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September 27, 2006

The Honorable David M. Walker
Comptroller General of the United States
U.S. Government Accountability Office
441 G Street, NW, Room 7125
Washington, DC 20548

Dear Mr. Walker:

We the undersigned Members of Congress, write to request that the Government Accountability Office (GAO) do a quick, turn-around study on the accreditation process conducted by the American Bar Association (ABA) and an examination of the enrollment and completion trends of minority students in law school. Specifically, we request that GAO evaluate the ABA's use of its Standards for Approval of Law Schools. In addition, we request that the GAO examine the trends in African-American enrollment and any factors contributing to the enrollment trends.

One concern we have with the lack of transparency of the ABA's practices is that their accreditation standards are not set in such a way that institutions know what must be done to follow the standards. Furthermore, we are concerned that the standards are so vague, the ABA is permitted to interpret the standards in a variety of different ways that do not apply equally to the institutions it accredits. We have heard of cases where the ABA has rejected or delayed accreditation applications for reasons not entirely made clear in its own standards. Accreditors have standards for their institutions so that institutions are aware of what they must comply with in order to remain accredited. To require institutions to comply with items not included in the standards is unfair to both the institutions and the students that attend those institutions.

The ABA Section of Legal Education controls the data needed to study part of this request. The Section regularly collects detailed information on minority student enrollment on an annual basis from every ABA-approved school that would permit an independent study of this issue.

To thoroughly study this issue, we ask that you investigate:

1. The identity of all schools during the past ten years (1995-2005) that were required to report to the ABA Accreditation Committee or Council regarding their compliance with accreditation requirements relating to admissions, academic attrition, or bar examination results, either as part of the provisional or full approval process or as part of the so-called sabbatical inspection process of approved schools.
2. For each of the schools identified:
 - a. The dates that their obligation to report began and ended.
 - b. The 25th percentile LSAT scores for each of the three years preceding the date their reporting obligation began, all years they were required to report, and the three years following the date their reporting obligation ended.
 - c. Whether the Accreditation Committee or Council directly or indirectly threatened to deny the school's request for accreditation, or directly or indirectly threatened to impose or imposed sanctions against the school, and if so what sanctions were threatened or imposed and the reasons for such action.
3. Any studies conducted by the ABA Accreditation Committee or Council demonstrating a correlation between increasing LSAT scores and increased professional competence.
4. Identify the overall trends of minority enrollment and the enrollment of first generation college students in law school and identify what factors may be contributing to those trends.
5. Identify the completion rates of minorities and first generation college students in law school.

We hope that this study will increase the transparency of the ABA's accreditation practices and provide Congress with information needed to exercise their legislative and regulatory authority.

Because the ABA's application for renewed recognition by the Department of Education as the official accrediting agency for law schools is currently pending, there is a need to expedite this

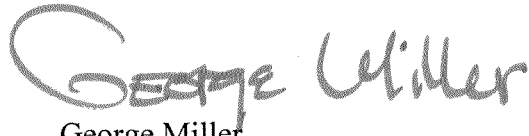
The Honorable David M. Walker
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study. We would like this study completed by November 2006. If you or your staff have any questions, or wish to discuss this letter further, please call Julie Radocchia at (202) 225-3725 or Amy Raaf at (202) 225-6558.

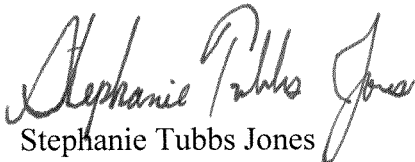
Sincerely,



Howard P. "Buck" McKeon
Chairman
Committee on Education and the Workforce



George Miller
Senior Democratic Member
Committee on Education and the Workforce



Stephanie Tubbs Jones
Member of Congress