

**UNITED STATES
COMMISSION ON CIVIL RIGHTS**



**REQUEST FOR CONGRESSIONAL APPROPRIATION FOR
FISCAL YEAR 2020**

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USCCR BUDGET REQUEST FOR SALARIES AND EXPENSES

Congressional Appropriation Request for FY 2020.....	\$9,200,000
Annualized Continuing Resolution for FY 2019	\$9,700,000
Congressional Appropriation for FY 2018	\$9,700,000

APPROPRIATION LANGUAGE

FEDERAL FUNDS

Salaries and Expenses

For necessary expenses of the Commission on Civil Rights, including hire of passenger motor vehicles, \$9,200,000 [\$9,700,000]: Provided, That none of the funds appropriated in this paragraph may be used to employ any individuals under Schedule C of subpart C of part 213 of title 5 of the Code of Federal Regulations exclusive of one special assistant for each Commissioner: Provided further, That none of the funds appropriated in this paragraph shall be used to reimburse Commissioners for more than 75 billable days, with the exception of the chairperson, who is permitted 125 billable days: Provided further, That none of the funds appropriated in this paragraph shall be used for any activity or expense that is not explicitly authorized by section 3 of the Civil Rights Commission Act of 1983 (42 U.S.C. 1975a).

Note.—A full-year 2019 appropriation for this account was not enacted at the time the budget was prepared; therefore, the budget assumes this account is operating under the Continuing Appropriations Act, 2019 (Division C of P.L. 115–245, as amended). The amounts included for 2019 reflect the annualized level provided by the continuing resolution.

FY 2020 PROGRAM OBJECTIVES AND PRIORITIES

Our \$9.2 million appropriation request will support our civil rights agenda of promoting equal opportunity without regard to color, race, religion, sex, age, disability, or national origin. The mission of the United States Commission on Civil Rights is to inform the development of national civil rights policy and enhance enforcement of Federal civil rights laws. The Commission pursues this mission by investigating alleged deprivations of voting rights or allegations of discrimination based on race, color, religion, sex, age, disability, national origin, or in the administration of justice. The Commission also serves as a monitor of effective enforcement of civil rights laws by the Federal government. The Commission is committed to quality research that leads to findings and policy recommendations to inform the President, Congress, and the public on important civil rights issues.

Our strategic vision consists of three goals:

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

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

BUDGET SUMMARY

Our FY 2020 Appropriation Request is \$9.2 million. This request will fund 40 full-time equivalent (FTE) positions.

REVIEW OF THE AGENCY’S FY 2020 FUNDING REQUEST

A. Budget Request by Object Class

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

Object Class and Title	FY 2020 Appropriation Request	FY 2019 Annualized Continuing Appropriation Resolution	Difference
10 Personnel Compensation & Benefits	\$5,921,221	\$6,151,509	(\$230,288)
21 Travel & Transportation of Persons	\$146,658	\$216,000	(\$69,342)
23 Rent, Communications, and Utilities	\$1,713,500	\$1,748,500	(\$35,000)
24 Printing and Reproduction	\$80,900	\$124,700	(\$43,800)
25 Other Contractual Services	\$1,299,530	\$1,413,100	(\$113,570)
26 Supplies and Materials	\$38,191	\$38,191	\$0
31 Equipment	<u>\$0</u>	<u>\$8,000</u>	<u>(\$8,000)</u>
Total Appropriation	\$9,200,000	\$9,700,000	(\$500,000)

B. Description of Budget Increases and Decreases

The following is a description of the budget increases and decreases from the Commission's FY 2019 Annualized Continuing Resolution.

Program Decreases

Personnel Compensation and Benefits – (\$230,288)/ 2 FTE

This decrease is due to eliminating two civil rights analyst positions.

Travel – (\$69,342)

This decrease is due to fewer State Advisory Committee meetings and reductions in travel for Commission briefings.

Rent, Communication, and Utilities – (\$35,000)

This decrease is due to reducing regional office space.

Printing – (\$43,800)

This decrease is primarily due to fewer State Advisory Committee meetings requiring Federal Register Notices and one-time expense in FY 2019 for printing of the Commission's Code of Federal Regulations.

Other Contractual Services – (\$113,570)

The decrease is due to reduced costs for transcription services, maintenance of information technology, Federal Protective Service, and other services related to State Advisory Committee meetings.

Equipment – (\$8,000)

This decrease is due to a one-time copier purchase in FY 2019.

C. Budget Request by Organization

The Commission's FY 2020 budget request supports several major organizational components. The following table provides a summary of the Commission's budget request by these components:

	FY 2020 Appropriation Request	Percent Of Request	FY 2019 Annualized Continuing Appropriation Resolution	Percent Of Request	Difference
National Program Offices	\$1,260,770	13.7%	\$1,461,101	15.1%	(\$200,331)
Regional Program Offices	\$1,764,290	19.2%	\$2,038,000	21.0%	(\$273,710)
Commissioners and Commissioner Assistants	\$1,742,477	18.9%	\$1,647,908	17.0%	\$94,569
Office of Staff Director	\$412,060	4.5%	\$415,000	4.3%	(\$2,940)
Robert S. Rankin Civil Rights Library	\$164,000	1.8%	\$164,000	1.7%	\$0
Operations & Administrative	<u>\$3,856,403</u>	41.9%	<u>\$3,973,991</u>	41.0%	<u>(\$117,588)</u>
Total Appropriation	\$9,200,000	100%	\$9,700,000	100%	(\$500,000)

The National Program Offices consist of the Office of General Counsel (OGC) and Office of Civil Rights Evaluation (OCRE). The Office of the General Counsel provides legal expertise and advice to support the Commission’s mission and ensures the legal integrity of our written products. The Office of Civil Rights Evaluation provides subject matter and analytical expertise required to monitor, evaluate, and report on the civil rights enforcement effort of the Federal Government. Their combined budget is \$1,260,770 and supports 8 FTE. The National Program Offices’ budget is 13.7 percent of the Commission’s total budget in FY 2020.

The Regional Program Offices provide critical support to the 51 State Advisory Committees (SACs) required by our statute. The Regional Program Offices’ combined budget in FY 2020 is \$1,764,290 and supports 11 FTE. The Regional Program Office’s budget is 19.2 percent of the Commission’s total budget request.

The Commissioners and Commissioner Assistants’ request covers the salary, benefits, and travel for Commissioners and their Assistants. The FY 2020 Commissioners and Commissioner Assistants’ budget is \$1,742,477 and supports 10 FTE. The Commission and Assistants’ budget is 18.9 percent of the Commission’s total budget request.

The Office of Staff Director request covers the salary, benefits, and travel for Staff Director and his or her staff. The FY 2020 Office of Staff Director budget is \$412,060 and supports 3 FTE. The Office of Staff Director’s budget is 4.5 percent of the Commission’s total budget request.

The Library is an information source for Commission staff, government agencies, private organizations, and individuals. The Library request includes Westlaw access for Commission staff and the cost of storing and mailing of Commission reports. The FY 2020 budget request for the Library is \$164,000. The Library’s budget is 1.8 percent of the Commission’s total budget request.

The Operations and Administrative budget request covers rent, information technology, communication, human resources, financial management, and other functions necessary to maintain a Federal agency's operations. The FY 2020 budget request for Operations and Administrative budget is \$3,856,403 and supports 8 FTE. The Operations and Administrative budget is 41.9 percent of the Commission's total budget request.

FY 2018 PERFORMANCE HIGHLIGHTS

This section highlights the Commission's FY 2018 program accomplishments and activities.

A. Public Briefings

The School-to-Prison Pipeline: The Intersections of Students of Color with Disabilities

On December 8, 2017, the Commission held a public briefing in Washington, DC to examine compliance with federal laws designed to protect students of color with disabilities from discrimination, and whether laws adequately protect these students from discriminatory disciplinary actions and policies. The briefing follows, and is informed by, recent SAC reports from Indiana and Oklahoma on related issues. The Commission heard presentations from diverse stakeholders. Members of the public also shared their views and experiences directly with the Commission.

An Assessment of Minority Voting Rights Access in the United States

On February 2, 2018, the Commission held a public briefing in Raleigh, North Carolina, to assess the state of minority voting rights across the country. Testimony focused in large part on the state of federal voting rights enforcement under the Voting Rights Act of 1965 since the Supreme Court's *Shelby County v. Holder* decision in 2013. We heard from 23 distinguished speakers, including current and former state and federal government officials, legal experts, academics, and civil society actors. Members of the public also shared their views and experiences directly with the Commission.

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

On May 11, 2018, the Commission held a public briefing in Washington, DC to examine best practices for local law enforcement on collecting and reporting hate crime data, and the role of the Education and Justice Departments in prosecution and prevention of hate crimes and bias-motivated incidents. The Commission heard from 21 distinguished speakers including law enforcement experts, state and federal policy makers, and the public about the federal and local responses to these heinous acts. The briefing focused on three key areas: reporting practices, investigations and prosecutions, and prevention efforts.

B. Commission Reports

An Assessment of Minority Voting Rights Access in the United States

This report examines the current and recent state of voter access and voting discrimination for communities of color, voters with disabilities, and limited-English proficient citizens. It also examines the enforcement record of the United States Department of Justice regarding the provisions of the Voting Rights Act of 1965 since the Act's last reauthorization in 2006, and particularly since the Supreme Court decision in *Shelby County v. Holder* in 2013.

The Commission voted unanimously to reach key findings including the following: The right to vote is the bedrock of American democracy. It is, however, a right that has proven fragile and in need of both Constitutional and robust statutory protections. Racial discrimination in voting has been a particularly pernicious and enduring American problem. Voter access issues, discrimination, and barriers to equal access for voters with disabilities and for voters with limited English proficiency continue today.

The Voting Rights Act works to dislodge and deter the construction of barriers by state and local jurisdictions that block or abridge the right to vote of minority citizens. Especially following the 2013 Supreme Court decision in *Shelby County v. Holder* precluding operation of certain parts of the Voting Rights Act, the narrowness of statutory mechanisms to halt discriminatory election procedures before they are instituted has resulted in elections with discriminatory voting measures in place. After an election takes place with discriminatory voting measures, it is often impossible adequately to remedy the violation even if the election procedures are subsequently overturned as discriminatory, not least because officeholders chosen under discriminatory election rules have lawmaking power and the benefits of incumbency to continue those rules.

In states across the country, voting procedures that wrongly prevent some citizens from voting—including but not limited to: voter identification laws, voter roll purges, proof of citizenship measures, challenges to voter eligibility, and polling places moves or closings—have been enacted and have a disparate impact on voters of color and poor citizens.

The Commission unanimously voted for key recommendations, including that: Congress should amend the Voting Rights Act to restore and/or expand protections against voting discrimination that are more streamlined and efficient than existing provisions of the Act. In establishing the reach of an amended Voting Rights Act coverage provision, Congress should include current evidence of voting discrimination as well as evidence of historical and persisting patterns of discrimination. A new coverage provision should account for evidence that voting discrimination tends to recur in certain parts of the country. It also should take account of the reality that voting discrimination may arise in jurisdictions that do not have extensive histories of discrimination since minority

populations shift and efforts to impose voting impediments may follow. Importantly, Congress should provide a streamlined remedy to review certain changes with known risks of discrimination before they take effect—not after potentially tainted elections.

The Commission also unanimously calls on the United States Department of Justice to pursue more Voting Rights Act enforcement in order to address the aggressive efforts by state and local officials to limit the vote of citizens of color, citizens with disabilities, and limited English proficient citizens.

The report is available at the following website:

https://www.usccr.gov/pubs/2018/Minority_Voting_Access_2018.pdf

Contemporary Civil Rights Challenges: A View from the States, 2018 Survey of the State Advisory Committees

This report details the Commission’s survey of SAC members, capturing data on which civil rights issues SAC members believe should be prioritized. Some of the key conclusions in the report include that, of the eight areas of civil rights that comprise Commission’s jurisdiction (color, race, religion, sex, age, disability, national origin, and administration of justice), 35.8 percent of the survey respondents rank race/color as currently the area of highest importance, followed by 22.8 percent who rank the administration of justice as highest, and 16.6 percent who rate voting rights as the highest importance. High priority civil rights topics included education, criminal justice, freedom of expression, and civil rights enforcement.

The report is available at the following website:

<https://www.usccr.gov/pubs/2018/09-07-Contemporary-Civil-Rights-Challenges.pdf>

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

The report examines the funding of K-12 education and how the inequitable distribution of these funds negatively impacts the educational opportunities of low-income students and students of color.

The majority of the Commission voted for key findings including that quality education is critical to prepare students to be contributing members of a democratic society and competitive workers in a global economy. The Commission majority also found that vast funding inequities in our state public education systems factor significantly in rendering the education available to millions of American public school students profoundly unequal.

The Commission majority found that many students in the U.S. living in segregated neighborhoods and concentrations of poverty do not have access to high-quality schools simply because of where they live, and that there is potential for housing policy to help provide better educational opportunities for these students. Low-income students and students of color are often relegated to low-quality school facilities that lack equitable access to teachers, instructional materials, technology and technology support, critical facilities, and physical maintenance. These absences can negatively impact a student's health and ability to be attentive and can exacerbate existing inequities in student outcomes.

As data on school spending become more accurate, some scholars believe there is concrete empirical evidence that funding is critical to positive student outcomes.

The majority of the Commission voted for key recommendations, including that Congress should prioritize incentivizing states to adopt equitable public school finance systems that provide meaningful educational opportunity, promote student achievement for all students, and close achievement gaps where they exist; increase federal funding to supplement state funding with a goal to provide meaningful educational opportunity on an equitable basis to all students in the nation's public schools; and promote the collection, monitoring, and evaluation of school spending data to determine how funds are most effectively spent to promote positive student outcomes.

The Commission majority also calls on Congress to make clear that there is a federal right to a public education. Federal, state, and local government should develop incentives to promote communities that are not racially segregated and do not have concentrated poverty, which in turn would positively impact segregation and concentrated poverty in public schools and the educational challenges associated with such schools.

The report is available at the following website:

<https://www.usccr.gov/pubs/2018/2018-02-16-Briefing-Higher-Ed.pdf>

Working for Inclusion: Time for Congress to Enact Federal Legislation to Address Workplace Discrimination Against Lesbian, Gay, Bisexual, and Transgender Americans

The report examines the main social and economic arguments made for and against enacting federal legislation to provide federal nondiscrimination workplace protections for lesbian, gay, bisexual, and transgender (LGBT) employees. The majority of the Commission voted for key findings including that LGBT workers have faced a long, serious, and pervasive history of official and unofficial employment discrimination by federal, state, and local governments and private employers. Such discrimination persists and has wide-ranging, damaging implications for the quality of life for many LGBT Americans, their children and families, and communities. An inconsistent and irreconcilable patchwork of state laws against LGBT workplace discrimination

and federal court decisions interpreting existing federal law render LGBT employees insufficiently protected from workplace discrimination.

Our primary recommendation is directed to Congress: In order to effectively and consistently protect LGBT employees from workplace discrimination, Congress should immediately enact a federal law explicitly banning discrimination in the workplace based on sexual orientation and gender identity. We also make particular recommendations that federal agencies should issue and—where relevant—reaffirm specific guidance for federal and private employers outlining protections for LGBT individuals in the workforce, including specifically enumerating protections for transgender persons; federal agencies should also collect workplace discrimination data about LGBT employees.

The report is available at the following website:

https://www.usccr.gov/pubs/docs/LGBT_Employment_Discrimination2017.pdf

C. State Advisory Committees Reports and Memoranda

Summary and Analysis of Racial Discrimination in Criminal Prosecution and Sentencing in Maine

On August 14, 2014, the Maine Advisory Committee to the U.S. Commission on Civil Rights convened a public briefing to gather information from government and elected officials, legal experts, and others regarding race-based disparities in sentencing and criminal prosecution in Maine. The Committee heard testimony about the status of fair sentencing and potential ways to address racial sentencing disparities, if found. The resulting Advisory Memorandum serves the following purposes: 1) outlines the background and national context for the Committee’s project; 2) reports findings and themes from the August 14, 2014, public hearing; 3) lists the Committee’s recommendations for systemic improvements in addressing racial disparities in Maine; and 4) concludes the Committee’s project on the analysis of racial discrimination in criminal prosecution and sentencing in Maine.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/docs/2017-12-07-Advisory-Memo.pdf>

Fees and Fines and Bail Reform in Maryland

On April 25, 2017, the Maryland Advisory Committee to the U.S. Commission on Civil Rights convened a public briefing to gather information from government officials, legal experts, and others regarding the impact of fees, fines, and money bail on persons of limited means, on communities color, and on the administration of justice in the state of Maryland. Specifically, the Committee sought substantive information and understanding as to whether Maryland or its local

jurisdictions use court-imposed financial penalties (fines and fees) and money bail in ways that may violate the constitutional and civil rights of persons on the basis of race, ethnicity, gender or disability, or in ways that may violate such rights of racial and ethnic minority groups, gender groups (particularly women) and those with disabilities who happen to be poor or otherwise live in poverty.

The report or memorandum is available at the following website:
<https://www.usccr.gov/pubs/2018/2018-02-26-Fees-Fines-MD.pdf>

Civil Rights and Policing Practices in Minnesota

On March 21, 2017, the Minnesota State Advisory Committee to the U.S. Commission on Civil Rights hosted a public hearing to obtain testimony from academics, community leaders, judiciary and law enforcement, and policy-makers on the relationship between civil rights and police practices in Minnesota. The purposes of this report are: (1) to relay the civil rights concerns brought forth by the panelists as they relate to disparities in police practices; and (2) to lay out specific recommendations to the Commission regarding actions that can be taken to better understand and address these issues. The report begins with a brief account of recent events involving police and communities of color in Minnesota, specifically, and the U.S. more broadly. It then offers an analysis of the civil rights concerns presented in testimony during the hearing. It concludes with a series of specific findings and recommendations to the commission to further address these issues.

The report or memorandum is available at the following website:
<https://www.usccr.gov/pubs/2018/03-22-MN-Civil-Rights.pdf>

The Civil Rights Implications of "Broken Windows" Policing in NYC and General NYPD Accountability to the Public

On March 20 and 21, 2017, the New York Advisory Committee to the U.S. Commission on Civil Rights convened a public briefing on “broken windows” policing in New York City, as well as the accountability structures and oversight mechanisms governing the New York City Police Department (NYPD). This report recommends that the New York Police Department abandon “broken windows” policing as a policy, in order to minimize the potential for discrimination against individuals of color; ensure line officers are not incentivized to punish low-level, nonviolent offenses; and reduce the path to prison for individuals of color. The Committee focused its inquiry on whether low-level NYPD enforcement disproportionately affects communities of color in New York City, and particularly the youth in those communities. The report calls for New York City to invest in community service or restorative justice programs as alternatives to criminal and civil summonses for all low-level, nonviolent crimes and violations, particularly for youth and those who are not repeat offenders. It also recommends that the NYPD rigorously enforce its recent “no quotas” directive.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/03-22-NYSAC.pdf>

Voting Rights in New Hampshire

On May 22, 2014, the New Hampshire Advisory Committee to the U.S. Commission on Civil Rights held a briefing to examine election laws to see how New Hampshire's changes affect its voters—looking particularly for any evidence suggesting these changes might have a disparate impact on voters of color. The Committee found that for the purposes of guaranteeing equal access to voting, New Hampshire does a tremendous amount right. The Committee is encouraged by New Hampshire's consistently high turnout and commitment towards making sure everyone's vote is counted on Election Day. Nonetheless, the Committee finds five areas in which New Hampshire voting procedures could be improved: voter identification, voter registration, voting absentee, training of election officials, and public awareness.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/05-16-NH-Voting-Rights.pdf>

Alaska Native Voting Rights

On August 24, 2017, the Alaska Advisory Committee to the U.S. Commission on Civil Rights convened a public meeting to hear testimony regarding Alaska Native voting rights. The Committee's inquiry was two-fold: 1) to determine whether the State of Alaska is providing access to language minority Alaska Natives in accordance with the *Toyukak v. Mallott* settlement and court order, and 2) to determine the potential impact of mail-in voting on Alaska Native voters. This advisory memorandum begins with a brief background of the issue considered by the Committee, identifies primary findings as they emerged from this testimony, and recommendations for addressing related civil rights concerns.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/05-25-AK-Voting-Rights.pdf>

Voting Rights in Ohio

On January 17, 2018, the Ohio Advisory Committee to the U.S. Commission on Civil Rights elected to undertake a study of voting rights in the state. Specifically, in support of the Commission's 2018 Statutory Enforcement Report on voting rights in the United States, the Committee sought to review related testimony received during a Committee briefing in 2006 to: (1) determine the extent to which voting rights concerns raised in 2006 remained challenges in Ohio in 2018; and (2) identify any new voting rights concerns that may have surfaced in Ohio since that time. As part of its review, the Committee held additional briefings on March 2, 2018 and March 9, 2018. Panelists who had presented to the Committee in 2006 on the topic of voting rights were invited to return to update their testimony. Additional panelists currently involved in

voting administration and advocacy were also invited to participate. The advisory memorandum begins with a brief background of the issue considered by the Committee. It then identifies primary findings as they emerged from this testimony. Finally, it makes recommendations for addressing related civil rights concerns.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/06-27-OH-Voting-Rights.pdf>

Voting Rights in Maine

On March 21, 2018, the Maine Advisory Committee to the U.S. Commission on Civil Rights had a briefing on the recent election law changes in Maine. The Committee examined election law changes and identifies whether there were efforts to suppress the vote. It invited experts and knowledgeable individuals to provide information to the Committee to help it better understand voting rights in Maine. The Committee heard from the Maine Secretary of State and representatives from the ACLU of Maine, Disability Rights Maine, the League of Women Voters of Maine, the Maine Heritage Policy Center, and the Portland Branch of the Maine National Association for the Advancement of Colored People. The Committee learned that in-person voter fraud is non-existent in Maine. The Committee also concludes that because voter fraud is essentially nonexistent (there has been only one case of voter fraud prosecuted in over 30 years), there is no basis for imposing Voter ID requirements.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/06-29-ME-Voting-Rights.pdf>

Civil Rights and Voting in Illinois

On March 9, 2017, the Illinois Advisory Committee to the U.S. Commission on Civil Rights Committee convened a public meeting in Chicago, Illinois to hear testimony regarding challenges and recommendations to improve access to voting across Illinois. Specifically, the Committee sought to examine potential disparities regarding access to voting and discrimination based upon the protected categories of the electorate as designated by the Constitution. The Committee also sought to explore challenges to voting facing the incarcerated and formerly incarcerated, Limited English Proficient individuals, individuals with disabilities, and those experiencing homelessness. The report begins with a brief background of the issue considered by the Committee. It then presents an overview of the testimony received. Finally, it identifies primary findings as they emerged from this testimony, as well as recommendations for addressing related civil rights concerns.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/IL-Voting-Rights.pdf>

Voting Rights in Texas

On March 13, 2018, the Texas Advisory Committee to the U.S. Commission on Civil Rights convened a public meeting to hear testimony regarding potential barriers to voting in the state of Texas that may have a discriminatory impact on voters based on race, color, sex, disability status, and national origin. It begins with a brief background of state-specific voting rights issues, identifies primary findings as they emerged from this testimony, and recommendations for addressing related civil rights concerns. This memo is intended to focus specifically on potential barriers to voter registration, access to and administration of polling locations, and language access. While other important topics surfaced throughout the Committee's inquiry, those matters that are outside the scope of this specific civil rights mandate are left for another discussion.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/07-23-TX-Voting-Rights.pdf>

Voting Rights in Arizona

On March 9, 2018, the Arizona Advisory Committee to the U.S. Commission on Civil Rights convened a public meeting to hear testimony regarding voting rights in Arizona. This advisory memorandum results from testimony provided during the March 9, 2018 meeting of the Committee, testimony submitted to the Committee in writing, and testimony received during the January 11, 2018 meeting of the Native American Voting Rights Coalition. The report begins with a brief background of issues considered by the Committee, identifies primary findings as they emerged from this testimony, and recommendations for addressing related civil rights concerns. The memo is intended to focus specifically on 1) potential barriers to voting in the areas of language access, bifurcated voter registration system, voter ID law, and restriction on mail-in ballots; and 2) the impact of the *Shelby County v. Holder* decision, specifically regarding access to polling locations.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/07-25-AZ-Voting-Rights.pdf>

Voting Rights in Indiana

On March 9, 2018, the Indiana Advisory Committee to the U.S. Commission on Civil Rights convened a public meeting to hear testimony regarding voting rights in Indiana. This advisory memorandum begins with a brief background of the issue considered by the Committee. It then presents an overview of the testimony received. Finally, it identifies primary findings as they emerged from this testimony, as well as recommendations for addressing related civil rights concerns. This memo is intended to focus specifically on concerns of disparate impact regarding voting rights. While other important topics may have surfaced throughout the Committee's inquiry, those matters that are outside the scope of this specific civil rights mandate are left for another discussion.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/07-25-IN-Voting-Rights.pdf>

Access to Voting in Alabama

On February 22, 2018, the Alabama Advisory Committee to the U.S. Commission on Civil Rights convened a public meeting to hear testimony on access to voting in Alabama, which may have a disparate impact on voters on the basis of race, color, national origin, disability status, or religion, or in the administration of justice. The objective of the study is to determine whether any changes in Federal law or policy are necessary to guarantee protected classes of individuals the right to vote. As one of the preclearance states under the Voting Rights Act of 1965, the Alabama Committee chose to examine the impact in the state of the *Shelby County v. Holder* decision, as well as any subsequent proliferation of restrictions on voter access. The Committee hopes that such information will lead to a better understanding of the current state of access to the franchise, as well as to specific recommendations for addressing identified problems. This summary of the February 22, 2018 hearing held in Montgomery, Alabama is intended to provide testimony to the Commission in hopes of providing a boots-on-the-ground view of the current status of access to voting in the state of Alabama.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/08-08-AL-Voting-Access.pdf>

Barriers to Voting in Louisiana

On November 15, 2017 and December 6, 2017, the Louisiana Advisory Committee to the U.S. Commission on Civil Rights convened public meetings to hear testimony on barriers to voting in Louisiana. The Committee sought to discover what obstacles to voting, if any, exist in Louisiana. Additionally, the Committee questioned the impact, if any, of the *Shelby County* decision, which held Section 4(a) of the Voting Rights Act as unconstitutional, eliminating the preclearance requirement for changing voting laws in the state of Louisiana. The Committee also sought to discover the proliferation, if any, of restrictions on voter access in the state of Louisiana. This report documents civil rights concerns raised by panelists with respect to barriers to voting throughout the state of Louisiana and discusses possible strategies for improving voter access in Louisiana. Based on the findings of this report, the Committee offers to the Commission recommendations for addressing this issue of national importance.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/08-20-LA-Voting-Barriers.pdf>

Advisory Memorandum on Solitary Confinement in Connecticut

On February 7, 2017, the Connecticut Advisory Committee to the U.S. Commission on Civil Rights convened a public briefing to hear testimony regarding civil rights concerns related to the use of solitary confinement in the state. The Committee held the briefing to examine whether there are disparities in solitary confinement practices and the underlying factors that contribute to such disparities. At the February briefing, the SAC heard from the Commissioner of the Department of Corrections, medical experts, advocates, and academicians. After the briefing, the Governor signed a law that prohibits solitary confinement in administrative segregations status (the harshest form of solitary confinement) and includes transparency provisions that require an annual report with detailed information about the number of inmates placed in solitary confinement during the preceding 12 months and the duration of the confinement. While the SAC recognizes that the legislation is a positive step in the right directions, the SAC is concerned that the eligibility criteria to be referred to administrative segregation remains broad and vague and the steps to be discharged from the program are also vague and do not guarantee successful completion.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/09-07-CT-Solitary-Confinement.pdf>

The Civil Rights Implications of Tennessee's Civil Asset Forfeiture Laws and Practices

On July 24, 2017, the Tennessee's Advisory Committee to the U.S. Commission on Civil Rights convened a public hearing to take testimony regarding the civil rights implications of asset forfeiture in Tennessee. The Committee heard testimony from invited panelists, including Tennessee law enforcement officials, state legislators, legal professionals, academic experts, community advocates, and individuals with experience related to civil forfeiture. In connection with its investigation, the Committee also examined new data on civil asset forfeiture in Tennessee that is now publicly available due to reforms enacted by the Tennessee General Assembly in 2016 and 2017. The Committee also conducted additional research and a cross-jurisdictional comparison of Tennessee's civil forfeiture practices. In light of the concerns raised through its investigation, the Committee recommends that the Tennessee General Assembly and the Governor consider the experiences of other states that have reformed their civil asset forfeiture laws to ensure due process. To that end, the Committee includes in this report recommendations for short-term, mid-term, and long-term reforms to Tennessee's civil forfeiture law. Such reforms would further the law's stated goals of protecting due process of law and the rights of innocent property owners, while ensuring the fair and equitable administration of justice within the State of Tennessee.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/09-12-TN-Civil-Laws.pdf>

Housing Discrimination in Vermont: A Handshake and a Smile

On August 10, 2015, the Vermont Advisory Committee to the U.S. Commission on Civil Rights convened a public briefing on housing discrimination. The purpose of the briefing was to gather information and hear from government officials and advocates about the nature and extent of housing discrimination in Vermont and whether and how effectively the state is meeting its fair housing obligations. The Committee heard presentations from government officials, advocates, and private sector representatives. The issues and findings identified during the briefing include the following: Discrimination against people who are members of protected classes under state and federal law persists in Vermont; Today, this discrimination is more subtle, meaning some individuals do not realize they are being discriminated against; Complaints of discrimination on the basis of disability are the most frequently reported, followed by discrimination on the basis of familial status and receipt of public assistance; Discrimination may occur because landlords do not understand their legal obligations under federal and state fair housing laws; and Vermont has a shortage of affordable housing, especially accessible and affordable housing, and also lacks intermediate housing options for people who are ineligible for housing but cannot afford most middle-income apartments.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/09-21-VT-Housing.pdf>

The Colorado Constitution's No Aid to Sectarian Institutions Clause and its Impact on Civil Rights

On July 18, 2017, the Colorado Advisory Committee to the U.S. Commission on Civil Rights convened a public hearing on the Colorado constitution's no aid clause and its impact in Colorado. Five experts with diverse viewpoints testified and presented written reports. Members of the public also testified. The Advisory Committee investigated the past and present of a clause in the Colorado Constitution that prohibits any state aid to "sectarian" institutions. In December 2017, a draft report was published and made available to the public. Members of the public were invited to submit written comments. On January 24, 2018, the Colorado Advisory Committee held a public teleconference to discuss the public comments. This report details civil rights concerns relating to religious discrimination in Colorado, as based on the anti-"sectarian" clause in the Colorado Constitution, Article IX, § 7.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/09-27-CO-Sectarian.pdf>

Elder Abuse in New Mexico

On June 24, 2016, the New Mexico Advisory Committee to the U.S. Commission on Civil Rights Committee convened an all-day public meeting to hear testimony on the issue of the abuse of elders and elder civil rights in New Mexico. Community stakeholders presented testimony followed by questions from Committee members. The Committee identified a concern in New

Mexico over reported irregularities in the guardianship of elders. Elder abuse is a form of age discrimination through which individuals are disproportionately targeted for abuse. As such, elder abuse requires legal remedies and specific social and political solutions that involve structural and policy mechanisms designed to protect elders' civil rights. To produce this report, members of the Committee reviewed the transcripts of oral and written testimony, and consulted public documents, media reports, and available population data. The Committee submits this report detailing the dynamics of elder abuse in New Mexico for consideration by the public and by the Commission, and urges the Commission to revisit elder abuse as an issue of national significance.

The report or memorandum is available at the following website:

<https://www.usccr.gov/pubs/2018/09-27-NM-Elder-Abuse.pdf>

FY 2019-2022 STRATEGIC GOALS AND OBJECTIVES

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

Strategic Goal A:

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

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

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

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

Strategic Goal B:

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

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

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

Strategic Goal C:

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

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

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

DRAFT ANNUAL PERFORMANCE PLAN

Strategic Goal A: The Commission, including through its State Advisory Committees, will function as a monitor of effective federal enforcement of civil rights laws and inform national civil rights laws and policy.				
Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will assess the national state of important civil rights issues.	The Commission will determine civil rights issues of national significance on which to conduct informative briefings and/or hearings.	The Commission will develop proposals and investigative plans to conduct investigations into civil rights issues of national significance.	Two new projects	Two new projects
The Commission will assess the national state of important civil rights issues.	The Commission will determine civil rights issues of national significance on which to conduct informative briefings and/or hearings.	The Commission will hold at least two briefings and/or hearings each year.	Two briefings and/or hearings	Two briefings and/or hearings
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Commission will regularly inform the Advisory Committees of its own past and upcoming activities	Quarterly newsletter	Quarterly newsletter
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Commission will keep Advisory Committees apprised of investigative priorities so that Advisory Committees can determine whether there is any beneficial overlap or alignment in their agenda setting.	If a Committee’s report topic aligns with a headquarters-issued report, it was included with the headquarters-issued report	If a Committee’s report topic aligns with a headquarters-issued report, it was included with the headquarters-issued report

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

Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will assess the national state of important civil rights issues.	The Commission will keep the Advisory Committees engaged with the Commission’s investigative projects.	The Staff Director or Commissioners will attend (telephonically or in-person) Advisory Committee briefings or meetings in order to maintain the connection between headquarters and the Committees.	3 Meetings	3 Meetings
The Commission will publish reports, letters, and statements on important civil rights issues, following investigation and as informed by research, and distribute them to the President, Congress, and the American people.	The Commission will continuously monitor the state of civil rights and issues of national significance, and use its expertise to report its policy recommendations.	The Commission will issue reports, including its annual statutory enforcement report, to inform its stakeholders of policy recommendations.	2 reports	2 reports
The Commission will publish reports, letters, and statements on important civil rights issues, following investigation and as informed by research, and distribute them to the President, Congress, and the American people.	The Commission will continuously monitor the state of civil rights and issues of national significance, and use its expertise to report its policy recommendations.	The Commission will issue statements and letters on current civil rights events and issues of concern.	5 statements and/or letters	5 statements and/or letters
The Commission’s Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission will maintain all 51 Advisory Committees.	The Commission will ensure that each Advisory Committee is promptly appointed after expiration.	90% currently appointed Advisory Committees	90% currently appointed Advisory Committees

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

Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will develop proposals and investigative plans to conduct investigations into civil rights issues of significance in their jurisdiction.	10 meetings	10 meetings
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will hold briefings, public forums, or another mechanism.	5 briefings/hearings	5 briefings/hearings

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

Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission's Advisory Committees as a group will hold briefings and meetings on civil rights concerns in their jurisdiction and issue publications on their concerns, providing recommendation for action on those issues.	The Commission's Advisory Committees will assess the state of civil rights, or a particular civil rights issue, in their jurisdiction.	Advisory Committees will publish reports, statements, memoranda, or other publications to provide policy recommendations to the Commission.	5 publications	5 publications

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

Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will keep the public apprised of historical and current civil rights issues.	The Commission will routinely host public speakers to share their experience and expertise on historical and current civil rights issues.	Holding Speaker Series sessions in conjunction with business meetings	3 Speaker Series' sessions	3 Speaker Series' sessions
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Expand press outreach	The Commission will regularly publicize Commission and Advisory Committee briefings and other events.	10 Press releases or media posts	10 Press releases or media posts
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Expand press outreach	The Commission will regularly publicize the release of reports or other publications by the Commission and its Advisory Committees.	10 Press releases or media posts	10 Press releases or media posts
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Increase access to Commission briefings, hearings, and business meetings	The Commission will use technology, including live streaming, phone lines, and social media, to provide immediate public access to its meetings, briefings, publications, and other activities.	2 live streamed events	2 live streamed events

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

Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will keep the public apprised of its, including the State Advisory Committees', investigatory and fact-finding activities.	Inform the Advisory Committees of activities by headquarters and of other Advisory Committees in different regions	Ensure a regular update to Advisory Committees of activities by headquarters as well as the other Advisory Committees	Quarterly newsletter	Quarterly newsletter
Elevate the public profile of the Commission as a national authority on civil rights issues	Expand the opportunities for the Chair or other designated spokesperson to speak directly to the public on civil rights issues	Ensure that the Chair or other designated spokesperson speaks directly to the public about civil rights	2 speaking engagements with national reach in the fiscal year	2 speaking engagements with national reach in the fiscal year

Strategic Goal C: The Commission will continue to strengthen the Commission’s financial and operational controls and advance the Commission’s mission through management excellence, efficiency, and accountability.				
Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Align the Commission’s budget submissions with the Agency’s strategic plan and annual performance plan.	Compliance with OMB Circular A-11.	Budget is compliant with OMB Circular A-11	Budget is compliant with OMB Circular A-11
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Monitor and report on the Commission’s progress in achieving its annual performance plan goals and objectives.	Submit a Performance and Accountability Report that adheres to all relevant guidance.	PAR adheres to relevant guidance.	PAR adheres to relevant guidance.
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Update and implement the Commission’s Human Capital Plan to ensure the agency has a highly skilled and flexible workforce to carry out its mission.	Implementation of Commission’s and Office of Personnel Management’s Human Capital Plan program, strategies, and initiatives.	Implement Human Capital Plan	Implement Human Capital Plan
The Commission will strengthen its human resources, financial, budget, and performance policy, procedures, and reports.	Conduct and analyze Employee Satisfaction surveys and develop specific strategies to address issues.	Results of the Employee Satisfaction surveys	Increase response rate positively in one or more categories	Increase response rate positively in one or more categories

Strategic Goal C: The Commission will continue to strengthen the Commission’s financial and operational controls and advance the Commission’s mission through management excellence, efficiency, and accountability.				
Description of Objective	Strategy	Performance Measures	FY 2019 Performance Target	FY 2020 Performance Target
The Commission will improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Comply with federal information security requirements	Conduct an annual FISMA Audit	FISMA Audit	FISMA Audit
The Commission will improve administrative and clearinghouse services including information technology, acquisition, and library functions.	Leverage information technology to enhance the productivity and efficiency of the workforce.	Compliance with OMB Cloud Computing initiatives.	Compliant with Cloud Computer Initiatives	Compliant with Cloud Computer Initiatives
The Commission will improve the efficiency, effectiveness, and accountability of its organization.	Improve organization structure and reduce real property inventory.	Implement Agency Reform Plan by the FY 2020.	Achieve Agency Report Plan milestones as outline in the approve schedule.	Achieve Agency Report Plan milestones as outline in the approve schedule.