

U.S. COMMISSION ON CIVIL RIGHTS

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TELEPHONIC BUSINESS MEETING

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FRIDAY, JUNE 19, 2020

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The Commission convened via
teleconference at 10:00 a.m. EDT, Catherine Lhamon,
Chair, presiding.

PRESENT:

CATHERINE E. LHAMON, Chair

DEBO P. ADEGBILE, Commissioner

STEPHEN GILCHRIST, Commissioner

GAIL HERIOT, Commissioner

PETER N. KIRSANOW, Commissioner

DAVID KLADNEY, Commissioner

MICHAEL YAKI, Commissioner

MAURO MORALES, Staff Director

MAUREEN RUDOLPH, General Counsel

STAFF PRESENT:

NICK BAIR
CHERYL BATES-HARRIS
BARBARA DE LA VIEZ
LUIS DIAZ
PAMELA DUNSTON, Chief, ASCD
ORLANDO ECONOMOS
ALFREDA GREEN
JULIE GRIECO
TRACY GRITSENKO
BRYAN HOGAN
KATIE JONES
CINDY KIM
THOMAS MACKALL
TINALOUISE MARTIN
PRILAR McLAUGHLIN
DAVID MUSSATT
SAMANTHA PEPPERL
MICHELE RAMEY

CORRINE SANDERS

SARALE SEWELL

MIKE STROUD

WILLIAM TWOMEY

MARIK XAVIER-BRIER

CHRIS YARRELL

MICHAEL YU

COMMISSIONER ASSISTANTS PRESENT:

ALEC DEULL
CARISSA MULDER
AMY ROYCE
RUKKU SINGLA
IRENA VIDULOVIC

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P R O C E E D I N G S

(10:00 a.m.)

CHAIR LHAMON: Thank you, Operator. This meeting of the U.S. Commission on Civil Rights comes to order at 10:00 a.m. Eastern Time on June 19, 2020. The meeting takes place over the phone.

I'm Chair Catherine Lhamon. I'd like to confirm each of the Commissioners is on the line, so I'll take a roll call here at the outset. Please confirm your presence when I say your name.

Commissioner Adegbile?

COMMISSIONER ADEGBILE: Here.

CHAIR LHAMON: Commissioner Gilchrist?
Commissioner Heriot?

COMMISSIONER HERIOT: I'm here.

CHAIR LHAMON: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Here.

CHAIR LHAMON: Commissioner Kladney?

COMMISSIONER KLADNEY: Here.

CHAIR LHAMON: Commissioner Yaki?

COMMISSIONER YAKI: Happy Juneteenth,
everyone.

CHAIR LHAMON: Thank you. Based on that, a quorum of the commissioners is present. Is the court reporter present?

1 COURT REPORTER: I am here.

2 CHAIR LHAMON: Thank you. Is the staff
3 director present?

4 MR. MORALES: I am present.

5 CHAIR LHAMON: Thank you. The meeting
6 shall now come to order. I'll take a brief moment to
7 recognize that today is Juneteenth as Commissioner
8 Yaki recognized when announcing himself.

9 On this day in 1865, Union Major General
10 Granger issued a general order in Galveston, Texas
11 announcing that all enslaved people were freed after
12 the President had issued the Emancipation Proclamation
13 two and a half years earlier.

14 Years after formal emancipation and weeks
15 after the Confederate Army had surrendered in Texas,
16 Gordon Granger's order brought the news of freedom to
17 thousands of enslaved people in Texas who were among
18 the last in the nation to learn of their freedom. The
19 celebrations that followed marked the beginning of
20 Juneteenth.

21 Professor Henry Louis Gates, Jr. wrote
22 about Juneteenth, quote, by choosing to celebrate the
23 last place in the South that freedom touched, we
24 remember the shining promise of emancipation, along
25 with the bloody path America took by delaying it and

1 deferring fulfillment of those simple, unanticipating
2 words in General Granger's Order Number 3 that, quote,
3 this involves an absolute equality of personal rights
4 and rights of property between former masters and
5 slaves, end quote.

6 And so I celebrate with my colleagues
7 appropriately meeting today to further that promise of
8 emancipation with our work to ensure that civil rights
9 are a lived reality for all Americans. Happy
10 Juneteenth.

11 With that said, is there a motion to
12 approve the agenda for this business meeting?

13 I. APPROVAL OF AGENDA

14 COMMISSIONER YAKI: Moved by Commissioner
15 Yaki.

16 CHAIR LHAMON: Thank you. Is there a
17 second?

18 COMMISSIONER KLADNEY: Second, Kladney.

19 CHAIR LHAMON: Thank you. I'll begin the
20 call for amendments with a handful of my own. I move
21 to add a presentation by the former Maryland Advisory
22 Committee Chair on their recent report on school
23 discipline.

24 I move to table the discussion and vote on
25 Administration Instruction 5-9 regarding Advisory

1 Committee appointments, and to table discussion and
2 vote of the appointments for the Vermont Advisory
3 Committee, and to add consideration of appointments to
4 the Washington Advisory Committee, and to add
5 consideration of a statement calling on the Trump
6 administration to change their enforcement practices
7 after the Supreme Court's decision in Bostock. Do I
8 have a second?

9 COMMISSIONER YAKI: Commissioner Yaki
10 seconds.

11 COMMISSIONER KLADNEY: Kladney, second.

12 CHAIR LHAMON: Thank you. Are there any
13 other amendments?

14 COMMISSIONER KLADNEY: Madam Chair, Dave
15 Kladney.

16 CHAIR LHAMON: Go ahead, Commissioner
17 Kladney.

18 COMMISSIONER KLADNEY: I'd like to have a
19 motion on our subminimum wage report and the findings
20 and recommendations that were circulated by my special
21 assistant, I think, on Wednesday.

22 CHAIR LHAMON: Moving to consider the
23 findings and recommendations and the text of the
24 report submitted by your special assistant?

25 COMMISSIONER KLADNEY: Yes.

1 CHAIR LHAMON: Thank you. Are there any
2 other amendments? Commissioner Kladney, I understood
3 you had another amendment?

4 COMMISSIONER KLADNEY: Oh, yes, I'm sorry.
5 I'd also like to move on the motion on the statement
6 of -- I'd like to make a motion for the justice and
7 policing statement that was circulated on Wednesday as
8 well.

9 CHAIR LHAMON: Thank you. Is there a
10 second?

11 COMMISSIONER YAKI: Commissioner Yaki
12 seconds.

13 CHAIR LHAMON: Thank you. Are there any
14 other amendments? Hearing none, let's vote to approve
15 the agenda as amended. All those in favor, say, aye.

16 (Chorus of aye.)

17 CHAIR LHAMON: Any opposed? Any
18 abstentions? The motion passes unanimously.

19 II. BUSINESS MEETING

20 A. DISCUSSION AND VOTE ON THE COMMISSION'S REPORT,

21 DISPARITIES IN SCHOOL DISCIPLINE IN MARYLAND

22 CHAIR LHAMON: First, we will hear from
23 our former Maryland Advisory Committee Chair Thomas
24 Mackall on the Committee's recently released report
25 titled, Disparities in School Discipline in Maryland.

1 Former Chair Mackall, would you like to start?

2 MR. MACKALL: Thank you, Chairwoman Lhamon
3 and Commissioners. Thank you for having me here on
4 this 155th anniversary of this special day as
5 described so ably by Chairwoman Lhamon a moment ago.

6 In October 2019, near the conclusion of
7 the term of the Maryland SAC that I chaired, the
8 Maryland SAC submitted its report on disparities in
9 school discipline in Maryland. The foundation for
10 this report included a rich briefing of Morgan State
11 University which Chairwoman Lhamon graciously
12 attended.

13 The work on the report, the topic of which
14 was recommended in the first instance and driven by
15 Committee Member Jennifer Mathis, could not have been
16 completed without the strong staff leadership from
17 Barbara De La Viez, and the support of Evelyn Bohor
18 and DRA intern Patrick Williamson, so I would like to
19 acknowledge and thank each of them in this public
20 forum.

21 Our SAC examined specifically the
22 disproportionate use of discipline, and in particular,
23 exclusionary discipline for students with disabilities
24 and students of color.

25 We concluded that disparities in the use

1 of exclusionary discipline pose significant civil
2 rights concerns for students of color and students
3 with disabilities.

4 The general research is consistent.
5 Exclusionary discipline and the consequent loss of in-
6 class instruction time has negative effects on
7 learning environment, student achievement, graduation
8 rates, and rates of juvenile crime.

9 Conversely, removing students from school
10 does not make school safe, foster a more conducive
11 learning environment, or improve overall student
12 behavior.

13 Data reflect substantial racial
14 disparities in the use of exclusionary discipline that
15 are not explained by more frequent or more serious
16 misbehavior by students of color or by socioeconomic
17 factors.

18 African American students are more likely
19 to be removed from classrooms for disciplinary
20 reasons, as are students with disabilities.

21 The disproportionate use of exclusionary
22 discipline, despite questions about its efficacy and
23 despite the availability of other options, raises
24 civil rights concerns with respect to African American
25 students under Title VI of the Civil Rights Act of

1 1964.

2 Such action occurring against students
3 with disabilities, regardless of disproportionality,
4 may arise under Section 504 of the Rehabilitation Act,
5 the Americans with Disabilities Act, and the
6 Individuals with Disabilities in Education Act,
7 particularly where students with disabilities are not
8 offered necessary services, reasonable modifications,
9 or appropriate identification of disabilities.

10 To its credit, the State of Maryland has
11 attempted to address concerns about exclusionary
12 discipline even before this topic became an issue of
13 national concern.

14 It issued a report in 2012 calling to end
15 disproportionate use of exclusionary discipline
16 against minority and special education students, and
17 in 2014, it issued regulations intended to address the
18 issue, which in fact exceeds what many other states
19 have done.

20 However, despite these efforts, the civil
21 rights issues persist, and the Committee's report sets
22 forth several findings about this, first to the
23 findings.

24 First, rates of exclusionary discipline
25 continue to be high for all students in Maryland.

1 There are a number of explanations articulated in the
2 report --

3 (Telephonic interference.)

4 MR. MACKALL: -- regulations,
5 noncompliance, resource issues, and overreliance on
6 law enforcement.

7 Second finding, disproportionate use of
8 exclusionary discipline remains significant in
9 Maryland and is greater today than it was a decade
10 ago.

11 African American students and students
12 with disabilities have consistently accounted for a
13 significantly higher percentage of exclusionary
14 discipline incidents than the percentage of the
15 student population they represent.

16 In 2017 to '18, African American students
17 and students with disabilities were 3.1 and 2.9 times
18 respectively more likely to be subject to exclusionary
19 discipline than others. This is at or above the
20 remedial thresholds established by the Maryland State
21 Department of Education.

22 Third finding, the statewide disciplinary
23 guidelines appear to afford such broad discretion that
24 they have little direct positive impact on specific
25 school policies.

1 They allow for a very wide variation
2 amongst school districts concerning how closely their
3 policies align with guidelines, and in fact, there is
4 such a wide variation across the state.

5 Fourth finding, one reason removal of
6 students with disabilities in particular continues to
7 be high is systemic failure to ensure that they
8 receive the services necessary to address disability-
9 related behaviors.

10 Factors contributing to this issue are a
11 lack of access to behavioral specialists, school
12 systems failing to identify students with
13 disabilities, school systems identifying disabilities
14 incorrectly, and finally struggling to assess the
15 sufficiency of a behavior intervention plan.

16 Fifth finding, implicit bias contributes
17 to disproportionate rates of exclusionary discipline
18 of African American students. Implicit and cultural
19 biases coupled with habitual practices focused on
20 punishment rather than corrective behavior, and zero-
21 tolerance approaches can lead to disparities in the
22 imposition of discipline.

23 Now, the recommendations of the Committee
24 point to two primary avenues for reducing the
25 disproportionate use of exclusionary discipline for

1 African American students and students with
2 disabilities in Maryland.

3 One, create more specific policies
4 concerning the imposition of exclusionary discipline,
5 and two, expand the use of preventative approaches
6 designed to reduce the incidence of student behaviors
7 that result in such discipline.

8 These include positive behavioral
9 interventions and support, multi-tiered systems of
10 support, and restorative justice practices. These are
11 set forth in more detail in the report.

12 In addition, the Committee recommends
13 improved data collection and tracking of disciplinary
14 practices and outcomes, and this is data tracking
15 which more adequately captures the full range of
16 exclusionary measures, and student-level and
17 classroom-level data to be personalized of course, and
18 that this data be reported annually and be more
19 accessible to researchers.

20 The Committee also recommends
21 accountability that recognizes the provision of
22 support for behavior, academic needs, and social and
23 emotional development in addition to returning
24 students to the classroom, and of course funding is
25 always an issue, and the Committee recommends funding

1 to address the resource issues involved with this.

2 The Maryland SAC's report encourages the
3 Commission to request that the Maryland State
4 Department of Education take a pragmatic approach to
5 implementing these recommendations as expeditiously as
6 practicable, including considering how and where to
7 sequence actions so as to achieve immediate impacts
8 where possible, and to lay the foundation for plans
9 that may require longer-term implementation.

10 Thank you for giving me this chance to
11 present this report, and also for the opportunity that
12 I have had over the last several years to chair the
13 Maryland SAC.

14 CHAIR LHAMON: Thank you so much former
15 chair Mackall. I'll open it for questions and
16 comments from my fellow Commissioners.

17 As folks are getting started, I just also
18 want to note I believe that Commissioner Gilchrist is
19 on the line. I understand he had been on from the
20 beginning, but was in a non-speaking line.
21 Commissioner Gilchrist, could you let me know that
22 you're online?

23 COMMISSIONER GILCHRIST: Thank you, Madam
24 Chair. I am online now, yes.

25 CHAIR LHAMON: Terrific, thank you. So,

1 I'm opening it for questions and comments for former
2 chair Mackall about the Maryland Advisory Committee
3 report.

4 As folks collect themselves, I'll start
5 with some of my own. First, a few of you know that
6 former chair Mackall, I had the honor and privilege to
7 join attending this Advisory Committee's briefing, and
8 it was extraordinary.

9 It was an enormously powerful briefing on
10 a topic that is very close to my heart and that I know
11 reasonably well as a former Maryland school parent, as
12 well as a long investigator of these issues.

13 And I was blown away by some of this
14 hearing testimony that your committee took in, and
15 also by the really terrific meeting that you chaired,
16 former chair, so thank you for letting me attend, and
17 thank you for this beautiful and comprehensive report
18 that your committee has prepared.

19 I was struck in particular by the data
20 about the dearth of behavioral specialists in the
21 state of Maryland. The report at page 15 notes that
22 there are 106,000 students in the state eligible to
23 receive help from behavioral specialists, but fewer
24 than 400 certified behavioral analysts in the state as
25 a whole.

1 I also appreciate your recognition that
2 Maryland has been a national leader in efforts to
3 address the crucial civil rights issues that your
4 report takes up, and the thoughtfulness of your
5 committee's recommendation that more specificity would
6 benefit the state to address some of the issues that
7 persist notwithstanding that longstanding leadership
8 on the topic.

9 So, thank you again for the comprehensive
10 report, the painful look at the important issues, and
11 the strong and careful recommendations.

12 MR. MACKALL: Thank you.

13 CHAIR LHAMON: My fellow Commissioners,
14 are there questions or comments on this report?

15 COMMISSIONER ADEGBILE: Madam Chair,
16 Commissioner Adegbile.

17 CHAIR LHAMON: Go ahead, Commissioner
18 Adegbile.

19 COMMISSIONER ADEGBILE: Thanks again. I
20 want to join in the thanks for the report, which I
21 think it was very well done, and I'm sure that the
22 hearing was powerful as well, as the Chair observed.

23 One of the things that I'm wondering about
24 in the context of the remedies or recommendations that
25 you have is I'm wondering if there needs to be a

1 concept of progressive discipline for school districts
2 that don't change and lessen the impact of these
3 disparities over time.

4 So, I understand that one of the
5 recommendations is that additional resources may be
6 necessary to help stand up and create alternative
7 discipline and coaching pathways, all of which make
8 sense, but I'm wondering whether or not districts that
9 persistently don't address these problems, whether
10 there should be both carrots -- as I understand the
11 more funding to be -- but also sticks, whether it be
12 the loss of funding after some period of time and
13 failure to remediate or some other sanction.

14 I'm just wondering if we need more urgent
15 focus on some of these issues lest they persist and
16 continue to accelerate as you described.

17 MR. MACKALL: Thank you for the comment,
18 and I think it's an insightful thought. You know,
19 look, I believe that this all starts with the
20 generality of the guidance provided from the state.

21 The question of carrots and sticks can be,
22 I believe, more effectively implemented, whatever
23 policy those may be, if there is more clear, direct
24 guidance provided to the school districts across the
25 state by the Maryland State Department of Education.

1 That's a difficult balance between discretion because,
2 you know, there are unique circumstances, but also how
3 to approach this from a consistent policy perspective.

4 So, I think that your point is very well
5 taken, and I certainly believe that accountability
6 includes both at the individual educator level, but
7 also at the school district level.

8 But I do think it starts with, in the
9 first instance, becoming clear that there are a set of
10 expectations about how to go about this before we can,
11 I think, effectively -- which our experience shows
12 over the last five years that when there is such
13 discretion provided, it's very difficult to get to the
14 common outcome that we're seeking.

15 COMMISSIONER ADEGBILE: Thanks very much.

16 CHAIR LHAMON: Are there other questions
17 or comments for former chair Mackall? Hearing none,
18 thank you, Chair Mackall, for your service and for
19 your leadership on the Maryland Advisory Committee and
20 especially for returning after your service has
21 concluded still to take the time to speak with us
22 today. Thank you.

23 MR. MACKALL: Thank you all for having me,
24 and thank you all for your service. Bye-bye.

25 CHAIR LHAMON: Bye-bye. The next item on

1 the agenda is a discussion and vote on the
2 Commission's report titled, Subminimum Wages: Impacts
3 on the Civil Rights of People with Disabilities.

4 B. DISCUSSION AND VOTE ON THE COMMISSION'S REPORT,
5 SUBMINIMUM WAGES: IMPACTS ON THE CIVIL RIGHTS OF
6 PEOPLE WITH DISABILITIES

7 CHAIR LHAMON: There will two votes.
8 First, we will consider the report, and second, we
9 will consider the findings and recommendations. To
10 open the floor for discussion, is there a motion?

11 COMMISSIONER KLADNEY: Yes, Madam Chair,
12 Kladney here. I move the Subminimum Wages report text
13 as circulated by my special assistant on Monday, June
14 15, be adopted. That's my motion.

15 CHAIR LHAMON: Thank you. Is there a
16 second?

17 COMMISSIONER YAKI: Seconded by
18 Commissioner Yaki.

19 CHAIR LHAMON: Thank you. To begin
20 discussion, I'll turn it over to Commissioner Kladney
21 who was the lead sponsor of this project.

22 COMMISSIONER KLADNEY: Thank you, Madam
23 Chair. First of all, I'd like to thank our staff who
24 worked so diligently to research and draft this
25 report.

1 I thank my fellow Commissioners for their
2 support on this project. In particular, I would like
3 to thank Nick Bair and Kathy Culliton-Gonzalez for
4 leading the research and drafting.

5 I also wish to acknowledge the exception
6 work that my special assistant Amy Royce, the work
7 that she did on the project, and I thank you very
8 much, Amy. You outdid yourself once again.

9 And I would like to thank everyone who
10 made time to conduct two site visits in furtherance of
11 this project, especially Pam Dunston and her staff.
12 They did an incredible job coordinating with back-to-
13 back field locations.

14 I know the report is more comprehensive
15 and our analysis has deepened by the information we
16 were able to gather on the ground. I thank you all.

17 I'm proud the Commission took up this
18 important topic. We've gathered a great deal of
19 information and took in all perspectives. The civil
20 rights of people with disabilities are a core part of
21 the Commission's responsibility, and I am glad we have
22 taken up an examination of these rights once again.

23 I look forward to the vote today and to
24 the issuance of this report. Thank you.

25 CHAIR LHAMON: Thank you, Commissioner

1 Kladney. I'll offer a few additional points, first
2 thanking you for your leadership with this project,
3 and I echo your thanks to our staff, particular
4 Katherine Culliton-Gonzalez and Nick Bair, as well as
5 all of the other members of our staff who pitched in
6 during the research and development of the project.

7 The project had a number of unique
8 aspects, including the level of engagement via public
9 comment and testimony, and the Commission field
10 visits.

11 I thank all of our staff for their
12 collaboration and efforts to ensure that our work was
13 inclusive, accessible, and as accommodating as
14 possible, and I thank the many members of the public
15 who used the Commission as a forum to address crucial
16 civil rights issues, I think, as core to our mission
17 and I'm very grateful to be able to perform that
18 function.

19 I'll now open the floor for discussion.
20 Hearing no further discussion, I'll call the question
21 and take the roll call vote. Commissioner Adegbile,
22 how do you vote?

23 COMMISSIONER ADEGBILE: Aye.

24 CHAIR LHAMON: Commissioner Gilchrist?

25 COMMISSIONER GILCHRIST: Commissioner

1 Gilchrist abstains.

2 CHAIR LHAMON: Commissioner Heriot?

3 COMMISSIONER HERIOT: I vote no.

4 CHAIR LHAMON: Commissioner Kirsanow?

5 COMMISSIONER KIRSANOW: No.

6 CHAIR LHAMON: Commissioner Kladney?

7 COMMISSIONER KLADNEY: Yes.

8 CHAIR LHAMON: Commissioner Yaki?

9 COMMISSIONER YAKI: Aye.

10 CHAIR LHAMON: And I vote yes. The motion
11 passes, two Commissioners opposed, one Commissioner
12 abstained, all others were in favor.

13 Next, we will consider the findings and
14 recommendations for the report. To open the floor for
15 discussion, is there a motion?

16 COMMISSIONER KLADNEY: Yes, Madam Chair,
17 Kladney here.

18 (Simultaneous speaking.)

19 COMMISSIONER KLADNEY: I move the findings
20 and recommendations as circulated by my special
21 assistant on Monday, June 15, be adopted.

22 CHAIR LHAMON: Thank you. Commissioner
23 Yaki, do you second?

24 COMMISSIONER YAKI: Sure, why not.

25 CHAIR LHAMON: Thank you. Is there any

1 discussion on this motion? Hearing none, I'll call
2 the question and take a roll call vote. Commissioner
3 Adegbile, how do you vote?

4 COMMISSIONER ADEGBILE: Aye.

5 CHAIR LHAMON: Commissioner Gilchrist?

6 COMMISSIONER GILCHRIST: Commissioner
7 Gilchrist abstains.

8 CHAIR LHAMON: Commissioner Heriot?

9 COMMISSIONER HERIOT: I vote no.

10 CHAIR LHAMON: Commissioner Kirsanow?

11 COMMISSIONER KIRSANOW: No.

12 CHAIR LHAMON: Commissioner Kladney?

13 COMMISSIONER KLADNEY: Yes.

14 CHAIR LHAMON: Commissioner Yaki?

15 COMMISSIONER YAKI: Aye.

16 CHAIR LHAMON: And I vote yes. The motion
17 passes, two Commissioners opposed, one Commissioner
18 abstained, all others were in favor.

19 I'll note that with the adoption of the
20 report and the findings and recommendations, the clock
21 now begins ticking with respect to deadlines for
22 statements and rebuttals. Statements will be due on
23 Monday, July 20, 2020, with rebuttals due on Thursday,
24 August 20, 2020.

25 Commissioners must file notice of their

1 intention to file a surrebuttal by Thursday, August
2 27, 2020, and they must file the text of their
3 surrebuttal, if any, on Thursday, September 3, 2020.

4 The next agenda item is a discussion and
5 vote on the Minnesota Advisory Committee.

6 C. DISCUSSION AND VOTE ON COMMISSION ADVISORY

7 COMMITTEES

8 MINNESOTA ADVISORY COMMITTEE

9 CHAIR LHAMON: Before we begin discussion
10 of this nomination and other nominations, I remind my
11 fellow Commissioners that objections to all of the
12 advisory committee slates to be considered today have
13 already been shared with the Commissioners.

14 To the extent that we would like to
15 discuss objections, I remind my fellow Commissioners
16 that the Commission has a policy not to defame,
17 degrade, or incriminate any person. Each of these
18 individuals has agreed to volunteer time and energy in
19 the pursuit of the protection of civil rights.

20 To begin discussion, I move that the
21 Commission appoint the following individuals to the
22 Minnesota Advisory Committee based on the
23 recommendation of the Staff Director, Velma Korbel,
24 Robert Battle, Beth Commers, Sasha Cotton, Kenneth
25 Doyle, Leticia Guadarrama, Alia Jeral, Lucas Kaster,

1 Ian Maitland, R. Lawrence Purdy, Sarah Sanchez,
2 Francisco Segovia, Will Stancil, and Nyagatare Valens.

3 With this motion, the Commission will also
4 appoint Velma Korbelt as the Chair of the Minnesota
5 Advisory Committee. All of these members will serve
6 as uncompensated government employees.

7 If the motion passes, the Commission will
8 authorize the Staff Director to execute the
9 appropriate paperwork for the appointments, which will
10 begin after the current committee expires. Do I have
11 a second to this motion?

12 COMMISSIONER KLADNEY: Kladney will
13 second.

14 CHAIR LHAMON: Thank you. I open the
15 floor for discussion. Hearing none, I'll call the
16 question and take a roll call vote. Commissioner
17 Adegbile, how do you vote?

18 COMMISSIONER ADEGBILE: Aye.

19 CHAIR LHAMON: Commissioner Gilchrist?

20 COMMISSIONER GILCHRIST: Aye.

21 CHAIR LHAMON: Commissioner Heriot?

22 COMMISSIONER HERIOT: I vote no, not
23 balanced.

24 CHAIR LHAMON: Commissioner Kirsanow?

25 COMMISSIONER KIRSANOW: No.

1 CHAIR LHAMON: Commissioner Kladney?

2 COMMISSIONER KLADNEY: Yes.

3 CHAIR LHAMON: Commissioner Yaki?

4 COMMISSIONER YAKI: Aye.

5 CHAIR LHAMON: And I vote yes. The motion
6 passes, two Commissioners opposed, no Commissioner
7 abstained, all others were in favor.

8 WASHINGTON ADVISORY COMMITTEE

9 CHAIR LHAMON: Our next agenda item, to
10 begin discussion, I move that the Commission appoint
11 the following individuals to the Washington Advisory
12 Committee based on the recommendation of the Staff
13 Director as interim appointments, Luzuiminda Carpenter
14 and Tony Benegas.

15 These members will serve as uncompensated
16 government employees. If the motion passes, the
17 Commission will authorize the Staff Director to
18 execute the appropriate paperwork for the appointments
19 which would begin immediately. Do I have a second for
20 this motion?

21 COMMISSIONER KLADNEY: Kladney will
22 second.

23 CHAIR LHAMON: Thank you. I open the
24 floor for discussion. I'll now call the question and
25 take a roll call vote. Commissioner Adegbile, how do

1 you vote?

2 COMMISSIONER ADEGBILE: Aye.

3 CHAIR LHAMON: Commissioner Gilchrist?

4 COMMISSIONER GILCHRIST: Aye.

5 CHAIR LHAMON: Commissioner Heriot?

6 COMMISSIONER HERIOT: I vote yes.

7 CHAIR LHAMON: Commissioner Kirsanow?

8 Commissioner Kirsanow?

9 COMMISSIONER KIRSANOW: No.

10 CHAIR LHAMON: Commissioner Kladney?

11 COMMISSIONER KLADNEY: Yes.

12 CHAIR LHAMON: Commissioner Yaki?

13 COMMISSIONER YAKI: Aye.

14 CHAIR LHAMON: And I vote yes. The motion

15 passes, one Commissioner opposed, no Commissioners

16 abstained, all others were in favor.

17 D. DISCUSSION AND VOTE ON ADMINISTRATIVE INSTRUCTION

18 5-7, ADVISORY COMMITTEE MEETINGS AND REPORTS

19 CHAIR LHAMON: Next, we will move to a

20 discussion and vote on a new Administrative

21 Instruction 5-7 on advisory committee meetings and

22 reports.

23 To begin discussion, I move that we

24 approve the document as circulated by the Staff

25 Director on June 1, 2020, with the amendment of

1 changing references to, quote, ACMU or the Advisory
2 Committee Management Unit to RPCU or the Regional
3 Programs Coordination Unit. Is there a second?

4 COMMISSIONER KLADNEY: Kladney will
5 second.

6 CHAIR LHAMON: Thank you. To continue
7 discussion, I offer a few points. This administrative
8 instruction has been tailored to more effectively
9 enable our staff to facilitate the work of the
10 advisory committees which report to us on the state of
11 civil rights from each of their individual
12 jurisdictions.

13 As our agency is continuing to cope with
14 budget challenges, and now as we navigate the unique
15 challenges of the COVID-19 pandemic, I am deeply
16 grateful for how proactive and productive our advisory
17 committees have been.

18 I thank David Mussatt, Supervisory Chief
19 of the Regional Programs Coordination Unit, and all of
20 our regional staff for their continued very hard work
21 in staffing 51 advisory committees, along with all of
22 our other staff who work to support these efforts as
23 well.

24 This administrative instruction we
25 consider today was the product of the bipartisan

1 working group with our staff, and I recognize the
2 compromises we were able to work out in this text.
3 Thank you to all for your work.

4 Any other discussion? Okay, I'll call the
5 question and take a roll call vote. Commissioner
6 Adegbile, how do you vote?

7 COMMISSIONER ADEGBILE: Aye.

8 CHAIR LHAMON: Commissioner Gilchrist?

9 COMMISSIONER GILCHRIST: Aye.

10 CHAIR LHAMON: Commissioner Heriot?

11 COMMISSIONER HERIOT: I vote yes.

12 CHAIR LHAMON: Commissioner Kirsanow?

13 COMMISSIONER KIRSANOW: Abstain.

14 CHAIR LHAMON: Commissioner Kladney?

15 COMMISSIONER KLADNEY: Yes.

16 CHAIR LHAMON: Commissioner Yaki?

17 COMMISSIONER YAKI: Aye.

18 CHAIR LHAMON: And I vote yes. The motion
19 passes, no Commissioner opposed, one Commissioner
20 abstained, all others were in favor.

21 E. DISCUSSION AND VOTE ON TIMELINES FOR SHORT-TERM
22 PROJECTS FOCUSED ON UPDATING THE COMMISSION'S 2018
23 REPORT TITLED BROKEN PROMISES AND THE 2018 REPORT ON
24 VOTING RIGHTS IN LIGHT OF THE COVID-19 PANDEMIC

25 CHAIR LHAMON: Next, we will move to a

1 discussion and vote on the timelines for our short-
2 term projects focused on updating the Commission's
3 2018 report titled, *Broken Promises*, and the 2018
4 report on Voting Rights in Light of the COVID-19
5 Pandemic.

6 To open the floor for discussion, I move
7 to approve the timelines as circulated by my special
8 assistant on Thursday, June 18. Is there a second?

9 COMMISSIONER KLADNEY: Kladney will
10 second.

11 CHAIR LHAMON: Thank you. To begin
12 discussion, I offer a few points. I was glad to work
13 with our colleagues across the aisle to come to a
14 compromise that would allow my fellow Commissioners to
15 submit statements to the voting rights report while
16 also moving toward a speedy publication to address the
17 urgent civil rights issues we face now in the
18 pandemic.

19 I had also hoped we could work out a
20 similar compromise for the Commission's update to our
21 *Broken Promises* report focusing on the pandemic's
22 impact on Native American communities, but I look
23 forward to issuing that report as soon as we can
24 nonetheless, and I am especially looking forward to
25 our virtual briefing on this topic when we next meet

1 on Friday, July 17.

2 For further discussion, I'll first turn to
3 Commissioner Adegbile as the lead sponsor of the
4 voting rights project. Commissioner Adegbile?

5 COMMISSIONER ADEGBILE: Thank you, Madam
6 Chair. I want to thank our special assistants for
7 facilitating the work that you described to come to an
8 understanding about a timeline that will enable us to
9 do this important work in a relevant time frame in
10 which it can be available for the public to consider
11 the issues in the area of voting as we head to an
12 important national election.

13 The compromise that we have reached, of
14 course, is not costless in terms of the timing of the
15 review period, and I am concerned that the current
16 timeline allows essentially a single week of
17 commissioner review for this substantive report, but
18 as you noted, Madam Chair, this is a system of
19 compromise.

20 I do caution the Commission that elevating
21 secondary and tertiary statements following our report
22 over the substance of the reports themselves sometimes
23 comes at a price, and we all must work to focus on the
24 core work of the Commission.

25 In light of the review period for

1 Commissioners and in order to make sure that there is
2 thorough review, I would like to suggest that this
3 report should be of a size and dimension that is
4 reviewable in a week.

5 And so I would like to suggest that this
6 report serves as an update, as opposed to a full
7 report, be no more than 50 pages so that we can go
8 through it carefully and be able to offer comments in
9 the shortened time frame that we have. Thanks very
10 much.

11 CHAIR LHAMON: Thank you. Any other
12 discussion? Okay, I'll call the question and take a
13 roll call vote. Commissioner Adegbile, how do you
14 vote?

15 COMMISSIONER ADEGBILE: Aye.

16 CHAIR LHAMON: Commissioner Gilchrist?

17 COMMISSIONER GILCHRIST: Aye.

18 CHAIR LHAMON: Commissioner Heriot?

19 COMMISSIONER HERIOT: I vote yes.

20 CHAIR LHAMON: Commissioner Kirsanow?

21 COMMISSIONER KIRSANOW: Yes.

22 CHAIR LHAMON: Commissioner Kladney?

23 COMMISSIONER KLADNEY: Yes.

24 CHAIR LHAMON: Commissioner Yaki?

25 COMMISSIONER YAKI: Aye.

1 CHAIR LHAMON: And I vote yes. The motion
2 passes unanimously.

3 F. DISCUSSION AND VOTE ON CONSIDERATION OF A
4 COMMISSION STATEMENT ENTITLED U.S. COMMISSION ON
5 CIVIL RIGHTS SUPPORTS POLICING REFORM MEASURES IN
6 THE JUSTICE IN POLICING ACT OF 2020

7 CHAIR LHAMON: Next, we will move to an
8 amended item on our agenda, consideration of a
9 Commission statement that Commissioner Kladney
10 proposes entitled, U.S. Commission on Civil Rights
11 Supports Policing Reform Measures in the Justice in
12 Policing Act of 2020.

13 So we know what we are considering, I'll
14 ask Commissioner Kladney to read the statement.

15 COMMISSIONER KLADNEY: Thank you, Madam
16 Chair. In lieu of reading the statement, which is two
17 pages long, I would move to adopt the statement
18 titled, The U.S. Commission on Civil Rights Supporting
19 Policing Reform Measures in the Justice in Policing
20 Act of 2020, as circulated by my special assistant on
21 Tuesday, June 16.

22 Before moving forward, I would like to
23 acknowledge our intern, Orlando Economos, for his
24 assistance in researching and drafting this statement.

25 As I said, the statement was circulated,

1 and I could read it if you like. It's just that it's
2 rather long. I don't know what the Chair's wish would
3 be on that.

4 CHAIR LHAMON: I yield to your judgment.
5 Thank you. Is there a second to this motion?

6 COMMISSIONER YAKI: Commissioner Yaki
7 seconds.

8 CHAIR LHAMON: Thank you. I open the
9 floor for discussion beginning with Commissioner
10 Kladney.

11 COMMISSIONER KLADNEY: Thank you, Madam
12 Chair. The measures in this bill are consistent with
13 our research on police use of force, and the findings
14 and recommendation we've adopted.

15 Our support of the Act's proposals would
16 increase police accountability such as ending
17 qualified immunity, calling for citizen review boards,
18 and body-worn cameras with strict policies for their
19 use.

20 It's very important legislation and it
21 targets better data collection, a serious deficiency
22 as we noted in our 2018 report, and includes that
23 grant funding should be withheld if departments don't
24 report police use of force violations.

25 I would note that over \$4 billion a year

1 are given in grant money to local police departments.
2 Funding for training is always important, and the Act
3 appropriately targets anti-bias training and training
4 on the duty to intervene for officers who see
5 wrongdoing.

6 I strongly support this bill and the
7 statement, and I hope that the Commissions sees it the
8 same. Thank you.

9 CHAIR LHAMON: Thank you, Commissioner
10 Kladney. Any further discussion? Okay, I'll call the
11 question and take a roll call vote. Commissioner
12 Adegbile, how do you vote?

13 COMMISSIONER ADEGBILE: Abstain.

14 CHAIR LHAMON: Commissioner Gilchrist?

15 COMMISSIONER GILCHRIST: Commissioner
16 Gilchrist abstains.

17 CHAIR LHAMON: Commissioner Heriot?

18 COMMISSIONER HERIOT: I probably should
19 have spoken up during the discussion about qualified
20 immunity. I think it's a big mistake to abolish
21 qualified immunity, so I vote no.

22 CHAIR LHAMON: Commissioner Kirsanow?

23 COMMISSIONER KIRSANOW: No.

24 CHAIR LHAMON: Commissioner Kladney?

25 COMMISSIONER KLADNEY: Yes.

1 CHAIR LHAMON: Commissioner Yaki?

2 COMMISSIONER YAKI: Aye.

3 CHAIR LHAMON: And I vote yes. The motion
4 fails, two Commissioners opposed, two Commissioners
5 abstained, and all others were in favor.

6 G. DISCUSSION AND VOTE ON COMMISSION STATEMENT
7 ENTITLED, U.S. COMMISSION ON CIVIL RIGHTS CALLS ON
8 TRUMP ADMINISTRATION TO REVISE REGULATIONS AND
9 ENFORCEMENT PRACTICES TO RECOGNIZE CIVIL RIGHTS
10 PROTECTIONS FOR LGBT AMERICANS AND COMPLY WITH THE
11 BOSTOCK DECISION

12 CHAIR LHAMON: Next, we will move to
13 another amended agenda item. This is consideration of
14 a Commission statement that I proposed entitled, U.S.
15 Commission on Civil Rights Calls on Trump
16 Administration to Revise Regulations and Enforcement
17 Practices to Recognize Civil Rights Protections for
18 LGBT Americans and Comply with the Bostock Decision.

19 Given the length of this statement, I will
20 summarize its contents rather than reading the full
21 statement. On Monday, June 15, 2020, the Supreme
22 Court ruled that Title VII of the Civil Rights Act of
23 1964 and its prohibition on employment discrimination
24 because of sex protects against discrimination on the
25 basis of sexual orientation and gender identity.

1 Given the Court's unequivocal holding, the
2 Trump administration must drop its repeated and
3 ongoing efforts to perpetuate discrimination on the
4 basis of sex with respect to sexual orientation and
5 gender identity.

6 Most urgently, the Department of Health
7 and Human Services must immediately rescind and revise
8 its recently announced regulation for Section 1557 of
9 the Patient Protection and Affordable Care Act.

10 The Department of Education Office of
11 Civil Rights must also rescind its May 15, 2020 letter
12 of impending enforcement action to various Connecticut
13 public school districts in the Connecticut
14 Interscholastic Athletic Conference regarding the
15 participation of transgender youth in school
16 athletics.

17 As we found in our 2019 report titled, Are
18 Rights a Reality? Evaluating Federal Civil Rights
19 Enforcement, in the Trump administration, several
20 federal civil rights offices have acted to interpret
21 statutory and regulatory language to not protect
22 against discrimination on the basis of gender identify
23 and to treat sex as exclusively assigned at birth.

24 But as the Supreme Court explained,
25 whatever definition of sex is appropriate, the

1 statutory prohibition against discrimination in its
2 basis must be given effect and, it is impossible to
3 discriminate against a person for being homosexual or
4 transgender without discriminating against that
5 individual based on sex. That is a quote.

6 In addition to HHS's new rule under
7 Section 1557 and ED OCR's enforcement actions, news
8 reports indicate that the Trump administration has
9 still further plans to implement its dangerously
10 inaccurate interpretation of the law.

11 The Department of Housing and Urban
12 Development intends to instruct single-sex homeless
13 shelters that they may deny persons on the basis of
14 biological sex rather than self-identified gender.

15 In short, the Trump administration has
16 been wrong to perpetrate civil rights harms on
17 Americans whose rights it is sworn and statutorily
18 bound to protect. It must act without delay to right
19 those grievous wrongs and fulfill its responsibility
20 to enforce civil rights law rather than, as the
21 Supreme Court elegantly decried it, quote, neglect the
22 promise that all persons are entitled to the benefit
23 of the law's terms, end quote.

24 COMMISSIONER HERIOT: I am going to vote
25 no on this. I think it's a remarkable

1 misinterpretation of the Supreme Court's actions, but
2 rather than talk at length, I'm too sleepy. It's
3 still early in the morning.

4 I would refer members of the Commission to
5 the amicus brief written and submitted by Commissioner
6 Kirsanow and I in our private capacity to the Supreme
7 Court in the earlier case involving transgender issues
8 and bathrooms, locker rooms, and showers.

9 This is a hyper-textual interpretation of
10 the law, but which, you know -- that's what it is, but
11 that actually bolsters the argument that Commission
12 Kirsanow and I made in our brief, and so I think that
13 this is really a misinterpretation, so I vote no.

14 CHAIR LHAMON: Any further discussion?

15 COMMISSIONER YAKI: Commissioner Yaki
16 here.

17 CHAIR LHAMON: Commissioner Yaki?

18 COMMISSIONER YAKI: Yes, Commissioner
19 Lhamon, I wanted to thank you for your leadership on
20 this statement. I was working in Congress when the
21 first version was introduced in 1994, and it was
22 because, even though we felt that the plain language
23 of the statute covered LGBTQ members, Congress felt
24 that need to do it.

25 The decision by the Supreme Court, I

1 think, vindicates the intent and the spirit in the
2 letter of Title VII and its use as an enforcement
3 mechanism under Section 5 of the 14th Amendment.

4 And I would just like to say that there
5 are many other facets of the Civil Rights Act that I
6 believe this decision will affect, and I hope that its
7 ripple effect will continue to be felt in other areas
8 as well. Thank you.

9 CHAIR LHAMON: Thank you, Commissioner
10 Yaki. Any further discussion?

11 COMMISSIONER KIRSANOW: Madam Chairperson,
12 I'm here.

13 CHAIR LHAMON: Commissioner Kirsanow?

14 COMMISSIONER KIRSANOW: Thank you. I'm
15 going to vote no. I would vote yes if this statement
16 were exhorting the implementation of a court
17 interpretation of the law as passed by Congress, if
18 the American people, through their elected
19 representatives, decided that Title VII or Title IX
20 should go into discrimination based on gender identity
21 or orientation. The Supreme Court's decision has been
22 the profound usurpation of legislative authority, and
23 so I don't support this statement then.

24 But under our system of government, we've
25 got three critical branches. Congress makes the law.

1 Courts interpret the law in the case of controversy,
2 and the executive applies the law.

3 In this case, I'm sorry to say the Court
4 usurped the legislative authority and the executive
5 branch shouldn't be compounding that usurpation by
6 acting as if the legislature passed a new law, so I
7 will be voting no.

8 CHAIR LHAMON: Thank you. Any further
9 discussion?

10 COMMISSIONER HERIOT: Madam Chair?

11 CHAIR LHAMON: Commissioner Heriot?

12 COMMISSIONER HERIOT: Maybe I should make
13 the point more explicitly here. You know, the recent
14 decision of the Supreme Court is not that Title VII
15 disallows discrimination on the basis of gender
16 identity. It's that it disallows discrimination on
17 the basis of sex, which of course is true. That's
18 what it does.

19 They look at this and they say a
20 transgender woman, the sex of such a person is in fact
21 a male, and therefore it is discrimination to say we
22 would have hired this person given their feminine
23 characteristics if that person was a female, but not
24 if they're male.

25 So, implicit in the decision is that a

1 transgender woman for the purposes of determining sex
2 is male, and a transgender person, a transgender male,
3 a transgender man I would say, for the purposes of sex
4 discrimination is a female.

5 But the problem here with all of the cases
6 that are being cited, all of the situations that are
7 being cited in the statement is that they're applying
8 this to things like bathrooms where there, under Title
9 IX, of course, was an explicit authorization for
10 separating people by sex.

11 And so it just doesn't work. The hyper-
12 textualism gives you the opposite result in those
13 cases than what you're thinking. Again, I would refer
14 you to the brief that Commissioner Kirsanow and I
15 wrote, but it's not the same issue.

16 CHAIR LHAMON: Any further discussion?
17 I'll call the question and take a roll call vote.
18 Commissioner Adegbile, how do you vote?

19 COMMISSIONER ADEGBILE: Aye.

20 CHAIR LHAMON: Commissioner Gilchrist?

21 COMMISSIONER GILCHRIST: Commissioner
22 Gilchrist abstains.

23 CHAIR LHAMON: Commissioner Heriot?

24 COMMISSIONER HERIOT: I vote no.

25 CHAIR LHAMON: Commissioner Kirsanow?

1 COMMISSIONER KIRSANOW: For the reasons I
2 mentioned and those contained in Justice Alito's
3 dissent, I vote no.

4 CHAIR LHAMON: Commissioner Kladney?

5 COMMISSIONER KLADNEY: Yes.

6 CHAIR LHAMON: Commissioner Yaki?

7 COMMISSIONER YAKI: In one of those rare
8 moments where I have agreed with the Supreme Court in
9 the last 10 years, aye.

10 CHAIR LHAMON: And I vote yes. The motion
11 passes, two Commissioners opposed, one Commissioner
12 abstained, all others were in favor.

13 I understand that my distillation of our
14 last vote was incorrect. I said that the motion had
15 failed, and apparently it succeeded. I'll invite our
16 General Counsel to explain my error, and I appreciate
17 the correction. Madam General Counsel?

18 MS. RUDOLPH: Thank you, Madam Chair. I
19 believe the vote on the policing legislation was three
20 yeses, two nos, and two abstentions. According to our
21 administrative instructions, statements on civil
22 rights matters must be approved by a majority vote of
23 the Commission.

24 We start then with a denominator of seven
25 because there are seven Commissioners. The two

1 abstentions reduced the denominator to five. So, the
2 vote would be three in favor out of five, which allows
3 for the passage of the statement.

4 CHAIR LHAMON: Thank you very much, Madam
5 General Counsel, and I will say in my other life, I am
6 General Counsel, and so I especially appreciate the
7 wisdom and the benefits of having General Counsel
8 advise us.

9 H. UPDATE FROM STAFF DIRECTOR ON VIRTUAL BRIEFING

10 CHAIR LHAMON: Next, we will hear from
11 Staff Director Morales about updated information on
12 virtual briefings before the Commission.

13 MR. MORALES: Madam Chair, thank you very
14 much for this opportunity to update Commissioners. I
15 want to let them know that we are still on target for
16 the July 17 virtual briefing to commence at 10:00 a.m.
17 We have engaged a contractor who is assisting us in
18 moving all of the logistical and technical components
19 forward.

20 One of the things I want to inform
21 Commissioners is making sure that the link that the
22 public will click on to see the virtual briefing is
23 seamless and will be seamless, so they'll only need to
24 click on one link to join that briefing.

25 I understand the Commissioners' desire an

1 additional hour for potential Commission business
2 unrelated to the briefing, so we're working through
3 that issue as well.

4 And we're waiting to hear back from the
5 special assistants on the visual facing the public, in
6 other words, what the public will see when they're
7 looking at their screens, how the Commissioners and
8 how it will look like when people are looking at it,
9 you know, how all of the Commissioners will be arrayed
10 and how will the speakers be arrayed, and so we're
11 working through that with your special assistants.

12 And finally, we're working with the
13 special assistants to determine a date for a dress
14 rehearsal test so that Commissioners will have a
15 familiarity with how it will look and how it will be,
16 and will be able to, you know, practice or test it
17 prior to the date for the virtual briefing. So,
18 that's all I have on that, Madam Chair.

19 CHAIR LHAMON: Thank you, Mr. Staff
20 Director.

21 COMMISSIONER YAKI: Madam Chair? This is
22 Commissioner Yaki.

23 CHAIR LHAMON: Go ahead, Commissioner
24 Yaki.

25 COMMISSIONER YAKI: Yeah, I would just

1 state to the Staff Director that, one thing to just
2 double check is ensuring that whatever system we may
3 have or install, that the vendor understands that
4 there may be different systems. Some people may have
5 PCs. Some people may have Macs.

6 Some people may decide to do it on their
7 iPhone, and sometimes the software is different for
8 each one. The way that the different prompts and
9 screens would show up are different between each
10 system, and to make sure that whenever the dress
11 rehearsal is, in preparatory that takes that into
12 account.

13 We had experienced that when we did a
14 virtual meeting of the Board of Advisors on the
15 Commission where it was discovered after the dress
16 rehearsal that in fact sometimes Zoom had different
17 widgets depending on what kind of system you actually
18 are operating at the time.

19 MR. MORALES: Thank you, Commissioner
20 Yaki. Yeah, that's a very valid point. My
21 understanding at this point is that the system that
22 we're engaged with is accessible by all software
23 platforms, but we'll verify that for you and for all
24 Commissioners.

25 COMMISSIONER YAKI: Yeah, and they may be

1 accessible, but the menus may change depending upon
2 what system you're on, so if you speak one common
3 language and say, hit the raise your hand button, or
4 whatever, it may appear on some computers, but not on
5 others, so that's just a thing to watch out for.

6 MR. MORALES: Thank you, Commissioner
7 Yaki.

8 CHAIR LHAMON: Any other questions or
9 comments for the Staff Director on this topic?

10 I. MANAGEMENT AND OPERATIONS

11 STAFF DIRECTOR'S REPORT

12 CHAIR LHAMON: Then we can turn to the
13 next item on our agenda which is to hear again from
14 Staff Director Morales about management and
15 operations.

16 MR. MORALES: Thank you, Madam Chair. I
17 sent a staff director's report two weeks ago for the
18 last business meeting. I did not prepare one for this
19 business meeting given the short window here and not,
20 you know, too much has changed since the last staff
21 director's report, but I will have one for our meeting
22 in July.

23 And as always, I want to just remind
24 Commissioners and let them know that I'm always
25 available to speak to any Commissioner about any

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matter of concern and operation here with the
Commission, so thank you very much.

CHAIR LHAMON: Thank you, Mr. Staff
Director. That concludes the business on the agenda
for today's business meeting.

III. ADJOURN MEETING

CHAIR LHAMON: If there is nothing
further, I hereby adjourn the meeting at 10:54 a.m.
Eastern Time. Thank you, all, and again, Happy
Juneteenth.

(Whereupon, the above-entitled matter went
off the record at 10:54 a.m.)

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C E R T I F I C A T E

This is to certify that the foregoing transcript

In the matter of: Business Meeting

Before: USCCR

Date: 06-19-20

Place: teleconference

was duly recorded and accurately transcribed under my direction; further, that said transcript is a true and accurate record of the proceedings.



Court Reporter

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