



## ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

### **Request for Proposals—January 26, 2024** **Decisional Disparities in Administrative Programs**

The Administrative Conference of the United States (ACUS) is accepting proposals from individuals interested in serving as a consultant(s) to produce a report on the issue of unwarranted disparities in enforcement and adjudication decisions under federal administrative programs.

#### **Project Description and Consultant Responsibilities**

Federal auditors and private-sector researchers have found unexpected disparities in enforcement and adjudication decisions made under certain programs on the basis of characteristics such as race, ethnicity, national origin, sex, disability, religion, and political affiliation. Disparities may result from factors such as explicit or implicit bias, facially neutral administrative policies that disproportionately burden members of certain communities, and biases embedded in artificial intelligence or other automated decision making systems.

ACUS is undertaking a project to study and recommend best practices for agencies to detect and address unwarranted disparities in enforcement and adjudication decisions by federal administrative programs. Among other topics, the project will address how agencies detect decisional disparities in administrative enforcement and adjudication, determine the origins of decisional disparities, and determine if disparities are unwarranted. The project will also examine what actions agencies take to address unwarranted decisional disparities. If warranted, the project may also recommend statutory reforms to improve the collection and analysis of information for such purposes.

The draft report will be completed by September 2024, and the consultant(s) will thereafter be expected to work with Conference staff and committees as the Conference develops recommendations from the report in time for the Conference's December 2024 plenary session.<sup>1</sup> The Conference may select a single consultant or assemble a team of consultants depending on the proposals it receives. Consultants will receive between \$8,000 and \$25,000, plus a budget for related expenses, depending on the number of consultants and allocation of responsibilities. The total value of consulting fees for this project will not exceed \$25,000, to be apportioned in accordance with the number of consultants and division of responsibilities.

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<sup>1</sup> Both the report due date and the date of the plenary session are subject to change.

**Submitting a Proposal and Evaluation Criteria**

If you are interested in serving as a consultant for the report, send an email to Jeremy Graboyes (jgraboyes@acus.gov) with the phrase “ACUS Project Proposal” in the subject line. Attach your curriculum vitae to the email, along with a short (ideally no more than one page) statement identifying what you see as the primary issues that the report should address. **All responsible sources must submit a proposal by 5:00 p.m. Eastern Time on February 23, in order to be guaranteed consideration by the agency.**

Proposals will be evaluated based on quality, clarity, and the proposer’s qualifications. The Conference has a strong preference for consultants who have previously authored scholarly work on disparate treatment in federal programs.