

U.S. COMMISSION ON CIVIL RIGHTS

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TELEPHONIC COMMISSION MEETING

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FRIDAY, JANUARY 28, 2011

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The Commission convened via teleconference at 11:30 a.m., Abigail Thernstrom, Vice Chair, presiding.

PRESENT:

ABIGAIL THERNSTROM, Vice Chair
ROBERTA ACHTENBERG, Commissioner
MARTY R. CASTRO, Commissioner
TODD F. GAZIANO, Commissioner
GAIL L. HERIOT, Commissioner
PETER N. KIRSANOW, Commissioner
DINA TITUS, Commissioner
CHRISTOPHER BYRNES, Delegated the
Authority of the Staff Director

STAFF PRESENT:

IVY DAVIS
PAMELA A. DUNSTON, Chief, ASCD
LATRICE FOSHEE
TINA LOUISE MARTIN
PETER MINARIK, Acting Chief, RPCU
LENORE OSTROWSKY, Acting Chief, RPCU
JOHN RATCLIFFE, Chief, Budget and
Finance
EILEEN RUDERT
KIMBERLY TOLHURST
AUDREY WRIGHT

COMMISSIONER ASSISTANTS PRESENT:

NICHOLAS COLTEN

ALEC DEULL

TIM FAY

DOMINIQUE LUDVIGSON

JOHN MARTIN

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P R O C E E D I N G S

11:43 A.M.

OPERATOR: Good morning. My name is Melissa, and I will be your conference operator today. At this time, I would like to welcome everyone to the Commission meeting for January 28th, 2011. All lines have been placed on mute to prevent any background noise.

After the speaker's remarks, there will be a question and answer session. If you would like to ask a question during this time, simply press star, then the number one on your telephone keypad. If you would like to withdraw your question, press the pound key. Thank you.

I would now like to turn the call over to Abigail Thernstrom. You may begin your conference.

VICE CHAIR THERNSTROM: Thanks very much, and good morning, everybody. I am Abigail Thernstrom, the Vice Chair of the U.S. Commission on Civil Rights, and this is a meeting that was supposed to be held -- we're a little late -- at 11:30 Eastern Standard

1 Time on January 28th, 2011.

2 We're having -- sorry, I have not
3 gotten my mic hooked up. We're having a
4 telephonic meeting with all Commissioners
5 participating from different locations. And I
6 will call the name of each Commissioner in
7 order to determine if there is a quorum to
8 hold a meeting. I am obviously here.
9 Commissioner Gaziano?

10 COMMISSIONER GAZIANO: Here, on
11 the phone.

12 VICE CHAIR THERNSTROM:
13 Commissioner Kirsanow?

14 COMMISSIONER KIRSANOW: Here.

15 VICE CHAIR THERNSTROM:
16 Commissioner Heriot?

17 COMMISSIONER HERIOT: Here.

18 VICE CHAIR THERNSTROM:
19 Commissioner Titus?

20 COMMISSIONER TITUS: Here.

21 VICE CHAIR THERNSTROM:
22 Commissioner Achtenberg?

23 COMMISSIONER ACHTENBERG: Here.

24 VICE CHAIR THERNSTROM:
25 Commissioner Castro?

1 COMMISSIONER CASTRO: Here.

2 VICE CHAIR THERNSTROM: A quorum
3 of the Commissioners is present. Is the
4 person delegated the authority of the Staff
5 Director present?

6 MR. BYRNES: I am.

7 VICE CHAIR THERNSTROM: And is the
8 court reporter on the line?

9 THE COURT REPORTER: Hi, this is
10 the court reporter. I am on the line, and I'd
11 like to remind everyone to please state your
12 name before you make a comment, so that I can
13 identify the speakers.

14 VICE CHAIR THERNSTROM: Okay,
15 folks. Some of you know, the internet is down
16 at the Commission. And as a result, we have
17 been unable to circulate important documents
18 among the Commissioners on the phone today.
19 Those of you who have been with me for quite
20 some time know that I have continually
21 objected to holding meetings in which there
22 are votes on matters that I have not had the
23 proper paperwork to contemplate, on the basis
24 of which I can contemplate what is being
25 proposed.

1 And therefore, after receiving
2 input from several Commissioners on this
3 point, I move that we postpone today's agenda
4 until February 11th. Do I have a second to
5 that motion?

6 COMMISSIONER ACHTENBERG: Second.

7 VICE CHAIR THERNSTROM: Who is
8 speaking? Who has seconded it?

9 COMMISSIONER ACHTENBERG:
10 Commissioner Achtenberg.

11 VICE CHAIR THERNSTROM: Any
12 discussion?

13 COMMISSIONER HERIOT: This is Gail
14 Heriot. Can I get a clarification on that?
15 We're moving this, in addition to the other
16 work that's already scheduled for the 11th?

17 VICE CHAIR THERNSTROM: That's
18 correct. We will just add it to the February
19 11th.

20 COMMISSIONER GAZIANO: Vice Chair,
21 this is Commissioner Gaziano speaking, by the
22 way. Is it possible that we could at least
23 take up the State Advisory Committee issues?
24 I know that Senator Leahy and the Vermont SAC
25 would probably prefer us to act on that, if we

1 can. If you think that that's unwise, that's
2 fine.

3 VICE CHAIR THERNSTROM: I think
4 it's unwise. And we're talking about a two
5 week wait here. We can wait for two weeks.
6 And by the way, just for clarification, for
7 Commissioner Heriot, we are adding it to the
8 business meeting, obviously. Today's agenda,
9 obviously, to the business meeting on the
10 11th, which is part of our agenda on the 11th.

11 So, any further discussion?
12 Because I'm just going to call the vote if
13 not. All in favor of the postponement?

14 COMMISSIONER KIRSANOW: Kirsanow,
15 aye.

16 (Chorus of ayes)

17 MR. BYRNES: Could they please
18 identify themselves?

19 COMMISSIONER TITUS: Titus, aye.

20 COMMISSIONER GAZIANO: Gaziano,
21 aye.

22 COMMISSIONER CASTRO: Castro, aye.

23 COMMISSIONER ACHTENBERG:
24 Achtenberg, aye.

25 VICE CHAIR THERNSTROM: Am I

1 missing anybody here?

2 COMMISSIONER ACHTENBERG: Just you.

3 VICE CHAIR THERNSTROM: Well, I
4 obviously vote aye. Okay. With that vote,
5 our meeting is adjourned.

6 (Whereupon, the above-entitled
7 meeting was adjourned at 11:48 A.M.)

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A	CHRISTOPHER 1:13 circulate 5:17 Civil 1:1 3:23 clarification 6:14 7:6 COLTEN 2:2 comment 5:12 Commission 1:1,3 1:7 3:6,23 5:16 Commissioner 1:10,11,11,12,12 1:13 2:1 4:6,9,10 4:13,14,16,17,19 4:20,22,23,25 5:1 6:6,9,10,13,20,21 7:7,14,19,20,22 7:23 8:2 Commissioners 4:4 5:3,18 6:2 Committee 6:23 conference 3:4,19 contemplate 5:23 5:24 continually 5:20 convened 1:7 correct 6:18 court 5:8,9,10	everybody 3:21	F	F 1:11 favor 7:13 FAY 2:3 February 6:4,18 Finance 1:19 fine 7:2 folks 5:15 FOSHEE 1:17 FRIDAY 1:5 further 7:11	L	KIMBERLY 1:20 Kirsanow 1:12 4:13,14 7:14,14 know 5:15,20 6:24	operator 3:3,5 order 4:7 OSTROWSKY 1:18
Abigail 1:7,10 3:18 3:22 above-entitled 8:6 Achtenberg 1:10 4:22,23 6:6,9,10 7:23,24 8:2 act 6:25 Acting 1:18,18 add 6:18 adding 7:7 addition 6:15 adjourned 8:5,7 Advisory 6:23 agenda 6:3 7:8,10 ALEC 2:2 answer 3:11 anybody 8:1 ASCD 1:16 ASSISTANTS 2:1 AUDREY 1:21 authority 1:14 5:4 aye 7:15,19,21,22 7:24 8:4 eyes 7:16 a.m 1:7 3:2 8:7	D	G	M	P			
B	D 3:1 DAVIS 1:16 delegated 1:13 5:4 determine 4:7 DEULL 2:2 different 4:5 DINA 1:13 Director 1:14 5:5 discussion 6:12 7:11 documents 5:17 DOMINIQUE 2:3 DUNSTON 1:16	H	M MARTIN 1:17 2:4 MARTY 1:11 matters 5:22 meeting 1:3 3:6,24 4:4,8 7:8,9 8:5,7 meetings 5:21 Melissa 3:4 mic 4:3 MINARIK 1:18 missing 8:1 morning 3:3,21 motion 6:5 move 6:3 moving 6:15 mute 3:8	P 3:1 PAMELA 1:16 paperwork 5:23 part 7:10 participating 4:5 person 5:4 PETER 1:12,18 phone 4:11 5:18 placed 3:8 please 5:11 7:17 point 6:3 possible 6:22 postpone 6:3 postponement 7:13 pound 3:15 prefer 6:25 present 1:9,15 2:1 5:3,5 presiding 1:8 press 3:13,15 prevent 3:8 probably 6:25 proper 5:23 proposed 5:25			
C	E	I	N	Q			
C 3:1 call 3:17 4:6 7:12 Castro 1:11 4:25 5:1 7:22,22 Chair 1:8,10 3:20 3:22 4:12,15,18 4:21,24 5:2,7,14 6:7,11,17,20 7:3 7:25 8:3 Chief 1:16,18,18,19 Chorus 7:16	E 3:1,1 Eastern 3:25 EILEEN 1:20	identify 5:13 7:18 important 5:17 input 6:2 internet 5:15 issues 6:23 IVY 1:16	N 1:12 3:1 name 3:3 4:6 5:12 NICHOLAS 2:2 noise 3:9 number 3:13	question 3:11,12,15 quite 5:19 quorum 4:7 5:2			
		J	O	R			
		January 1:5 3:7 4:1 JOHN 1:19 2:4	O 3:1 objected 5:21 obviously 4:8 7:8,9 8:4 Okay 5:14 8:4	R 1:11 3:1 RATCLIFFE 1:19 receiving 6:1 remarks 3:10 remind 5:11 reporter 5:8,9,10 result 5:16 Rights 1:1 3:23 ROBERTA 1:10 RPCU 1:18,18 RUDERT 1:20			
		K					
		key 3:15 keypad 3:14					

<p style="text-align: center;">S</p> <p>S 3:1 SAC 6:24 scheduled 6:16 second 6:4,6 seconded 6:8 Senator 6:24 session 3:11 simply 3:13 sorry 4:2 speakers 5:13 speaker's 3:10 speaking 6:8,21 Staff 1:14,15 5:4 Standard 3:25 star 3:13 state 5:11 6:23 supposed 3:24</p> <hr/> <p style="text-align: center;">T</p> <p>take 6:23 talking 7:4 teleconference 1:7 telephone 3:14 telephonic 1:3 4:4 Thank 3:16 Thanks 3:20 Thernstrom 1:8,10 3:18,20,22 4:12 4:15,18,21,24 5:2 5:7,14 6:7,11,17 7:3,25 8:3 think 7:1,3 TIM 2:3 time 3:5,12 4:1 5:20 TINA 1:17 Titus 1:13 4:19,20 7:19,19 today 3:5 5:18 today's 6:3 7:8 TODD 1:11 TOLHURST 1:20 turn 3:17 two 7:4,5</p> <hr/> <p style="text-align: center;">U</p>	<p>unable 5:17 unwise 7:1,4 U.S 1:1 3:22</p> <hr/> <p style="text-align: center;">V</p> <p>Vermont 6:24 Vice 1:8,10 3:20,22 4:12,15,18,21,24 5:2,7,14 6:7,11,17 6:20 7:3,25 8:3 vote 7:12 8:4,4 votes 5:22</p> <hr/> <p style="text-align: center;">W</p> <p>wait 7:5,5 way 6:22 7:6 week 7:5 weeks 7:5 welcome 3:6 we're 3:24 4:2,3 6:15 7:4 withdraw 3:15 work 6:16 WRIGHT 1:21</p> <hr/> <p style="text-align: center;">1</p> <p>11th 6:4,16,19 7:10 7:10 11:30 1:7 3:25 11:43 3:2 11:48 8:7</p> <hr/> <p style="text-align: center;">2</p> <p>2011 1:5 3:7 4:1 28 1:5 28th 3:7 4:1</p>			
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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: Telephonic Commission Meeting

Before: US Commission Civil Rights

Date: 01-28-11

Place: Washington, DC

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



Court Reporter

NEAL R. GROSS

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