

A PROPOSED RESOLUTION

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

1 To declare the Sense of the Council that the District of Columbia fully supporting that racial
2 discrimination in contracting is unconstitutional and agrees that if race is a motivating
3 factor to deny a contract it is prohibited by the Civil Rights Act of 1866.
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5 RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this
6 resolution may be cited as the “Sense of the Council that Racial Discrimination in Contracting is
7 Unacceptable Resolution of 2019.”

8 Sec. 2. The Council finds that:

9 (1) Section 1981 of the Civil Rights Act of 1866 prohibits discrimination on the basis
10 of race when making and enforcing contracts;

11 (2) Section 1981 of the Civil Rights Act of 1866 provides the right to enforce, to sue,
12 be sued, to give evidence and to have full and equal benefit to all laws and
13 proceedings for the security of person and property;

14 (3) Entertainment Studios Network, owned by Bryon Allen who is African-
15 American, and the National Association of African American-Owned Media sued
16 Comcast Corporation alleging discrimination in violation of 42 U.S.C. § 1981 of
17 the Civil Rights Act of 1866 that bar racial discrimination in contracting; and

18 (4) Using race as a motivating factor to discriminate in contracting is unacceptable

19 Sec. 3. It is the sense of the Council that:

20 (1) We believe that any form of discrimination is unjust and should not be
21 tolerated.

22 (2) We support the motivating factor standard in discrimination in contracting.
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24 Sec. 4. Transmittal.

25 The Secretary shall transmit copies of this resolution, upon its adoption, to the Mayor.

26 Sec. 5. Effective date.

27 This resolution shall take effect immediately upon the first date of publication in

28 the District of Columbia Register.