

**UNITED STATES
COMMISSION ON CIVIL RIGHTS**



**SUMMARY OF PERFORMANCE AND FINANCIAL
INFORMATION FOR FISCAL YEAR 2016**

Table of Contents

Section I: USCCR Mission	1
Section II: PERFORMANCE HIGHLIGHTS	1
Strategic Goal A: The Commission will function as an effective civil rights watchdog and conduct studies and issue publications on important issues of civil rights.	2
i. Briefings	3
ii. Commission Reports	4
Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.	10
Strategic Goal C: The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.	10
i. Clearinghouse Website.....	11
ii. Complaint Referral Program.....	11
Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public	12
i. Press List	13
ii. Press Releases	13
iii. Website Improvements.....	13
iv. Speaking Engagements.....	14
Strategic Goal E: Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.	15
Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.	15
i. State Advisory Committee Charters and Appointments.....	15
ii. State Advisory Committee Reports.....	16
iii. SAC Fact Finding Activity	17
Section III: FINANCIAL HIGHLIGHTS	18
Section IV: FY 2016 Annual Performance Plan, Targets, and Results	21

MESSAGE FROM THE CHAIR



Thank you for reviewing the U.S. Commission on Civil Rights' Summary of Performance and Financial Information for Fiscal Year 2016. This report summarizes the agency's Performance and Accountability Report for Fiscal Year 2016. The full report and additional information on the Commission's briefings and reports are available on the agency's website (<http://www.usccr.gov>).

While I joined the Commission after the close of FY 2016, I look forward to building on the valuable work of the Commission and continue to advance civil rights through comprehensive investigation, research, and analysis on issues of fundamental concern to the federal government and the public.

A handwritten signature in blue ink, which appears to read "C. Lhamon". The signature is fluid and cursive.

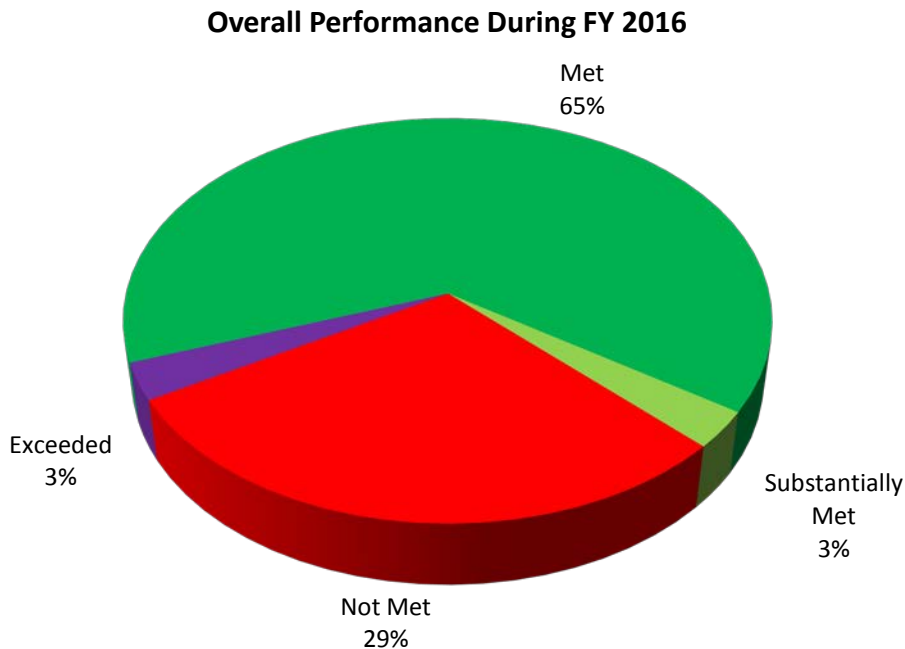
Catherine E. Lhamon
Chair
United States Commission on Civil Rights
May 24, 2017

Section I: USCCR Mission

The U.S. Commission on Civil Rights was created pursuant to the Civil Rights Act of 1957, which was signed into law by President Eisenhower.¹ Since then, Congress has reauthorized or extended the legislation creating the Commission several times; the last reauthorization was in 1994 by the Civil Rights Commission Amendments Act of 1994.² Established as an independent, bipartisan, fact-finding federal agency, our mission is to appraise the development of national civil rights policy and enhance enforcement of federal civil rights laws. We pursue this mission by studying alleged deprivations of voting rights and alleged discrimination based on race, color, religion, sex, age, disability, or national origin, or in the administration of justice. We play a vital role in advancing civil rights through objective and comprehensive investigation, research, and analysis on issues of fundamental concern to the federal government and the public.

Section II: PERFORMANCE HIGHLIGHTS

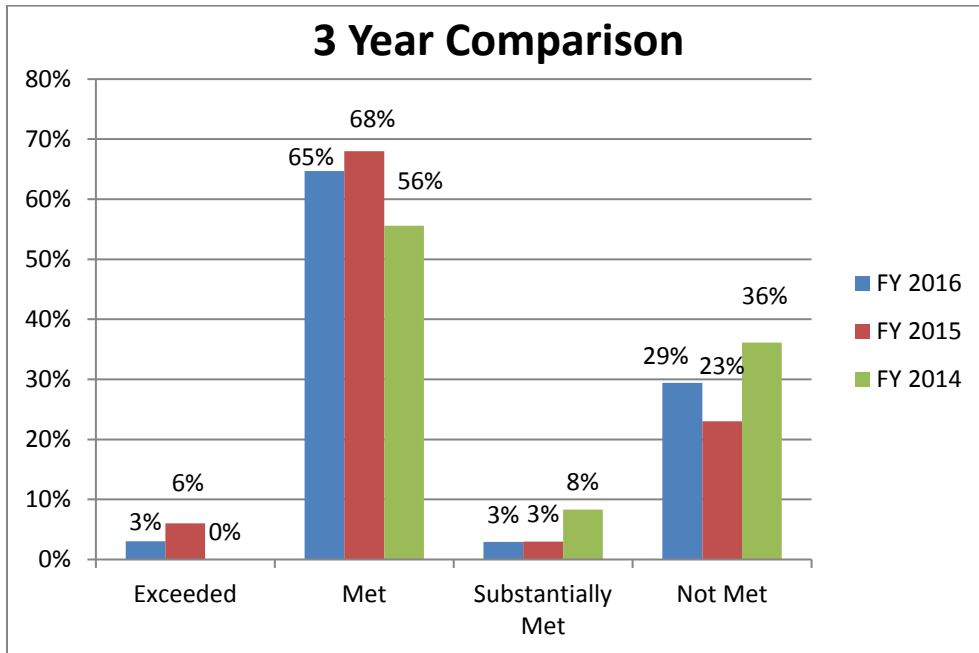
This pie chart represents our overall level of performance for the fiscal year.



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

²Civil Rights Commission Amendments Act of 1994, Pub. L. No. 103-419, 108 Stat. 4338 (1994) (codified at 42 U.S.C.A. § 1975 (2005)).

We exceeded, substantially met, or met 71 percent of our performance targets. A comparison of agency performance for the last three years is presented in the below bar chart.



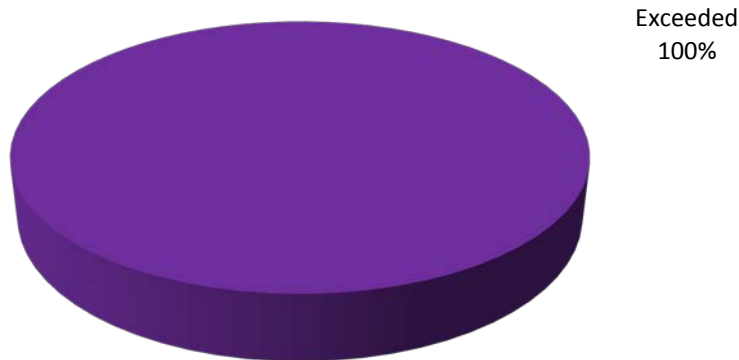
Our agency performs an important role in identifying emergent civil rights trends and evaluating federal agency civil rights enforcement programs. Our agency’s strategic plan articulates the Commission’s vision for executing our vital mission from FY 2016 through FY 2018 and for overcoming various administrative challenges. The plan contains six long-term strategic goals. Associated with each of these goals are one or more objectives or specific statements of what we plan to accomplish.

Our FY 2016 annual performance plan includes performance goals and targets that support the accomplishment of our strategic objectives. Below, we describe our FY 2016 annual plan performance targets. We evaluate and report our performance using these categories: Exceeded, Met, Substantially Met, and Not Met.

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

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

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



This fiscal year we exceeded 100 percent of Strategic Goal A.

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

i. Briefings

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

Public Education Funding Inequality in an Era of Increasing Concentration of Poverty and Resegregation

The purpose of this briefing was to examine the funding of K-12 education and how the inequitable distribution of these funds negatively and disproportionately impact the educational opportunities of low-income students and students of color. The briefing also addressed how the practice of underfunding public schools has exacerbated the academic achievement gap in an era where the nation’s most vulnerable children are increasingly educated in highly segregated and under-resourced schools.

Quiet Crisis: Federal Funding and Unmet Needs in Indian Country, 2016 Update

The purpose of this briefing was to examine education, health, public safety, housing, rural development and economic opportunity in the Native American Community. The briefing and report will be an update to the Commission’s 2003 report, A Quiet Crisis: Federal

Funding and Unmet Needs in Indian Country. Commissioners and panelists discussed the steps taken to implement the recommendations presented in the 2003 report as well as future actions that must be taken to address unmet needs in Indian country. The Commission heard testimony from Native American advocacy groups and Federal and State Government Officials.

Environmental Justice: Toxic Materials, Poor Economies, and the Impact on the Environment of Low-Income, Minority Communities

The Commission briefing for its statutory report examined the Environmental Protection Agency's (EPA) work under Title VI of the Civil Rights Act of 1964 and Executive Order (E.O.) 12,898, with a focus on the civil rights implications of the placement of coal ash disposal facilities near low-income communities and communities of color. Commissioners and panelists addressed a variety of questions including how to reduce the backlog of Title VI complaints, what more can be done to address the current disproportionate placement of coal ash impoundment sites and landfills in areas with primarily low income residents and residents of color, and what can be done to prevent such placements in the future. The briefing addressed the first coal ash rule published in spring of 2015 and the EPA and other agencies' collaborative work on environmental justice, including enforcement actions under Title VI.

Municipal Policing and Courts: A Search for Justice or a Quest for Revenue

The purpose of this briefing was to examine how municipalities may target individuals within the criminal justice system to raise revenue via the collection of fees and fines. Municipalities reliant on criminal justice revenue streams may interfere with the judiciary's independent role, divert attention from the courts' essential functions, and adversely impact the most vulnerable residents, principally those living in or near poverty. The briefing examined the national implication of revenue generating tactics in similarly situated jurisdictions across the country and addressed due process issues and the enforcement of other federal laws that protect against violations of Title VI of the Civil Rights Act of 1964.

ii. Commission Reports

Increasing Compliance with Section 7 of the National Voter Registration Act.

The report examines state compliance with the National Voter Registration Act's mandate to provide voter registration forms and assistance to those utilizing public assistance and disability agencies, and the efforts of the Department of Justice and private citizens in enforcing the mandate, found in Section 7 of the Act.

The report also looks at trends in voter registration modernization, including electronic and automatic registration, and the use of health benefit exchanges to register voters. The Commission held a briefing on April 19, 2013. From this testimony and subsequent research, a majority of the Commission made a number of findings and recommendations.

Highlights of the findings include:

1. Providing for voter registration at public assistance offices is important to improve registration and participation in the election process for communities of color. U.S. Census Bureau statistics show Hispanics and blacks were, respectively, three and four times more likely than whites to register to vote at a public assistance agency. At least one state has observed that having voter registration offered at public assistance offices benefits voters of all demographics.
2. Providing for voter registration at public assistance offices is vital for citizens with disabilities. These citizens struggle with poverty at twice the rate of citizens without disabilities and thus may be more likely to register to vote at those offices.
3. Providing for voter registration at public assistance offices is also important for Limited English Proficient persons, who are more likely to be living in poverty than English proficient individuals. The Election Assistance Commission has translated the National Mail Voter Registration form into Spanish and eight Asian languages.
4. Congress provided the Department of Justice with authority to sue state agencies that fail to comply with the National Voter Registration Act. The Department has additional tools, including publishing guidance on implementing the National Voter Registration Act, conducting investigations, sending letters of intent to enforce the National Voter Registration Act, and reviewing state data reported to the Election Assistance Commission.
5. A recent Election Assistance Commission Report shows that compliance intervention—including cooperative work and/or lawsuits by the Department of Justice or private litigants resulted in seven of the ten top-performing states under Section 7. Litigation is an effective tool to enforce state compliance with Section 7.
6. Integrating voter registration procedures within existing agency processes, including automatic opt out and online processes, is essential to effective National Voter Registration Act compliance. Integrated computerized processes can improve Section 7 compliance and voter registration rates among low-income citizens, Limited English Proficient citizens, and citizens with disabilities.
7. The most efficient and cost-effective registration process for states to meet the National Voter Registration Act's requirements is to provide an electronic automatic "opt out" registration process. This process clarifies any confusion an applicant may have regarding

the necessity to register to vote in order to receive benefits. It eliminates hard-copy error from the process and does not rely on an agency employee's memory to comply with the registration process.

Highlights of the recommendations include:

1. States should have strong oversight of their National Voter Registration Act programs, and Congress should fund a single point of contact in the State Board of Elections who coordinates National Voter Registration Act activities in the state.
2. Because compliance with the National Voter Registration Act requires the management of a large volume of data on both voter registration forms and declination forms, Congress should provide resources for states to learn about and invest in technology that streamlines data processing.
3. Congress should increase resources for the Department of Justice to provide technical assistance, training about and enforcement of the National Voter Registration Act.
4. Congress should expand Section 7 to require federal agencies to agree to be designated as a covered agency under Section 7 when requested by states.
5. The Election Assistance Commission should encourage states to move to electronic voter registration rather than relying solely on paper forms, and integrate registration seamlessly with other electronically covered transactions.
6. The Election Assistance Commission should reexamine whether it should translate the National Mail Voter Registration form into additional languages.
7. The Department of Health and Human Services should ensure federally facilitated Health Benefit Exchanges comply with Section 7. Federal employees who assist the public must be trained in assisting with voter registration, and training must be offered on an ongoing basis.

The full report can be found at:

<http://www.usccr.gov/pubs/NVRA-09-07-16.pdf>

Peaceful Coexistence: Reconciling Nondiscrimination Principles with Civil Liberties

The report examined the balance struck by federal courts, foremost among them the U.S. Supreme Court, in adjudicating claims for religious exemptions from otherwise applicable nondiscrimination law.

The Commission heard testimony from experts and scholars in the field and a majority of the Commission made findings and recommendations. Some of those findings were that:

1. Civil rights protections ensuring nondiscrimination, as embodied in the Constitution, laws, and policies, are of preeminent importance in American jurisprudence.
2. Religious exemptions to the protections of civil rights based upon classifications such as race, color, national origin, sex, disability status, sexual orientation, and gender identity, when they are permissible, significantly infringe upon these civil rights.
3. The First Amendment's Establishment Clause constricts the ability of government actors to curtail private citizens' rights to the protections of non-discrimination laws and policies. Although the First Amendment's Free Exercise Clause and the Religious Freedom Restoration Act (RFRA) limit the ability of government actors to impede individuals from practicing their religious beliefs, religious exemptions from nondiscrimination laws and policies must be weighed carefully and defined narrowly on a fact-specific basis.
4. With regard to federal government actions, RFRA protects only First Amendment free exercise rights of religious practitioners and not their Establishment Clause freedoms. Prior to RFRA's enactment, the U.S. Supreme Court had held in *Employment Division v. Smith*, 494 U.S. 872 (1990), that the First Amendment "had never been held to excuse [an individual's religiously motivated conduct] from compliance with an otherwise valid law prohibiting conduct that the state is free to regulate." This holding strengthened nondiscrimination laws and policies against actors who asserted religious justification for civil rights discrimination. RFRA now supersedes *Smith* as a controlling source of federal authority. Some states have enacted statutes modeled after RFRA, which impact state-level nondiscrimination civil liberties and civil rights protections.

Recommendations included:

1. Overly-broad religious exemptions unduly burden nondiscrimination laws and policies. Federal and state courts, lawmakers, and policy-makers at every level must tailor religious exceptions to civil liberties and civil rights protections as narrowly as applicable law requires.
2. RFRA protects only religious practitioners' First Amendment free exercise rights, and it does not limit others' freedom from government-imposed religious limitations under the Establishment Clause.
3. In the absence of controlling authority to the contrary such as a state-level, RFRA-type statute, the recognition of religious exemptions to nondiscrimination laws and policies should be made pursuant to the holdings of *Employment Division v. Smith*, which protect religious beliefs rather than conduct.
4. Federal legislation should be considered to clarify that RFRA creates First Amendment Free Exercise Clause rights only for individuals and religious institutions and only to the

extent that they do not unduly burden civil liberties and civil rights protections against status-based discrimination.

5. States with RFRA-style laws should amend those statutes to clarify that RFRA creates First Amendment Free Exercise Clause rights only for individuals and religious institutions. States with laws modeled after RFRA must guarantee that those statutes do not unduly burden civil liberties and civil rights with status-based discrimination.

The full report can be found at:

<http://www.usccr.gov/pubs/Peaceful-Coexistence-09-07-16.PDF>

Environmental Justice: Examining the Environmental Protection Agency's Compliance and Enforcement of Title VI and Executive Order 12,898

This report examines whether the Environmental Protection Agency (“EPA”) is complying with its environmental justice obligations. The Commission heard testimony from the EPA, experts and scholars in the field, and a majority of the Commission made findings and recommendations.

Some of the findings are:

1. EPA’s definition of environmental justice recognizes environmental justice as a civil right: fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income with respect to the development, implementation, and enforcement of environmental laws, regulations and policies.
2. Communities of color and low-income communities are disproportionately affected by the siting of waste disposal facilities and often lack political and financial clout to properly bargain with polluters when fighting a decision or seeking redress.
3. The EPA has a history of being unable to meet its regulatory deadlines and experiences extreme delays in responding to Title VI complaints in the area of environmental justice.
4. EPA’s Office of Civil Rights has never made a formal finding of discrimination and has never denied or withdrawn financial assistance from a recipient in its entire history, and has no mandate to demand accountability within the EPA.
5. While lacking formal research on links to cancer, it is known that the heavy metals contained in coal ash are known as “hazardous substances” and can potentially damage all major organ systems. Not only do the toxic substances found in coal ash become absorbed up the food chain, but they also contaminate the environment (humans and animals) through spills, dam leaks, and sewage pipe breaks.

6. Whether coal ash facilities are disproportionately located in low-income communities and communities of color depends on how the comparison is done, but the EPA did find the percentage of low income individuals and individuals of color living within the catchment area of coal ash disposal facilities is disproportionately high when compared to the national average. The EPA did not fully consider the civil rights impacts in approving movement and storage of coal ash.

7. The EPA's Final Coal Ash Rule negatively impacts low-income and communities of color disproportionately, and places enforcement of the Rule back on the shoulders of the community. This system requires low-income and communities of color to collect complex data, fund litigation and navigate the federal court system - the very communities that the environmental justice principles were designed to protect.

Highlights of the recommendations include:

1. The EPA should not eliminate the deadlines related to processing and investigating Title VI complaints, nor should it adopt a phased-approach to conducting post-award compliance reviews. The EPA should include affected communities in the settlement process.

2. The EPA should bring on additional staff to meet current and future needs, and to clean up its backlog of Title VI complaints. EPA should empower and support the efforts of the Office of Civil Rights (and Deputy Officers), continue sharing expertise among regions, and provide the Office with the necessary tools to hold accountable other EPA entities in minority jurisdictions.

3. Coal Ash should be classified as "special waste" and federal funding should be provided for research on health impact of coal ash exposure to humans. The EPA should provide assistance to affected communities to help enforce the Coal Ash Rule. In addition, the EPA should test drinking water wells, and assess high-risk coal-ash dams and coal ash disposal sites.

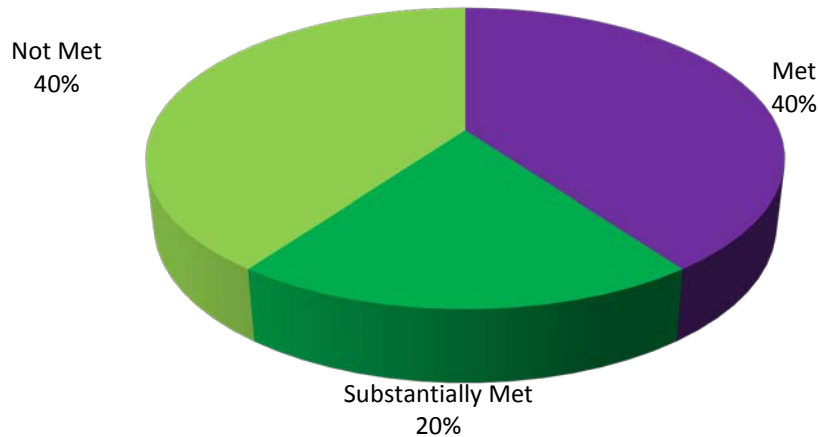
4. EPA should provide technical assistance to tribal and low-income communities and communities of color to help enforce the Coal Ash Rule and should promulgate financial assurance requirements for coal ash disposal as soon as possible under RCRA or CERCLA authority.

5. EPA should prohibit its state partners, and any recipients of EPA funds, from allowing industrial facilities in their jurisdiction to operate without the appropriate permits and the EPA should enforce permitting requirements and re-evaluate remediation fund reserve guidelines.

The full report can be found at:

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

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



Our statutory report, *Environmental Justice: Examining the Environmental Protection Agency’s Compliance and Enforcement of Title VI and Executive Order 12,898* examines whether the Environmental Protection Agency (“EPA”) is complying with its environmental justice obligations. The Commission heard testimony from the EPA, experts and scholars in the field, and a majority of the Commission made findings and recommendations. The Commission solicited State Advisory Committees to aid in gathering information at the State and local level. The North Carolina SAC report, *Environmental Justice Issues in North Carolina*, and the Illinois SAC report, *Civil Rights and Environmental Justice in Illinois*, were included in our statutory report.

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

The Commission will cooperate with other federal agencies to apprise individuals of civil rights laws and policies and raise public awareness of civil rights. The Commission will strengthen its position as a national clearinghouse for civil rights information and consult

with the civil rights divisions of other agencies to ensure dissemination of accurate information for the complaint referral process. We seek to accomplish this by:

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

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

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



i. Clearinghouse Website

The Commission maintains a Clearinghouse Website to serve as a national clearinghouse for information about discrimination or denial of equal protection of the laws because of race, color, religion, sex, age, disability, or national origin.

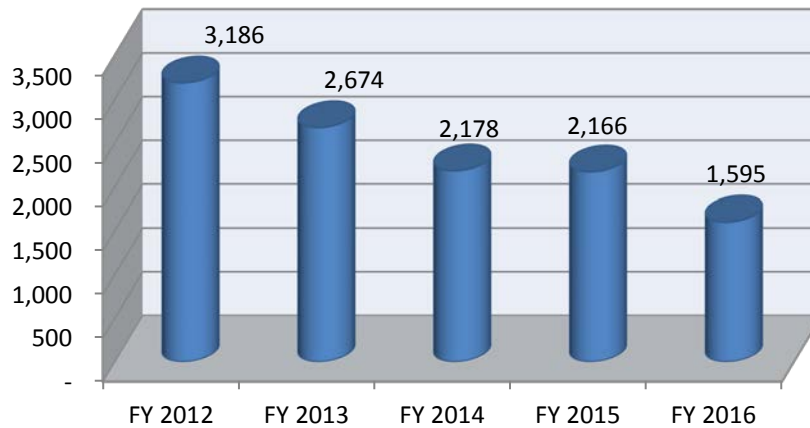
The Commission provides the public with English and for the first time a Spanish version of Getting Uncle Sam to Enforce Your Civil Rights. This publication is a comprehensive resource for the American public that explains where and how an aggrieved individual can file a discrimination claim.

ii. Complaint Referral Program

The Commission increases public awareness and federal civil rights enforcement through our complaint referral program. The Office of Civil Rights Evaluation (OCRE) receives

complaints alleging denial of civil rights because of color, race, religion, sex, age, disability, or national origin and refers these complaints to the appropriate government agency for investigation and resolution. In FY 2016, the Commission received 1,595 complaints. OCRE processed 1,595 complaints. Complaints received from regional offices are referred to OCRE for processing. The response time was 10 days or less.

Annual Number of Civil Rights Complaints



The majority of OCRE complaints are from inmates (30 percent), African Americans (8 percent), and persons with disabilities (4 percent). Of the complaints received, OCRE referred 539 complaints to civil rights enforcement agencies. Approximately 88 percent of referrals went to the Department of Justice (DOJ). Equal Employment Opportunity Commission (EEOC) received 6 percent of referrals while the Department of Health and Human Services (HHS) 5 percent. The remaining referrals went to the Departments of Education, the Housing and Urban Development, and the Department of Transportation.

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

The below pie chart shows how well we executed the activities, strategies, and initiatives we proposed to achieve in our fourth strategic goal to improve the Commission's profile and effectiveness in communicating with the general public. This fiscal year we met 67 percent of our targets on Strategic Goal D.

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



To expand our press outreach, the Commission created a press list, issued press releases, participated in speaking engagements, and improved its website.

i. Press List

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

ii. Press Releases

We issued 39 press releases on Commission activities (one press release was also issued in Spanish in an effort to reach Limited English Proficiency Communities), including for Commission meetings, SAC activities and reports, and announcements or comments on significant civil rights-related events. In addition, our Chairman conducted a press conference on our Statutory Report and participated in multiple press interviews throughout the fiscal year, including as part of the release of the statutory report.

iii. Website Improvements

The Commission FY 2016 – FY 2018 Strategic plan calls for reformatting the Commission’s website to increase Google hits. However, due to technical and cost issues, this performance measure is not achievable.

To make reports accessible to persons with disabilities, newly-issued Commission reports are available in HTML and text-based versions. As part of the agency’s Section 508 plan, users can hear voice playback of the Commissioner’s main pages. The Commission is

currently working on a web-based complaint screening process and online guidance to improve the complaint process in both English and Spanish

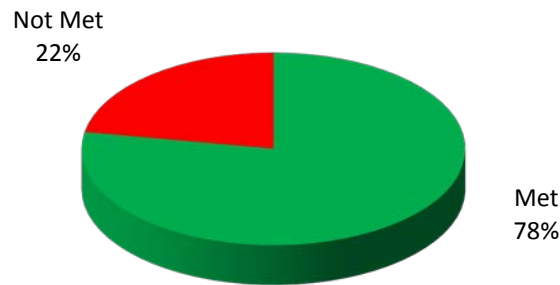
iv. Speaking Engagements

Chairman Castro took part in speaking engagements throughout the country this year on the work of the Commission as well as on various projects worked on by the Commission this fiscal year. Some of these events included the National Council of La Raza Annual Convention, the National Bar Association's Annual Convention, and the Arkansas Housing Commission Conference. The Chairman also spoke at numerous other events, such as

- Latino Leaders Luncheon Series Honoring Chairman Martin Castro, Washington, D.C.
- Quinault Indian Nation Listening Session, Washington State
- Speaker Listening Session on Connection between Housing and Violence (IL African American Coalition for Prevention), Chicago, IL
- Keynote Address, 2016 IAOHRA Conference "Liberty, Justice and Human Rights for All", Philadelphia, PA
- Keynote Address, National Civil Rights Conference, Washington DC
- Keynote Speaker, Metropolitan Center for Independent Living, Minneapolis, MN
- Meetings with Members of the Wyoming SAC, meetings with Members of the Tribal Councils of the Northern Arapahoe and Eastern Shoshoni Tribes, Riverton, WY
- Illinois State Advisory Committee briefing on Environmental Justice, Chicago, IL
- North Carolina State Advisory Committee briefing on Environmental Justice, Greensboro, NC
- Wisconsin State Advisory Committee briefing on Hate Crimes, Milwaukee, WI
- National Congress of American Indians, White House Briefing Preparatory Meeting, Washington, DC

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

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



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

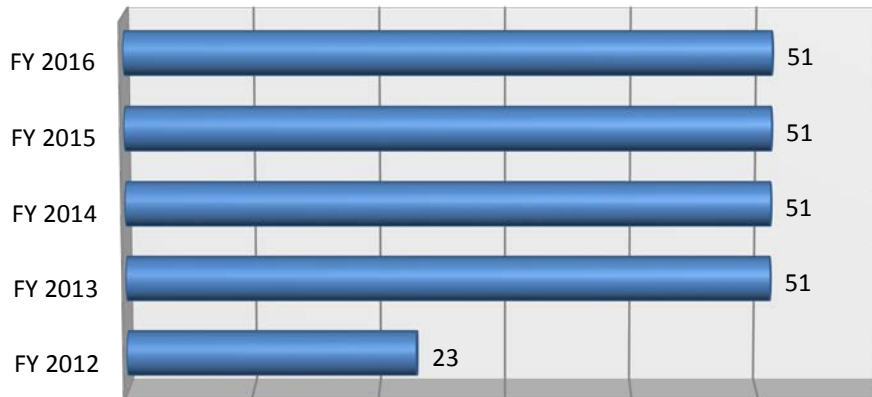
Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission’s work.

The Commission has made great strides in increasing the work of our state advisory committees. Our regional staff has been very busy with SAC charters and appointments, reports, fact-finding activities, and complaint referral. We are pleased that this fiscal year we exceeded our performance on this goal, compared to last fiscal year.

i. State Advisory Committee Charters and Appointments

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

Active State Advisory Committee Charters By Fiscal Year



Along with chartering, commissioners approve recommendations for committee member appointments. Currently 31 state advisory committees have appointed members and 20 state advisory committees are awaiting appointment. Our chartered advisory committee members, working with regional office staff, held 11 civil rights briefings and forums, and 102 planning or business meetings.

ii. State Advisory Committee Reports

In addition to holding meetings, state advisory committees, with regional office support, published the following nine reports in FY 2016:

The Status of Civil Rights in Oregon

http://www.usccr.gov/pubs/OR_SAC_StatusofCivilRights-WebV.pdf

Seclusion and Restraint of Children with Disabilities in Kansas

http://www.usccr.gov/pubs/KS_Advisory_Memo_FINAL.pdf

Civil Rights and Federal Low Income Childcare Subsidy Distributions in Mississippi

http://www.usccr.gov/pubs/MississippiCCS_memo_final_with%20appendix.pdf

Civil Rights and State-Level Immigration Enforcement in Nebraska

http://www.usccr.gov/pubs/MississippiCCS_memo_final_with%20appendix.pdf

Civil Rights and Environmental Justice in Illinois

http://www.usccr.gov/pubs/Statutory_Enforcement_Report2016.pdf

Civil Rights and the School to Prison Pipeline in Oklahoma

http://www.usccr.gov/pubs/Oklahoma_SchooltoPrisonPipeline_May2016.pdf

Civil Rights and Police/Community Relations in Missouri

http://www.usccr.gov/pubs/MOPoliceRelationsReport_Publish.pdf

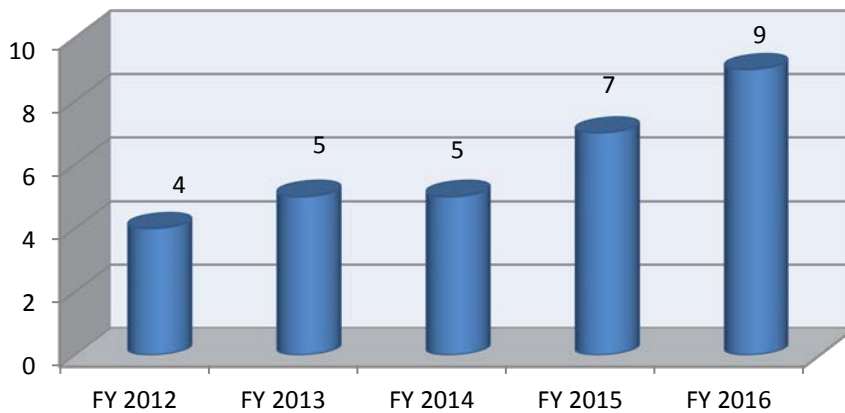
Environmental Justice Issues in North Carolina

http://www.usccr.gov/pubs/Statutory_Enforcement_Report2016.pdf

Civil Rights and Civil Asset Forfeiture in Michigan

http://www.usccr.gov/pubs/Michigan%20Civil%20Forfeiture%20Report_2016.pdf

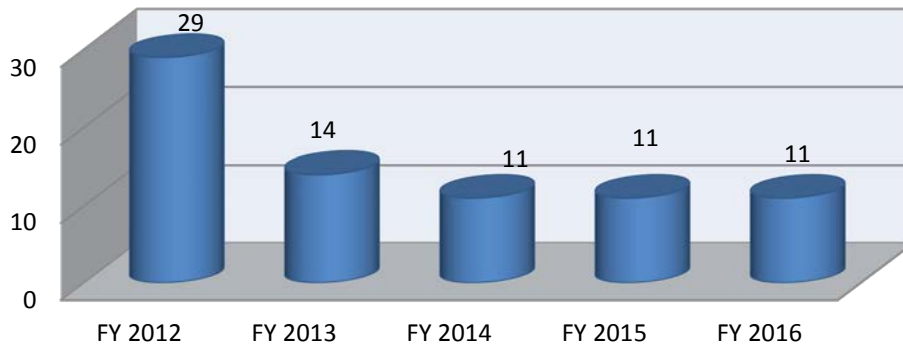
**Number of State Advisory Committee Reports
by Fiscal Year**



iii. SAC Fact Finding Activity

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

(meetings, briefings and forums)



State advisory committees conducted 11 fact-finding activities in FY 2016. All regional offices have the technology to use conference calls and video teleconferencing to conduct public meetings and to provide access to briefings and forums to the public.

Section III: FINANCIAL HIGHLIGHTS

The Commission continues to use the USDA OCFO as its accounting shared services provider. USDA OCFO provides a broad range of financial and accounting services including:

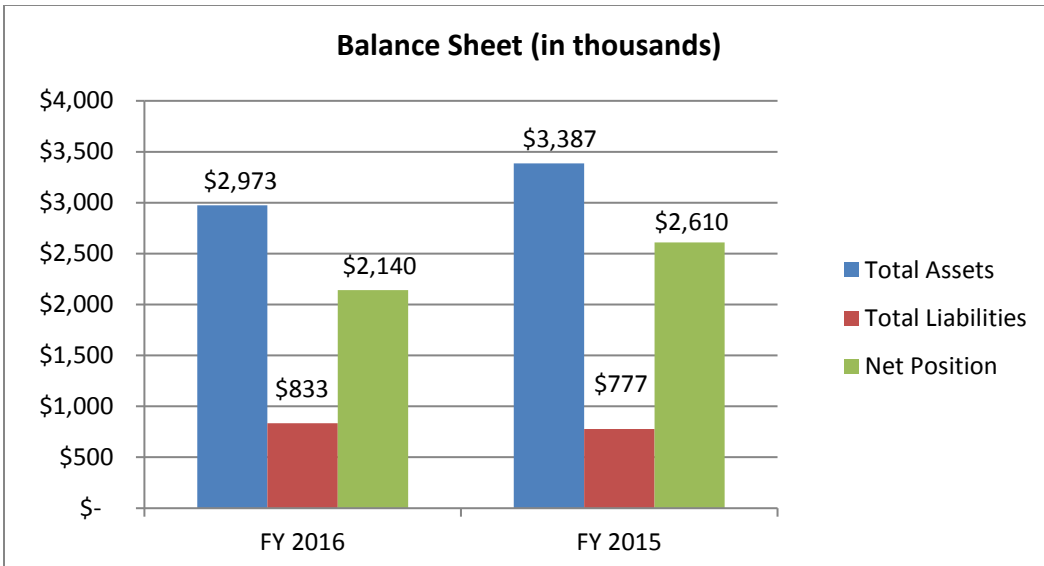
- maintaining the agency's standard general ledger,
- using a system (Pegasys) that is compliant with federal government standards,
- generating required financial reports for the Commission, and
- requiring appropriate documentation of financial transactions prior to payment.

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

The Commission's FY 2016 financial statements were prepared in accordance with Office of Management and Budget (OMB) Circular A-136. The Commission prepares four financial statements: Balance Sheet, Statement of Net Costs, Statement of Changes in Net Position, and Statement of Budgetary Resources.

Balance Sheet

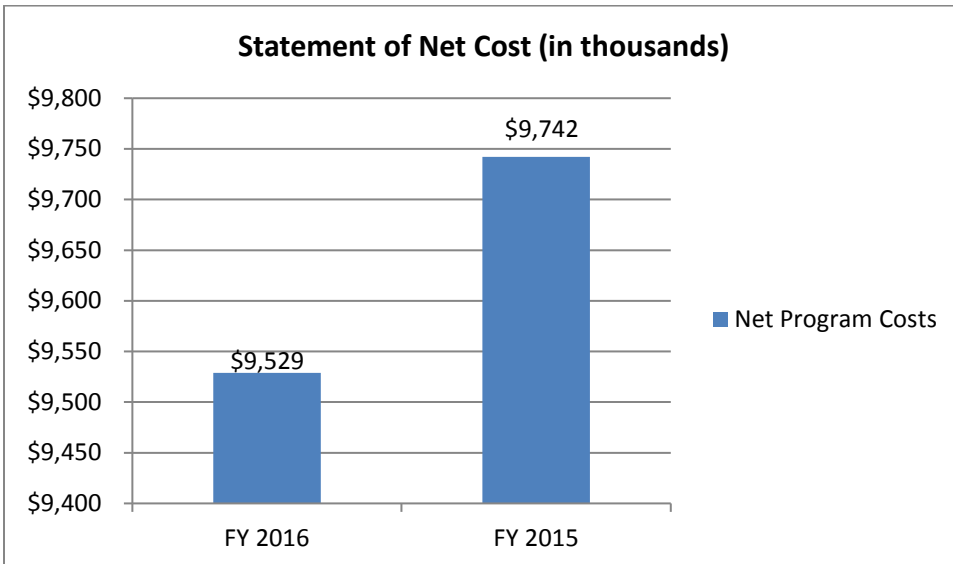
The balance sheet presents amounts of future economic benefits owned or managed by the reporting entity (assets), amounts owed by the entity (liabilities), and amounts which comprise the difference (net position).



The Commission’s total assets decreased from \$3,387,430 in FY 2015 to \$2,972,702 in FY 2016. The Commission’s assets consist mainly of Fund Balance with Treasury (FBWT) with minimal amounts in General Property, Plant, and Equipment. Total liabilities increased from \$777,366 in FY 2015 to \$832,891 in FY 2016. Net Position decreased from \$2,610,095 in FY 2015 to \$2,139,811 in FY 2016.

Statement of Net Costs

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

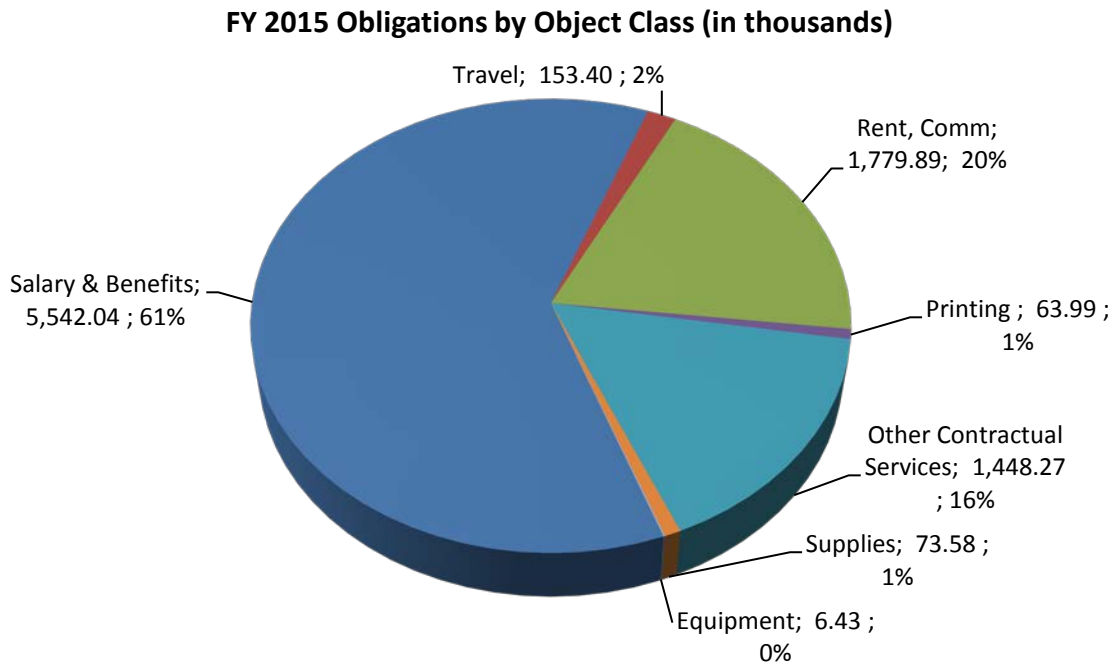


The Commission's net cost of operation decreased from \$9,741,850 in FY 2015 to \$9,529,414 in FY 2016.

Statement of Budgetary Resources

The Statement of Budgetary Resources provides information on the sources of budgetary resources and their status at the end of the period. The Commission received \$9,200,000 in new budgetary authority in FY 2016. The Total Budgetary Resources and Status of Budget Resources increased from \$11,611,165 in FY 2014 to \$11,730,900 in FY 2016.

Resources by Major Object Class



During FY 2016, the Commission obligated \$ 9,034,237 of its FY 2016 appropriation of \$9,200,000 for an obligation rate of 98.2 percent. Salary and Benefits, Other Contractual Services, and Rent and Communications consume 97 percent of the Commission's obligations. The remaining 3 percent consists of travel, printing, supplies, and equipment.

Section IV: FY 2016 Annual Performance Plan, Targets, and Results

Strategic Goal A: The Commission will function as an effective civil rights watchdog and conduct studies, and issue publications on important issues of civil rights.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
The Commission will hold at least three briefings and/or hearings each year.	3 briefings or hearings	3 briefings or hearings	Exceeded 4 briefings

Strategic Goal B: The Commission will regularly provide new, objective information and analysis on civil rights issues.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
During its regular project planning process, the Commission will select one investigative project involving original fact-finding and/or statistical data reviews, either as a stand-alone project or in conjunction with a briefing or enforcement report.	1 investigative project	1 investigative project	Met
Upon approval of an investigative project by the Commission, SACs may be solicited to aid the Commission in state and local fact gathering.	Obtain assistance from at least 3 SACs during an investigative project	3 SACs assisting in an investigation	Substantially Met
The Commission will train and/or cross-train designated employees on field interview techniques and statistical analysis.	Train at least 2 employees in field interview techniques and statistical analysis	2 Trained employees	Not Met
The Commission will amend its Human Capital Plan to prioritize developing employee capacities in the areas of statistical analysis and complaint interviews.	Update Human Capital Plan to emphasis statistical analysis and complaint interviews	Implement Human Capital Plan	Not Met
By 2016, the Commission will conduct a review of existing information quality standards, administrative instructions, and other quality control and quality assurance guidelines to ensure its reporting maximizes objectivity.	Complete review	Complete Review	Met

Strategic Goal C: The Commission will cooperate, where appropriate, with other federal agencies to apprise individuals of civil rights laws and policies and to raise public awareness of civil rights.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
Yearly updates to the clearinghouse web page.	Update clearinghouse web page at least once a year.	Update Clearinghouse Webpage	Not Met
Review annually (FY) and update, as needed, the Uncle Sam publication, in both English and Spanish.	Review Uncle Sam yearly and update as necessary.	Review and Update Uncle Sam	Met
By FY 2016, issue quarterly data reports that list and rank clearinghouse information hits tabulated by agency (DOJ, EEOC, DOE and DOL).	Issue quarterly data report by agency	N/A	N/A
List the name, URL and contact information for each Federal Civil Rights division that we refer complaints to on the USCCR website.	Update contact information once a year	Update contact information once a year	Not Met
Contact the Federal civil rights divisions that we refer complaints to, semi-annually, to confirm accuracy of civil rights complaint contact information.	Update Federal civil rights divisions contact information twice a year.	Update contact information	Met
By 2016 update the phone lines to allow callers to use a push button system to obtain complaint referral information (ex: push 1 for Employment; Push 2 for Housing, etc.)	Update phone lines for complaint referral	N/A	N/A

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

Strategic Goal D: Improve the Commission's profile and effectiveness in communicating with the general public			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
By FY 2016, the agency shall implement accessible elements on the website, including alt tags, long descriptions, and captions, as needed.	Website is Accessible to Persons with Disabilities	25 percent of Website is accessible	Met - New Items are Accessible
By FY 2016, all documents on the website shall be made available in HTML or a text-based format.	All documents on the agency website are available in HTML or text formats	25 percent of documents are in HTML or text based	Met - New Items are Accessible
Maintain log (library and complaint line) to identify which language, other than English, is most often used by callers/writers when they contact the Commission.	Log all library and complaint line calls to determine language of requester	Complaint log identifies language of request	Met
By FY 2016, update the USCCR website to include direct links to federal agencies civil rights complaint page.	Website contains links to federal agencies civil rights complaint page	Update Links to Federal Agencies' civil rights complaint page	Not Met

Strategic Goal E: Continue to strengthen the Commission’s financial and operational controls and advance the Commission’s mission through management excellence, efficiency, and accountability.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
Compliance with OMB Circular A-11	Budget is aligned with the Agency Strategic Plan	Budget is aligned with the Agency Strategic Plan	Met
Compliance with OMB Circular A-11	Budget is compliant with OMB Circular A-11	Budget is compliant with OMB Circular A-11	Met
Receive a “clean” or unqualified financial statement audit.	Unqualified Opinion on financial statement	Unqualified Opinion	Not Met
Submit a Performance and Accountability Report that adheres to all relevant guidance.	Performance and Accountability Report adheres to all relevant guidance.	Performance and Accountability Report (PAR) adheres to all relevant guidance.	Met
Implementation of commission’s and the Office of Personnel Management (OPM) Human capital Plan program, strategies and initiatives.	The Commission's Human Capital Plan is updated and implemented	Implement Human Capital Plan	Met
Results of the Employee Satisfaction surveys compared to previous surveys.	Employee Satisfaction survey scores increase each year.	Increase response rate by 10%	Met

Strategic Goal E: Continue to strengthen the Commission's financial and operational controls and advance the Commission's mission through management excellence, efficiency, and accountability.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
Annual training sessions, i.e., formal training, issuance of memoranda and/or internal instructions.	Perform acquisition training as required.	Conduct acquisition training	Not Met
Annual FISMA audit	FISMA Audit	FISMA Audit	Met
Comply with OMB Cloud Computing Initiatives.	Agency is in compliance with Cloud Computer Initiatives	Compliant with Cloud Computer Initiatives	Met

Strategic Goal F: Increase the participation of our State Advisory Committees (SACs) in the Commission's work.			
Performance Measures	Performance Goals	FY 2016 Performance Target	FY 2016 Actual Performance
Subject to budget constraints, by FY 2016, SACs will be encouraged to participate in at least two briefings/ hearings/fact-finding and/or public forums annually.	SACs will participate in 2 hearings, briefings, fact-finding, and/or public forums	SACs participation in 2 hearings, briefings, fact-finding, and/or public forums	Met
Issue monthly updates via listserv (from DC office to Regions).	Staff director or RPCU issues monthly updates to Regional Offices	RPCU issues updates to Regional Offices and SACs	Met
By FY 2016, Regional offices will have the capability to offer webinars.	Regionals office have the capacity to offer webinars	All regional office can conduct webinars	Met
Extend SAC appointee terms to 4 years.	SAC appointee terms are 4 years	SAC appointee terms are 4 years	Met
Eliminate SAC backlog by FY 2016	SAC backlog eliminated	N/A	N/A
Re-Charter SACs set to expire after 10/1/2016 within 60 days	80 percent of SACs are chartered within 60 days	80 percent	Met