

March 28, 2005

The Honorable Steve Chabot
Chairman, Subcommittee on the Constitution
Committee on the Judiciary
House of Representatives
United States Congress
2138 Rayburn House Office Building
Washington, DC 20515

Dear Chairman Chabot:

We respectfully request that this letter be submitted as part of the record of the Oversight hearing conducted on March 17, 2005 to review the U.S. Commission on Civil Rights.

Since joining the Commission in January and December 2001, respectively, we have been aggressive advocates for reform. Unfortunately, however, during the time that Mary Frances Berry served as the Commission's chairman and Les Jin as its staff director, our attempts to increase transparency and institute procedural reforms were blocked by the majority. We were not only powerless, but deprived of even the most basic information about the Commission's finances and the status of Commission projects.

As you are aware, in December 2004 Berry's term expired, and President Bush appointed Gerald A. Reynolds as chairman and Kenneth L. Marcus as staff director. Upon taking office, they both took immediate steps to increase transparency. Despite these efforts, however, the full financial picture was not instantly apparent because many of the financial records were either never kept or have been removed and perhaps destroyed. Nevertheless, we now have enough information to confirm what we only suspected previously: The Commission's finances are in appalling condition.

Since taking office *only three months ago*, Staff Director Marcus has worked tirelessly to rein in spending and put the Commission's finances in order. Both the staff director (in his discretionary capacity) and the Commission as a whole currently are considering a wide array of financial reforms. At the same time, the Commissioners themselves (across party lines) have dedicated themselves to important procedural changes. All options are on the table and always have been.

No commissioner has tried in any way to obstruct reform. All of the current commissioners are united in our commitment to substantial financial, structural, and

procedural change—by means of a careful, deliberative process, however. Clearly, it would be a serious mistake if, in our efforts to change the corrupt practices of the past, we rammed through reform proposals without understanding their cost and policy implications. Only through thoughtful, careful, and collegial efforts will we truly be able to reform the agency that the GAO once labeled “in disarray.”

Respectfully,

Abigail Thernstrom
Vice Chairman

Jennifer C. Braceras
Commissioner