

IN THE UNITED STATES COURT OF APPEALS
FOR THE FIFTH CIRCUIT

No. 95-31120

Summary Calendar

UNITED STATES OF AMERICA

Plaintiff-Appellee,

versus

DONALD RAY OSBORNE

Defendant-Appellant.

Appeal from the United States District Court
For the Middle District of Louisiana
(CR-95-4-B-M2)

July 17, 1996

Before HIGGINBOTHAM, DUHÉ, and BENAVIDES, Circuit Judges.

PER CURIAM:*

A failure to act with knowledge of a disparate impact upon minorities does not constitute a failure to act because of a disparate impact upon minorities. Congress need not agree with the factual recommendations of a federal agency.

AFFIRMED.

*Pursuant to Local Rule 47.5, the court has determined that this opinion should not be published and is not precedent except under the limited circumstances set forth in Local Rule 47.5.4.