

NLM 60-day FRN Public Comment Log

Generic Clearance to Conduct Voluntary Customer/Partner Surveys (NLM)

Public Comment File #1	
Date of Comment:	April 22, 2015
Date Received:	April 22, 2015
Category: (Simple or Multiple Comments)	Simple
Comment Type: (Fax, Letter, Email, Post Card, Other)	Email
Author's First Name:	Roger
Author's Last Name:	Clegg
Author's Affiliation: (if available)	
Sponsoring Organization: (if available)	Center for Equal Opportunity
Comment received	<p>April 22, 2015</p> <p>Dear Mr. Sharlip,</p> <p>We have a question and a comment on today's <i>Federal Register</i> notice (April 22, 2015, 80 FR 22542) re "Proposed Collection; 60-Day Comment Request; Generic Clearance To Conduct Voluntary Customer/Partner Surveys (NLM)," in which there is a reference to an "emphasis on those serving minority groups"</p> <p>Our question is, what is the statutory basis for this reference to what we assume to be racial and ethnic minorities?</p> <p>As you may know, it is generally illegal for the government to show favoritism or even use classifications based on race or ethnicity. See <i>Adarand Constructors, Inc. v. Peña</i>, 515 U.S. 200, 227 (1995) ("all racial classifications ... must be analyzed by a reviewing court under strict scrutiny"); see also 42 U.S.C. 2000d (barring discrimination on the basis of race, color, and national origin in federally funded programs). Indeed, such classifications and favoritism are "presumptively invalid" (see</p>

	<p><i>Personnel Administrator v. Feeney</i>, 442 U.S. 256 (1979)).</p> <p>Our comment, then, is to request respectfully that this phrase be removed from this <i>Federal Register</i> notice and future notices of this kind.</p> <p>Thank you very much for your attention to our concerns, and we look forward to your reply.</p> <p>Sincerely,</p> <p>Roger Clegg President and General Counsel Center for Equal Opportunity 703/442-0066</p>
Date NLM responded to comment:	April 22, 2015
NLM response provided (format):	Email acknowledgement of comment receipt for further review