

**UNITED STATES
COMMISSION ON CIVIL RIGHTS**



**REQUEST FOR CONGRESSIONAL APPROPRIATION FOR
FISCAL YEAR 2022**

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USCCR BUDGET REQUEST FOR SALARIES AND EXPENSES

Congressional Appropriation Request for FY 2022.....	\$13,000,000
Congressional Appropriation for FY 2021	\$12,500,000
Congressional Appropriation for FY 2020.....	\$10,065,000

APPROPRIATION LANGUAGE

FEDERAL FUNDS

Salaries and Expenses

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$12,500,000 [\$13,000,000]: Provided, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That the Chair may accept and use any gift or donation to carry out the work of the Commission: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a): Provided further, That notwithstanding the preceding proviso, \$500,000 [\$1,000,000] shall be used to separately fund the Commission on the Social Status of Black Men and Boys.

FY 2022 U.S. COMMISSION ON CIVIL RIGHTS PROGRAM OBJECTIVES AND PRIORITIES

This request includes \$12 million appropriation to support our civil rights agenda of promoting equal opportunity without regard to color, race, religion, sex, age, disability, or national origin. The mission of the U.S. Commission on Civil Rights (USCCR) is to inform the development of national civil rights policy and enhance enforcement of Federal civil rights laws. The Commission pursues this mission by investigating alleged deprivations of voting rights or allegations of discrimination based on race, color, religion, sex, age, disability, national origin, or in the administration of justice. The Commission also serves as a monitor of effective enforcement of civil rights laws by the Federal government. The Commission is committed to quality research that leads to findings and policy recommendations to inform the President, Congress, and the public on important civil rights issues.

Our strategic vision consists of three goals:

- The Commission will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy. The Commission is aided in this endeavor by the work of its Advisory Committees.
- The Commission will serve as a national clearinghouse to inform and raise awareness on civil rights issues amongst the general public.
- The Commission will continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.

A more detailed discussion of the Commission's Strategic Plan is in the FY 2019 - 2022 Strategic Goals and Objectives section in this document.

FY 2022 COMMISSION OF THE SOCIAL STATUS OF BLACK MEN AND BOYS PROGRAM OBJECTIVES AND PRIORITIES

This request includes \$1 million to staff and support the Commission on the Social Status of Black Men and Boys (CSSBMB). The Commission on the Social Status of Black Men and Boys Act (Public Law 116-156) established a Commission to study and make recommendations to address social problems affecting black men and boys, and for other purposes. Congress established the CSSBMB within the U.S. Commission on Civil Rights Office of the Staff Director (OSD). The OSD provides staff and administrative support to the CSSBMB.

CSSBMB performs the following duties:

- Study, document, and report on the conditions affecting black men and boys, including homicide rates, arrests homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including postsecondary education and college, and health issues.
- Propose measures to alleviate and remedy the underlying causes of the conditions affecting black men and boys which may include recommendations of changes to the law, recommendations for how to implement related policies, and recommendations for how to create, develop, or improve upon government programs.
- Accept suggestions or comments from members of Congress, governmental agencies, public and private organizations, and private citizens.

BUDGET SUMMARY

Our FY 2022 Appropriation Request is \$13 million which will support 54 full-time equivalent (FTE) positions, an increase of 9 FTE from FY 2021 Appropriation Act. This request will provide \$12 million for the USCCR and \$1 million to the CSSBMB. It will support 50 FTE for the USCCR and 4 FTE for the CSSBMB.

REVIEW OF THE AGENCY'S FY 2022 FUNDING REQUEST

A. Budget Request by Object Class

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

	FY 2022 Appropriation Request	FY 2021 Appropriation	Difference
10 Personnel Compensation & Benefits	\$8,843,000	\$7,700,000	\$1,143,000
21 Travel & Transportation of Persons	\$344,000	\$50,000	\$294,000
23 Rent, Communications, and Utilities	\$1,871,000	\$1,790,000	\$81,000
24 Printing and Reproduction	\$105,000	\$95,000	\$10,000
25 Other Contractual Services	\$1,788,000	\$2,765,000	(\$977,000)
26 Supplies and Materials	\$39,000	\$40,000	(\$1,000)
31 Equipment	<u>\$10,000</u>	<u>\$60,000</u>	<u>(\$50,000)</u>
Total Appropriation	\$13,000,000	\$12,500,000	\$500,000

B. Description of Budget Increases and Decreases

The following is a description of the budget increases and decreases from the Commission's FY 2021 Appropriation Act.

Increases to Maintain Current Services:

Personnel Compensation and Benefits - \$183,000/ 0 FTE

This increase is for the expected pay raise in FY 2022 and annualization of the FY 2021 pay raise.

Program Increases

Personnel Compensation and Benefits (USCCR) - \$487,000/ 5 FTE

This increase is to hire additional staff to support national and regional programs. The additional staffing will allow USCCR to conduct high priority briefings on important civil rights topics and to establish and support Advisory Committees in U.S. Territories in Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands.

Personnel Compensation and Benefits (CSSBMB) - \$473,000/ 4 FTE

This increase is to provide staff for the newly established Commission to address social problems affecting black men and boys.

Travel (USCCR) – \$194,000

This increase will allow the Commission to resume travel for meetings, briefings, and other events. The Commission will be able to conduct in-person meetings, briefings, and a field briefing. Advisory Committees can resume in-person fact-finding events and support the new Territory Advisory Committees.

Travel (CSSBMB) – \$100,000

This increase will allow the CSSBMB to hold periodic meetings and engage in fact-finding trips.

Rent, Communications, and Utilities (USCCR) – \$20,000

The increase will provide for communications costs for the USCCR.

Rent, Communications, and Utilities (CSSBMB) – \$61,000

The increase will provide for meeting room rentals, communications, and mailing costs for the CSSBMB.

Printing (USCCR) – \$5,000

This increase will provide for graphic design for USCCR reports.

Printing (CSSBMB) – \$5,000

This increase will provide for graphic design of CSSBMB reports.

Supplies (CSSBMB) – \$4,000

This increase is for supplies for the CSSBMB.

Equipment (CSSBMB) – \$10,000

This increase is for information technology purchase for the CSSBMB.

Program Decreases

Other Contractual Services (USCCR) – (\$824,000)

The decrease is due to one-time information technology projects including automation of official personnel records and website redesign.

Other Contractual Services (CSSBMB) – (\$153,000)

The decrease is due hiring permanent staff to replace contractor support.

Supplies (USCCR) – (\$5,000)

This decrease is due to lower supply costs.

Equipment (USCCR) – (\$60,000)

This decrease is due to a one-time equipment upgrade in FY 2021.

C. Budget Request by Organization

The Commission’s FY 2021 budget request supports several major organizational components. The following table provides a summary of the Commission’s budget request by these components:

	FY 2022 Appropriation Request	Percent of Request	FY 2021 Appropriation	Percent of Request	Difference
National Program Offices	\$2,150,000	16.5%	\$1,622,000	13.0%	\$528,000
Regional Program Offices	\$2,656,000	20.4%	\$2,515,000	20.1%	\$141,000
Commissioners and Commissioner Assistants	\$2,036,000	15.7%	\$1,888,000	15.1%	\$148,000
Office of Staff Director	\$569,000	4.4%	\$615,000	4.9%	(\$46,000)
Robert S. Rankin Civil Rights Library	\$170,000	1.3%	\$185,000	1.5%	(\$15,000)
Operations & Administrative	\$4,419,000	34.0%	\$5,175,000	41.4%	(\$756,000)
CSSBMB	\$1,000,000	7.7%	\$500,000	4.0%	\$500,000
Total Appropriation	\$13,000,000	100%	\$12,500,000	100%	\$500,000

The National Program Offices consist of the Office of General Counsel (OGC) and the Office of Civil Rights Evaluation (OCRE). The Office of the General Counsel provides legal expertise and advice to support the Commission’s mission and ensures the legal integrity of our written products. The Office of Civil Rights Evaluation provides subject matter and analytical expertise required to monitor, evaluate, and report on the civil rights enforcement effort of the Federal Government. Their combined budget is \$2,150,000 and supports 11 FTE. The National Program Offices’ budget is 16.5 percent of the Commission’s total budget in FY 2022.

The Regional Program Offices provide critical support to the 51 State Advisory Committees (SACs) required by our statute. The Commission is also establishing Advisory Committees in the U.S. Territories - Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, and the Northern Marianas Islands. The Regional Program Offices' combined budget in FY 2022 is \$2,656,000 and supports 15 FTE. The Regional Program Office's budget is 20.4 percent of the Commission's total budget request.

The Commissioners and Commissioner Assistants' request covers the salary, benefits, and travel for Commissioners and their Assistants. The FY 2022 Commissioners and Commissioner Assistants' budget is \$2,036,000 and supports 10 FTE. The Commission and Assistants' budget is 15.7 percent of the Commission's total budget request.

The Office of Staff Director request covers the salary, benefits, and travel for Staff Director and his or her staff. The FY 2022 Office of Staff Director budget is \$569,000 and supports 4 FTE. The Office of Staff Director's budget is 4.4 percent of the Commission's total budget request.

The Library is an information source for Commission staff, government agencies, private organizations, and individuals. The Library request includes Westlaw access for Commission staff and the cost of storing and mailing of Commission reports. The FY 2022 budget request for the Library is \$170,000. The Library's budget is 1.3 percent of the Commission's total budget request.

The Operations and Administrative budget request covers rent, communications, information technology, human resources, financial management, and other functions necessary to maintain a Federal agency's operations. The FY 2021 budget request for Operations and Administrative budget is \$4,419,000 and supports 10 FTE. The Operations and Administrative budget is 34.0 percent of the Commission's total budget request.

The Commission on the Social Status of Black Men and Boys (CSSBMB) budget request covers salary, benefits, other cost to support their mission. The funding will allow the CSSBMB to hold meetings, conduct field visits to relevant sites such as prisons, issue recommendations on social problems affecting black men and boys. The FY 2022 budget request for CSSBMB is \$1 million and supports 4 FTE. The CSSBMB budget is 7.7 percent of the total budget.

FY 2020 PERFORMANCE HIGHLIGHTS

This section highlights the Commission's FY 2020 program accomplishments and activities.

A. Public Briefings

Subminimum Wages: Impacts on the Civil Rights of People with Disabilities

On November 15, 2019, the Commission held a public briefing in Washington, DC to examine the exemption under the Fair Labor Standards Act – the section 14(c) waiver program – which permits employers to pay less than the minimum wage to individuals with disabilities. In April 2018, the U.S. Department of Labor reported that more than 1,800 employers held a waiver of minimum wage requirements, affecting at least some 150,000 workers. Reliable reports indicate that many employers with 14(c) certificates pay far below prevailing or minimum wage while segregating these employees from the non-disabled workforce. The Commission voted to investigate whether this subminimum wage payment violates the civil rights of people with disabilities. The Commission investigation analyzes the use of the 14(c) waiver program, its effect on people with disabilities, and oversight by the Departments of Labor and Justice. The Commission heard presentations from federal officials, academic and legal experts, and advocates. Members of the public also shared their views and experiences directly with the Commission.

Video of the briefing, including the expert panels and open comment period, along with written statements submitted to the Commission from invited experts and members of the public, can be viewed on our website here: <https://www.usccr.gov/pubs/briefing-reports/2020-09-17-Subminimum-Wages.php>.

COVID-19 in Indian Country: The Impact of Federal Broken Promises on Native Americans

On July 17, 2020, the Commission held a virtual briefing to evaluate the impacts of COVID-19 on Native Americans. In 2018, the Commission issued Broken Promises: Continuing Federal Funding Shortfall for Native Americans, which addressed the inadequacy of federal funding for Native American programs despite the United States' trust responsibility to promote tribal self-government, support the general wellbeing of Native American people, tribes and villages, and to protect their land and resources. The Commission heard testimony from experts on how the pandemic has impacted Native American communities with respect to healthcare, housing, and infrastructure components such as access to water and broadband, and whether the federal government is meeting its obligations to Native American people in this current crisis. The Commission heard presentations from experts and advocates.

Video of the briefing, as well as written statements from invited experts and members of the public, can be viewed on our website here: <https://www.usccr.gov/pubs/briefing-reports/2020-07-17-COVID-19-in-Indian-Country.php>.

B. Commission Reports

Trauma at the Border: The Human Cost of Inhumane Immigration Policies Practices.

In this report, the Commission reopened our 2015 report on the condition of immigration detention centers, amid renewed concerns about worsening conditions. Based on media reports, government investigations, eyewitness accounts, and public testimony received by the Commission, the report details how the current Administration's changes to asylum, the detention of children, and certain other immigration policies, practices, and procedures have created an unnecessary human and civil rights crisis at the southern border. The report does not rely on information provided directly by the relevant federal agencies as, regrettably, they did not respond to our discovery requests.

The institution of the Zero Tolerance policy and decision to forcibly and deliberately separate children, including infants and toddlers, from parents or adult family members on a mass scale, which proceeded with no plans or coordination to reunite families, is a gross human and civil rights violation. The impact of separating immigrant families and indefinite detention is widespread, long-term, and perhaps irreversible physical, mental, and emotional childhood trauma. Disturbingly, there remain credible allegations that family separations continue, despite an Executive Order halting them. Immigrant children, as well as adults, experienced trauma as a result of the Administration's policies. The Commission heard directly from immigrant detainees who confirmed traumatic experiences as a result of not only being separated from their families, but also the trauma they suffered as a result of enduring inhumane conditions at detention facilities and sometimes on account of the cruel treatment by Department of Homeland Security personnel.

In addition, the new testimony and data indicate that federal agencies have not heeded the Commission's recommendations from its 2015 report. Agencies continue not to provide appropriate and critical legal and medical services to detainees, or transparency about the government's policies in detaining individuals. Further, agencies continue inequitable treatment of Lesbian, Gay, Bisexual, and Transgender (LGBT) individuals, individuals with disabilities, and non-English speakers. The Commission found that detention conditions have significantly deteriorated under the current Administration's policies. Some child detention facilities lack basic hygiene and sleeping arrangements; they sometimes lack soap, blankets, dental hygiene, potable water, clean clothing, and nutritious food. The Commission received evidence and testimony that child detention facilities lack appropriately trained medical personnel and medicine, medical staff are not routinely present at detention facilities and wait times to see a doctor can be weeks long, regardless of how dire the situation. Language barriers pose an immense hurdle to staff's ability to offer adequate and appropriate medical and mental health treatment to children while detained.

The Commission majority voted for key recommendations, including the following: the Administration must immediately reunify any remaining children with their parents, including parents who were deported before, during, and after Zero Tolerance, unless there is a proven serious risk to the best interests of the child. The Administration should immediately remedy

conditions in detention centers regarding overcrowding, food, and sanitation so as not to further traumatize children forced to flee their homes.

The Department of Homeland Security should conduct greater oversight and inspection of detention centers, specifically those relating to child detention centers, and should enforce detention center standards up to and including the closure of a detention facility for violating detention center standards and other applicable laws. Congress should expand the authority of Department of Homeland Security Office for Civil Rights and Civil Liberties to respond directly to complainants and enforce civil rights protections. New immigration policies should be precleared by Office for Civil Rights and Civil Liberties or another independent body to ensure they do not violate civil rights, prior to causing harm.

Due to the inconsistent and inhumane treatment of children, Congress should pass legislation that sets minimum safe, sanitary and humane detention conditions, and provide sufficient funding to address the crisis in detention facilities for both children and adults. Because the purpose of immigration detention is not punitive, the standard of care should be based on providing reasonable care and safety, and not on incarceration standards. Congress should require that no funds should be used for the detention of any asylum seeker who has been found to establish a credible fear of persecution, apart from narrow exceptions.

Congress must provide sufficient funding to address the need for hiring, full training, and retention of experienced and qualified administrative law judges and related staff to process asylum and other immigration claims, to ensure asylum seekers and other immigrants are accorded full due process. Congress should pass legislation allowing members of Congress and members of this Commission to conduct independent inspections of detention facilities with minimal notice (no more than 24 hours) and be given full access to detainees to interview them.

The report is available at the following website:

<https://www.usccr.gov/pubs/2019/10-24-Trauma-at-the-Border.pdf>

In the Name of Hate: Examining the Federal Government's Role in Responding to Hate Crimes

In this report, the Commission examined three areas: (1) federal law enforcement's hate crimes reporting practices and local policies being developed to encourage greater reporting; (2) federal prosecution and enforcement of laws regarding hate crimes and bias-motivated incidents; and (3) prevention of federal crimes based on race, national origin, ethnicity, disability, religion, gender, sexual orientation, or gender identity. Further, the Commission also explored the increase in reported hate incidents in American schools and in the public realm, along with current and potential civil rights tools that may be used to protect students and others against hateful, hostile, or threatening speech, including online speech, within the bounds of the First Amendment.

The Commission majority approved key findings including the following: Available evidence suggests hate crimes are increasing in America. Many Americans are negatively impacted by hate crimes and are fearful of the heightened expression of hate and bigotry in the United States. As of the time of the report publication, 46 states and the District of Columbia have some form of hate crime statute, leaving Arkansas, Georgia, South Carolina, and Wyoming as states without such statutes.

The highest percent of reported post-2016 election hate incidents were in K-12 schools, and the majority of these incidents involved racial discrimination. Educators, researchers, parents and students should pay attention to bullying and hate-related incidents in schools and actively work with students and school communities to prevent them.

The Commission majority voted for key recommendations, including the following: Congress should pass legislation and provide adequate funding that would incentivize local and state law enforcement to more accurately report hate crimes to the FBI, and promote greater transparency and accountability, which would aid in building community trust. Congress should also pass legislation to ensure that federal law enforcement agencies collect and report their hate crime data to the FBI. To ensure that states are accurately reporting hate crime data they receive from local law enforcement agencies in their jurisdiction, the federal government should condition federal funding on reporting and publication of data, undergoing data auditing for accuracy, and working with community groups to report hate crimes even where a victim does not want to move forward with criminal prosecution.

Additionally, the Commission recommends that the Trump Administration reinstate groups within the Department of Homeland Security who analyze the threat of domestic terrorism and reinstate grants awarded to groups who counter white supremacist terror. The DOJ should provide grants, training materials, and resources for police departments to receive cultural competency and sensitivity training related to hate crimes and bias-motivated incidents. Congress should allocate additional funding towards anti-bias training for law enforcement officers.

Congress should pass legislation that includes hate crime prevention and response programs at higher education institutions and ensures that students and faculty are aware of related safety concerns on and around campuses. The Department of Education's Office for Civil Rights must vigorously enforce the protections against harassment that federal civil rights laws guarantee to students and provide the necessary leadership for school officials and administrators at primary, secondary, and higher education institutions to protect their students from bias-related incidents.

The report is available at the following website:

<https://www.usccr.gov/pubs/2019/11-13-In-the-Name-of-Hate.pdf>

Are Rights A Reality? Evaluating Federal Civil Rights Enforcement

In this report, the Commission evaluated federal civil rights enforcement. Congress charges the federal government with enforcing federal civil rights laws providing protection from discrimination on the bases of race, color, religion, national origin, sex, disability, age, and several other protected characteristics in a broad range of areas including employment, housing, voting, education, and public accommodations. Congress and federal agencies established civil rights offices at the agencies to enforce these civil rights and ensure compliance. In this report, the Commission evaluates the most essential elements for effective federal civil rights enforcement, examining thirteen different federal agencies, seeking to evaluate each on the efficacy of the agency's external federal civil rights enforcement efforts from Fiscal Year 2016 to Fiscal Year 2018. The federal agencies this evaluation reviews are:

- U.S. Department of Justice, Civil Rights Division
- U.S. Department of Education, Office for Civil Rights
- U.S. Department of Labor, Office of Federal Contract Compliance Programs and Civil Rights Center and Civil Rights Center
- U.S. Department of Health and Human Services, Office for Civil Rights
- U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity
- U.S. Equal Employment Opportunity Commission
- U.S. Department of Homeland Security, Office for Civil Rights and Civil Liberties
- U.S. Environmental Protection Agency, External Civil Rights Compliance Office
- U.S. Department of Transportation, External Civil Rights Programs Division of the Departmental Office of Civil Rights
- U.S. Department of Veterans Affairs, Office of Resolution Management
- U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights
- U.S. Department of the Treasury, Office of Civil Rights and Diversity
- U.S. Department of the Interior, Office of Civil Rights

The Commission majority approved key findings including the following: the extraordinary volume of complaints filed with federal civil rights agencies and findings and resolutions from these agencies underscore the reality that, today, the nation still has not reached a time when recognition of and protection for core civil rights promises is the norm for all Americans. The Commission heard compelling bipartisan testimony regarding ongoing widespread civil rights harms that underscore the need for strong federal agency enforcement of federal civil rights laws. In evaluating data across 13 agencies, the Commission found agencies generally lack adequate resources to investigate and resolve discrimination allegations within their jurisdiction, leaving allegations of civil rights violations unredressed.

Key Commission majority recommendations include the following: Congress should continue to prioritize civil rights office capacity through budget appropriations, specifically increasing their

staff capacity to fulfill the jurisdictional authorities Congress has given them and in so doing to maximize their capacity to protect civil rights for all Americans. Congress should exercise oversight authority to evaluate baseline staffing necessary for federal agency civil rights offices to be able to fulfill their civil rights enforcement functions. Any determination of the requisite staffing necessary to fulfill an agency's external civil rights enforcement function should include evaluation of the amount of federal funding distributed and the staffing necessary to conduct proactive compliance reviews of those funding recipients. Congress should give civil rights offices that now lack such authority the authority to compel resolution from noncompliant entities within an agency's jurisdiction, to allow for efficient investigation of allegations of civil rights harms.

Cabinet agencies of which civil rights offices are part should ensure that civil rights offices are incorporated into agency policy decision making and grant fund decision making, in addition to civil rights enforcement or watchdog responsibilities. No agency should prioritize enforcement of one civil rights protection over another.

The report is available at the following website:

<https://www.usccr.gov/pubs/2019/11-21-Are-Rights-a-Reality.pdf>

Free to Learn: Speech and Sexual Harassment on Campus

In this report, the Commission addresses the potential tension between free speech and impermissible sexual harassment in higher education. Federal antidiscrimination law protects individuals from sexual harassment that interferes with education. The First Amendment protects speech – which may be offensive – in public schools, among other places, and regulating the content of speech can lead to the suppression of ideas and chill academic discourse. This report also evaluates guidance to higher education institutions from the United States Department of Education as to the line between protected speech and impermissible sexual harassment in education, as well as two instances of the Department's Title IX enforcement regarding sexual harassment.

The Commission majority approved key findings including the following: Education institutions that receive federal funds must maintain campuses free from sex-based discrimination, including sexual harassment. Sexual harassment occurs with frequency in higher education institutions and can have life-changing impacts including a significant negative effect on the academic experiences, health, and well-being of those being harassed. It has been shown to relate to disengagement, poor grades, symptoms of depression and anxiety, and to raise concerns about campus safety. When perpetrated by faculty or staff, it can lead to feelings of institutional betrayal. Consistent with maintaining the right to free speech, courts have held that schools may act to discipline students who harass or threaten other students. Investigative reporting has shown that lax enforcement from the Department of Education's Office for Civil Rights can result in schools not taking claims of sexual harassment seriously.

The Commission majority voted for key recommendations, including the following: The United States Department of Education's Office for Civil Rights should vigorously enforce Title IX, consistent with the recognition that failure to enforce nondiscrimination principles may have deleterious effects on students, such as disengagement and psychological distress, and on campus communities more broadly. The Office for Civil Rights should continue to make clear to the regulated community that its enforcement standards comport with and continue to adhere to First Amendment principles.

The Commission also recommends that the Office for Civil Rights collect data from colleges and universities on the number of sexual harassment complaints filed with or incidents reported to the college or university, and how the college university investigated and resolved each complaint or report. The data should include whether the complaint or report resulted in a misconduct finding and whether the subject of the complaint or report was disciplined and how.

The report is available at the following website:

<https://www.usccr.gov/pubs/2020/02-19-Free-to-Learn.pdf>

Women in Prison: Seeking Justice Behind Bars

In this report, the Commission examines the civil rights of women in United States prisons. The population of women in prison has increased dramatically since the 1980s, and this growth has outpaced that of men in prison, yet there have been few national-level studies of the civil rights issues incarcerated women experience. The Commission studied a range of issues that impact incarcerated women, including deprivations of women's medical needs that may violate the constitutional requirement to provide adequate medical care for all prisoners; implementation of the Prison Rape Elimination Act (PREA); and the sufficiency of programs to meet women's needs after release. The Commission also examined disparities in discipline practices for women in prison compared with men, and the impacts of incarcerated women being placed far from home or having their parental rights terminated.

The Commission majority approved key findings including the following: Many prison policies and facilities are not designed for women or tailored to their specific needs. Rather, many policies were adopted from men's prison institutions without evaluating their application to women's prison institutions. Incarcerated women report extremely high rates, and much higher rates than men, of histories of physical, sexual, and mental trauma. Notwithstanding federal statutory legal protections such as the Civil Rights of Institutionalized Persons Act (CRIPA) and the Prison Rape Elimination Act (PREA), aimed at protecting incarcerated people, many incarcerated women continue to experience physical and psychological safety harms while incarcerated and insufficient satisfaction of their constitutional rights. Department of Justice (DOJ) litigation against prison systems involving sexual abuse among other wrongs has secured important changes to safeguard incarcerated women's rights.

Classification systems that are not calibrated for gender-specific characteristics have been shown to classify incarcerated women at higher security requirement levels than necessary for the safety and security of prisons; women classified at higher security levels may receive fewer vocational and educational, community placement, and reentry opportunities than they would have received had they been classified at lower security levels. Many incarcerated women are placed at facilities far from their families, limiting visitation opportunities. Many prison policies do not prioritize family visits, such as by permitting extremely limited family visitation hours that often do not reflect distances visiting family must travel.

Some prisons provide adequate healthcare specific to women, such as gynecological and prenatal care, while others do not. The high rates at which incarcerated women report past trauma results in the need for mental health care and treatment while incarcerated. Sexual abuse and rape remain prevalent against women in prison. Incarcerated women who report sexual assault have experienced retaliation by their institutions and prison personnel in violation of the law.

The Commission majority voted for key recommendations, including the following: DOJ should continue to litigate enforcement of the civil rights of incarcerated women in states that violate these mandates and the rights of incarcerated women. Prison officials should adopt validated assessment tools, currently available, to avoid inaccurately classifying incarcerated women to a higher security level than appropriate. Prison officials should give strong preference to placing incarcerated women in as close proximity as possible with location of their family, provide free video and low cost phone services to incarcerated persons, and not ban in-person visits for non-safety reasons.

Prison officials should implement policies to address women's specific healthcare needs, including gynecological and prenatal care, as is constitutionally required. Prisons should have adequate mental health care staff and treatment programs available to meet the needs of the many incarcerated women with mental health challenges, such as past trauma. Congress should enact stricter penalties for non-compliance with PREA standards focused on inmate safety and consistently appropriate funding sufficient to ensure correctional agencies comply with PREA.

Prisons should implement evidence-based, trauma-informed discipline policies to avoid harsh punishments for minor infractions, and recognizing the significant harms that can result from placement in restrictive housing. Prisons should ensure restrictive housing is not used against people of color, LGBT people, and people with mental health challenges in a discriminatory manner.

The report is available at the following website:

<https://www.usccr.gov/pubs/2020/02-26-Women-in-Prison.pdf>

Federal #MeToo: Examining Sexual Harassment in Government Workplaces

In this report, the Commission examined the Equal Employment Opportunity Commission's (EEOC) enforcement efforts to combat workplace sexual harassment across the nation's largest employer, the federal government. The Commission's review included the frequency of such claims and findings of harassment, the resources dedicated to preventing and redressing harassment, and the impact and efficacy of these enforcement efforts. The Commission also evaluated agency-level sexual harassment practices at the State Department and at the National Aeronautics and Space Administration (NASA).

The Commission majority approved key findings including the following: Despite the passage of over thirty years since the landmark ruling establishing that sexual harassment claims may be pursued under Title VII of the Civil Rights Act, sexual harassment continues to be a significant problem, including in federal workplaces. According to a 2018 Merit Systems Protection Board (MSPB) survey, an estimated 1 in 7 federal employees experienced sexually harassing behaviors at work between 2016 and 2018. Women face the highest risk of sexual harassment in federal workforces. The EEOC does not report intersectional data on sexual harassment; however, studies have shown that black women are at the highest risk of being victims of sexual harassment across all sectors. Within the federal workforce, black workers are substantially more likely to be the victims of sexual harassment than members of any other race. Between 2014 and 2016, EEOC reviewed anti-harassment programs at each federal agency under its jurisdiction, finding that a vast majority of federal agencies had ineffective antiharassment programs.

The Commission majority voted for key recommendations, including the following: The federal government, as the largest employer in the nation, must be a model employer and it, through its Office of Personnel Management and following guidance from EEOC, should continually disseminate sexual harassment policies and practices consistent with the conduct of a model mandatory anti-harassment training programs that are specific, clear, and accessible and target every level of employee. Federal agencies should take steps to prevent the incidence of workplace sexual harassment, including:

- Implementing department-wide, uniform penalties to be used in disciplinary actions
- Banning serious perpetrators from receiving promotions and performance awards
- Ending the practice of reassigning perpetrators to other divisions
- Embracing and training employees regarding bystander intervention

Congress should establish a federal ombudsperson, empowered to investigate alleged sexual harassment claims of complainants who may not have adequate recourse through available channels where existing agency structures may be compromised by conflicts. Congress should allocate additional funds to enable EEOC to help agencies proactively identify and prevent sexual harassment.

Specifically, with respect to the two federal agencies that the Commission investigated, the Commission recommended that NASA engage in stricter enforcement of the anti-discrimination and anti-harassment laws that protect individuals in federally funded institutions under Title IX to address the culture of sexual harassment and misogyny in grant-receiving research institutions. The Commission also determined that in light of testimony we received, and the often isolated geographic conditions in which diplomatic functions must be discharged, it is important that State Department leadership, including the Secretary, direct and ensure that the culture of State workplaces globally is to have zero tolerance for sexual harassment, meaningful access to fair processes where claims are asserted, and no tolerance for retaliation.

The report is available at the following website:

<https://www.usccr.gov/pubs/2020/04-01-Federal-Me-Too.pdf>

Examining the Race Effects of Stand Your Ground Laws

In this report, the Commission provides Commissioner statements and the transcript from the Commission briefing on Stand Your Ground laws. The purpose of the briefing was to determine whether there is a possible racial bias in the assertion, investigation, or enforcement of justifiable homicide laws in states with Stand Your Ground provisions. The report provides expert testimony from state legislators, academic researchers, and advocates, as well as testimony on the personal impact of these laws.

The report is available at the following website:

<https://www.usccr.gov/pubs/2020/04-06-Stand-Your-Ground.pdf>

Subminimum Wages: Impacts on the Civil Rights of People with Disabilities

This report examines current implementation of Section 14(c) of the Fair Labor Standards Act of 1938, which directs the U.S. Secretary of Labor to grant special certificates allowing for the employment of workers with disabilities below the federal minimum wage to prevent reduced employment opportunities. The Commission collected data and testimony from Members of Congress, Labor and Justice Department officials, self-advocates and workers with disabilities, family members of people with disabilities, service providers, current and former public officials, and experts on disability employment and data analysis; conducted two field visits to employment and service provision sites supporting workers with disabilities earning subminimum and competitive wages; and received thousands of public comments both in favor of and opposed to the 14(c) program.

The primary recommendation approved by the Commission majority following this inquiry was that Congress should repeal Section 14(c) with a planned phase-out period to allow transition among service providers and people with disabilities to alternative service models prioritizing competitive integrated employment.

The Commission majority approved key findings including the following: As currently utilized, the U.S. Department of Labor has repeatedly found 14(c) providers limiting people with disabilities participating in the program from realizing their full potential while allowing providers and associated businesses to profit from their labor. This limitation is contrary to 14(c)'s purpose. Persistent failures in regulation and oversight of the 14(c) program by government agencies including the Department of Labor and Department of Justice have allowed and continue to allow the program to operate without satisfying its legislative goal to meet the needs of people with disabilities to receive supports necessary to become ready for employment in the competitive economy.

People with intellectual and developmental disabilities who are currently earning subminimum wages under the 14(c) program are not categorically different in level of disability from people with intellectual and developmental disabilities currently working in competitive integrated employment. State-level phase outs of the use of the 14(c) program have been developed and designed for state service providers and other stakeholders to ensure that a competitive integrated employment model does not result in a loss of critical services to individuals with disabilities including former 14(c) program participants.

The Commission majority voted for key recommendations, in addition to recommending that Congress repeal Section 14(c) with a planned phase-out period. The phased repeal of 14(c) must not reflect a retreat in federal investments and support for employment success of persons with disabilities but rather a reconceptualization of the way in which the federal government can enhance the possibilities for success and growth for people with disabilities.

Congress should expand funding for supported employment services and prioritize capacity building in states transitioning from 14(c) programs. Now and during the transition period of the Section 14(c) program, Congress should assign civil rights oversight responsibility and jurisdiction, with necessary associated fiscal appropriations to conduct the enforcement, either to the Department of Labor or to the Department of Justice Civil Rights Division. Congress should also require that the designated civil rights agency issue an annual report on investigations and findings regarding the 14(c) program. During the phase-out period, Congress should require more stringent reporting and accountability for 14(c) certificate holders, and following the phase out should continue to collect data on employment outcomes of former 14(c) employees.

The Department of Justice should increase enforcement of the Olmstead integration mandate to determine whether state systems are inappropriately relying on providers using 14(c) certificates to provide non-integrated employment in violation of Olmstead. The Department should issue guidance, open more investigations, and litigate where voluntary compliance cannot be achieved.

The report is available at the following website:

<https://www.usccr.gov/files/2020-09-17-Subminimum-Wages-Report.pdf>

C. State Advisory Committees Reports, Memoranda, and Statements

Vermont Advisory Committee Concerned by Proposed Rule by the Housing and Urban Development Department

On October 18, 2019, the Vermont Advisory Committee to the U.S. Commission on Civil Rights issued a statement on its concern about the recent the Housing and Urban Development (HUD) proposed rule to amend the disparate impact standard. On August 19, 2019, HUD posted notice it would revise the disparate impact rule, which would replace the current standard with a more complex burden shifting framework that would first require a plaintiff to allege that the policy or practice has a systemic discriminatory effect and then further identify five elements about the practice and its effects if the defendant successfully rebuts the plaintiff's prima facie claim. This would likely make it harder for people to bring forward discrimination complaints under the Fair Housing Act, thereby fundamentally reshaping federal fair housing enforcement.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2019/10-18-Vermont-SAC-Housing-Statement.pdf>

Human Trafficking in Massachusetts

On April 26, 2019, the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights (SAC) convened a public briefing to hear testimony on human trafficking. The resulting report recommends that the Attorney General's office and other state officials, including legislators, start implementing the policy ideas outlined by the 2014 Labor Sub-Committee. Public health professionals should be enlisted in the efforts to identify and treat victims. Providing victim services, including shelters and legal assistance, and facilitating access to T and U visas are priorities. Although assisting individual victims is essential, it is reactive and limited in scope. The system should not expect many abused workers to come forward, especially when mistrust of law enforcement and fears of deportation are high. State and municipal inspectors across the Commonwealth should be trained to identify and focus on the conditions of servitude. Uncovering and reducing labor trafficking requires more aggressive, informed monitoring of abusive workplaces, and the employment agencies that help staff them.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2019/11-06-MA-SAC-Human-Trafficking-Report.pdf>

Interaction Between Individuals with Mental Health Issues and the Criminal Justice System in West Virginia

On August 14, 2015, the West Virginia Advisory Committee to the U.S. Commission on Civil Rights (SAC) convened a public briefing to examine the interaction between individuals with mental health issues and the criminal justice system. The experts were grouped on four panels,

each focusing on a different facet of this complex, multi-faceted problem. The 2013-2015 WV Advisory Committee members' appointments expired before they submitted a report about the examination of their civil rights topic to the Commission. The current WV Advisory Committee members (2015-2019) submit this Advisory Memorandum to the Commission summarizing the testimony. The following five themes emerged from the hearing (1) The criminal justice system is not an adequate vehicle for providing services to incarcerated individuals who present with mental health issues, (2) Mental health courts have proven significant in reducing recidivism rates, (3) Increased and continued training and education of law enforcement agents, focusing on how to handle situations involving mentally ill individuals, would be beneficial because it would ultimately reduce police encounters with these individuals, (4) Treatment for substance abuse must also address mental health issues, although the Criminal Justice System should not conflate treatment for one as treatment for both, and (5) Community-based care is a necessary addition to West Virginia's approach to treating incarcerated individuals with mental health issues because such care can alleviate the burden placed on the criminal justice system.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2019/11-14-WV-SAC-Mental-Health-Criminal-Justice-Report.pdf>

Disparities in School Discipline in Maryland

On August 24, 2018, the Maryland Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public briefing to examine the disproportionate use of discipline for students with disabilities and students of color in Maryland public schools. The resulting report identified two primary avenues for reducing the disproportionate use of exclusionary discipline for African American students and students with disabilities in Maryland. One avenue is to create more specific policies concerning the imposition of exclusionary discipline, as the current state guidelines allow a broad range of responses and have had limited impact on reducing disproportionate discipline. Another avenue is to expand the use of preventative approaches designed to reduce the incidence of student behaviors that result in discipline—such as Positive Behavioral Interventions and Support (PBIS), multi-tiered systems of support (MTSS), and restorative justice practices. These strategies are not new to Maryland, but they have not been implemented as widely as they should be.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/01-14-MD-SAC-School-Discipline-Report.pdf>

Legal Financial Obligations in the Tennessee Criminal Justice System

On March 27, 2019, the Tennessee Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public hearing to on financial obligations in Tennessee's criminal justice system, and the issuance of its May 2019 preliminary memorandum on the topic. In the report, the Committee finds that based on its examination, the policies and practices governing criminal fines and fees, taxes, surcharges and other costs imposed on individuals at every stage of the criminal process

systems (collectively, legal financial obligations or LFOs), are not aligned with the important policy goals in Tennessee of promoting the successful reentry of individuals into our communities and ensuring the fair and equitable system of justice. The Committee's key recommendation is that lawmakers consider ending outright the current practice of using LFOs to fund the criminal justice system.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/01-15-TN-LFO-Report.pdf>

Implicit Bias and Policing in Communities of Color in Delaware

On November 1, 2017, the Delaware Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public briefing to on better understand the issues and challenges involved in community-police relations in communities of color, the Committee gathered input from a broad range of stakeholders, including neighborhood leaders, police officers, government officials, academics, and civil rights advocates, and more. The Committee invited 21 subject matter experts. In addition, during the Public Comments portion of the agenda, members of the public made brief statements to the Committee immediately after the panel presentations concluded. The report provides the results of Committee's review including findings and recommendations intended to encourage stakeholders to make important adjustments to police procedures that require greater collaboration and communication than have been found in most cities across the U.S.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/01-22-DE-Implicit-Bias-Policing-Report.pdf>

Education Equity in New York: A Forgotten Dream

On June 12 and 13, 2019, the New York Advisory Committee to the U.S. Commission on Civil Rights (SAC) held two days of public briefings to determine whether the State's approach to educational financing has a discriminatory effect on students on the basis of race or otherwise. In the report, the Committee states the New York State's educational funding system is in urgent need of an infusion of money and focus. Substantially increasing funding to high-need districts benefits not just the deprived students but all of society and its taxpayers as the ultimate effects of a more educated citizenry is reduced spending on social safety-net programs and the criminal justice system. The report makes ten recommendations.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/02-10-Education-Equity-in-New%20York.pdf>

School Discipline Disparities in Vermont

On May 20, 2019, the Vermont Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public briefings to gather information from government officials, school administrators, education specialists, law enforcement officials, and community advocates on

discipline disparities in the Vermont school system and possible solutions. It is the hope of the Committee that this report serves as a step towards attaining the goal of giving all students a nurturing, welcoming, and safe educational environment. The report identifies the following five findings: (1) Vermont has disparities in school discipline, (2) There is no long-term continuous plan for addressing implicit bias in the state, (3) Zero-tolerance policies are still being utilized in districts across Vermont, (4) There is inadequate data collection and dissemination across Vermont, (5) Students are being informally excluded from school, and (6) There is insufficient training regarding cultural competency and emotional disturbance.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/02-19-VT-SAC-School-Disparities.pdf>

Civil Rights, Prisons, and Mental Health in Nebraska

On June 13, 2019, the Nebraska Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public briefing to hear testimony on civil rights and prison conditions for individuals with mental health conditions in the state. The resulting report details civil rights concerns related to prison conditions in the state for individuals with mental health conditions. Primary concerns include overcrowding at Nebraska detention centers that have detrimental impacts on inmates' well-being, staffing shortages to diagnose and address the needs of inmates with mental health conditions, the lack of rehabilitative programming offered to inmates eligible for parole, and the discretionary use of solitary confinement and five-point restraints on incarcerated individuals with mental health conditions. The report provides recommendations for addressing prison conditions for individuals with mental health conditions and the use of solitary confinement.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/pubs/2020/03-16-NE-SAC-Report-Prisons-and-mental-health.pdf>

Education Funding and Civil Rights in Ohio

On September 14, 2018 and April 16, 2019, the Ohio Advisory Committee to the U.S. Commission on Civil Rights (SAC) held public briefings on civil rights and education funding in the state. The Ohio Advisory Committee heard testimony that the State's allocation of education funding resources is insufficient to meet the state's constitutional requirement to provide a "thorough and efficient" system of common schools. Additionally, this inadequacy may create and/or exacerbate disparities in educational access and outcomes on the basis of several federally protected categories, including race, color, national origin, and/or disability status. The report begins with a brief background of the issue to be considered by the Committee. It then presents an overview of the testimony received. Finally, it identifies primary findings as they emerged from this testimony, as well as recommendations for addressing related civil rights concerns.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/03-16-Ohio-School-Funding-Report.pdf>

Mass Incarceration & Civil Rights in Arkansas

On April 23, 2019, March 25, 2019, and September 7, 2018, the Arkansas Advisory Committee to the U.S. Commission on Civil Rights (SAC) held briefings on disparities, bias, juvenile justice, and post-release services. The Committee sought to examine whether incarceration rates in Arkansas raise disparate-impact concerns on the basis of race, color, disability status, national origin, and/or sex. Elements of interest include the state's growing prison population, identified as one of the fastest growing in the country, and the disproportionately high incarceration rate of people of color relative to their representation in the general population. The resulting report provides the results of Committee's review including findings and recommendations intended to address mass incarceration and civil rights, issues of national importance.

The report, memorandum or statement is available at the following website
<https://www.usccr.gov/pubs/2020/04-14-AR-Mass-Incarceration-Report.pdf>

Voting Rights and Access in Michigan

On April 30, 2019, the Michigan Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a briefing to examine several subtopics within voting rights, including access to voter registration and automatic voter registration, redistricting, poll worker training, language access, access to polling locations, and election administration. This report also addresses challenges to voting facing incarcerated and formerly incarcerated people, voters with limited-English proficiency, voters with disabilities, and voters who are transgender and gender-nonconforming.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/04-20-MI-SAC-Report-Voting-Rights.pdf>

Oklahoma Study of Changes to Affirmative Action in Public Education

On April 21, 2020, the Oklahoma Advisory Committee to the U.S. Commission on Civil Rights issued a statement on changes to affirmative action in public education. The Committee examined Oklahoma State's 2012 constitutional amendment prohibiting affirmative action in public hiring, contracting, and education enrollment. Specifically, the Committee sought to investigate this law's impact, if any, on disparities based on race, color, sex, ethnicity, or national origin in public institutions of higher learning. The Committee finds that there is insufficient substantive analysis on the effects of this amendment and is concluding the project with this statement to the Commission. The Committee recommends that the Commission encourage public colleges and universities and the State of Oklahoma to collect more data and further study the potential effects of this constitutional amendment.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/04-21-OK-SAC-Statement-on-Affirmative-Action.pdf>

Connecticut Concerned by COVID-19 in State Correctional Facilities

On April 16, 2020, the Connecticut Advisory Committee to the U.S. Commission on Civil Rights issued a statement on the potential impact of the COVID-19 on the men and women in Connecticut's correctional system and encourages immediate action be taken to prevent the spread of this deadly disease. The Committee recommends to the Commission that the state of Connecticut expeditiously evaluate the potential release or furlough of incarcerated people in the following specific categories: Individuals who (1) are being held pre-trial, (2) are set to be released within six months, (3) have been reincarcerated after minor violations of parole or probation, (4) are over 60 years of age, or (5) are suffering from a pre-existing condition as outlined by the CDC that heightens their risk of death from COVID-19. In conducting its evaluation the State should consider the incarcerated person's (1) vulnerability, (2) risk to the community, (3) ability to obtain food, medicine, housing and other necessities if released or furloughed with the assistance of state or nonprofit organizations, and (4) negative test for COVID-19.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/04-29-CT-SAC-Statement-of-Concern-on-Incarcerated%20People-and-COVID-19.pdf>

COVID-19 and Incarcerated Persons in the Massachusetts Commonwealth

On April 16, 2020, the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights issued a statement on recent developments regarding the status of incarcerated persons in the Commonwealth of Massachusetts. The Committee believes that to better address the looming crisis in correctional facilities, state officials should establish a clear, concise and transparent process for the timely release, absent demonstrable evidence that their release would endanger the public, of those who are: (1) juveniles; (2) have filed a Rule 30 motion for a new trial or whose case is pending on appeal and have filed a motion for a stay of execution of sentence; (3) eligible for parole; (4) set to be released within six months; (5) reincarcerated after violations of parole or probation that did not involve a new offense; (6) over sixty years of age; (7) suffering from a preexisting condition that heightens their risk of death from the virus; (8) eligible for medical parole; or (9) other persons that officials deem would not represent a danger to the community.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/05-04-MA-SAC-Statement-of-Concern.pdf>

Subminimum Wages for Persons with Disabilities in Arizona Under Section 14(c) of the Fair Labor Standards Act

On October 18, 2019, the Arizona Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a briefing to examine subminimum wages. The report includes a summary of testimony detailing civil rights concerns associated with subminimum wages for disabled people in Arizona. Specifically, the report documents civil rights concerns raised by panelists with respect to subminimum wages for disabled people throughout the state of Arizona and discusses possible strategies for improving the opportunities available to disabled workers. Based on the findings of this summary, the Committee will ultimately offer to the Commission recommendations for addressing this issue in Arizona.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/05-28-AZ-Subminimum-Wages-LSR.pdf>

Detention of Immigrants in the Massachusetts During the COVID-19 Crisis

On April 30, 2020, the Massachusetts Advisory Committee to the U.S. Commission on Civil Rights issued a statement on the detention of immigrants in the Commonwealth of Massachusetts during the COVID-19 crisis. The Committee agrees and calls on the Commission to urge the Immigration and Custom Enforcement to establish a fair and transparent process aimed at releasing detainees found to pose no public safety risk. It is important to note, in Massachusetts, ICE has the burden of proving that detention is necessary to secure appearance at immigration court hearings or ensure the safety of the community, according to a recent U.S. District Court ruling. The Committee also recommends the Commission call on Governor Baker to take immediate and direct steps to reduce occupancy in the Commonwealth's jails and correctional facilities by exercising his licensing authority as recommended by the Supreme Judicial Court (SJC).

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/06-05-MA-SAC-Detention-Facilities-Statement-of-Concern.pdf>

Minnesota Police Reform based on 2018 Report on Police Practices

On June 8, 2020, the Minnesota Advisory Committee to the U.S. Commission on Civil Rights issued a statement urging police reform based on 2018 Report on Police Practices. In 2018, the Minnesota Advisory Committee published a report titled Civil Rights and Policing Practices in Minnesota. That report, based on research and testimony from stakeholders, included a recommendation that all police officers in Minnesota receive comprehensive training in use-of-force and in de-escalation techniques. With this statement the Minnesota Advisory Committee makes a recommendation to the Commission to appeal to all police departments in the State of Minnesota: rid your departments of bad cops and create a culture within your department that makes it clear, without equivocation, that to stand by and witness a fellow-officer harm or kill a person is not merely unacceptable – it is criminal.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/pubs/2020/06-10-MN-SAC-Statement-LSR.pdf>

Racial Justice in Tennessee

On June 12, 2020, the Tennessee Advisory Committee to the U.S. Commission on Civil Rights issued a statement racial justice. Part of the Statement reads, “The Committee is deeply saddened by the deaths of Mr. George Floyd, Ms. Breonna Taylor, Mr. Ahmaud Arbery and so many others throughout our country and here in Tennessee who have been the victims of racial injustice and police brutality. We extend our heartfelt condolences to their families and grieve for their loss. We mourn these precious lives taken before their time. Like others around the country and the world, we are appalled by the cruelty, injustice and despair surrounding the circumstances of their deaths. In honor of Mr. Floyd, Ms. Taylor, Mr. Arbery and countless others, we stand steadfastly with Tennesseans in pursuing our work and in contributing as best we can to bend the arc of history towards a better future for us all.”

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-06-12-TN-SAC-Statement.pdf>

Prosecutorial Discretion and Civil Rights in Mississippi

On April 19, 2019 and May 23, 2019, the Mississippi Advisory Committee to the U.S. Commission on Civil Rights (SAC) held briefings to examine civil rights impact of prosecutorial discretion. When the Mississippi Advisory Committee selected prosecutorial discretion as a subject to explore through the lens of civil rights in Mississippi, the national climate was different. Polarized groups in opposing political parties seemed to be on opposite sides on every issue, especially those related to race and racism. In the wake of Floyd’s murder, protests erupted around the nation and across the globe, many of them taking up the banner of “Black Lives Matter,” and calling for an end to police violence as well as ending the inequities that exist between whites and people of color. The report includes suggestions for how prosecutors in Mississippi might join the effort to alleviate bias and prejudice from our criminal justice system.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-06-16-Prosecutorial-Discretion-in-Mississippi.pdf>

Voting Rights and Felony Convictions in Washington

On March 20, 2020, the Washington Advisory Committee to the U.S. Commission on Civil Rights (SAC) convened a public meeting to hear testimony regarding voting rights and felony convictions. This advisory memorandum begins with a brief background of the issue to be considered by the Committee. It then presents an overview of the testimony received. Finally, it identifies primary findings as they emerged from this testimony, as well as recommendations for addressing related civil rights concerns. This memo is intended to focus specifically on the voting

rights of people with a felony conviction. While other important topics may have surfaced throughout the Committee's inquiry, those matters that are outside the scope of this specific civil rights mandate and are left for another discussion.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-06-17-WA-SAC-Advisory-Memorandum-Voting-Rights-and-Felony-Convictions.pdf>

Hate Crimes in Maine

On July 12, 2019, the Maine Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a briefing to learn about the current prevalence of hate crimes in Maine, the structure of hate crime laws within the state, and the effectiveness of current laws to track, report, and combat hate crimes within Maine. This Advisory Memorandum highlights the information the Committee learned at the briefing. The main assertions and themes of the memorandum are (1) underreporting, (2) barriers to reporting, (3) law enforcement training, (4) statutory framework in Maine, (5) LGBTQ community and hate crimes, (6) extremist propaganda on the rise, (7) college campuses impacted by hate crimes, and (8) education initiatives.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-06-18-Maine-Hate-Crimes-Advisory-Memo.pdf>

Barriers to Voting in Alabama

On February 22, 2018, the Alabama Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a briefing to examine barriers to voting which may have a discriminatory impact on voters based on race, color, disability status, national origin, and/or the administration of justice. The Committee heard testimony from academics, policy makers, community groups, and civil society actors. The Committee also held numerous working group sessions and did extensive research. The resulting report documents civil rights concerns with respect to barriers to voting throughout the state of Alabama and discusses possible strategies for improving voter access in Alabama. This report presents both an overview of current voting regulation in Alabama and offers specific recommendations to help policymakers better ensure that the voting rights of all of the residents of Alabama are appropriately protected.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-02-Barriers-to-Voting-in-Alabama.pdf>

Statement of Maryland Advisory Committee on Police Killings

On July 7, 2020, the Maryland Advisory Committee to the U.S. Commission on Civil Rights issued a statement condemning the killings of Black people by the police. These killings have shocked the nation and spawned nationwide protests. Maryland has experienced the same type of lethal police abuses towards unarmed Black victims. Five years ago, there were weeks of protests in the

city of Baltimore after the killing of Freddie Gray. Earlier this year, William Green was shot seven times while handcuffed in a police car. While reforming police practices may be necessary, it is not sufficient. The advisory committee recommends the Commission encourage the State to recognize the need to address systemic racism affecting all communities of color.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-16-MD-SAC-Statement-of-Concern.pdf>

United Support and Continued Commitment to Civil Rights In South Carolina After Police Killings

On June 26, 2020, the South Carolina Advisory Committee to the U.S. Commission on Civil Rights issued a statement to reaffirm and state its united support and continued commitment to investigate the deprivation of the civil rights of all South Carolinians regardless of race, color, religion, sex, age, disability, or national origin and restate our dedication to the ideal of equal justice for all. The Committee members committed themselves and their committee to work with all lawmakers, government officials, community organizations, law enforcement, South Carolina's justice system and most importantly, its citizens to further our state's commitment to the U.S. Constitution and the Amendments thereto, the South Carolina Constitution, and the vital concepts of the rule of law, due process, and justice for all.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-20-SC-Statement-of-United-Support.pdf>

Colorado Statement on Naturalization Backlog by Modifying Oath and Allegiance Ceremonies During COVID-19

On July 7, 2020, the Colorado Carolina Advisory Committee to the U.S. Commission on Civil Rights issued a statement to inform the U.S. Commission on Civil Rights about the potential impact of COVID-19 on the backlog in citizenship and naturalization applications that may impede voting rights in the 2020 election. In order to comply with national health guidelines, the U.S. Citizenship and Immigration Service (USCIS) field offices closed for three months and have reduced the number of individuals permitted to attend Oath of Allegiance Ceremonies to a fraction of the pre-pandemic capacity. Consequently, hundreds of thousands of otherwise eligible permanent residents may not naturalize in time to vote in the November 2020 election. This is a serious impediment to the exercise of voting rights. Therefore, the Colorado Advisory Committee encourages the Commission to urge the USCIS to make accommodations for the Oath of Allegiance ceremonies to expedite the naturalization processing.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-22-CO-SAC-Statement-on-Naturalization-Backlog-and-COVID.pdf>

Indiana Statement on the Adoption of No-Excuse Absentee Voting in Upcoming Election

On July 15, 2020, the Indiana Advisory Committee to the U.S. Commission on Civil Rights issued a statement as an addendum to its Advisory Memorandum on Voting Rights in Indiana issued in May 2018. In that Advisory Memorandum, the committee recommended, among other things, that absentee voting be expanded to allow all registered voters to vote by mail if they choose. The current public health crisis facing Indiana makes this recommendation all the more urgent, because the coronavirus pandemic means that voting in person could present a serious health risk to some. All registered voters deserve to be able to cast their ballot safely, but the dangers posed by the coronavirus do not affect all voters equally. Evidence shows that there are greater risks associated for some citizens based on their age, race and ethnicity, or disability. This raises troubling civil rights implications regarding the administration of Indiana elections, and it could affect the composition of the electorate in ways that distort the expressed will of the people.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-07-22-Indiana-SAC-statement-on-voting-rights.pdf>

Examining Hate Crime in Wyoming

On August 29, 2018 and November 1, 2019, the Wyoming Advisory Committee to the U.S. Commission on Civil Rights (SAC) held two public meetings to examine hate crimes in Wyoming. The Committee invited a range of stakeholders who provided testimony on hate crime reporting, the prevalence of bias-motivated incidents, the need for hate crime legislation and other alternative solutions for addressing hate crime. This report begins with background on relevant federal hate crime laws and state protections. The themes of the testimony include: underreporting of hate crimes, the need for training of law enforcement to address hate crimes, hate crime and its impact on the Native American community, the prevalence of bias-motivated incidents and hate crime, the impact of Wyoming's current protections for its citizens, and alternative solutions given the history of attempts to pass hate crime legislation. The report concludes with findings and recommendations to the Commission to forward to appropriate federal and state entities and additional considerations for school districts.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-07-23-WY-SAC-Hate-Crimes-Report.pdf>

Civil Rights and Gender Wage Gap in Utah

On October 3, 2019, the Utah Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public briefing to examine the factors that may cause or contribute to the gender wage gap; the impact of the wage gap on individuals on the basis of sex and race; and the impact of federal and state level enforcement efforts aimed to address pay inequity. This report details concerns about the gender wage gap among women and women of color. Primary concerns include factors that likely contribute to the wage gap such as implicit bias, impact of pay secrecy policies, the lack

of family leave policies, and occupational segregation. Additionally, women of color experience a larger gender wage gap in comparison with their white counterparts and disproportionately occupy low-wage and part-time occupations. Finally, testimony indicated concerns with federal and state enforcement efforts to address pay inequity because, so few complaints ruled in favor of employees. The Committee offers the Commission recommendations for addressing short-term and long-term issues concerning gender inequality and provides additional considerations for employers and the religious community.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-28-UT-SAC-Gender-Wage-Gap-Report.pdf>

Condemning Racism in the Criminal Justice System and Committing to Continue to Examine Racial Disparities in Connecticut Policing

On July 20, 2020, the Connecticut Advisory Committee to the U.S. Commission on Civil Rights issued a statement adding their voices to the growing chorus of Commission Advisory Committees affirming the fundamental right of all people to be free from all forms of racism and racial bias in their interactions with the criminal justice system. It states in part, “This issue has come into national focus recently because of the widely reported tragic deaths of several Black people at the hands of police officers during the COVID-19 crisis. Sadly, fatal police interactions are nothing new to communities of color in Connecticut. And they are just one particularly tragic example of the scourge of racial disparities in interactions with the criminal justice system that this Committee has investigated in recent years. The Committee is united against all forms of prejudice and bigotry, and it will continue to advocate for transformation of the systems that perpetuate and enforce systemic racism.”

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-07-30-CT-SAC-Statement-on-Racial-Disparities-in-Criminal-Justice.pdf>

Police Violence Against Black Americans in Oregon

On July 23, 2020, the Oregon Advisory Committee to the U.S. Commission on Civil Rights issued a statement in the wake of police violence against black Americans. The stated in part, “The Committee mourns with the families whose loved ones have died at the hands of police violence, followed by further violence against those who protest the killings. These recent killings are only compounded by the tens of thousands of deaths in the Black community due to structural racism and the disproportionate impact of COVID-19. It is beyond time to stand up for Black lives and for justice. Black Americans are disproportionately affected by police violence across the United States. The Committee calls for swift, full, and impartial justice for victims of police violence including George Floyd, Breonna Taylor, Tony McDade, and Elijah McClain, and the immediate arrest of all of the officers involved in their murders and demand that these officers be held accountable.”

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-08-11-OR-SAC-Statement-of-Concern.pdf>

Mental Health, Mental Health Courts, and the Criminal Legal System in the District of Columbia

On November 7, 2019, the District of Columbia Advisory Committee to the U.S. Commission on Civil Rights (SAC) held a public hearing to consider the intersection of mental health and criminal justice and to evaluate the effectiveness of the District of Columbia Superior Court Mental Health Community Court (DCMHCC), one of several diversion programs provided by the D.C. court system. The Committee heard from the following mental health court experts, which included academics and practitioners, and D.C. stakeholders. The report provides five recommendations to the Commission: (1) Encourage the continued funding and operation of the DCMHCC and suggest that the DCMHCC or an interested academic institution create a long-term tracking system for participants in the DCMHCC, (2) Urge the U.S. Attorney’s Office to consult with prosecutors in other districts regarding their experiences with mental health courts and review the eligibility criteria annually to determine whether to expand the eligibility for participation in the DCMHCC program, (3) Encourage, to the extent possible, community-based care programs to promote long-term goals of providing housing, education, counseling, and employment services to those with serious mental illness, including individuals who have recently been released from, or otherwise involved in, the criminal Justice system. (4) Urge the DCMHCC, in consultation with the Department of Behavioral Health (DBH), to devise standards, to the extent possible, for assessing the quality of care provided by service providers for DCMHCC participants and develop schedules for conducting such assessments, and (5) Urge the DCMHCC to examine the standards it uses, comparing them with the “essential” standards recommended for use by the Council of State Governments and specifically assessing, preferably in a written report, any discrepancies.

The report, memorandum or statement is available at the following website:
<https://www.usccr.gov/files/2020-09-21-Mental-Health-in-DC.pdf>

Safe and Secure Election Administration in Alaska During the COVID-19 Pandemic

On September 4, 2020, the Alaska Advisory Committee to the U.S. Commission on Civil Rights issued a statement on the safe and secure election administration during the COVID-19 Pandemic. The Committee recommends to the Commission that offer the following advice to the Alaska Division of Elections: (1) Evaluate ways to accommodate voters and count the votes of those who cannot secure a signature, including but not limited to waiving the witness signature requirement for mail-in ballots and (2) continue advocating to retain the option to have in-person voting locations especially in rural Alaska at which they direct appropriate physical distancing and sanitizing measures. (3) Similarly, it is not clear to what extent Alaska enforces a signature match requirement for voters submitting absentee ballots as there are some indications it is uneven in

enforcement, but to the extent they do, the Committee recommends this also be waived for the general election.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-09-22-AK-SAC-Statement-on-COVID-19-and-Voting-Rights.pdf>

Nursing Homes in Connecticut

On July 13, 2020 and July 20, 2020, the Connecticut Advisory Committee to the U.S. Commission on Civil Rights (SAC) held virtual briefings to examine how the COVID-19 pandemic has impacted the senior populations in Connecticut's assisted care facilities/nursing homes. The memorandum summarizes the Committee concerns. Seniors in Connecticut and throughout the nation face alarming infection and mortality rates from COVID19. Nursing homes and assisted living facilities in Connecticut have been hit particularly hard by this pandemic. And there is disturbing evidence that COVID-19 is having a disparate impact on nursing home populations of color. Moreover, in addition to the tragedy of illness and death, nursing home residents and their families are facing personal hardships and struggles as unintended consequences from efforts to prevent the spread of COVID-19 within nursing facilities.

The report, memorandum or statement is available at the following website:

<https://www.usccr.gov/files/2020-09-29-Connecticut-Nursing-Homes-and-Covid-19-Advisory-Memorandum.pdf>

FY 2019-2022 STRATEGIC GOALS AND OBJECTIVES

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

Strategic Goal A:

The Commission will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy. The Commission is aided in this endeavor by the work of its Advisory Committees.

Objective	Strategies	Performance Measures
The Commission will assess the national state of important civil rights issues.	The Commission will determine civil rights issues of national significance on which to conduct informative briefings and/or hearings.	The Commission will develop proposals and investigative plans to conduct investigations into civil rights issues of national significance.
		The Commission will hold at least two briefings and/or hearings each year.
	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Commission will regularly inform the Advisory Committees of its own past and upcoming activities

Objective	Strategies	Performance Measures
		The Commission will keep Advisory Committees apprised of investigative priorities so that Advisory Committees can determine whether there is any beneficial overlap or alignment in their agenda setting.
		The Staff Director or Commissioners will attend (telephonically or in-person) Advisory Committee briefings or meetings in order to maintain the connection between headquarters and the Committees.
The Commission will publish reports, letters, and statements on important civil rights issues, following investigation and as informed by research, and distribute them to the President, Congress, and the American people.	The Commission will continuously monitor the state of civil rights and issues of national significance, and use its expertise to report its policy recommendations.	The Commission will issue reports, including its annual statutory enforcement report, to inform its stakeholders of policy recommendations.
		The Commission will issue statements and letters on current civil rights events and issues of concern.
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission will maintain all 51 Advisory Committees.	The Commission will ensure that each Advisory Committee is promptly appointed after expiration.

Objective	Strategies	Performance Measures
	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will develop proposals and investigative plans to conduct investigations into civil rights issues of significance in their jurisdiction.
		Advisory Committees will hold briefings, public forums, or another mechanism.
		Advisory Committees will publish reports, statements, memoranda, or other publications to provide policy recommendations to the Commission.

Strategic Goal B:

The Commission will serve as a national clearinghouse to inform and raise awareness on civil rights issues amongst the general public.

Objective	Strategies	Performance Measures
The Commission will keep the public apprised of historical and current civil rights issues.	The Commission will routinely host public speakers to share their experience and expertise on historical and current civil rights issues.	Holding Speaker Series sessions in conjunction with business meetings
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Expand press outreach	The Commission will regularly publicize Commission and Advisory Committee briefings and other events.
		The Commission will regularly publicize the release of reports or other publications by the Commission and its Advisory Committees.

Objective	Strategies	Performance Measures
	Increase access to Commission briefings, hearings, and business meetings	The Commission will use technology, including live streaming, phone lines, and social media, to provide immediate public access to its meetings, briefings, publications, and other activities.
	Inform the Advisory Committees of activities by headquarters and of other Advisory Committees in different regions	Ensure a regular update to Advisory Committees of activities by headquarters as well as the other Advisory Committees
Elevate the public profile of the Commission as a national authority on civil rights issues	Expand the opportunities for the Chair or other designated spokesperson to speak directly to the public on civil rights issues	Ensure that the Chair or other designated spokesperson speaks directly to the public about civil rights

Strategic Goal C:

The Commission will 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
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Align the Commission’s budget submissions with the Agency’s strategic plan and annual performance plan.	Compliance with OMB Circular A-11.
	Monitor and report on the Commission’s progress in achieving its annual performance plan goals and objectives.	Submit a Performance and Accountability Report that adheres to all relevant guidance.

Objective	Strategies	Performance Measures
		Implementation of Commission's and Office of Personnel Management's Human Capital Plan program, strategies, and initiatives.
	Conduct and analyze Employee Satisfaction surveys and develop specific strategies to address issues.	Results of the Employee Satisfaction surveys
	Comply with federal information security requirements	Conduct an annual FISMA Audit
	Leverage information technology to enhance the productivity and efficiency of the workforce.	Compliance with OMB Cloud Computing initiatives.
The Commission will improve the efficiency, effectiveness, and accountability of its organization.	Improve organization structure and reduce real property inventory.	Implement Agency Reform Plan by the FY 2020.

DRAFT ANNUAL PERFORMANCE PLAN

Strategic Goal A: The Commission, including through its State Advisory Committees, will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy.				
Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will assess the national state of important civil rights issues.	The Commission will determine civil rights issues of national significance on which to conduct informative briefings and/or hearings.	The Commission will develop proposals and investigative plans to conduct investigations into civil rights issues of national significance.	2 new projects	2 new projects
The Commission will assess the national state of important civil rights issues.	The Commission will determine civil rights issues of national significance on which to conduct informative briefings and/or hearings.	The Commission will hold at least two briefings and/or hearings each year.	2 briefings and/or hearings	2 briefings and/or hearings
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Commission will regularly inform the Advisory Committees of its own past and upcoming activities	3 newsletters	3 newsletters
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Commission will keep Advisory Committees apprised of investigative priorities so that Advisory Committees can determine whether there is any beneficial overlap or alignment in their agenda setting.	If a Committee’s report topic aligns with a headquarters-issued report, it was included with the headquarters-issued report	If a Committee’s report topic aligns with a headquarters-issued report, it was included with the headquarters-issued report

Strategic Goal A: The Commission, including through its State Advisory Committees, will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy.

Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Staff Director or Commissioners will attend (telephonically or in-person) Advisory Committee briefings or meetings in order to maintain the connection between headquarters and the Committees.	3 Meetings	3 Meetings
The Commission will publish reports, letters, and statements on important civil rights issues, following investigation and as informed by research, and distribute them to the President, Congress, and the American people.	The Commission will continuously monitor the state of civil rights and issues of national significance, and use its expertise to report its policy recommendations.	The Commission will issue reports, including its annual statutory enforcement report, to inform its stakeholders of policy recommendations.	2 Reports	2 Reports
The Commission will publish reports, letters, and statements on important civil rights issues, following investigation and as informed by research, and distribute them to the President, Congress, and the American people.	The Commission will continuously monitor the state of civil rights and issues of national significance, and use its expertise to report its policy recommendations.	The Commission will issue statements and letters on current civil rights events and issues of concern.	5 Statements and/or letters	5 Statements and/or letters
The Commission’s Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission will maintain all 51 Advisory Committees.	The Commission will ensure that each Advisory Committee is promptly appointed after expiration.	90% Currently appointed Advisory Committees	90% Currently appointed Advisory Committees

Strategic Goal A: The Commission, including through its State Advisory Committees, will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy.

Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will develop proposals and investigative plans to conduct investigations into civil rights issues of significance in their jurisdiction.	10 Meetings	10 Meetings
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will hold briefings, public forums, or another mechanism.	5 Briefings public forums, etc.	5 Briefings public forums, etc.

Strategic Goal A: The Commission, including through its State Advisory Committees, will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy.

Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will publish reports, statements, memoranda, or other publications to provide policy recommendations to the Commission.	5 Publications	5 Publications

Strategic Goal B: The Commission will serve as a national clearinghouse to inform and raise awareness on civil rights issues amongst the general public.

Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will keep the public apprised of historical and current civil rights issues.	The Commission will routinely host public speakers to share their experience and expertise on historical and current civil rights issues.	Holding Speaker Series sessions in conjunction with business meetings	Not Applicable	Not Applicable
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Expand press outreach	The Commission will regularly publicize Commission and Advisory Committee briefings and other events.	10 Press releases or media posts	10 Press releases or media posts
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Expand press outreach	The Commission will regularly publicize the release of reports or other publications by the Commission and its Advisory Committees.	10 Press releases or media posts	10 Press releases or media posts
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Increase access to Commission briefings, hearings, and business meetings	The Commission will use technology, including live streaming, phone lines, and social media, to provide immediate public access to its meetings, briefings, publications, and other activities.	3 Live-streamed events	3 Live-streamed events

Strategic Goal B: The Commission will serve as a national clearinghouse to inform and raise awareness on civil rights issues amongst the general public.

Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Inform the Advisory Committees of activities by headquarters and of other Advisory Committees in different regions	Ensure a regular update to Advisory Committees of activities by headquarters as well as the other Advisory Committees	3 Newsletters	3 Newsletters
Elevate the public profile of the Commission as a national authority on civil rights issues	Expand the opportunities for the Chair or other designated spokesperson to speak directly to the public on civil rights issues	Ensure that the Chair or other designated spokesperson speaks directly to the public about civil rights	2 Speaking engagements with national reach in the fiscal year	2 Speaking engagements with national reach in the fiscal year

Strategic Goal C: The Commission will continue to strengthen the Commission’s financial and operational controls and advance the Commission’s mission through management excellence, efficiency, and accountability.				
Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Align the Commission’s budget submissions with the Agency’s strategic plan and annual performance plan.	Compliance with OMB Circular A-11.	Budget is compliant with OMB Circular A-11	Budget is compliant with OMB Circular A-11
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Monitor and report on the Commission’s progress in achieving its annual performance plan goals and objectives.	Submit a Performance and Accountability Report that adheres to all relevant guidance.	PAR adheres to relevant guidance.	PAR adheres to relevant guidance.
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Update and implement the Commission’s Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission.	Implementation of Commission’s and Office of Personnel Management’s Human Capital Plan program, strategies, and initiatives.	Implement Human Capital Plan	Implement Human Capital Plan
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Conduct and analyze Employee Satisfaction surveys and develop specific strategies to address issues.	Results of the Employee Satisfaction surveys	Increase response rate positively in one or more categories	Increase response rate positively in one or more categories

Strategic Goal C: The Commission will continue to strengthen the Commission’s financial and operational controls and advance the Commission’s mission through management excellence, efficiency, and accountability.				
Description of Objective	Strategy	Performance Measures	FY 2021 Performance Target	FY 2022 Performance Target
The Commission will improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Comply with federal information security requirements	Conduct an annual FISMA Audit	FISMA Audit	FISMA Audit
The Commission will improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Leverage information technology to enhance the productivity and efficiency of the workforce.	Compliance with OMB Cloud Computing initiatives.	Compliant with Cloud Computer Initiatives	Compliant with Cloud Computer Initiatives
The Commission will improve the efficiency, effectiveness, and accountability of its organization.	Improve organization structure and reduce real property inventory.	Implement Agency Reform Plan by the FY 2020.	Achieve Agency Report Plan milestones as outline in the approve schedule.	Achieve Agency Report Plan milestones as outline in the approve schedule.