

# THE UNITED STATES COMMISSION ON CIVIL RIGHTS

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## MEDIA ADVISORY

ATTENTION ASSIGNMENT EDITORS

FOR IMMEDIATE RELEASE

DECEMBER 5, 2005

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### USCCR TO EXAMINE THE SOUNDNESS OF DISPARITY STUDIES

**What: Briefing of the U.S. Commission on Civil Rights, an independent, bipartisan agency charged with monitoring and protecting civil rights**

WASHINGTON, DC – A panel of experts will advise the U.S. Commission on Civil Rights concerning whether the methodological underpinnings and factual predicate and assumptions on which the federal government supports its use of racial classifications are sufficient to rebut the Constitution's presumption of illegality. Many government entities and contractors have commissioned disparity studies to demonstrate that discrimination exists in the procurement process. Such entities have used these studies' results to justify, create, and maintain policies that allow an applicant's race to be considered among factors when deciding whether or not the applicant will win a contract. Some experts, however, have cited weak documentation of data sources, flawed analytical methods, and lack of a theory of discrimination, among other problems underlying such studies.

Are the methodological underpinnings of disparity studies on which the federal government defends its use of racial classifications in the procurement process sound? This is one of the central questions to which the Commission's assembled panel will address itself.

**Speakers:** Dr. Ian Ayres, William K. Townsend Professor, Yale Law School; Mr. Roger Clegg, Esq., General Counsel, Center for Equal Opportunity; Dr. Constance Citro, Director, Committee on National Statistics, the National Academies of Science; and Dr. George LaNoue, Professor of Political Science, University of Maryland Baltimore County, and Director, Project on Civil Rights and Public Contracting.

**When: Friday, December 16, 2005, 9:00 a.m.**

**Where: 2226 Rayburn House Office Building, Washington, DC.**

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The U.S. Commission on Civil Rights is an independent, bipartisan agency charged with monitoring federal civil rights enforcement. Members include Chairman Gerald A. Reynolds, Vice Chairman Abigail Thernstrom, and Commissioners Jennifer C. Braceras, Peter N. Kirsanow, Arlan Melendez, Ashley L. Taylor, and Michael Yaki. Kenneth L. Marcus is Staff Director. Commission meetings are open to the media and general public.

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