

GAO Highlights

Highlights of [GAO-15-92](#), a report to congressional committees

Why GAO Did This Study

The U.S. Commission on Civil Rights, first established by the Civil Rights Act of 1957, is an independent, bipartisan, fact-finding agency responsible for investigating and reporting on the status of citizens' civil rights. In fiscal year 2014, the commission had a \$9 million budget and about 40 people, including 8 commissioners. The Senate and House Appropriations Committees mandated GAO to review the commission's management.

GAO examined (1) the extent to which the commission has met its performance goals over the last 5 years, and (2) how well the commission is positioned to achieve its mission. GAO reviewed the commission's achievement of its performance goals related to its major functions, use of SACs to help identify civil rights issues, leadership structure, external communications, and workforce planning. GAO interviewed commissioners and staff and reviewed commission documents and relevant federal laws and regulations.

What GAO Recommends

Congress may wish to consider clarifying the roles and responsibilities of commissioners and the staff director. GAO also recommends that the commission make improvements for SACs and engage in comprehensive workforce planning. All the commissioners, except the chair, disagreed with our recommendations to clarify leadership roles and engage in workforce planning. GAO continues to believe these recommendations are appropriate, as discussed in the report.

View [GAO-15-92](#). For more information, contact Andrew Sherrill at (202) 512-7215 or sherrilla@gao.gov.

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U.S. COMMISSION ON CIVIL RIGHTS

Management Improvements Are Needed to Better Achieve Its Mission

What GAO Found

The U.S. Commission on Civil Rights met about half its performance targets under its four strategic goals for fiscal years 2009 through 2013. Under its goal covering the use of its state advisory committees (SACs), which study civil rights issues within each state, the commission met only 7 of 35 targets. For two goals related to the commission's reporting on civil rights issues and oversight of federal enforcement of civil rights laws, the commission met 31 of 58 targets. The commission met 16 of its 22 targets under its goal for internal operations.

The commission's ability to achieve its mission is impaired by management challenges that stem, in part, from the unclear roles and responsibilities of commission leaders. Although having clearly defined roles and responsibilities is a key internal control, those for commissioners and the staff director are not clearly specified in the commission's statute. This has contributed to internal disagreements and affected internal and external operations, including the following:

- **State Advisory Committee approvals:** Although the commission is required by law to establish a SAC in each state, it has had difficulty approving SAC membership slates, which has resulted in some SACs being unable to operate for years. The commission's staff director said she plans to help address this problem by revising the internal procedures for SAC appointments, but several commissioners said she is not authorized to make such revisions independently. In the absence of clearly specified roles for revising internal procedures, the commission may not be able to address its challenges with SAC approvals and other aspects of its operations.
- **External communications:** Individual commissioners, without the backing of a majority of commissioners, have used commission letterhead to send letters advocating policies and expressing their individual views on civil rights issues to a variety of entities. For example, two commissioners sent a letter to more than 70 colleges and universities in 2014 questioning the institutions' admissions policies. These types of letters have created confusion about the commission's position and could jeopardize its credibility as a fact-finding civil rights agency. The commission's general counsel has told commissioners these types of letters may violate ethics rules, but the letters have continued.
- **Workforce planning:** The commission has not engaged in comprehensive workforce planning in response to a stagnant budget. The commission excluded from its workforce planning the commissioners' eight special assistants, who accounted for 18 percent of the commission's fiscal year 2014 salary expenditures. The staff director said she cannot consider adjusting the number of assistant positions because commissioners view the commission's appropriations language as entitling them each to an assistant. As a result, GAO found that offices performing certain functions that help fulfill the agency's statutory requirements to issue reports and maintain SACs may have proportionally low staffing relative to their responsibilities.