

THE EQUAL OPPORTUNITY ACT OF 1995

- **The Equal Opportunity Act of 1995 is designed to restore to federal law the principles of nondiscrimination and equal opportunity.**
- **The bill contains two main operative provisions:**
 - (1) **Prohibits the use of racial and gender preferences by the federal government in:**
 - **awarding and administering federal contracts**
 - **federal hiring**
 - **administering federally-conducted programs or activities**
 - (2) **Prohibits the federal government from requiring or encouraging federal contractors or subcontractors to grant racial or gender preferences with respect to their employees, suppliers, or subcontracts.**
- **The Act defines "preference" as "any preferential treatment" including but not limited to quotas, set-asides, goals, timetables, and other numerical objectives.**
- **The Act preserves the ability to engage in nondiscriminatory outreach, recruiting, and marketing efforts -- the traditional form of affirmative action.**
- **The bill does not affect the existing anti-discrimination laws in any manner whatsoever, and so maintains the full range of remedies currently available to proven victims of racial or gender-based discrimination.**
- **The Act also contains exemptions for historically Black colleges, Indian tribes, combat-related and national security functions, and gender-based bona fide occupational qualifications.**
- **The bill does not affect preferences programs adopted by State and local governments, private sector entities, or educational institutions, unless those programs were adopted pursuant to requirements imposed upon the entity because it is a federal contractor.**