The Commission convened via teleconference at 11:30 a.m., GERALD A. REYNOLDS, Chairman, presiding.

PRESENT:

GERALD A. REYNOLDS, Chairman
TODD GAZIANO, Commissioner
GAIL L. HERIOT, Commissioner
PETER N. KIRSANOW, Commissioner
ASHLEY L. TAYLOR, JR., Commissioner
MICHAEL YAKI, Commissioner
MARTIN DANNENFELSER, Staff Director

STAFF PRESENT:

DAVID BLACKWOOD, General Counsel, OGC
CHRISTOPHER BYRNE, Chief, Programs Coordination Unit
PETER MINARIK, Chief, RPCU
LENORE OSTROWSKY
EILEEN RUDERT
AUDREY WRIGHT

COMMISSIONER ASSISTANTS PRESENT:

NICHOLAS COLTEN
ALEC DEULL
TIM FAY
JOHN MARTIN
ALISON SCHMAUCH
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THE OPERATOR: Good morning, everyone. My name is Andrea. And I will be your conference operator today at this time. I would like to welcome everyone to the U.S. Commission on Civil Rights teleconference today, on July 30th, 2010. All lines have been placed on mute to prevent any background noise. If you should need assistance during the call, please press *, then 0. And an operator will come back on line to assist you. Thank you.

I would now like to turn the call over to our host, Mr. Gerald Reynolds, Chairperson. Please go ahead, sir.

CHAIRMAN REYNOLDS: Good morning. The meeting will come to order. This is a telephonic meeting of the U.S. Commission on Civil Rights. It is 11:35 a.m. Eastern Standard Time on July 30th, 2010 with commissioners participating from different locations.

I will call the name of each commissioner in order to determine if there is a quorum to hold the meeting. Vice Chair Thernstrom?

(No response.)

CHAIRMAN REYNOLDS: Commissioner Gaziano?
COMMISSIONER GAZIANO:  Here.
CHAIRMAN REYNOLDS:  Commissioner Kirsanow?
COMMISSIONER KIRSANOW:  Here.
CHAIRMAN REYNOLDS:  Commissioner Heriot?
COMMISSIONER HERIOT:  Here.
CHAIRMAN REYNOLDS:  Commissioner Melendez?
(No response.)
CHAIRMAN REYNOLDS:  Commissioner Yaki?
COMMISSIONER YAKI:  Aye.
CHAIRMAN REYNOLDS:  Commissioner Taylor?
COMMISSIONER TAYLOR:  Here.
CHAIRMAN REYNOLDS:  Okay. We have a
quorum. Is the Staff Director present?
STAFF DIRECTOR DANNENFELSER:  Present.
CHAIRMAN REYNOLDS:  Is the Court Reporter
on the line?
THE REPORTER:  I'm here.
CHAIRMAN REYNOLDS:  Okay. And do we have
a General Counsel?
MR. BLACKWOOD:  Yes.
CHAIRMAN REYNOLDS:  Okay. Good. Folks,
usual rules. If you want to make a statement, please
identify yourself by name. When it is necessary to
take a vote, I will call out each one's name. Respond
by saying, "Yes," "No," or "Abstain." After the
voting has concluded, I will read out a tally of the votes just to confirm that the tally is correct.

I. APPROVAL OF AGENDA

CHAIRMAN REYNOLDS: I move that we approve the agenda. Is there a second?


CHAIRMAN REYNOLDS: Discussion?

(No response.)

II. NEW BLACK PANTHER PARTY ENFORCEMENT PROJECT

CHAIRMAN REYNOLDS: Okay. First up is the New Black Panther Party Enforcement Project. We would like to get an update from the General Counsel. I'm sorry? I'm sorry? David, are you on speakerphone? I'm having difficulty hearing you.

MR. BLACKWOOD: No. Can you hear me now?

CHAIRMAN REYNOLDS: Yes, I can.

MR. BLACKWOOD: I was just informed that there were no votes on the agenda.

CHAIRMAN REYNOLDS: What do you mean by "vote"?

COMMISSIONER HERIOT: We didn't vote.

CHAIRMAN REYNOLDS: Oh, oh, oh, oh. Okay. I'm getting ahead of myself. All those in favor, please say aye.

(Whereupon, there was a chorus of "Ayes.")
CHAIRMAN REYNOLDS: Objections?
(No response.)
CHAIRMAN REYNOLDS: Abstentions?
(No response.)
CHAIRMAN REYNOLDS: The vote was unanimous. Mr. Blackwell?
MR. BLACKWOOD: This is David Blackwood. With regard to the Black Panther matter, we are --
COMMISSIONER YAKI: Did you just call him Mr. Blackwell, Mr. Chair?
CHAIRMAN REYNOLDS: Yes.
COMMISSIONER YAKI: Are you working on the best and worst dressed list of commissioners or something that we don't know about?
CHAIRMAN REYNOLDS: No. This is in honor of a former colleague whose last name is Blackwell, whom I confused just now with Mr. Blackwood.
MR. BLACKWOOD: Still here. We are in the process of drafting the report to provide you guidance about where and how we are proceeding. The draft report is more in the nature of a just the facts report. Because of the nature of the evidence and what has and has not been provided, the report is --
THE REPORTER: This is the Court Reporter. I am having a hard time hearing him.
COMMISSIONER YAKI: I can only hear every other word that he's saying as well.

CHAIRMAN REYNOLDS: Okay. David, if you're using a speakerphone, can you pick up the phone?

MR. BLACKWOOD: I'm not using a -- I'll just hold the -- is that better?

CHAIRMAN REYNOLDS: Yes.

MR. BLACKWOOD: All right. It's the microphone. I'll just hold it closer.

So, again, just the guidance with regard to how we are going to draft the report, the report itself is going to be along the lines of what I would call a just the facts report. It's more in the nature of what evidence we have collected, what evidence remains, what questions remain.

I want to emphasize to everyone that everyone, commissioners and specialist assistants, have all the same information that the Office of General Counsel has. If anybody feels that there is anything that they don't have or --

COMMISSIONER YAKI: David? David? David? When you start going a little faster, your words just start clicking out. That is Commissioner Yaki saying
this. I don't know if anyone else is having the same problem.

COMMISSIONER HERIOT: I'm having the same problem.

MR. BLACKWOOD: I've switched microphones. Is this better?

CHAIRMAN REYNOLDS: Okay. David?

COMMISSIONER GAZIANO: Speak slowly and enunciate.

MR. BLACKWOOD: I will do my best. I'll back up a little bit to where I was, which was that I want to emphasize that we have tried to provide, and I believe we have, all of the information that the Office of General Counsel, all the special systems has --

COMMISSIONER YAKI: In the case of Mr. Court Reporter -- I mean, all of the sudden, he's fine for like the first ten seconds. And then it just keeps getting static-y.

CHAIRMAN REYNOLDS: Okay, folks. To the extent you have cell phones near the phone, please remove all of your electronics. And just move them away from the phone. Maybe that's the cause of the interference.

MR. BLACKWOOD: Okay.
CHAIRMAN REYNOLDS: Okay, David. Let's plow through. Let's --

COMMISSIONER YAKI: Mr. Chair, for the purposes of this report, can't he pick up a land line?

COMMISSIONER GAZIANO: He'd have to dial in, but that might be better.

MR. BLACKWOOD: Can you hear me now? Is this clearer?

CHAIRMAN REYNOLDS: David, you start off clear, but it doesn't last.

MR. BLACKWOOD: I'm about as close to the telephone and the microphone as I can get.

CHAIRMAN REYNOLDS: Okay. You may have to just speak directly into the phone, but let's proceed and see how it goes.

MR. BLACKWOOD: Okay. I am using the direct phone.

CHAIRMAN REYNOLDS: Excellent. Let's roll.

MR. BLACKWOOD: All right. Very quickly, to reiterate, we're trying to do this report as a just the facts report. Here are the allegations. Here are the comments. This is the information we have collected.
I wanted to emphasize that we have tried and I believe successfully providing all of the information that the Office of General Counsel has collected, that each of the commissioners and their special assistants has this same information. To the extent anybody has any question or doubts about whether they have received a particular piece of information, please just let us know. But our records show that we have sent out everything as we have collected it to each of the commissioners and each of the special assistants.

This year, given the nature of the report and the fact that it is running overlong, it is our intention to publish this report by posting. That is definitely the trend of other agencies. And it is something I have resisted in the past. But, frankly, it is the way that things are developing.

So what we intend to do is publish the report online, then run off a couple of thousand copies to make it available in writing if anybody wants it that way. But people will be able to access it by our website.

We're also doing something slightly different than we have in the past, which is to include as many links as we can in the report. So the
The report itself will be approximately 20 to 30 pages at most because it is merely a summary of the evidence that we have collected.

At this stage also I would indicate that I do not anticipate staff drafting any findings or recommendations given the nature of the evidence and the status of the evidence that we have. If anybody feels differently about that, please let me know, but at this stage, I don't anticipate including any findings and recommendations.

As far as the nature of the evidence, everyone has seen the most recent letter, again requesting that Mr. Coates testify before the Commission. In the event that we receive an answer, I will let everyone know.

CHAIRMAN REYNOLDS: Okay. Mr. General Counsel, I proposal that we have the following time line for the completion of the report. You would provide the commissioners with the first draft by August 13th.

Commissioners would have comments back to you by the 5th of September. There would be a vote on
September 24th. And that would entail having in-person meeting on that date and changing the current in-person meeting that we have scheduled for September 10th, making that a teleconference.

And then the two other items are our statements would be due on October 23rd and rebuttals on November 23rd.

My question to you is, is that timeline -- well, do you have any concerns with that timeline?

MR. BLACKWOOD: No. I think we can meet that timeline, especially with the fact that we're posting online. It should be noted, though, that that will put us over our traditional deadline of trying to complete the report by the end of the fiscal year.

CHAIRMAN REYNOLDS: Yes.

MR. BLACKWOOD: But realistically and to keep the comment time for the commissioners in full, this is what we would have to do.

CHAIRMAN REYNOLDS: Okay. Also, as I said, this would entail changing the current meeting schedule that we have. So at this time -- well, I'll open up the floor at this point for other commissioners to, you know, ask questions or provide comments.
COMMISSIONER GAZIANO: This is Commissioner Gaziano. If I could speak first to that? I have a couple of questions for the General Counsel, but there's one other date that I'm going to just throw out that maybe should be added. And that is the date in which the General Counsel will incorporate all of the comments from commissioners and send out a second version in time for us to study.

Mr. General Counsel, can you rightly do that in five to seven days and get something back out to us September 10 or September 12?

MR. BLACKWOOD: I believe so.

COMMISSIONER GAZIANO: Okay. Let's build into the schedule, then, either September 10 to 12 a return date. That would give us approximately 12 days to review it and note any typos or any other things.

The question I had, I suppose, to the General Counsel is links sound very good. I like them for the internet. But links, particularly if they're not our links, may die. Even some of our links might not.

And so I would just like some further consideration of whether for the printed version we ought not to provide at least key documents and maybe
several of them, but I'm sure that there may be many
links that aren't that important.

What is your thought on that?

MR. BLACKWOOD: We're aware of that issue
as far as items that are not on our website. We have
many items that are hard copy. And to the extent that
copyright is not an issue, we will post those. Other
items there is a risk that some will expire,
especially with regard to the Black Panthers. That's
why we have tried to capture them on disk to the
extent that we can.

With regard to, for example, the National
Geographic items, we had an explicit waiver for a
one-time use. And I will have to try to see if I can
get that extended. That may not be possible, but we
will certainly be able to have the disk available for
the public. As in our past reports, you know, if
somebody comes to the library and wants to see the
hard copies, all of that would be available.

COMMISSIONER GAZIANO: I am certainly no
expert in copyright. So I would like to kind of look
into that further in another issue, but I would
imagine evidence we have subpoenaed and if we need to
subpoena, let's subpoena it for an official federal
government inquiry. I wonder if there isn't some
exception to copyright. But I hope that if it's not an issue, that we don't make it an issue.

CHAIRMAN REYNOLDS: Okay. Other questions?

(No response.)

CHAIRMAN REYNOLDS: Okay. Hearing none, I would like to move to change the scheduled September 24th teleconference to an in-person meeting as well as change the September 10th in-person meeting to a teleconference. Is there a second?

And that's needed to maintain the schedule in that right now we're scheduled to vote on the report on the 24th. And we need to have a meeting to do that. And it's preferable to do it in person.

Is there a second?

COMMISSIONER KIRSANOW: Kirsanow second.

CHAIRMAN REYNOLDS: Discussion?

(No response.)

CHAIRMAN REYNOLDS: Okay. Commissioner Gaziano, how do you vote?

COMMISSIONER GAZIANO: Yes.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Yes.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: Yes.
CHAIRMAN REYNOLDS: Commissioner Yaki?

Commissioner Yaki?

COMMISSIONER YAKI: Abstain.

CHAIRMAN REYNOLDS: I'm sorry? Okay.

COMMISSIONER YAKI: Abstain.

CHAIRMAN REYNOLDS: Commissioner Taylor?

COMMISSIONER TAYLOR: Yes.

CHAIRMAN REYNOLDS: And I also vote for the measure. Commissioner Yaki abstains. The remaining commissioners vote in favor of the motion. The motion passes.

III. DISCOVERY PLAN AND PROJECT OUTLINE, REPORT ON SEX DISCRIMINATION IN LIBERAL ARTS COLLEGE ADMISSIONS

CHAIRMAN REYNOLDS: Next up we have consideration of a discovery plan and project outline for the report on Sex Discrimination in Liberal Arts College Admissions.

Mr. Staff Director, please provide us with an update on the status of the project.

STAFF DIRECTOR DANNENFELSER: Thank you, Mr. Chairman. At this time I would like to ask the Acting Chief of the Office for Civil Rights Evaluation, Chris Byrnes, to provide us with an update.
MR. BYRNES: This is Chris Byrnes. The Office of General Counsel has contacted the four hold-out schools. We are trying to schedule a meeting with them next week.

OCRE staff has completed sufficient recoding of the data to begin preliminary analysis of the 15 schools. And this preliminary analysis is underway.

So far we have looked at gender composition of applicants, admission rates by gender, gender composition of those admitted and those enrolled, and male/female admittee differences in SAT, ACT, and high school GPA.

It's a little bit too soon to have confidence in what the data reveals because these preliminary analyses have been most useful in sort of showing us where the invalid or missing data is in the submissions we have received. So we are continuing to work with the schools to resolve these concerns.

So we have been delayed a little bit recently in continuing the analyses due to a software-upgraded installation for the particular statistical software that we use. These have been resolved. And I think we will be able to move forward in the coming weeks.
COLORADO REYNOLDS: Okay. On June 18th and July 22nd, staff distributed a draft discovery plan and project outline for the Commission's report on Sex Discrimination in Liberal Arts College Admissions.

To further inform staff's development of the project, it would be useful for commissioners to discuss the proposal and provide staff with some guidance regarding whether they're headed in the right direction.

Commissioner Heriot, you're the primary sponsor of the project. Would you care to start us off with comment?

COMMISSIONER HERIOT: Well, I looked very briefly at the preliminary report outline. And I have one general concern and a specific concern. One general concern is that I think we need to avoid making this into a battleship project; for instance, you know, discussions of the statutory and regulatory framework, in which all of this takes place.

I don't think we're talking about something that should be more than a few paragraphs. The statutory and regulatory framework for this is really not the focus of the report and really shouldn't take up a lot of staff time. It will be
perfectly fine not to discuss it at all. We can put it in a few sentences, if necessary.

One of the things that concerns me a great deal is in chapter 3. The proposal is to aggregate the data within category. My fear is if we aggregate the data within a category, we are, in fact, going to obscure whatever discrimination is going on.

If you look at the schools individually, if there is discrimination, it will show up a lot more clearly. The problem is, you know, each one of these selective schools is not equally selective. And so when you put them together, it is going to just be fuzziness that shows.

So I am very concerned about the notion of aggregating within category and very skeptical of that as a way of dealing with these data.

Beyond that, I would just say that less is more here. We don't want to get bogged down in this report. We're looking to see whether there, in fact, is discrimination -- and, you know, that's job one -- and not do an opus on gender discrimination in colleges.

That said, I think getting the data from Johns Hopkins and Georgetown is crucial and that that has got to be done. One way or another, that has to
happen for this report to be useful. And so I hope
that that is pursued strongly.

It's chapter 3 that should be the focus of
this report, not chapters 1 and 2. And, in fact, I am
not convinced we need chapter 1 at all.

So those are my thoughts so far.

CHAIRMAN REYNOLDS: Okay. Mr. Byrnes, do
you have any concerns about the comments just made?

MR. BYRNES: I mean, I am in favor of a
streamlined report addressing those concerns. I would
ask if Peter Minarik is on the line, if he has any
concerns about omitting the aggregation of the data.

MR. MINARIK: I'm on the line, Chris. The
only reason I was slightly in favor of the aggregation
is because I thought it was going to be difficult
given that we never established exactly what the
admission criteria are to point to a school and say
that they are engaging a policy individually.

So I thought an aggregation might be of
value because it would give us a picture of what is
going on at specific groups of colleges. That's why I
was slightly in favor of that approach.

COMMISSIONER HERIOT: Yes. They will have
different admissions policies. So it will be harder
to see it.
One thing I have no clear position on is whether or not schools should be individually identified. I have no objection just to calling these schools A, school B, school C. You know, the purpose of this report is not to dump on a particular school for what it is doing but, rather, to find out the big picture what is happening.

MR. MINARIK: Well, that comment changes my perspective measurably.

CHAIRMAN REYNOLDS: How so?

COMMISSIONER HERIOT: Although if we're talking about state schools, I am happy to report to other branches of government that there has been a violation of the law. That is a different matter. But I don't see the report needing to identify particular schools at all.

CHAIRMAN REYNOLDS: Okay. Mr. Minarik, so we have a good understanding of the direction that we are headed. Do you have any questions or do you need additional clarification?

MR. MINARIK: I don't at the present time. Do you, Chris?

MR. BYRNES: No. I have no further questions except one. If we don't identify the schools individually, would we at least give a brief
description of, you know, they're a moderately
selective institution or --

COMMISSIONER HERIOT: Yes. I think that
is a good thing, yes.

MR. BYRNES: Okay.

COMMISSIONER HERIOT: Yes. Again, we've
got to get on it to get Johns Hopkins and Georgetown
on board as quickly as possible.

CHAIRMAN REYNOLDS: Okay. Any other
questions or comments?

(No response.)

IV. TIME LINE FOR COMMISSIONER STATEMENTS AND
REBUTTALS TO HBCU AND STEM REPORTS

CHAIRMAN REYNOLDS: Next up is a time line
for commissioner statements and rebuttals to the HBCU
and STEM reports. I move that the Commission submit
statements for the HBCU and STEM reports by August
16th and that they submit rebuttals for these by
September 13th. Is there a second?

COMMISSIONER HERIOT: Second.

CHAIRMAN REYNOLDS: Discussion?

COMMISSIONER GAZIANO: I'm sorry? What
were those dates again? August?

CHAIRMAN REYNOLDS: Sixteenth and
September 13th.
COMMISSIONER GAZIANO: The first one is just a little over two weeks. If there's unanimous consent for that, then I don't mind, but --

CHAIRMAN REYNOLDS: Even if there's not unanimous consent, we have to be mindful of the fact that we have to start putting some of these reports to bed. It's going to be a burden on all of us. We have a lot of things that are in progress, several of which need to be finalized and voted on. So I would ask everyone to just grin and bear it with the understanding that we're all under the same burden.

COMMISSIONER HERIOT: No. I have a somewhat different perspective on this. And that is I would object to this but for the fact that we did, in fact, pass the report, I believe something like the 16th of July, somewhere in there. So this, in fact, is the 30 days.

I've always assumed we were working on a 30-30 schedule. And I think that is our default rule anyway.

COMMISSIONER GAZIANO: That is.

COMMISSIONER HERIOT: Yes. So I don't think this is a necessary vote. I think we are just making work for ourselves here. It's 30-30 because we didn't say anything else at the meeting.
COMMISSIONER GAZIANO: That makes sense. I just don't want to depart from our 30-30 without either all commissioners, but this is pretty much --

COMMISSIONER HERIOT: Yes. I agree with that. I agree with that. We should not depart from a 30-30 unless we have had unanimous consent. But what we're asking for here is essentially 30-30.

CHAIRMAN REYNOLDS: Folks, we don't have a rule that requires unanimity for amending the 30-30.

COMMISSIONER GAZIANO: That is correct, but we ought not to do it out of respect to each other. But it seems like we probably won't --

CHAIRMAN REYNOLDS: Folks, let's save this discussion. We don't have to have this discussion. I don't think we have a problem with the particular issue that is in front of us now.

Commissioner Gaziano, how do you vote?

COMMISSIONER GAZIANO: Yes.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Yes.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: Yes.

CHAIRMAN REYNOLDS: Commissioner Yaki?

COMMISSIONER YAKI: Abstain.

CHAIRMAN REYNOLDS: Commissioner Taylor?
COMMISSIONER TAYLOR: Yes.

CHAIRMAN REYNOLDS: And I vote for it also. Commissioner Yaki abstains. The remaining commissioners voted for it. It passes.

V. ELECTION ASSISTANCE COMMISSION BOARD OF ADVISERS VACANCIES

CHAIRMAN REYNOLDS: Next up is the consideration of the vacancies on the Election Assistance Commission's Board of Advisers. The terms of Commissioners Thernstrom and Melendez on the EAC Board of Advisers have expired. We're in charge of providing the names of two individuals to fill these vacancies.

Since the positions have been vacant since June, I move that the Commission authorize me to select a replacement to fill these seats as soon as practicable following our customary practice and the EAC preference of ensuring that the picks are politically diverse.

If a commissioner has any recommendations, please forward your recommendations to me for consideration.

Is there a second?

COMMISSIONER GAZIANO: Gaziano second.

CHAIRMAN REYNOLDS: Discussion?
COMMISSIONER HERIOT: Am I right you can pick somebody from outside the Commission if you so choose?

CHAIRMAN REYNOLDS: Yes, that is correct.

Okay. Mr. Gaziano, how do you vote?

COMMISSIONER GAZIANO: Yes.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Yes.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: Yes.

CHAIRMAN REYNOLDS: Commissioner Yaki?

COMMISSIONER YAKI: Yes. And I want to replace Commissioner Melendez.

CHAIRMAN REYNOLDS: Okay. Commissioner Taylor?

COMMISSIONER TAYLOR: Yes.

CHAIRMAN REYNOLDS: And I vote for it also. We have a unanimous vote.

VI. 2012 BUDGET ESTIMATE

CHAIRMAN REYNOLDS: Next up is a discussion of the 2012 budget estimate. Mr. Staff Director?

STAFF DIRECTOR DANNENFELSER: Thank you, Mr. Chairman.
The Office of Management and Budget has given government-wide guidance that agencies reduce their budgets by 5 percent from their 2011 budget levels. And that was the guidance that we were operating under when we prepared this budget.

For the most part, we achieved those reductions through attrition in terms of staff positions. And there were some other small tweaks that were identified in the budget materials relating to travel and printing and things of that nature, but for the most part, it was through not filling positions that have been authorized, that either have not been filled, such as the Deputy Staff Director position and others where people have left, such as the Solicitor. And we had a staff member in OCRE. So this is of that nature, the main area where we were able to reduce the budget and to get within this funding level.

CHAIRMAN REYNOLDS: Questions for the Staff Director?

COMMISSIONER KIRSANOW: Mr. Chair, Kirsanow here. I recommend we dispense entirely with the budget.

CHAIRMAN REYNOLDS: Please explain.

COMMISSIONER KIRSANOW: It's not good enough for Congress. It's not good enough for us.
COMMISSIONER GAZIANO: Explain that.

CHAIRMAN REYNOLDS: Okay. Just so that we're clear, I would assume that Mr. Kirsanow is -- well, this is Commissioner Kirsanow being a smart alec. Commissioner Kirsanow, may I have confirmation that you are a smart alec?

COMMISSIONER KIRSANOW: I exist, don't I?

CHAIRMAN REYNOLDS: Yes, you do. Other questions, comments?

COMMISSIONER GAZIANO: Just for the record, I will repeat my view that we shouldn't be (inaudible) back as an independent agency from Office of Management and Budget dictates, especially with the ballooning pieces that they have sought for other agencies. So I probably will be voting against it on that ground alone.

CHAIRMAN REYNOLDS: Okay. Commissioner Gaziano, how do you vote?

COMMISSIONER GAZIANO: No.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Abstain.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: What are we voting on?

CHAIRMAN REYNOLDS: On the budget.
COMMISSIONER HERIOT: Was there a motion made?

CHAIRMAN REYNOLDS: I move that we accept the recommendations provided by the Staff Director. Is there a second? Pretty please?

COMMISSIONER TAYLOR: Taylor. Second.

CHAIRMAN REYNOLDS: Thank you. Mr. Gaziano, may I have your no once again?

COMMISSIONER GAZIANO: No.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Abstain.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: I guess I am going to go with Pete and abstain.

CHAIRMAN REYNOLDS: You're killing me. Commissioner Yaki?

COMMISSIONER YAKI: Abstain.

CHAIRMAN REYNOLDS: Commissioner Taylor?

COMMISSIONER TAYLOR: Yes.

CHAIRMAN REYNOLDS: And I vote for it. Commissioner Gaziano voted against it. We have three abstentions: Commissioners Kirsanow, Heriot, and Yaki. The two yes votes are from Commissioner Taylor and myself. The vote carries.

VII. APPROVAL OF MINUTES FROM MARCH 12, APRIL 16,
MAY 14, MAY 28, JUNE 11, JUNE 25,
AND JULY 16 MEETINGS

CHAIRMAN REYNOLDS: Next up is the approval of the minutes from the March 12th, April 16th, May 14th, May 28th, June 11th, and July 16th meetings.

I would ask on the front end before a motion is made, does anyone have any concerns with it? Because my preference is to just vote on the set of minutes as a block. And I can do that if on the front end I know that no one had any concerns.

COMMISSIONER GAZIANO: I have none.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: I have no problem with that.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: I've got no problem.

CHAIRMAN REYNOLDS: Commissioner Yaki?

COMMISSIONER YAKI: I'm sorry? What's the question? I was kind of like not paying attention.

CHAIRMAN REYNOLDS: Okay. I'm trying to find out if you have any concerns with the minutes. I would prefer to vote on the minutes as a block to save time. If you don't have any concerns, then we can go
down that path. If you do, then we'll have to do it our customary way.

COMMISSIONER YAKI: That's what I thought you said. I wasn't too sure exactly how you were framing it. But yes, that's fine with me.

CHAIRMAN REYNOLDS: Commissioner Taylor?

COMMISSIONER TAYLOR: Yes

CHAIRMAN REYNOLDS: Okay, I move that we approve the following sets of minutes: the March 12th, April 16th, May 14th, May 28th, June 11th, and July 16th meeting minutes. Is there a second?


CHAIRMAN REYNOLDS: And thank you. And the June 25th.

COMMISSIONER HERIOT: I second that part, too.

CHAIRMAN REYNOLDS: Thank you.

Commissioner Gaziano, how do you vote?

COMMISSIONER GAZIANO: Yes.

CHAIRMAN REYNOLDS: Commissioner Kirsanow?

COMMISSIONER KIRSANOW: Yes.

CHAIRMAN REYNOLDS: Commissioner Heriot?

COMMISSIONER HERIOT: Yes.

CHAIRMAN REYNOLDS: Commissioner Yaki?
COMMISSIONER YAKI: Sure. Yes.

CHAIRMAN REYNOLDS: Commissioner Taylor?

COMMISSIONER TAYLOR: Sure. Yes.

CHAIRMAN REYNOLDS: Okay. And I vote for it myself. So, folks, today we have two unanimous votes including this one.

COMMISSIONER TAYLOR: Let's end the call right now.

CHAIRMAN REYNOLDS: Yes. Thank you, folks, very efficient meeting. The meeting --

COMMISSIONER HERIOT: Wait, wait, wait, wait, Jerry. We still haven't set the meetings for next year, have we?

COMMISSIONER GAZIANO: Yes, we did last meeting, I believe.

COMMISSIONER HERIOT: Did we? I didn't write it down. Oh, dear. Okay.

CHAIRMAN REYNOLDS: Okay.

COMMISSIONER HERIOT: Thanks.

CHAIRMAN REYNOLDS: Well, we'll get with you to give you the dates.

COMMISSIONER HERIOT: Okay.

CHAIRMAN REYNOLDS: Okay, folks. The meeting is adjourned.
(Whereupon, the foregoing matter was concluded at 12:08 p.m.)