of the related goods and/or services. This non-compliance with the USSGL at the transaction level can lead to potential overstatements of Undelivered Orders which in turns creates an overstatement of the Obligations Incurred and an understatement of Unobligated Balances line items on the Statement of Budgetary Resources.

**Recommendations**

Management should:


1. Ensure that applicable accounting standards are followed when recording Accounts Payable, Accrued Payroll, Obligations Incurred, Unpaid Obligations and Undelivered Orders.
2. Work with its service provided to ensure that the appropriate USSGL posting logic is being followed for all transactions.

**Intended purpose**

The purpose of this report is solely to describe our findings on internal control and compliance, and not to provide an opinion on the effectiveness of the Commission's internal control or on compliance. This report is an integral part of an audit conducted in accordance with *Government Auditing Standards* in considering the Commission's internal control and compliance. Accordingly, this report is not suitable for any other purpose.

Our report is intended solely for the information and use of management of the Commission, the OMB, the Government Accountability Office, and Congress and is not intended to be and should not be used by anyone other than these specified parties.

GRANT THORNTON LLP



Alexandria VA  
November 17, 2014



**UNITED STATES COMMISSION ON CIVIL RIGHTS**  
**GENERAL FUND**

**FINANCIAL STATEMENTS**

**As Of And For The Years Ended September 30, 2014 and 2013**

**UNITED STATES COMMISSION ON CIVIL RIGHTS**  
BALANCE SHEET

As Of September 30, 2014 and 2013

	2014	2013
<b>Assets:</b>		
<b>Intragovernmental:</b>		
Fund Balance With Treasury (Note 2)	\$ 4,110,449	\$ 4,026,847
<b>Total Intragovernmental</b>	4,110,449	4,026,847
<b>Assets With The Public:</b>		
General Property, Plant and Equipment (Note 3)	250,742	40,858
<b>Total Assets</b>	<u>\$ 4,361,191</u>	<u>\$ 4,067,705</u>
<b>Liabilities:</b> (Note 4)		
<b>Intragovernmental:</b>		
Accounts Payable	338,044	\$ 652,717
<b>Total Intragovernmental</b>	<u>338,044</u>	<u>652,717</u>
<b>Liabilities With the Public:</b>		
Accounts Payable	536,668	184,361
<b>Other:</b>		
Accrued Funded Payroll and Leave	144,190	128,124
Unfunded Leave	323,026	318,413
<b>Total Liabilities</b>	<u>\$ 1,341,928</u>	<u>\$ 1,283,615</u>
<b>Net Position:</b>		
Unexpended Appropriations - All Other Funds	3,091,547	3,061,647
Cumulative Results of Operations - All Other	(72,284)	(277,557)
<b>Total Net Position - All Other Funds</b>	<u>3,019,263</u>	<u>2,784,090</u>
<b>Total Net Position</b>	<u>3,019,263</u>	<u>2,784,090</u>
<b>Total Liabilities and Net Position</b>	<u>\$ 4,361,191</u>	<u>\$ 4,067,705</u>

*The accompanying notes are an integral part of these statements.*

**UNITED STATES COMMISSION ON CIVIL RIGHTS  
STATEMENT OF NET COST**

As Of And For The Years Ended September 30, 2014 and 2013

		2014	2013
Program Costs:			
Gross Costs		8,648,058	\$ 6,936,248
Net Program Costs	(Note 5)	8,648,058	6,936,248
Net Cost of Operations		\$ 8,648,058	\$ 6,936,248

*The accompanying notes are an integral part of these statements.*



**UNITED STATES COMMISSION ON CIVIL RIGHTS**  
**STATEMENT OF CHANGES IN NET POSITION**  
**As Of And For The Years Ended September 30, 2014 and 2013**

FY 2014 (CY)

	<u>Funds From Dedicated Collections (Consolidated Totals)</u>	<u>All Other Funds (Consolidated Totals)</u>	<u>Eliminations</u>	<u>Consolidated Total</u>
<b>Cumulative Results of Operations:</b>				
Beginning Balances		\$ (277,557)		\$ (277,557)
Beginning balance, as adjusted		(277,557)		(277,557)
<b>Budgetary Financing Sources:</b>				
Appropriations used		8,853,330		8,853,330
Total Financing Sources		8,853,330		8,853,331
Net Cost of Operations		8,648,058		8,648,058
Net Change		205,272		205,272
<b>Cumulative Results of Operations</b>		(72,284)		(72,284)
<b>Unexpended Appropriations:</b>				
Beginning Balance		3,061,646		3,061,646
Beginning Balance, as adjusted		3,061,646		3,061,646
<b>Budgetary Financing Sources:</b>				
Appropriations received		9,000,000		9,000,000
Appropriations transferred in/out		3,692		3,692
Other adjustments		(120,461)		(120,461)
Appropriations used		(8,853,330)		(8,853,330)
Total Budgetary Financing Sources		29,961		29,961
Total Unexpended Appropriations		3,091,647		3,091,647
Net Position		3,019,263		3,019,263

*The accompanying notes are an integral part of these statements.*

**UNITED STATES COMMISSION ON CIVIL RIGHTS**  
**STATEMENT OF CHANGES IN NET POSITION**  
**As Of And For The Years Ended September 30, 2014 and 2013**

FY 2013 (PY)

	<u>Funds From Dedicated Collections (Consolidated Totals)</u>	<u>All Other Funds (Consolidated Totals)</u>	<u>Eliminations</u>	<u>Consolidated Total</u>
<b>Cumulative Results of Operations:</b>				
Beginning Balances		\$ (215,666)		\$ (215,666)
Beginning balance, as adjusted		(215,666)		(215,666)
<b>Budgetary Financing Sources:</b>				
Appropriations used		<u>6,974,357</u>		<u>6,974,357</u>
Total Financing Sources		6,974,357		6,974,357
Net Cost of Operations		<u>6,936,248</u>		<u>6,936,248</u>
Net Change		38,109		38,109
<b>Cumulative Results of Operations</b>		<u>(277,557)</u>		<u>(277,557)</u>
<b>Unexpended Appropriations:</b>				
Beginning Balance		1,843,650		1,843,650
Beginning Balance, as adjusted		<u>1,843,650</u>		<u>1,843,650</u>
<b>Budgetary Financing Sources:</b>				
Appropriations received		9,400,000		9,400,000
Appropriations transferred-in/out		(418,531)		(418,531)
Other adjustments		(789,115)		(789,115)
Appropriations used		<u>(6,974,357)</u>		<u>(6,974,357)</u>
Total Budgetary Financing Sources		<u>1,217,997</u>		<u>1,217,997</u>
Total Unexpended Appropriations		<u>3,061,647</u>		<u>3,061,647</u>
Net Position		<u>2,784,090</u>		<u>2,784,090</u>

*The accompanying notes are an integral part of these statements.*

**UNITED STATES COMMISSION ON CIVIL RIGHTS  
STATEMENT OF BUDGETARY RESOURCES**

As Of And For The Years Ended September 30, 2014 and 2013

	<u>2014</u> <u>Budgetary</u>	<u>2013</u> <u>Budgetary</u>
<b>BUDGETARY RESOURCES</b>		
Unobligated balance brought forward, October 1	\$ 703,213	\$ 615,873
Unobligated balance brought forward, October 1, adjusted	703,213	615,873
Recoveries of prior year unpaid obligations (unobligated balances)	1,076,806	229,958
Other changes in unobligated balance	<u>(46,769)</u>	<u>(131,767)</u>
Unobligated balance from prior year budget authority, net	1,733,250	714,064
Appropriations (discretionary and mandatory)	8,930,000	8,324,121
Spending authority from offsetting collections	1,612	3,778
<b>Total budgetary resources</b>	<b>\$ 10,664,862</b>	<b>\$ 9,041,963</b>
 <b>STATUS OF BUDGETARY RESOURCES</b>		
Obligations incurred	(Note 6) \$ 9,793,837	\$ 8,338,749
Apportioned	141,137	166,799
Unapportioned	729,888	536,415
Unobligated balance brought forward, end of year	<u>871,025</u>	<u>703,214</u>
<b>Total budgetary resources</b>	<b>\$ 10,664,862</b>	<b>\$ 9,041,963</b>
 <b>CHANGE IN OBLIGATED BALANCE</b>		
Unpaid obligations, brought forward, October 1 (gross)	\$ 3,323,636	\$ 2,591,429
Obligations incurred	9,793,837	8,338,749
Outlays (gross) (-)	(8,801,242)	(7,376,585)
Recoveries of prior year unpaid obligations (-)	<u>(1,076,807)</u>	<u>(229,958)</u>
Unpaid obligations, end of year	(Note 7) 3,239,424	3,323,635
Obligated balance, start of year (net)	3,323,636	2,591,429
<b>Obligated balance, end of year (net)</b>	<b>\$ 3,239,424</b>	<b>\$ 3,323,635</b>
 <b>BUDGET AUTHORITY AND OUTLAYS, NET</b>		
Budget authority, gross (discretionary and mandatory)	\$ 8,931,611	\$ 8,327,899
Actual offsetting collections (discretionary and mandatory) (-)	<u>(1,611)</u>	<u>(3,778)</u>
Budget authority, net (discretionary and mandatory)	8,930,000	8,324,121
Outlays, gross (discretionary and mandatory)	8,801,241	7,376,585
Actual offsetting collections (discretionary and mandatory) (-)	<u>(1,611)</u>	<u>(3,778)</u>
Outlays, net (discretionary and mandatory)	\$ 8,799,630	\$ 7,372,807
Agency outlays, net (discretionary and mandatory)	<b>\$ 8,799,630</b>	<b>\$ 7,372,807</b>

*The accompanying notes are an integral part of these statements.*

## U.S. COMMISSION ON CIVIL RIGHTS

### GENERAL FUND

#### NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

##### *Reporting entity*

The statutory mandate of the U.S. Commission on Civil Rights (the Commission or Agency) is to:

- investigate allegations in writing under oath or affirmation relating to deprivations because of color, race, religion, sex, age, disability, or national origin; or as a result of any pattern or practice of fraud; or of the right of citizens of the United States to vote and have votes counted, 42 U.S.C. §1975a(1); and
- study and collect information, appraise the laws and policies of the federal government, serve as a national clearinghouse for information, and prepare public service announcements and advertising campaigns to discourage discrimination or denials of equal protection of the laws under the Constitution of the United States because of color, race, religion, sex, age, disability, or national origin, or in the administration of justice. 42 U.S.C. §1975a (2).

The Commission also issues a report annually to the President and Congress on monitoring federal civil rights enforcement and establishing state advisory committees in each of the fifty states and the District of Columbia.

##### *Powers*

In furtherance of its fact-finding duties, the Commission may hold hearings and issue subpoenas (within states in which hearings are being held and within a 100-mile radius of such sites) for the production of documents and the attendance of witnesses. The Commission also uses depositions and written interrogatories to collect information and testimony about matters subject to hearings or reports. In addition to these more formal measures, the Commission conducts public briefings on existing and emerging civil rights issues and produces briefings reports. The Commission maintains state advisory committees, and consults with representatives of federal, state and local governments, in addition to private organizations.

Since the Commission lacks enforcement powers that would enable it to apply specific remedies in individual cases, its civil rights reports contain findings and recommendations for corrective action by federal and state agencies, and other civil rights stakeholders as deemed appropriate. The Commission also provides a complaint referral service that receives complaints from citizens and other sources and refers them to the appropriate federal, state, or local government agency or private organization for action.

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

*Organization and structure of the Commission*

The Office of the Staff Director is responsible for the day-to-day management of the Commission and for executing the policy direction established by the agency's eight appointed commissioners.

The Commission is comprised of two programmatic units, the Office of General Counsel and the Office of Civil Rights Evaluation and six regional offices. The activities of these regional offices are coordinated through the Regional Programs Coordination Unit. The chief of this unit reports directly to the staff director.

Administratively, the Office Management oversees the work of three divisions: Administrative Services and Clearinghouse (ASCD), Budget and Finance, and Human Resources. Included within ASCD are the Commission's procurement services, public civil rights library, copy/print shop, and information technology services.

Other Commission offices, which at present remain unstaffed, include:

- Public Affairs Unit,
- Congressional Affairs Unit, and
- Equal Employment Opportunity Programs

A summary of significant accounting policies utilized in the preparation of the financial statements is as follows:

*Basis of presentation*

The Commission's financial statements are prepared from the accounting records of the Commission in accordance with accounting principles generally accepted in the United States (GAAP), and the form and content for entity's financial statements specified by the Office of Management and Budget (OMB) in OMB Circular No. A-136, *Financial Reporting Requirements*, as revised. GAAP for Federal entities are standards prescribed by the Federal Accounting Standards Advisory Board (FASAB), which has been designated the official accounting standards-setting body for the federal government by the American Institute of Certified Public Accountants (AICPA).

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

*Basis of presentation (continued)*

OMB Circular No. A-136 requires agencies to prepare basic statements, which include a balance sheet, statement of net cost, statement of changes in net position and a statement of budgetary resources. The balance sheets present, as of September 30, 2014 and 2013, amounts of future economic benefits owned or managed by the Commission (assets), amounts owed by the Commission (liabilities), and amounts which comprise the difference (net position). The statements of net cost report the full cost of the program, both direct and indirect costs of the output, and the costs of identifiable supporting services provided by other segments within the Commission. The statement of budgetary resources reports the Commission's budgetary activity.

*Basis of accounting*

The Commission prepares financial statements to report its financial position and results of operations pursuant to the requirements of 31 U.S.C. 3515(b), the Chief Financial Officers Act of 1990 (P. L. 101-576), as amended by the Government Management Reform Act of 1994, and presented in accordance with the requirements in OMB Circular No. A-136, as revised. These statements have been prepared from the Commission's financial records using an accrual basis in conformity with GAAP. The generally accepted accounting principles (GAAP) for federal entities are the standards prescribed by the Federal Accounting Standards Advisory Board (FASAB) and recognized by the AICPA as Federal GAAP. These statements are, therefore, different from financial reports prepared pursuant to other OMB directives that are primarily used to monitor and control the Commission's use of budgetary resources.

Transactions are recorded on an accrual and budgetary basis of accounting. Under the accrual basis of accounting, revenues are recognized when earned, and expenses are recognized when resources are consumed, without regard to the payment of cash. Budgetary accounting principles, on the other hand, are designed to recognize the obligation of funds according to legal requirements, which in many cases is prior to the occurrence of an accrual based transaction. The recognition of budgetary accounting transactions is essential for compliance with legal constraints and controls over the use of federal funds. The Commission uses the cash basis of accounting for some programs with an accrual adjustment made by recording year-end estimates of unpaid liabilities.

*Use of estimates*

The preparation of financial statements in conformity with GAAP in the United States requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities, and disclosure of contingent assets and liabilities, at the date of the financial statements and the reported amounts of revenue and expenses during the reporting period. Actual results could differ from those estimates.

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

*Fund balance with Treasury*

The Commission maintains its available funds with the Department of the Treasury (Treasury). The fund balance with Treasury is available to pay current liabilities and finance authorized purchases. Cash receipts and disbursements are processed by Treasury and are reconciled with those of Treasury on a regular basis. Note 3, Fund Balance with Treasury, provides additional information.

*General property and equipment*

General property and equipment (PP&E) consists of equipment used for general operations and internal use software. The basis for recording purchased PP&E is full cost, which includes all costs incurred to bring the PP&E to a form and location suitable for its intended use. The cost of PP&E acquired through donation is the estimated fair market value when acquired. All PP&E with an initial acquisition cost of \$5,000 or more and an estimated useful life of two years or more are capitalized, except for internal use software discussed below.

The PP&E is depreciated using the straight-line method over the estimated useful life of the asset. Normal maintenance and repair costs are expensed as incurred. Statement of Federal Financial Accounting Standards (SFFAS) No. 10, *Accounting for Internal Use Software*, requires that the capitalization of internally-developed, contractor-developed and commercial off-the-shelf (COTS) software begin in the software development phase.

For amortization purposes, the estimated useful life for internal use software was determined to be five years. SFFAS No. 10 also requires that amortization begin when the asset is placed in use. Costs below the threshold levels are expensed. Software is depreciated for a period of time consistent with the estimated useful life used for planning and acquisition purposes.

*Liabilities*

Liabilities are recognized for amounts of probable and measurable future outflows or other sacrifices of resources as a result of past transactions or events. Since the Commission is a component of the U.S. Government, a sovereign entity, its liabilities cannot be liquidated without legislation that provides resources to do so. Payments of all liabilities other than contracts can be abrogated by the sovereign entity. In accordance with public law and existing federal accounting standards, no liability is recognized for future payments to be made on behalf of current workers contributing to the Medicare Health Insurance Trust Fund, since liabilities are only those items that are present obligations of the government. The Commission's liabilities are classified as covered by budgetary resources or not covered by budgetary resources.

**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

Liabilities Covered by Budgetary Resources are Liabilities incurred which are covered by realized budgetary resources as of the Balance Sheet date. Budgetary resources encompass not only new budget authority but also other resources available to cover liabilities for specified purposes in a given year. Available budgetary resources include: (1) new budget authority, (2) unobligated balances of budgetary resources at the beginning of the year or net transfers of prior year balances during the year, (3) spending authority from offsetting collections (credited to an appropriation or fund account), and (4) recoveries of unexpired budget authority through downward adjustments of prior year obligations. Liabilities are considered covered by budgetary resources if they are to be funded by permanent indefinite appropriations, which have been enacted and signed into law and are available for use as of the Balance Sheet date, provided that the resources may be apportioned by OMB without further action by the Congress and without a contingency having to be met first.

Liabilities Not Covered by Budgetary Resources are liabilities, which are not considered to be covered by budgetary resources. Liabilities Not Covered by Budgetary Resources are combined with liabilities covered by budgetary resources with liabilities on the face of the Balance Sheet.

*Accounts payable*

Accounts payable primarily consists of amounts due for goods and services received, progress in contract performance, interest due on accounts payable, and other miscellaneous payables.

*Accrued payroll and benefits*

Accrued payroll and benefits consist of salaries, wages, leave and benefits earned by employees, but not disbursed as of September 30. Liability for annual and other vested compensatory leave is accrued when earned and reduced when taken. At the end of each fiscal year, the balance in the accrued annual leave liability account is adjusted to reflect current pay rates. Annual leave earned but not taken is considered an unfunded liability since this leave will be funded from future appropriations when it is actually taken by employees. Sick leave and other types of leave are not accrued and are expensed when taken.



**NOTE 1 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (Continued)**

*Revenue and financing sources*

The Commission receives the funding needed to support its programs through an annual Congressional appropriation. The United States Constitution prescribes that no money may be expended by a federal agency unless and until funds have been made available by Congressional appropriation. Appropriations are recognized as financing sources when related expenses are incurred or assets are purchased.

The Commission receives an annual appropriation that may be used within statutory limits. For example, funds for general operations are generally made available for one fiscal year. The Statement of Budgetary Resources presents information about the resources appropriated to the Commission.

*Federal employee benefits*

Most Commission employees participate in either the Civil Service Retirement System (CSRS) – a defined benefit plan, or the Federal Employees Retirement System (FERS) – a defined benefit and contribution plan. For employees covered under CSRS the Commission contributes a fixed percentage of pay. Most employees hired after December 31, 1983, are automatically covered by FERS. For employees covered under FERS the Commission contributes the employer's matching share for Social Security and Medicare Insurance. A primary feature of FERS is that it offers a Thrift Savings Plan (TSP) into which the Commission automatically contributes one percent of employee pay and matches employee contributions up to an additional four percent of pay.

The U.S. Office of Personnel Management is the administering agency for both of these benefit plans and, thus, reports CSRS or FERS assets, accumulated plan benefits, or unfunded liabilities applicable to federal employees. Therefore, the Commission does not recognize any liability on its balance sheet for pensions, other retirement benefits, and other post employment benefits.

**NOTE 2 FUND BALANCE WITH TREASURY**

The fund balance with the Treasury is as follows at September 30:

	<u>2014</u>	<u>2013</u>
A. Fund Balance with Treasury		
Appropriated Fund	<u>\$4,110,449</u>	<u>\$4,026,847</u>
B. Status of Fund Balance with Treasury		
1) Unobligated Balance		
a) Available	141,137	166,797
b) Unavailable	729,888	536,415
2) Obligated Balance not yet Disbursed	<u>3,239,424</u>	<u>3,323,635</u>
Total	<u>\$4,110,449</u>	<u>\$4,026,847</u>

In fiscal 2014, the Commission cancelled its fiscal 2009 remaining funds and returned the balance of \$120,461 to the Treasury. In fiscal 2014, the Commission transferred \$70,000 to the General Accountability Office as specified in their appropriation language.

**NOTE 3 GENERAL PROPERTY, PLANT AND EQUIPMENT**

Property and equipment consisted of the following at September 30:

	<u>2014</u>	<u>2013</u>
Equipment	\$296,427	\$63,072
Software	<u>\$72,524</u>	<u>\$72,524</u>
	\$368,951	\$135,596
Less: Accumulated depreciation and amortization	<u>(\$118,209)</u>	<u>( \$94,738)</u>
Property and equipment, net	<u>\$250,742</u>	<u>\$40,858</u>

Depreciation and amortization expense for the fiscal years ended September 30, 2014 and 2013 was \$31,583 and \$7,244, respectively. The increase in 2014 Equipment is due to the purchase of the items: portable video conference machine, telephone and voicemail system, and three copiers.

**NOTE 4 LIABILITIES NOT COVERED BY BUDGETARY RESOURCES**

The Commission's total liabilities were comprised of the following at September 30:

	<u>2014</u>	<u>2013</u>
Liabilities not covered by budgetary resources with the public		
Other (unfunded leave liability)	323,026	318,413
Liabilities covered by budgetary resources	<u>1,018,902</u>	<u>965,202</u>
Total Liabilities	<u>\$1,341,928</u>	<u>\$1,283,615</u>

Liabilities not covered by budgetary resources included liabilities for which congressional action is needed before budgetary resources can be provided. Although future appropriations to fund these liabilities are likely, it is not certain that appropriations will be enacted to fund these liabilities.

Liabilities covered by budgetary resources as of September 30, 2014 and 2013, were respectively comprised of accounts payable of \$874,712 and \$837,078, and accrued funded payroll of \$144,190 and \$128,124.

**NOTE 5 INTRAGOVERNMENTAL COSTS**

Intra-governmental costs arise from purchases of goods or services from other components of the Federal Government. In contrast, public costs are those that arise from the purchase of goods or services from nonfederal entities. The Commission does not provide services to another federal entity. Intra-governmental costs were comprised of the following for the fiscal years ended September 30:

	<u>Total 2014</u>	<u>Total 2013</u>
Intragovernmental costs	3,085,375	1,892,086
Public costs	<u>5,562,684</u>	<u>5,044,162</u>
Total costs	<u>\$ 8,648,058</u>	<u>\$ 6,936,248</u>

**NOTE 6 APPORTIONMENT CATEGORIES OF OBLIGATIONS INCURRED**

Obligations of the Commission represent direct obligations incurred against amounts apportioned under category A on the latest Apportionment and Reapportionment Schedule.

	Total 2014	Total 2013
Category A	<u>\$9,793,837</u>	<u>\$8,338,749</u>

**NOTE 7 UNDELIVERED ORDERS AT THE END OF THE PERIOD**

The Unpaid Obligated Balance of \$3,239,424 and \$3,323,635 for the fiscal years ended September 30, 2014 and 2013, respectively, is comprised of obligations relating to the Undelivered Orders (good and services contracted for but not yet received at year) and accounts payable accrued payroll (amounts owed at the end of the year for goods and services received).

Undelivered orders for the fiscal years ended September 30, 2014 and 2013 amounted to \$2,220,522 and \$2,358,433, respectively.

**NOTE 8 OPERATING LEASES**

The Commission has various leases for offices and branches throughout the United States. The longest of those obligations extends through 2022. Certain of the leases contain renewal options and escalation clauses. No leases include restrictions on the Commission's activities. The aggregate rent expense totaled \$1,447,397 and \$397,849 for fiscal years ended September 30, 2014 and 2013, respectively. Future minimum rent payments for the fiscal years ended September 30, are as follows:

	2014
2015	1,505,255
2016	1,421,750
2017	1,431,762
2018	1,384,221
2019	1,336,141
Thereafter	<u>3,460,837</u>
Total	\$10,539,966

**NOTE 9 BUDGETARY RESOURCE COMPARISONS TO THE BUDGET OF THE UNITED STATES GOVERNMENT**

The President's Budget that will include fiscal year 2014 actual budgetary execution information has not yet been published. The President's Budget is scheduled for publication in February 2015 and can be found at the OMB Web site <http://www.whitehouse.gov/omb/>.

No material differences exist between the amounts reported in the fiscal year 2013 Statement of Budgetary Resources and the 2013 actual amounts reported in the 2014 Budget of the United States Government.

**NOTE 10 – RECONCILIATION OF NET COST OF OPERATIONS (PROPRIETARY) TO BUDGET**

Budgetary resources obligated are obligations for personnel, goods, services, benefits, etc. made by the Commission in order to conduct operations or acquire assets. Other (i.e., non-budgetary) financing resources are also utilized by the Commission in its program (proprietary) operations. For example, spending authority from offsetting collections and recoveries are financial resources from the recoveries of prior year obligations (e.g., the completion of a contract where not all the funds were used) and refunds or other collections (i.e., funds used to conduct operations that were previously budgeted). An imputed financing source is recognized for future federal employee benefits costs incurred for the Commission employees that will be funded by OPM. Changes in budgetary resources obligated for goods, services, and benefits ordered but not yet provided represents the difference between the beginning and ending balances of undelivered orders (i.e., good and services received during the year based on obligations incurred the prior year represent a cost of operations not funded from budgetary resources). Resources that finance the acquisition of assets are budgetary resources used to finance assets and not cost of operations (e.g., increases in accounts receivables or capitalized assets). Financing sources yet to be provided represents financing that will be provided in future periods for future costs that are recognized in determining the net cost of operations for the present period. Finally, components not requiring or generating resources are costs included in the net cost of operations that do not require resources (e.g., depreciation and amortized expenses of assets previously capitalized).

A reconciliation between budgetary resources obligated and net cost of operations (i.e., providing an explanation between budgetary and financial (proprietary) accounting) is as follows (note: in prior years this information was presented as a separate financial statement, the Statement of Financing):

	FY 2014	FY 2013
Budgetary Resources Obligated	\$9,793,837	\$8,338,749
Spending Authority from Recoveries and Offsetting Collections	(1,078,417)	(233,736)
Changes in Budgetary Resources Obligated for Goods, Services, and Benefits Ordered but Not Yet Provided	137,910	(1,130,657)
Resources that Finance the Acquisition of Assets	(242,179)	(25,989)
Financing Sources Yet to be Provided	4,613	(19,365)
Components Not Requiring or Generating Resources	32,294	7,244
Net Cost of Operations	\$8,648,058	\$6,936,247

**NOTE 11 CONTINGENCIES**

The Commission is involved in various lawsuits incidental to its operations. In the opinion of management, the ultimate resolution of pending litigation will not have a material effect on the Commission's financial position.

## Section: IV: Other Accompanying Information

### A. Summary of Financial Statement Audit and Management Assurances

#### Summary of Financial Statement Audit

Audit Opinion: Disclaimer  
 Restatement: No

Material Weaknesses	Beginning Balance	New	Resolved	Consolidated	Reassessed	Ending Balance
Total Material Weaknesses	0	1	0	0	0	1

#### Summary of Management Assurances

##### Effectiveness of Internal Control over Financial Reporting - Federal Managers' Financial Integrity Act (FMFIA) 2

Statement of Assurance: Disclaimer

Material Weaknesses	Beginning Balance	New	Resolved	Consolidated	Reassessed	Ending Balance
Total Material Weaknesses	0	1	0	0	0	1

##### Effectiveness of Internal Control over Operations - FMFIA 2

Statement of Assurance: Unqualified

Material Weaknesses	Beginning Balance	New	Resolved	Consolidated	Reassessed	Ending Balance
Total Material Weaknesses	0	0	0	0	0	0

##### Conformance with Financial Management System Requirements - FMFIA 4

Statement of Assurance: Systems Conform

Non-Conformance	Beginning Balance	New	Resolved	Consolidated	Reassessed	Ending Balance
Total Non-Conformance	0	0	0	0	0	0

##### Compliance with Federal Financial Management Improvement Act - FFMIA

	Agency	Auditor
Overall Substantial Compliance	No	No
1. System Requirements	Yes	No
2. Federal Accounting Standards	No	No
3. United States Standard General Ledger at Transaction Level	Yes	No



## **B. Improper Payments Information Act Reporting Details**

The Improper Payments Information Act (IPIA) of 2002, as amended by the Improper Payments Elimination and Recovery Act (IPERA) of 2010, requires agencies to review all programs and activities they administer, and identify those programs that are susceptible to significant erroneous payments. Significant erroneous payments are defined as annual erroneous payments in the program exceeding both \$10 million and 2.5 percent or \$100 million of total annual program payments.

### Risk Assessment

Due to the Commission's mission and size, the Commission does not separate its mission into individual programs. We conducted a risk assessment for all relevant payments. The Commission evaluated the following risk factors: whether the program or activity was new to the agency; the complexity of the program; the volume of payments; how eligibility decisions are made; recent major changes in funding, authorities, practices, and procedures; the level and experience of personnel; and significant deficiencies in audit reports. The risk assessment determined that the risk of significant improper payments was low. Furthermore, since the Commission's total budget is less than the \$10 million threshold for significant improper payments, it is virtually impossible for the Commission to have improper payments over \$10 million. Based on the risk assessment, we determined that the Commission does not have significant improper payments.

### Payment Recapture Audits

Section 2(H) of the Improper Payments Elimination and Recovery Act requires agencies to conduct payment recapture audits for each program and activity that expends \$1 million or more annually if conducting such an audit is cost-effective. Since the Commission's payments as defined in OMB Circular A – 123, Appendix C exceed the \$1 million threshold, we conducted a cost-benefit analysis for the entire agency. To determine if it was cost effective for the Commission to engage in a Payment Recapture Audit, we estimated improper payments, determined the anticipated collections, examined the costs of a recapture audit, and applied OMB's criteria to make a decision. Based on our analysis, we have determined that the costs of a payment recapture audit at the Commission would exceed the benefits. In accordance with OMB Circular A – 123, Appendix C, we provided OMB and our Inspector General with our analysis and notified them that we decided that a payment recapture audit is not cost-effective.

### Improper Payment Reporting

The Commission had no improper payment in Fiscal Year 2014.

## APPENDICES

### Appendix A: Strategic Plan Goals, Objectives, and Measures

#### **FY 2014-2018 STRATEGIC GOALS AND OBJECTIVES**

Led by eight commissioners,<sup>3</sup> the Staff Director, along with, our national and regional office staff of civil rights analysts, social scientists, attorneys, and our 51 state advisory committees will carry out our mission by continuing to improve the alignment of our program activities with the goals and objectives in our strategic plan. We will measure performance against established targets, and report on our challenges and successes.

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

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

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

---

<sup>3</sup> Four commissioners are presidential appointees and four are congressional appointees; all serve six-year terms.

**STRATEGIC GOAL A:**

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

<b>Objective</b>	<b>Strategies</b>	<b>Performance Measures</b>
<ul style="list-style-type: none"><li>Strengthen the quality and objectivity of the Commission’s reports.</li></ul>	<ul style="list-style-type: none"><li>Concentrate studies and research on national priorities.</li></ul>	<ul style="list-style-type: none"><li>The Commission will hold at least three briefings and/or hearings each year.</li></ul>

**STRATEGIC GOAL B:**

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

<b>Objective</b>	<b>Strategies</b>	<b>Performance Measures</b>
<ul style="list-style-type: none"><li>The Commission will regularly conduct original fact-finding and/or a novel statistical data review in a civil rights investigation.</li></ul>	<ul style="list-style-type: none"><li>The Commission will include selection of an investigation as part of its annual project planning.</li><li>The Commission will strengthen employees’ ability to conduct investigations.</li></ul>	<ul style="list-style-type: none"><li>During its regular project planning process, the Commission will select one investigative project involving original fact-finding and/or statistical data reviews, either as a stand-alone project or in conjunction with a briefing or enforcement report.</li><li>Upon approval of an investigative project by the Commission, SACs may be solicited to aid the Commission in state and local fact gathering.</li><li>The Commission will train and/or cross-train designated employees on field interview techniques and statistical analysis.</li></ul>

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>All Commission products will be prepared using standards that provide for maximum objectivity.</li> </ul>	<ul style="list-style-type: none"> <li>The Commission will strengthen its information quality standards and other procedures regarding the process and review of agency products, as well as the implementation of such standards and procedures.</li> </ul>	<ul style="list-style-type: none"> <li>The Commission will amend its Human Capital Plan to prioritize developing employee capacities in the areas of statistical analysis and complaint interviews.</li> <li>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.</li> </ul>

**STRATEGIC GOAL C:**

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

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Strengthen the Commission's position as a national clearinghouse for civil rights information.</li> </ul>	<ul style="list-style-type: none"> <li>Measure and analyze web traffic data on the clearinghouse web page to identify top three civil rights areas of interest</li> </ul>	<ul style="list-style-type: none"> <li>Yearly updates to the clearinghouse web page.</li> <li>Review annually (FY) and update, as needed, the Uncle Sam publication, in both English and Spanish.</li> <li>By FY 2016, issue quarterly data reports that list and rank clearinghouse</li> </ul>

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Consult with the civil rights divisions of other agencies to ensure dissemination of accurate information for the complaint referral process.</li> </ul>	<ul style="list-style-type: none"> <li>Maintain up to date information on the USCCR complaint referral process.</li> <li>Simplify the telephone complaint referral process.</li> </ul>	<p>information hits tabulated by agency (DOJ, EEOC, DOE and DOL).</p> <ul style="list-style-type: none"> <li>List the name, URL and contact information for each Federal Civil Rights division that we refer complaints to on the USCCR website.</li> <li>Contact the Federal civil rights divisions that we refer complaints to, semi-annually, to confirm accuracy of civil rights complaint contact information.</li> <li>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.)</li> </ul>

**STRATEGIC GOAL D:**

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

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Raise public awareness of the Commission’s work</li> </ul>	<ul style="list-style-type: none"> <li>Expand Press Outreach</li> </ul>	<ul style="list-style-type: none"> <li>Create and update press list on a regular basis</li> <li>Issue press releases (English &amp; Spanish) and update website prior to</li> </ul>

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>• Modernize the Commission’s information technology infrastructure to increase access to the Commission’s work products.</li> <li>• Improve access to agency publications and dissemination of information for all persons including persons with disabilities and persons with limited English proficiency.</li> </ul>	<ul style="list-style-type: none"> <li>• Revise and reformat the website to increase web traffic and access to publications.</li> <li>• Increase access to Commission briefings and hearings using online tools</li> <li>• Measure and analyze web traffic and written requests for Commission reports.</li> <li>• Revise and update the USCCR website to make electronic and information technology (EIT) accessible to persons with disabilities.</li> </ul>	<p>every hearing and briefing.</p> <ul style="list-style-type: none"> <li>• Participate in speaking engagements and public policy symposia.</li> <li>• Reformat website to increase Google hits.</li> <li>• By FY 2016, Commission briefings and hearings will be streamed live online and made available on the website for future viewings.</li> <li>• By FY 2014, issue monthly reports on downloads and written requests for USCCR publications (top ten for each category).</li> <li>• By FY 2016, the agency shall implement accessible elements on the website, including alt tags, long descriptions, and captions, as needed.<sup>4</sup></li> <li>• By FY 2016, all documents on the website shall be made available in HTML or a text-based format.<sup>5</sup></li> </ul>

<sup>4</sup> These elements are necessary in order to make web pages accessible for persons with disabilities.

<sup>5</sup> This format is necessary so that a person using a screen reader can access online documents or documents

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Expand and clarify the USCCR complaint process for all individuals including LEP persons and persons with disabilities.</li> </ul>	<ul style="list-style-type: none"> <li>Analyze complaint line data and written requests for assistance to identify language access needs.</li> <li>Improve web-based complaint screening process and online guidance to complainants.</li> </ul>	<ul style="list-style-type: none"> <li>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.</li> <li>By FY 2015, update the USCCR website to include direct links to federal agencies' civil rights complaint page.</li> </ul>

---

provided library on disc.

**STRATEGIC GOAL E:**

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

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>• Continue to strengthen the Commission’s financial, budget, and performance policy, procedures, and reports</li>   <li>• Improve the strategic management of the Commission’s human capital</li> </ul>	<ul style="list-style-type: none"> <li>• Align the Commission's budget submissions with the Agency's strategic plan and annual performance plan.</li> <li>• Ensure that the Commission's budget submission complies with OMB Circular A-11.</li> <li>• Enhance financial policy and procedures to ensure reliability of financial reporting.</li> <li>• Monitor and report on the Commission's progress in achieving its annual performance plan goals and objectives.</li> <li>• Update and Implement the Commission's Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission.</li> <li>• Conduct and analyze Employee Satisfaction surveys and develop</li> </ul>	<ul style="list-style-type: none"> <li>• Compliance with OMB Circular A-11</li> <li>• Compliance with OMB Circular A-11</li> <li>• Receive a “clean” or unqualified financial statement audit.</li> <li>• Submit a Performance and Accountability Report that adheres to all relevant guidance.</li> <li>• Implementation of commission’s and the Office of Personnel Management (OPM) Human capital Plan program, strategies and initiatives.</li> <li>• Results of the Employee Satisfaction surveys compared to previous surveys.</li> <li>• Annual training sessions, i.e., formal training,</li> </ul>



Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Improve administrative and clearinghouse services including information technology, acquisition, and library functions.</li> </ul>	<p>specific strategies to address issues.</p> <ul style="list-style-type: none"> <li>Conduct training to increase awareness of acquisition processes and procedures.</li> <li>Comply with Federal information security requirements.</li> <li>Leverage information technology to enhance the productivity and efficiency of the workforce.</li> </ul>	<p>issuance of memoranda and/or internal instructions.</p> <ul style="list-style-type: none"> <li>Annual FISMA audit</li> <li>Comply with OMB Cloud Computing Initiatives.</li> </ul>

**STRATEGIC GOAL F:**

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

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Include SAC input in the Commission’s program planning process.</li> <li>Enhance collaboration between and among SACs, regional offices and the Commission.</li> </ul>	<ul style="list-style-type: none"> <li>Solicit SAC involvement in briefings and hearings.</li> <li>Expand communication and information sharing through the use of a listserv and webinar capabilities.</li> </ul>	<ul style="list-style-type: none"> <li>By FY 2015, SACs will be encouraged to participate in at least two briefings/ hearings/fact-finding and/or public forums annually.</li> <li>Issue monthly updates via listserv (from DC office to Regions).</li> <li>By FY 2015, Regional offices will have the capability to offer webinars.</li> <li>Extend SAC appointee</li> </ul>

Objective	Strategies	Performance Measures
<ul style="list-style-type: none"> <li>Strengthen the SAC re-chartering process</li> </ul>	<ul style="list-style-type: none"> <li>Achieve and maintain chartered status for all 51 SACs.</li> </ul>	<p>terms to 4 years.</p> <ul style="list-style-type: none"> <li>Eliminate SAC backlog by FY 2015.</li> <li>Re-charter SACs set to expire after 10/1/2014 within 60 days.</li> </ul>

**Appendix B: FY 2013 Annual Performance Plan, Targets, and Results**

<b>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.</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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

<b>Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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

<b>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.</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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	No 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	No Met

<b>Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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

<b>Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public</b>			
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

<b>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.</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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)

<b>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.</b>			
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

<b>Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.</b>			
<b>Performance Measures</b>	<b>Performance Goals</b>	<b>FY 2014 Performance Target</b>	<b>FY 2014 Actual Performance</b>
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