



U.S. Commission on Civil Rights

ADVISORY COMMITTEE HANDBOOK

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INTRODUCTION

Letter from the Chair



Dear Advisory Committee Members,

Welcome to the U.S. Commission on Civil Rights' Advisory Committees.

It is my distinct honor, as Chair of the U.S. Commission on Civil Rights, to extend my heartfelt gratitude to each of you for your commitment to civil rights and justice. Your service to your states and territories are essential to our nation's ongoing pursuit of equality.

As someone who has dedicated my life to advocating for justice and equality, I take the responsibility we have been tasked with to heart. My family is from deep south Texas, on the border with Mexico. On my father's side, my grandmother married as a teenager, bore 13 children and worked the land – picking cotton, okra, and tomatoes. She would give birth at home with the help of my great-grandmother, a midwife, rest a few days and then continue working the land and making food for the family. She encouraged me to continue with my education and to keep working towards the life that I wanted. Her legacy, like many before us, lies in the opportunities that she fought so hard to have for her children, grandchildren and every generation after her.

The gravity of our work is immense, and the commitment it demands is enduring. Your tireless efforts as the Commission's eyes and ears on the ground, provides an invaluable perspective from your communities. Through your reports, critical and emerging civil rights issues can be identified, investigated, and lead to substantial change. Together, we can present forward-moving recommendations to your governors, state legislators, U.S. Congress, and the President on policies that safeguard the civil rights enshrined in our Constitution.

It is an honor to serve the American public alongside dedicated individuals like yourselves. I look forward to supporting your efforts and continuing the legacy of progress, resilience and determination at the core of this crucial work.

Let us embark on this journey together, united in our passion to advance civil rights for all!

A handwritten signature in blue ink that reads "Rochelle Garza". The signature is fluid and includes a large, sweeping flourish at the end.

Rochelle Garza

Chair of the U. S. Commission on Civil Rights

About Us

First established under the Civil Rights Act of 1957 and reestablished under the United States Commission on Civil Rights Act of 1983 (P.L. 98-183), the [United States Commission on Civil Rights](#) (Commission) serves as an independent, bipartisan fact-finding agency. The Commission is not an enforcement agency and has no power to apply specific remedies in individual cases. Complaints about denials or rights are referred to appropriate federal agencies for action. To learn more about the structure of the Commission, please visit Appendix A.

The Commission's authorizing statute directs it to establish advisory committees in the fifty states and the District of Columbia. Upon the request of Congress in FY 2021, the Commission has also established advisory committees in the five U.S. territories. All these advisory committees are tasked with providing advice and recommendations to the Commission on civil rights topics that the advisory committees decide to study within their specific geographical jurisdiction.

Mission and Jurisdiction

Under the Commission's authorizing statute (42 U.S.C. § 1975a), the Commission and its advisory committees are tasked with investigating alleged deprivations of the right to vote or discrimination based on color, race, religion, sex, age, disability, or national origin, or in the administration of justice. The Commission is also primarily tasked with informing the development of national civil rights policy and enhancing enforcement of federal civil rights laws.

Although the Commission has broad discretion in the scope of civil rights topics it may investigate, the Commission's investigations are limited by 42 U.S.C. § 1975a(b) and (f). Accordingly, the Commission, its advisory committees, or any person under its supervision or control, is prohibited from inquiring into, or investigating, any membership practices or internal operations of any fraternal organization, college university fraternity or sorority, private club, or religious organization. In addition, the Commission, its advisory committees, or any person under its supervision or control, is also prohibited from studying, collecting, making appraisals, or serving as a clearinghouse for any information about laws and policies of the Federal Government or any other governmental authority in the United States, with respect to abortion.

Purpose

Under the Federal Advisory Committee Act (FACA), the Committee Management Officer (CMO) for the Commission is responsible for maintaining and updating committee management operations and procedures. The purpose of this handbook is to provide advisory committee members with a guide to how advisory committees operate to fulfill their mission and a manual to follow based upon applicable federal laws, particularly the Federal Advisory Committee Act; agency jurisdiction and policy; staff expertise and capacity; and conflicts of interest guidance of the Commission's Office of General Counsel. The handbook also institutionalizes best practices for procedural

continuity between advisory committees and serves as a guide for new advisory committee member orientation.

Authority

This Handbook is issued pursuant to FACA and its corresponding Code of Federal Regulations. The provisions of this handbook have been approved for Agencywide application by the Staff Director.

Requirements stated in this handbook are intended to be consistent with law, regulations, and Agency policy applicable at the time of its issuance. To the extent that this handbook conflicts with any applicable existing or future law, rule, or regulation or Commission Administrative Instruction (AI) at the time of issuance or at some future date, the applicable law, rule or regulation, appropriate authority outside the Agency, such as the Comptroller General, or AI takes precedence over this handbook. It is essential that current rules and policies be researched, and that this handbook be used in conjunction with applicable law, rules, regulations and Commission policies and AIs. This handbook does not give rise to any legal right or claim for prospective or current advisory committee members against Commission or its employees for any injunctive or monetary relief under state or federal law or rule or any right or entitlement to be placed on or continue as an advisory committee member. This handbook does not constitute a contract between the Commission, its employees, or prospective or future advisory committee members.

ADVISORY COMMITTEES

Overview

The Commission maintains 56 advisory committees, one for each of the 50 states, the District of Columbia, and the five U.S. territories. Each advisory committee comprises citizen volunteers familiar with local, state, or territory civil rights issues. Advisory committee members play a vital role in advancing civil rights through objective and comprehensive investigation, research, and analysis on issues of fundamental concern to the federal government and the public. Advisory committees may also contribute to the Commission's study agenda, as well as their annual statutory enforcement report.

Advisory Committee Membership

Each advisory committee shall consist of at least eight members, but in general not more than 14. Within budgetary and staff resources, each advisory committee is expected to meet at least quarterly and provide advice and recommendations through a committee report to the Commission at least once every two years.

The four-year terms of advisory committee members shall be limited for a total duration of not more than two terms unless there is a sufficient basis for extending the appointment. Interim appointments may be submitted to and approved by the Staff Director to replace advisory committee members who resign. Interim appointments to advisory committee vacancies should be made when a committee's term is set to expire six months or more from the date of the vacancy.

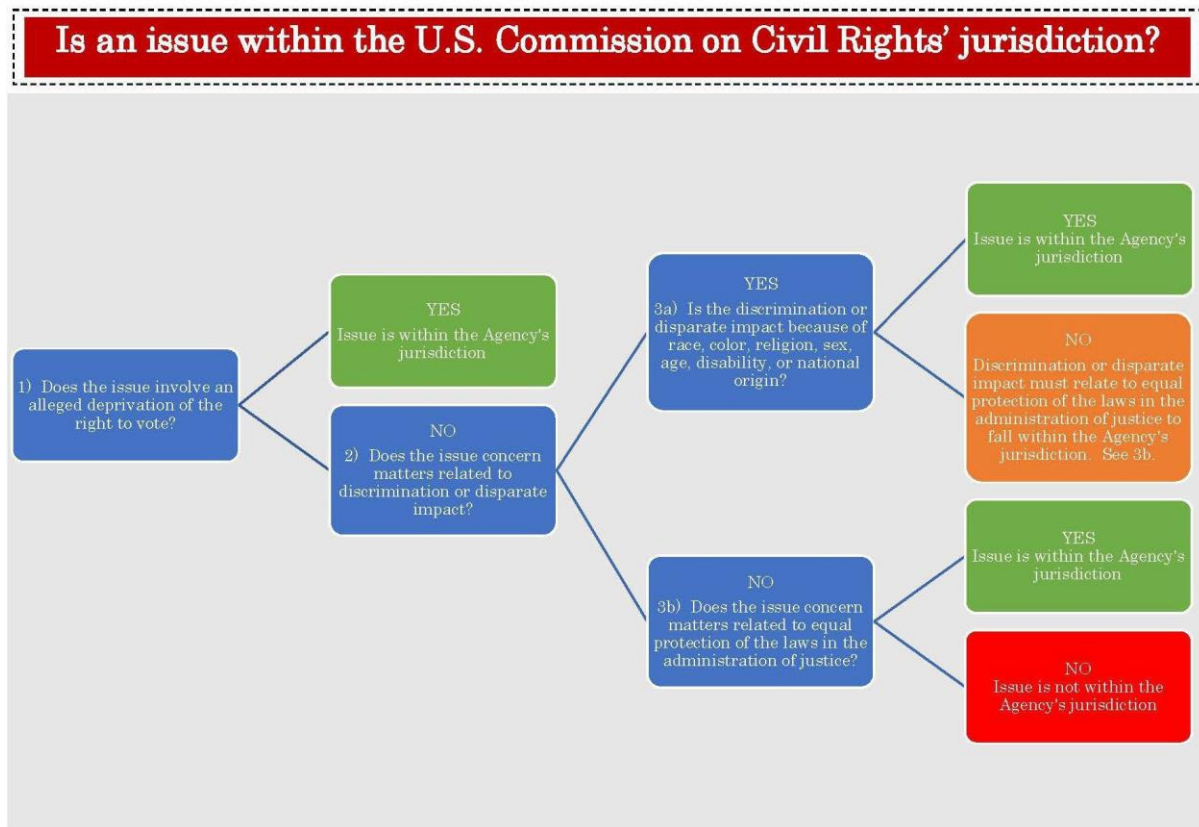
In compliance with FACA, the Commission ensures that membership on each advisory committee is diverse and reflects persons with varied skills, such as social science research, advocacy, legal research and analysis, and statistical analysis, to facilitate the work of the committee. In addition, advisory committees reflect the bipartisan character of the Commission. Advisory committees also have a broad cross-section of representation based upon such factors as age, religion, disability, and occupation. No person is to be denied an opportunity to serve on an advisory committee based on race, age, sex, religion, national origin, or disability. This diversity provides advisory committees with a wide range of knowledge, experience, and perspectives, which assists in the development of findings or recommendations for a multitude of work products. This broad representation also helps ensure that advice will be given serious consideration by government officials and the public.

Resignations

If a member needs to resign from a committee, they can do so by notifying the Support Specialist and Designated Federal Officer for their committee. Advisory committee members who resign are encouraged to nominate a replacement, particularly someone who represents a similar political, ideological, and professional background.

Scope of Subject Matter

According to the Code of Federal Regulations, 45 C.F.R. Part 703, the scope of investigation of the Commission’s Advisory Committees is limited to the specific state and to topics that are specifically authorized under 42 U.S.C. § 1975a. In accordance with 42 U.S.C. § 1975a, advisory committees should follow the following diagram in determining whether a civil rights topic falls within the Commission’s jurisdiction:



If advisory committee members have questions regarding jurisdiction, they should contact their Designated Federal Officer or the Office of General Counsel.

Chairperson

Appointed by the Commission, the Chair of the advisory committee leads committee meetings, facilitates discussions among committee members, and communicates with the Designated Federal Official (DFO) concerning meeting agenda. However, the final agenda for each meeting must be approved by the DFO. Additionally, the Chair ensures that all suggestions, challenges, and criticisms are heard and considered.

Other Officers

Advisory committees are strongly encouraged to elect [additional members](#) to serve in a leadership capacity, such as Vice Chair, Secretary, or Parliamentarian, all of whom should reflect the bipartisan nature of the committee. The committee may elect one or multiple Vice Chairs to perform the duties in the Chair's absence. The committee should solicit a volunteer to act as Secretary, who will take roll and keep the minutes. If deemed necessary, the committee can elect a Parliamentarian to assist the Chair with procedural disputes. The advisory committee may create additional officer positions, as each committee has autonomy over the structure of their membership, excluding the Chair.

Role of Commission Staff

- The Staff Director, who serves as the Administrative Head, is responsible for ensuring compliance with FACA, issuing administrative guidelines and management controls of the advisory committees, approving the advisory committee charters for the renewals of the agency's advisory committees, and, with the Committee Management Officer (CMO), developing procedures to assure the advice and recommendations of the advisory committees will not be inappropriately influenced by the Commissioners, staff, or any special interest, but instead will be the result of the advisory committee's independent judgment.
- The CMO, who per USCCR regulations is the Supervisory Chief of the Regional Programs Unit, exercises control and supervision over the establishment, procedures, and accomplishments of advisory committees established by the Commission. In addition, the Staff Director has delegated the authority to assign DFOs to advisory committees and develop administrative guidelines and management controls of the advisory committees. The CMO is also tasked with creating websites for each committee and ensuring they are maintained to further the public's understanding of the Commission's advisory committee program.
- The Designated Federal Officer (DFO) for each advisory committee must be a full-time employee and ensures that committee activities comply with FACA, agency administrative procedures, and any other applicable laws and regulations. Importantly, the DFO performs the following roles leading up to and during meetings:
 1. approves or calls all meetings of the advisory committee,
 2. approves the agenda for each meeting,
 3. attends all meetings except for preparatory meetings of the committee,
 4. adjourns any meeting when he or she determines it to be in the public interest,
 5. chairs any meeting when so directed by the Staff Director,
 6. maintains information on advisory committee activities and provide such information to the public, and
 7. ensures advisory committee members receive appropriate training for efficient operation and compliance with FACA and Commission policies.

In addition, the DFOs for the Commission’s advisory committees are Civil Rights Analysts and serve as an important subject matter resource to the committees. Like all Commission staff, they are prohibited from inappropriately influencing the advice and recommendations the advisory committees make to the Commission, but they may prove invaluable in drafting project proposals and reports based upon the decisions and direction provided to them by the committee. Furthermore, DFOs advise committees on creating the required diverse panels of testimony needed to complete a project, and they may, under their authority to call meetings and approve agendas, proactively establish committee meetings and invite panelists, if necessary to achieve diversity of viewpoints or other objectives to best achieve the committee’s mission. Finally, in cooperation with the Committee Chair, the DFO should encourage engagement, participation, and expression from all advisory committee members and any members with dissenting opinions.

- Support Specialists are the primary point of contact for each committee. Although the DFO for each committee may change from project stage to project stage, the Support Specialists are assigned exclusively to committees. Support Specialists provide all administrative support to the committee and individual members, including some technical support when members have questions about platforms such as Monday.com or Zoom for Government. Support Specialists also manage the travel reimbursement procedures for each committee member.

The Federal Advisory Committee Act

Enacted in 1972, the Federal Advisory Committee Act (FACA), 5 U.S.C. §§ 1001-1014, outlines certain rules that govern all advisory committees. There are approximately 1,000 federal advisory committees and 50 federal agencies with FACA programs at any given time. Each federal agency that sponsors an advisory committee must adhere to the requirements established by FACA and those administrative guidelines provided by the U.S. General Services Administration’s (GSA) Committee Management Secretariat.

Details for each advisory committee to the U.S. Commission on Civil Rights under FACA are as follows:

Alabama	Idaho	Montana	Puerto Rico
Alaska	Illinois	Nebraska	Rhode Island
American Samoa	Indiana	Nevada	South Carolina
Arizona	Iowa	New Hampshire	South Dakota
Arkansas	Kansas	New Jersey	Tennessee
California	Kentucky	New Mexico	Texas
Colorado	Louisiana	New York	U.S. Virgin Islands
Connecticut	Maine	North Carolina	Utah
Delaware	Maryland	North Dakota	Vermont
District of Columbia	Massachusetts	Northern Mariana Islands	Virginia
Florida	Michigan	Ohio	Washington
Georgia	Minnesota	Oklahoma	West Virginia
Guam	Mississippi	Oregon	Wisconsin
Hawaii	Missouri	Pennsylvania	Wyoming

Conducting Advisory Committee Meetings Under FACA

This Act provides, with few exceptions, that all meetings of advisory committees will be open to the public. As such, the public has the right to inspect and copy committee meeting records, reports, minutes, agenda, working papers, drafts, transcripts, and appendices, and all documents will be made publicly available on the [Commission website](#) and the specific advisory committee home site.

GSA has general supervisory authority to prescribe regulations and provide administrative control and uniformity in the activities of advisory committees under FACA. The provisions in the act that most directly affect advisory committees include but are not limited to:

- The presence of a DFO at all advisory committee meetings;
- The need for all meetings to be conducted in accordance with an agenda, approved by the DFO, that lists all matters to be considered;
- A notice published in the [Federal Register](#) of a scheduled committee meeting at least 15 days before the meeting date, unless an exceptional circumstance exists;
- The ability for members of the public to provide verbal or written statements with the committee or, at the discretion of the attending DFO, appear before it;
- The keeping of the minutes of each committee meeting, including an account of advisory committee members and staff present; a description of matters discussed and conclusions reached, including real-time communications during meetings and briefings; copies of all reports received, issued, or approved by the advisory committee; and a listing of the members of the public who address the committee;

- The making of these meeting documents available on the Committee’s website within 14 days of the documents being sent to the FACA database;
- The certification of the accuracy of the minutes by the Chairperson;
- The ability for advisory committee members to meet independently without public notice exclusively to prepare documents and materials for review and deliberation by the full committee at a future public meeting. Under this exception, advisory committee members can also email one another to prepare documents for committee meetings but cannot make decisions for the committee via email correspondence;
- The ability for advisory committee members to meet without public notice if the sole purpose of the meeting involves administrative matters, such as orientation.
- The public availability of all documents and other materials prepared by or for advisory committees.
- The prohibition of subcommittees providing advice or recommendations directly to the Commission.

In addition, the Supervisory Chief of the Regional Programs Unit (RPCU) must receive the Federal Register notice at least 20 days in advance of any advisory committee meeting to ensure publication in compliance with FACA requirements. The Federal Register notice must contain a statement of the purpose of the meeting, a summary of the agenda, and the time, place, and date of the meeting.

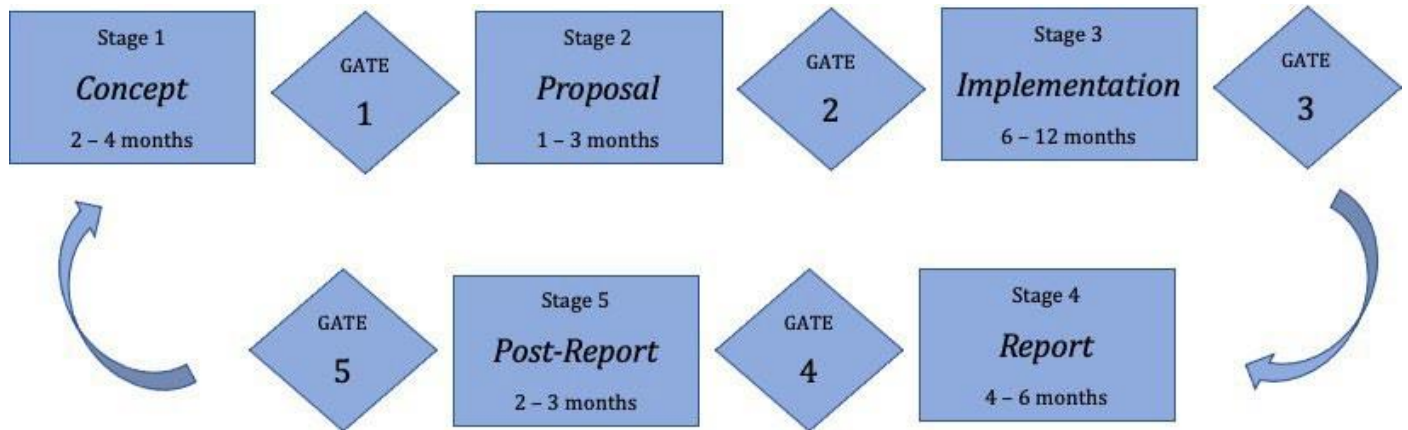
Quorum

Under agency regulations, one-half or more of the advisory committee members or five advisory committee members, whichever is the lesser, must be present to have a quorum at business meetings, and three members must be present to have a quorum at meetings where testimony is heard but no committee decisions are made.

ADVISORY COMMITTEE REPORT PROCESS

The Stage-Gate Report Process

Advisory committees complete five distinct stages that result in a written report to the Commission. In a four-year term, advisory committees may complete between one to three reports. The overall structure and timeline of the five stages are as follows:



Concept Stage

Objective: Select a topic of study.

The [concept stage](#) is the visioning stage in the report process. Over the course of two to four months, advisory committee members identify, research, and review the most salient issues impacting their jurisdiction with the intent of selecting a topic to study. Advisory committee members may invite relevant stakeholders to submit topics for consideration. DFOs serve as a resource and intermediary between the committee and the Commission during this decision-making stage; they provide information about Commission projects, facilitate communication with the Commission regarding any additional information, and if need be, invite Commissioners to speak at committee meetings regarding study topics.

After preliminary discussion or prior to meeting, Support Specialists distribute the “[Project Proposal Prompt](#)” to advisory committee members via SurveyMonkey. All proposed topics are presented and discussed by the committee. These discussions address whether the topic is within the Commission’s jurisdiction and the overall viability of potential topics. Support Specialists play a vital role in the time management of this stage by following up on deliverables and deadlines. At the closing of this stage, the committee will vote to determine a project topic.

Proposal Stage

Objective: Refine the scope of the concept and submit a project proposal for approval.

The [proposal stage](#) is the structural stage of the process during which the committee determines the scope of the project and how it fits into the Commission's jurisdiction. Over a period of one to three months, the committee drafts a project proposal on the chosen topic and submits it to the Staff Director for approval. DFOs provide advice on the project scope and jurisdiction and assist in stakeholder outreach. Meanwhile, advisory committee members share relevant research and information with the committee. Advisory committee members can also conduct outreach to stakeholders as appropriate. The DFO or the committee drafts, reviews, and edits the project proposal. Staff ensure the committee has the most updated version of the proposal prior to subsequent committee meetings. Once the proposal is collectively approved, the committee votes on the adoption of the project proposal. The project proposal is then submitted to the Staff Director for final approval, and, if approved, the committee progresses to the implementation stage. See an example project proposal [here](#).

Implementation Stage

Objective: Gather testimony from diverse viewpoints on the topic.

Marked by the visibility of public briefings, the [implementation stage](#) is the most interactive stage of the process. The focus of this six- to twelve-month period is on implementing the project proposal. Committees, with DFO assistance, research and recruit potential panelists while Support Specialists manage scheduling, confirm locations, and coordinate travel arrangements as necessary. Advisory committee members plan the logistics and substance of the meetings where testimony will be received, while DFOs are responsible for drafting the testimony agenda and sending final confirmations to participating panelists. When deciding on panelists, advisory committees should have meaningful discussions about the categories of panelists with the intent of receiving balanced testimony. During the briefings, advisory committee members are encouraged to engage panelists with questions. At the conclusion of the briefings and after the record for gathering testimony and statements closes, which is normally 30 days, DFOs provide advisory committee members with transcripts, as well as assist members as they review transcripts to identify themes and areas of testimony gaps. This stage closes when the testimony received is compiled and arranged for the report writing stage. See an example in-person briefing agenda [here](#) and a virtual briefing agenda [here](#).

As a matter of historical precedent, and in order to achieve transparency as required by FACA, committee reports aim to involve a collection of public, testimonial evidence and written comments from individuals directly impacted by the civil rights topic at hand. Additionally, reports cull information from researchers and experts that have rigorously studied and reported on the topic, community organizations and advocates representing a broad range of backgrounds and perspectives related to the topic, and government officials tasked with related policy decisions and

the administration of existing laws and regulations regarding the topic.

Advisory committee studies require members to utilize their expertise in selecting a sample of panelists that is the most useful to the purposes of the study and will result in a broad and diverse understanding of the issue. This method of non-probability judgment sampling requires advisory committee members to draw from their own experiences, knowledge, opinions, and views to gain understanding of the issue and possible policy solutions. The intentional diversity of each committee promotes vigorous debate and full exploration of the issues. It also serves to assist in offsetting biases that can result in oversight of nuances in the testimony. If necessary to achieve diversity of perspectives in testimony received, DFOs may exercise their FACA power to approve agendas to ensure this requirement is achieved.

Advisory committees can include citations to secondary sources that are shared with all members in their work products. However, because of their limited capacity, DFOs are not expected to read all secondary sources submitted by advisory committee members, so members should provide the specific information from the secondary sources that they wish to be included in the final report. Also as a best practice, advisory committees should first try or additionally try to invite authors of secondary sources to committee meetings to provide all members the opportunity to question them. Advisory committees will better serve the principles of openness if authors of secondary sources are present at advisory committee meetings.

Report Stage

Objective: Submit a work product to the Commission.

The [report stage](#) is the penultimate stage in the process and focuses on discussions and decisions about how to compile and deliver data to the Commission. After months of preparation and research, the committee reviews all briefing transcripts, verbal and written testimony, and any supplemental data. Once the work product has been drafted, reviewed, edited, and approved by the committee, it is presented to the Commission with collectively agreed upon findings and recommendations. DFOs are instrumental throughout this stage; they assist advisory committees in verifying the accuracy of testimony, creating the outline, drafting, and editing sections of the report, ensuring any legal edits are fully incorporated, and external-facing distribution. Advisory committee members may submit a statement in dissent or statement in part concurring and dissenting. FACA only allows the committee to provide advice and recommendations to the Commission, but these statements are included in the appendix of the report. Advisory committee members who miss a vote on a report may also submit a dissent upon request to staff. In all cases, the dissent must be submitted within 14 days of the committee vote approving the work product. Advisory committee members who voted in favor of a report may also submit a concurrence if submitted within 14 days of the committee vote approving the report.

In fulfillment of the advisory committees' responsibility to advise the Commission of civil rights matters in their local areas, committees conduct an in-depth review and thematic analysis of the

testimony received and other data gathered throughout the course of their inquiry. Advisory committee members use this publicly collected information, often from those directly impacted by the civil rights topic of study, or others with direct expert knowledge of such matters, to identify findings and recommendations to report to the Commission. Drafts of the committee's report are publicly available and shared with panelists and other contributors to ensure that their testimony was accurately captured. Reports are also shared with affected government agencies and parties to request clarification regarding any allegations noted in testimony. See a list of published reports [here](#).

Definitions of Committee Findings and Recommendations

For the purposes of this study, **findings** are defined as what the testimony and other data suggested, revealed, or indicated based upon the data collected by the committee. Findings refer to a synthesis of observations confirmed by majority vote of members, rather than conclusions drawn by any one member. **Recommendations** are specific actions or proposed policy interventions intended to address or alleviate the civil rights concerns raised in the related finding(s). Where findings indicate a lack of sufficient knowledge or available data to fully understand the civil rights issues at hand, recommendations may also target specific directed areas in need of further, more rigorous study. Recommendations are directed to the Commission; they request that the Commission itself take a specific action, or that the Commission forward recommendations to other federal or state agencies, policy makers, or stakeholders.

Work Product Chart

Product	Committee Addendum	Committee Report	Interim Memorandum	Policy Brief
Purpose	Provides an update or calls attention to a previous committee work product	Standalone product: provides background of the issue, what was heard, and committee's recommendations	If needed, develop due to circumstances that require notifying the Commission before the gathering of all testimony has completely concluded, or before the committee has been able to develop the committee report; must be connected to a larger work product or study	Post-report product summarizing key findings; could be used by the Chair to brief the Commission, or accompany the recommendations to specific entities
Major Sections	<ul style="list-style-type: none"> i. Connects to prior committee work product and reason for the addendum ii. Examples, judgement iii. Call to action and/or specific recommendations iv. Links to the prior committee work product 	<ul style="list-style-type: none"> i. Letter of transmittal ii. Overview iii. Background iv. Methodology v. Findings vi. Recommendations vii. Appendix with link to public-facing folder with meeting records 	<ul style="list-style-type: none"> i. Description of the study ii. Reason for issuing an interim report in advance of the study's conclusion iii. Preliminary findings/review of initial testimony iv. Preliminary recommendations v. Link to public-facing folder with meeting records 	<ul style="list-style-type: none"> i. Connects to committee report and process ii. Key findings iii. Key recommendations iv. Footnotes provide link to committee report, public-facing folder with meeting records
Requires	Majority committee vote, Legal Sufficiency Review (LSR)	Approved proposal, majority committee vote, LSR	Approved proposal, majority committee vote, LSR	Approval of Committee Report

Post-Report Stage

Objective: Raise awareness and impact of the committee's work.

The [post-report stage](#) is the fifth and final stage in the process. This stage focuses on expanding the impact of the committee's product. Over the course of two to three months, the committee works with the DFO, Support Specialist, and the Public Affairs Unit to create a plan to raise public awareness about the committee's report. Staff will assist all advisory committees and complete a [policy brief](#) for submission to the Commission prior to the Chair presentation.

Chair Presentation

At the discretion of the Staff Director and Chair of the Commission, the Chair of an advisory committee has the opportunity to present a report to the Commissioners at one of the latter's regularly scheduled business meetings. These presentations are normally limited to ten (10) minutes. The Commissioners engage the Chair, or the Chair's designee, in questions about the report.

Policy Brief

To provide a condensed work product to specific entities named in the report, staff draft a policy brief, which summarizes the key findings and recommendations found in the initial work product. See an example policy brief [here](#).

Process for Op-Ed

One of the more common post-report activities that advisory committees vote to pursue is to produce an opinion piece, or op-ed, to amplify significant points from their report. Given the low word limit for many op-eds, these efforts may be most effective if the writing focuses on emphasizing a sample of one to two specific themes or findings and their related recommendations, rather than the report as a whole.

While we note that op-eds are not guaranteed to be selected for publication, when selected they can be a great way to raise the public profile of a recently released report. Op-eds should be drafted and submitted for publication by one or more advisory committee members. The DFO may assist by sharing relevant information, such as best practices on how to draft an [op-ed](#) and examples of past advisory committees' op-eds that have been successfully published. Op-eds may be published by the committee as a whole or may be undertaken by individual members. The committee must vote, during a public meeting, to approve the final draft of any op-ed or other written material representing the committee as a whole.

Op-eds written on behalf of the committee must exclusively focus on the substance found in the related report, as this post-report activity does not require a legal sufficiency review. If the original committee report did not receive unanimous approval of advisory committee members, then any related op-ed or post-report product must also clearly cite this information.

Individual members may also publish work referencing recent or previous committee reports, though additional ethics limitations apply. Such publications need not be voted on by the committee. However, they must have clear language introducing the author as an individual contributor, and specifically state that the opinions contained therein do not represent the views of the Commission or the committee as a whole. The author's bio line in the accompanying publication should also list the individual's other qualifications, rather than solely focusing on their role on the committee. Please consult with your DFO prior to publication on any work that cites your committee involvement.

Carry-Over Projects

Each project proposal approved for committee study shall include an estimated timeline to ensure that the work is completed prior to the end of the committee's appointment term. Advisory committees shall make all reasonable efforts to complete their projects within this estimated timeline. While on occasion, unforeseen project delays do occur, advisory committees will not be approved to begin a study that is not reasonably expected to be completed prior to the end of their current appointment term. Advisory committees seeking to conduct a new study with less than 12-14 months remaining on their current term should work with their DFO to determine an appropriate scope and timeline for any potential work, and/or consider focusing their efforts on post-report activity from a previous project rather than beginning a new study.

If unforeseen delays prevent a committee from completing an ongoing study prior to the end of their appointment term, all project work must stop on the date that members' appointments expire. Advisory committee members appointed to the next committee term *may* consider completing the resulting, partially completed "carry-over project" in the new term, though such consideration is not required. A majority vote of the newly appointed members in the next committee term will be required in order for the project to continue.

ADMINISTRATION & OPERATION OF ADVISORY COMMITTEES

Voting

Votes must be taken at public meetings of the advisory committee where a quorum has been established. Votes taken by email and by proxy are prohibited. Advisory committee members who cannot attend a meeting where a vote is taken should be provided the opportunity to provide input or comment prior to the meeting. In the event of unusual circumstances, the CMO may approve other methods of conducting a committee vote.

Advisory committees are strongly encouraged to utilize Robert's Rules of Order for voting but may implement other methods of making decisions as approved by the Designated Federal Officer for that committee.

Once a committee makes a decision through a formal vote at a public meeting, the committee cannot take another vote on that same item unless the committee first votes to place that item for reconsideration on the agenda for the next business meeting of the committee. For more details about Robert's Rules of Order, see Appendix C.

Participation Requirements

As with any public-facing, decision-making body, advisory committees are strongly encouraged to abide by a shared understanding of expected behaviors and attitudes. It is recommended that advisory committees discuss ground rules and preferred procedural rules, but at a minimum be courteous to one another and allow equitable speaking time during committee meetings. Committee Chairs are also encouraged to propose ground rules and procedural rules at the start of a committee's term.

Advisory committee members are expected to attend all meetings. If a member cannot attend, they should notify the support specialist for that committee as soon as possible prior to the meeting to ensure meeting quorum and so that the absence can be recorded as excused. A member who has three unexcused absences may be subject to constructive resignation from the committee.

Ethics

Advisory committee members serve as representatives rather than as Special Government Employees and are not subject to specific federal ethics statutes and regulations governing their conduct. However, representative members should comport themselves with integrity, should not trade upon their positions in the government for their own personal benefit, and should avoid criticism and retain the integrity of the agency and the public's trust. To achieve these standards, it is suggested that advisory committee members review [Standards of Ethical Conduct](#), which lists ethics rules applicable to federal employees of the Executive Branch. Although these rules do not strictly apply to you, they should guide your conduct while you are a committee member and, based on the totality of the circumstances and facts involved with a member's individual situation you may be asked to comply with the principles.

In such circumstances, your compliance with a request to abide by a certain, specific ethics rule is mandatory or required and failure to do so may result in your forced recusal for a specific matter or even permanent removal from the advisory committee. Members should comply with the federal ethics laws and regs so that if any appearances of conflict exist, they should share that information with the committee during one of its public meetings as well as with their assigned DFO. For example, the [Hatch Act](#), which prohibits political activity by federal employees and special government employees, does not apply to representatives, but engaging in political activity during a committee meeting would negatively impact the integrity of the committee's work. As such, advisory committee members are expected to comply with the Hatch Act principles. You can read more about the Hatch Act in [Hatch Act Additional Resources](#).

Communications

As correspondence is primarily digital, newly appointed advisory committee members are required to adjust their security settings to ensure they will receive communications from the advisory committee support team, all of whom use an @usccr.gov email address. Much of the communication, progress tracking, and access to documents and resources happens through the online platform, [Monday.com](#). Any committee member who does not already have an account will need to create one. Advisory committee members who currently have Monday.com accounts can [link the advisory committee board to their existing dashboard](#).

After the official appointment of an advisory committee, members will receive a welcome email from the Supervisory Chief of the RPCU. This email will include information about [orientation](#).

For business meetings and web briefings, advisory committees will use Zoom for Government as their online platform. Advisory committee members are expected to participate in these meetings by audio and, preferably, by video. In some cases, initial meetings of newly appointed advisory committees may be held in person, but these meetings must have a virtual option for those unable to attend in person, such as members of the public and Commission staff.

In addition to Zoom for Government, advisory committee members are expected to familiarize themselves with the online platform, SurveyMonkey. DFOs and Support Specialists will use this platform to schedule business meetings and hearings, as well as collect responses to the "Project Proposal Prompt" in the Concept Stage of the project process.

Email Exchanges Between Advisory Committee Members

While we appreciate and need everyone's engagement in order for committee projects to be successful, please note that substantive e-mail exchanges among the whole committee are better reserved for full-committee public meetings. In no instance should any decision-making occur over e-mail, as this may trigger FACA and transparency rules. Email may be used only for logistical or follow-up questions to the DFO and/or Chair.

If advisory committee members would like to discuss their different perspectives around the developments of the project or prepare for the next committee meeting, please reach out to one another separately to continue these discussions. Advisory committee members are allowed to hold preparatory meetings with two or more members in order to prepare documents for consideration at an open business meeting. These preparatory meetings should not include the DFO so as not to trigger a FACA meeting. Advisory committee members are also welcome to let the DFO and Chair know if they have an agenda item they would like added to the agenda for the committee's next meeting.

Speaking Engagements

While many advisory committee members have active roles in their respective communities and are often invited to participate in speaking engagements, it is important to clarify which organization "hat" is being represented. You can use your committee title, but use it in conjunction your other titles and positions. If invited to speak on your participation as a committee member, you may speak only on matters that have been agreed upon by the committee. A best practice is to consult with your DFO prior to the speaking engagement, and they will provide you guidance. These items include but are not limited to the committee's project topic and scope, the mission of advisory committees, briefing date(s), and invited speakers. If you provide your opinion on an issue, you must state that you are not speaking on behalf of your committee and acknowledge any views that dissent from your own. For speaking engagements that may fall within a gray area, it is best to consult with Commission staff for additional guidance before accepting the invitation. The Chair of the committee will be the default spokesperson for any inquiries regarding committee work, unless the Chair of the committee selects alternative speakers.

Travel and Reimbursement

Advisory committee members, upon prior approval by the CMO, may travel for in-person briefings during the implementation stage of the stage-gate process. They may also, upon approval by the CMO, travel during the post-report stage in the event the advisory committee chooses to host a press conference. As indicated above, the CMO must approve any reimbursement prior to your travel and there is no entitlement to receive approval. Based on the availability of funding, to receive travel reimbursements, advisory committee members are subject to [GSA's travel regulations](#), and they must complete an Electronic Funds Transfer (EFT) [form](#) to establish themselves in the agency's travel system, ConcurGov. Your Support Specialist will process the required documents to input your information into the travel system. **Advisory committee members only need to complete the EFT form once**; however, they must update the form if any changes occur to their banking information. This information is considered personally identifiable information, and thus will be securely transmitted via encryption to the appropriate agency personnel.

Please note that if a committee member owes money to the federal government in any capacity, such as taxes or student loans, the travel reimbursement will go towards any outstanding balances rather than to the committee member. In addition, no travel reimbursement will be available to a committee member who travels but does not complete the EFT form.

Transportation

Travel must be by the most expeditious means of transportation practicable and commensurate with the nature and purpose of your duties and any reimbursement by USCCR is entirely discretionary and you have no right to receive a requirement for your travel costs. Travel by common carrier is presumed to be the most advantageous method of transportation and must be used when reasonably available. Common carriers include air travel, train, bus, and other transit system.

Airfare

Please request and obtain approval from your agency point of contact, as they will submit the air fare authorization request on your behalf. Airfare must be purchased through the agency as opposed to being purchased individually by advisory committee members.

Train or Bus

Advisory committee members may travel by train or bus. Your point of contact can provide more information.

Personal Vehicle

If it is the most advantageous method of transportation to the government, advisory committee members are allowed to request personally owned vehicle (POV) mileage reimbursement to and from the venue of an approved in-person committee meeting or briefing. The POV mileage rate is determined by GSA, and information regarding this can be found on their [website](#). You must receive prior approval if you plan to request mileage reimbursement, as the appropriate staff will need to complete your travel authorization.

Taxis

If your travel requires an overnight stay, you may request reimbursement for taxis, Ubers, and Lyfts for the following:

- Between your home and airport;
- Between your hotel and committee venue;
- To and from your hotel to obtain meals;
- Between your hotel and airport.

Meals and Incidentals (M&IE)

Under federal travel regulations, you may receive a daily food allotment if you are in travel status for 12 or more hours. Per diem rates are set by GSA and vary depending on the location. Please visit the GSA per diem website for an overview of the rates. M&IE and per diem only apply to advisory committee members who request and receive prior agency approval for this travel reimbursement.

Receipts

If you are seeking a reimbursement from USCCR, which is discretionary, you must submit receipts for hotel stays and taxi fares of any dollar amount; otherwise, receipts are only required for expenses exceeding \$75.00. You do not need to submit receipts for meals if you receive per diem.

Point of Contact for Travel Reimbursement

You may contact your Support Specialist or DFO for further information or clarification on travel reimbursement.

APPENDIX A: U.S. Commission on Civil Rights

Members of the Commission

The Commission is composed of eight Commissioners: four appointed by the President and four appointed by Congress. Commissioners serve six-year terms and do not require Senate confirmation. Not more than four members shall at any one time be of the same political party.

The President designates the Chairperson and Vice Chairperson from among the Commission's members with the concurrence of a majority of the Commission's members. The President may remove a member of the Commission only for neglect of duty or malfeasance in office.

Presidential Appointees

[J. Christian Adams](#)

President and General Counsel
Public Interest Legal Foundation
Alexandria, Virginia
POLITICAL AFFILIATION: REPUBLICAN

[Rochelle Garza](#)

President
Texas Civil Rights Project
Rio Grande Valley, Texas
POLITICAL AFFILIATION: DEMOCRAT

[Stephen Gilchrist](#)

Chairman and CEO, South Carolina African
American Chamber of Commerce
Columbia, South Carolina
POLITICAL AFFILIATION: REPUBLICAN

[Victoria Nourse](#)

Ralph Whitworth Professor of Law
Georgetown University Law School
Washington, D.C.
POLITICAL AFFILIATION: DEMOCRAT

Congressional Appointees

[Gail Heriot](#)

Professor of Law
University of San Diego
San Diego, California
POLITICAL AFFILIATION: INDEPENDENT

[Mondaire Jones](#)

Political Contributor
New York, New York
POLITICAL AFFILIATION: DEMOCRAT

[Peter N. Kirsanow](#)

Partner
Benesch, Friedlander, Coplan, & Arnoff
Cleveland, Ohio
POLITICAL AFFILIATION: REPUBLICAN

[Glenn Magpantay](#)

Principal
Magpantay & Associates
New York, New York
POLITICAL AFFILIATION: DEMOCRAT

Office of the Staff Director

Appointed by the President with a concurring vote of the Commissioners, the Staff Director serves as the administrative head and Chief Operating Officer of the Commission with the responsibility of developing and managing the programs and staff. Staff in the Office of the Staff Director oversee

all agency program activities and initiations, media and congressional relations, and the operation and management of the Commission, including:

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

Regional Programs Coordination Unit

The Regional Programs Coordination Unit (RPCU) supports advisory committees in all 50 states, the District of Columbia, American Samoa, Guam, the Northern Mariana Islands, Puerto Rico, and the U.S. Virgin Islands. The RPCU provides technical and administrative support to the advisory committees in the finalization and publication of advisory committee work products, such as committee reports and interim memoranda, as well as in the announcement of hearings. Full time staff of the RPCU include (see staff responsibilities on pages 8 and 9):

- Civil Rights Analysts who serve as Designated Federal Officers (DFOs) for the advisory committees and provide technical support;
- Support Specialists who provide administrative services to the advisory committees;
- The Regional Programs Supervisory Chief, who serves as the Committee Management Officer under FACA, and manages the RPCU.

In addition to our full-time staff, the Regional Programs Coordination Unit often hosts a small cohort of graduate-level social work interns as an integral part of our team. Each of these students is in their second year of graduate study, in pursuit of the Master of Social Work degree or equivalent. The students accepted to our program have specifically dedicated their studies to "macro" level social work practice, including social policy research, evaluation, and public administration. Each intern cohort generally consists of 4-8 students from various schools of social work across the country that have established formal relationships with our Unit.

Interns, where possible, choose their committee assignments based on their own policy interests and learning goals. Working alongside a Civil Rights Analyst (DFO), students remain with the Unit for the entire academic year and dedicate approximately 18-20 hours of work each week to their assigned committee(s). Students may assist your DFO in drafting committee project proposals, reports, policy briefs, and other work-products, as well conduct outreach for committee briefings. While not every committee will be assigned an intern, where interns are assigned, we ask that advisory committee members welcome these students as part of the team, and help us to support their learning goals and professional development. You can do this by engaging in meaningful

discussion on project topics and providing constructive feedback on written work products that interns help to draft on the committee's behalf.

While your committee's engagement and work progress remain our first priority, we ask that advisory committees keep intern's availability in mind when scheduling meetings. We may also make minor adjustments to project timelines to better align with the interns' academic calendar. Please do not hesitate to reach out to your DFO if you have any questions or concerns regarding the role or work of your intern. We thank you for your support as we work to cultivate the next generation of professionals dedicated to this important civil rights work.

Office of Civil Rights Evaluation

The Office of Civil Rights Evaluation provides the subject-matter, critical, and analytical expertise required to research and write evaluations of civil rights issues. Consistent with agency resources, this office monitors the activities of numerous federal agencies, as well as national and regional civil rights trends. Based on information gathered, this office develops project proposals, carries out projects, and responds to inquiries from the public and the Commissioners. It also receives, researches, analyzes, and recommends resolutions for civil rights complaints.

Public Affairs Unit

The [Public Affairs Unit](#) (PAU) serves as the public voice of the Commission and ensures that the activities and publications of the Commission are known to the American public. The PAU coordinates and carries out such activities as briefing reporters and the Commissioners on civil rights issues, holding press conferences, issuing press releases, arranging press interviews and speaking engagements for Commissioners, monitoring press activity regarding the Commission and civil rights issues, and posting on social media. The PAU deals directly with the public in responding to inquiries and by attending meetings of civil rights organizations.

Additionally, the PAU supports the communication efforts of each advisory committee by helping the DFO coordinate press events, promoting advisory committee events through social media, drafting and reviewing deliverables, including committee announcements, responding to media inquiries regarding advisory committee activities, and keeping Commissioners abreast of their work.

Office of the General Counsel

The Office of the General Counsel provides the legal expertise and advice that is required to support fact-finding and ensure the legal integrity of Commission products. This office supports the lawful operation of the agency and advises agency leadership and managers on a range of legal matters. This may include analyzing proposed legislation, interpreting various laws and regulations, advising on the scope of the agency's jurisdiction, and contractual disputes. In addition, this office develops concepts for briefings and hearings on civil rights issues and generates related reports for public dissemination. In support of advisory committee work, the office conducts legal sufficiency and defame and degrade reviews of work products. Also, if needed, the office can

provide guidance to advisory committees about jurisdiction of a potential project and any questions related to ethics.

Office of Management

The Office of Management provides administrative support to all Commission offices. Several divisions fall within this office:

- Budget and Finance Division;
- Human Resources Division;
- Administrative Services and Clearinghouse Division.

The Office of Management supports all strategic goals and objectives by ensuring that needed human and financial capital are available, and that logistical support is in place to support the agency's mission.

Equal Employment Opportunity Programs

The Office of Equal Employment Opportunity Programs is responsible for the overall management of the Equal Employment Opportunity (EEO) complaint system. This system ensures that applicants for employment or Commission employees, who were alleged victims of discrimination based on race, color, age, religion, national origin, sex (including sexual harassment), physical or mental disability, or reprisal in connection with EEO-related activities, have the appropriate means of review and appeal.

APPENDIX B: Resources

Quick Links

- USCCR Website: <https://www.usccr.gov/>
- Advisory Committee Publications: <https://www.usccr.gov/reports/advisory-committees-reports>
- FACA Code of Federal Regulations (CFR): <https://www.regulations.gov/document/GSA-FMR-2022-0015-0010>
- FACA Database: <https://www.facadatabase.gov/FACA/s/>
- Federal Register: <https://www.federalregister.gov/agencies/civil-rights-commission>

Information about Additional Committee Officers

- Description of Committee Officers: <https://www.usccr.gov/files/2022-08/committee-officers.pdf>

Advisory Committee Project Process

- Stage Gate Cheat Sheets: <https://www.usccr.gov/about/advisory-committees/member-resources>

Concept Stage

- Example Civil Rights Topics: <https://www.usccr.gov/news/advisory-committees-news>
- Project Proposal Prompt: <https://www.surveymonkey.com/r/2TWK6WX>

Proposal Stage

- Example Project Proposal: https://www.usccr.gov/files/2022-08/sample-project-proposal_idea-compliance-in-arkansas-2021.pdf

Implementation Stage

- Prospective Panelist Invitation Template: <https://securisync.intermedia.net/us2/s/EpRxKNUBuEHfoO6LUdoDxN0011ef58>
- Example Panel Hearing Agenda:
 - In-Person: https://www.usccr.gov/files/2022-08/sample-in-person-briefing-agenda_hate-crimes-in-wyoming-2019.pdf
 - Virtual: https://www.usccr.gov/files/2022-08/sample-virtual-briefing-agenda_civil-asset-forfeiture-in-south-carolina-2021.pdf
- Example Transcript: https://www.usccr.gov/files/2022-08/sample-panel-transcript_civil-asset-forfeiture-in-georgia-2021.pdf

Report Stage

- Example Committee Addendum: <https://www.usccr.gov/files/2021/06-16-VA- Hate-Crimes-Statement-2021.pdf>
- Example Committee Report: <https://www.usccr.gov/files/2021/07-14-Maternal-Mortality-and-Health-Disparities-of-American-Indian-Women-in-South-Dakota.pdf>
- Example Interim Memorandum: <https://www.usccr.gov/files/2021/07-15-Native-American-Voting-Rights-Advisory-Memo.pdf>
- Example Policy Brief: https://www.usccr.gov/files/2022-08/sample-policy-brief_native-american-mascots-in-nebraska-2021.pdf
- Example Press Release: <https://www.usccr.gov/files/2021-10/forfeiture-report-press-release.pdf>

Post Report Stage

- How to write an Op-Ed or Column for USCCR Reports or Memos: <https://www.usccr.gov/files/2022-08/op-ed-tips.pdf>
- Writing Effective Op-Eds: <https://communicators.duke.edu/writing-media/writing-effective-op-eds/>
- Example Advisory Committee Op-Eds
 - Utah Advisory Committee on the Gender Wage Gap: <https://www.deseret.com/opinion/2020/12/21/22174714/utah-gender-wage-gap-women-us-commission-on-civil-rights-recommendations-essential-workers>
 - Arizona Advisory Committee on Voting Rights: https://azdailysun.com/opinion/columnists/coconino-voices-access-to-the-polls-for-all-arizonans/article_ef9adba8-b962-5f50-b5d0-d08fb02d1991.html

Participation Requirements

- Orientation:

Communications

- Project Management Software Platform: <https://monday.com/>
 - How to create a Monday.com account: <https://www.usccr.gov/files/2022-08/monday.com-set-up-guide-2021.pdf>

- How to add the Advisory Committee board to my dashboard:
<https://support.Monday.com/hc/en-us/articles/360002187819-The-Dashboards>
- Zoom for Government Virtual Meeting Software Platform:
<https://www.zoomgov.com/>
- How to download Zoom for Government to my computer:
<https://www.zoomgov.com/download>
- How to test online meeting: <https://www.zoomgov.com/test>

Travel and Reimbursement

- EFT Form: <https://www.usccr.gov/files/2022-08/eft-form-blank.pdf>
- Travel Regulations: <https://www.ecfr.gov/current/title-41/subtitle-F/chapter-301/subchapter-A/part-301-2>
- POV Milage Reimbursement: <https://www.gsa.gov/travel/plan-book/transportation-airfare-pov-etc/privately-owned-vehicle-pov-mileage-reimbursement-rates>
- Per Diem Rates: <https://www.gsa.gov/travel-resources>

APPENDIX C: Robert's Rules

Robert's Rules of Order is a set of rules for conduct at meetings that allows everyone to be heard and to make decisions without confusion.

At the U.S. Commission on Civil Rights, Robert's Rules are used as a helpful tool to maintain civil and productive meetings. But ultimately, FACA provides the Chief Management Officer and Designated Federal Officers with the final authority on questions of procedure within advisory committees.¹

ORDER OF BUSINESS

Orders of the Day/Agenda

The agenda for the Committee Business Meeting is established by the Designated Federal Officer and the Chair before each meeting.

Example of the Order of Business (i.e. Committee Business Meeting Agenda)

Example Agenda	Corresponding Actions
I. Welcome	<ul style="list-style-type: none">The Chair calls meeting to order by announcing the date, start time of the meeting, and members present.The Chair, committee member, or support specialist conducts roll call of members present.
II. Approval of minutes of last meeting (optional)	<ul style="list-style-type: none">Typically approved by a voice vote.
III. New Business	<ul style="list-style-type: none">Call for additional agenda items to be considered. A Committee Member may add an item to the agenda by making a motion. The item can be added to the current meeting with a 2/3 majority vote or can be added to the agenda for the next meeting by a simple majority.²
IV. Committee Business	<ul style="list-style-type: none">Chair facilitates discussion. Uses Roberts' Rules basics noted below.
V. Public Comment	<ul style="list-style-type: none">Chair asks USCCR staff to announce parameters for public comment and identify members of the public who wish to offer comment.
VI. Adjournment	<ul style="list-style-type: none">Chair and/or DFO provides a brief summary of the Committee business agreed upon in the meeting, states action steps that will be taken before the next meeting, and who is responsible for them.

¹ Add FACA regs.

² [Jump to table with 2/3 calculations](#)

MAIN MOTION PROCESS

The Basics

1. Obtain the floor
2. Make the motion
3. Second the motion
4. The Chair states the motion
5. Discuss the motion
6. Put the question to a vote

The Details

1. Obtaining and assigning the floor
 - A member raises hand when no one else has the floor
 - The chair recognizes the member by name
2. Make the Motion
 - The member makes the motion: I move that (or "to")
 - Always state the motion in the affirmative
3. Second the motion
 - Another member seconds the motion: I second the motion or I second it or second.
4. The Chair states the motion
 - It is moved and seconded that ...
5. Discuss the Motion
 - Members can debate the motion.
 - Before speaking in debate, members must be recognized by the Chair.
 - The maker of the motion has first right to the floor.
 - Debate must be confined to the merits of the motion.
 - Permission to withdraw can be asked by the maker of the motion. The Chair has the authority to grant this permission.
 - A motion can be amended by the maker of the motion. The motion should be restated in its entirety with the amendment.

- Debate can be closed only by order of the assembly (2/3 vote by Committee members to proceed with the vote) or by the authority of the Chair. See below for more details.

6. Put the motion to a vote

- The Chair asks: Are you ready for the question? If no one rises to claim the floor, the chair proceeds to take the vote.
- The Chair restates the motion.
- The Chair decides on the method of voting
- The Chair announces the result of the vote. “The ayes have it, the motion carries, and ... (indicating the effect of the vote)” or “The nays have it and the motion fails”

CALL THE VOTE

Once a motion has been made and the Committee discusses the motion, there is a call to vote. This can occur three ways:

1. If there is no more discussion, and every member had the opportunity to speak, the Chair can call the vote.
2. If the discussion is ongoing but a member feels that the discussion is no longer productive or an efficient use of time they can motion to call the vote. A second is required. A 2/3rd majority is required to end discussion and vote on the main motion. If the motion to call the vote fails, then discussion on the main motion can continue.³
3. If the discussion is ongoing but the Designated Federal Officer feels the discussion is no longer productive or efficient they have the authority to either call the vote or table the discussion to the next meeting.

OFFICER POSITIONS

Chair (required)

The only officer position required is the Chair of the Committee, who is appointed by the U.S. Commission on Civil Rights. It is also required there be a clear Chair of each Committee Business meeting. If the Chair is unavailable, then a previously designated vice chair should chair the meeting. In limited circumstances, and with the approval of the chief Management Officer, the Designated Federal Officer can chair the meeting.

³ [Jump to table with 2/3 calculations](#)

Vice Chair(s) (optional)

The Committee can vote on a vice chair(s) to assist the chair with their duties and serve as chair in the Chair's absence.

Parliamentarian (optional)

The Committee can vote to appoint a parliamentarian to assist the Chair with maintaining procedural order.

Secretary (optional)

The Committee can vote to appoint a secretary to assist the Commission staff with record-keeping for the Committee.

REVISIT OR RECONSIDER A DECIDED MOTION

Motion to Reconsider

- This is a special action that can only be taken during the same meeting the main motion was decided on.
- Only used when new information or considerations are introduced after the vote. Not used because members are unhappy with the outcome of the original vote.
- Motion can only be brought by a member who voted on the prevailing side.
- A motion to reconsider requires a second, but the seconding can be done by any member regardless of how they voted on the main motion.
- A majority vote is required to reconsider the motion.
- If the motion to reconsider prevails, then the body takes up the original motion as it was just before the vote was taken.

Motion to Rescind

- Used to cancel a motion that has already been decided by the Committee.
- Requires a two-thirds vote without notice, a majority vote with notice.⁴
 - A Committee member can indicate that you plan to make a motion to rescind in the next business meeting and make a motion to add the item to the agenda. A second is required. A simple majority is needed to approve this motion. The Motion to Rescind will be considered at the next meeting and only requires a simple majority to prevail.
 - A Committee member can also call a Motion to Rescind to be considered immediately by the Committee within the current meeting. A second is required. A 2/3rd majority is

⁴ [Jump to table with 2/3rd calculations](#)

required to prevail. The Chair has the authority to postpone the vote until all other agenda items have been addressed.

METHODS OF VOTING

General Consent

This method of voting can be used to speed up a meeting and the voting process for regular items such as minutes or items that everyone appears to be in favor of. A motion may be passed without a formal vote being taken. If there are any objections, the motion must be processed using the 6 steps of a motion.

Put it to Use: “Are there any objections to (state the motion)?” [pause] If no objections are made you may state “Hearing no objections, (state the motion)”.

Voice Vote

This traditional way of voting has members verbally say “aye” or “no” in response to the question.

Put it to Use:

“Those in favor of the motion say aye.” [pause] “Those opposed say no.”

Roll Call Vote – Call The Roll: This method is the opposite of the voice vote in that every member’s vote is known. Each member’s name is called by the Support Specialist or DFO, at which time the member states his or her vote by saying ‘aye’, ‘no’, or ‘abstain’. The DFO then records the vote and it is kept on record.

Put it to Use:

“Staff (DFO or Support Specialist) will now call the roll.”

Ranked Choice Voting: This method is best used for gathering feedback on which option respondents prefer out of a list. Can be used when deciding on civil rights topics during concept stage and preferred speakers during implementation/hearing stage. Can also be used during meeting or after meeting.

Put to Use:

DFO will prepare a list of options and place into one of the above links and will share poll to members either during the meeting and link to chat box, or separately in an email. DFO may also send link to members after meeting. Narrowed down results may help to inform final decision at a later meeting. Chair may use any other voting methods after using ranked choice method.

CALCULATING 2/3RD MAJORITY

Members in Attendance	2/3 Majority
16	11
15	10
14	10
13	9
12	8
11	8
10	7
9	6
8	6
7	5
6	4
5	4

APPENDIX D: Definitions

Titles

Committee Management Officer (CMO) – Designated agency leadership responsible for coordinating all agency activities for federal advisory committees.

Designated Federal Officer (DFO) – U.S. Commission on Civil Rights staff responsible for enforcing the Federal Advisory Committee Act and main point of contact for federal advisory committees. DFOs are also referred to as Civil Rights Analysts.

Support Specialist (SS) – U.S. Commission on Civil Rights staff responsible for administrative-related matters for federal advisory committees.

Project-Related Terms

Briefings – Public meetings where testimony, often from invited speakers who are voted on by advisory committee members, is presented before a quorum of at least 3 committee members are present.

Committee Meetings – Public meetings where a quorum of at least 5 committee members are present and often votes are taken on matters related to the committee’s project and other committee procedures.

Testimony – A statement prepared by any individual, except for advisory committee members, for advisory committees that can be shared orally and/or in written form.

Working Groups – Members within an advisory committee who volunteer to work on a portion of the advisory committee’s project. These individuals may work on items that include, but are not limited to: drafting work products such as a project proposal and/or report, brainstorming potential speakers in preparation for briefings, collecting contact information for speakers to invited to briefings, etc.

Project Proposal – A committee work product, subject to CMO and staff director approval following approval of the committee, that outlines the jurisdiction, background, purpose, scope, methodology, anticipated outcomes, and target dates of a committee project. This is often referred to as the “guiding document” for advisory committees to follow as they move forward through project stages.

Project Proposal Prompt – A document with a series of questions that allow for advisory committee members to expand on a proposed civil rights topic before presenting to the whole committee.

Legal Sufficiency Review (LSR) – A required step that follows a committee vote to approve a committee work product that involves a review of only legal matters noted in the work product.

APPENDIX E: Frequently Asked Questions

1. What is the Hatch Act, and (how) does it apply to me?

The Hatch Act ([overview](#)) is a federal law that limits certain political activities of federal employees, as well as some state, D.C., and local government employees who work in connection with federally funded programs. The law's purposes are to ensure that federal programs are administered in a nonpartisan fashion, to protect federal employees from political coercion in the workplace, and to ensure that federal employees are advanced based on merit and not based on political affiliation.

While advisory committee members are not considered federal government employees, Commission policy is that advisory committee members must comply with Hatch Act restrictions *while engaging in committee work*. Primarily, this requires that advisory committee members refrain from any partisan political lobbying, campaigning, or fundraising during committee meetings or while at committee events. Advisory committee members are free to participate in such activities outside of committee time

2. What limitations should I consider when discussing committee work with other advisory committee members outside of Committee meetings?

The Federal Advisory Committee Act establishes rules for transparency and public access to committee work. As such, advisory committee members should be mindful of any communication (emails, phone calls, etc.) related to committee work that take place outside of publicly noticed meetings. Two or more advisory committee members may collaborate with one another to prepare material for an upcoming, publicly noticed meeting. However, all substantive, project related deliberations must take place during publicly noticed, open committee meetings. Advisory committee members should not debate or deliberate on committee work products or study topics outside of meetings.

For example, one or more advisory committee members may work together in between committee meetings to prepare suggested language for insertion into a draft committee report. While the suggested language may be distributed to other advisory committee members in advance of the meeting for review, any deliberations or voting on the proposed language must be reserved for the appropriate public meeting. Please consult with your DFO if you have questions regarding these guidelines.

3. If I speak or write publicly in my own capacity and not on behalf of the committee, can I still cite my committee involvement in my remarks or accompanying bio?

Advisory committee members may include their participation on the committee as part of their resume or personal bio when speaking or writing publicly. However, when speaking in their own individual or professional capacity, membership on the committee *must* be listed alongside the advisory committee members' other qualifications—members may not list

their role on the committee alone in their bio or public profile. Advisory committee members must also include clear language stating that they are speaking (writing, presenting) on their own behalf and not on behalf of the committee or the Commission as a whole.

This guidance includes advisory committee members' writing that may be specifically referring to committee work; for example, a committee member who individually pens an op-ed regarding a recent committee publication. Please see the op-ed section of this handbook and consult with your DFO if you have questions pertaining to your specific situation.

4. I have research assistants, staff, or students who are interested in my committee's work. Can I ask them to contribute to or assist with preparing committee work products?

Advisory committee members may utilize interns as outside support to assist in their personal preparation for committee meetings. However, any interns must be U.S. Citizens or permanent residents under law. For example, a committee member who has been assigned to review a specific section of a draft report, provide edits, assist with citations, etc., may arrange outside support to assist that member in completing these tasks. However, non-committee member contributions should support and reflect the direction of the committee as a whole, rather than influencing or driving the committee's project. Non-member contributions should not unduly influence the work of the committee.

5. My personal connections or professional work overlaps with my current committee's study topic. How should I handle any conflicts of interest, or the appearance of such conflict?

Advisory committee members are often selected to serve on the committee specifically because of their experience and expertise related to civil rights topics. Therefore, some overlap between committee topics, and advisory committee members' personal or professional lives is not uncommon. Generally, such overlap does not constitute a conflict of interest under the principles underlying federal ethics regulations that would require a member's recusal. However, advisory committee members are required to be transparent about such matters. Advisory committee members should disclose to the Chair, and to the committee at large, any personal or professional relationships that may create the *appearance* of conflict as early in the project process as possible. If the potential conflict of interest involves your professional work, we encourage you to also disclose this to your own employer, or your employer's Office of General Counsel for guidance.

Your DFO and/or our Office of General Counsel are always available for consultation, so please do not hesitate to ask if you have questions specific to your situation.