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# United States Senate

COMMITTEE ON HEALTH, EDUCATION,  
LABOR, AND PENSIONS

WASHINGTON, DC 20510-6300

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<http://help.senate.gov>

February 27, 2020

The Honorable Janet Dhillon  
Chair  
U.S. Equal Employment Opportunity Commission  
131 M Street, NE  
Washington, DC 20507

Dear Chair Dhillon:

We write with concern regarding the dramatic decline in staffing at the Equal Employment Opportunity Commission (EEOC) since President Trump took office and to request information about how the agency plans to ensure it has the personnel necessary to do its critical work. We especially are interested in how the agency is prioritizing the staffing of the attorneys in its Office of General Counsel and the investigators who are at the front lines of protecting workers from discrimination and harassment.

On a bipartisan basis, Congress has agreed EEOC needs additional funding to carry out its mission to enforce workers' rights to a workplace free of discrimination and harassment. In particular, Congress has made it a significant bipartisan priority to ensure EEOC is equipped with appropriate funding to handle the upsurge in workplace harassment cases as workers come forward in the wake of the #MeToo movement. To that end, Congress provided EEOC with a historic, bipartisan funding increase for 2018, and maintained that increase again for 2019.<sup>1</sup>

Further, last year, when Congress provided EEOC an additional funding boost for 2020, it expressly directed the agency to use the additional funding to increase front-line and investigative staff.<sup>2</sup> Yet the agency reports a reduction in staff of seven percent in fiscal year (FY) 2020.<sup>3</sup> We are deeply worried these cuts in personnel threaten the agency's ability to meet the demand for its services and to provide the crucial protections to which workers are entitled under federal law. It is therefore alarming that in its FY 2021 budget request, the agency inexplicably requests a significant cut in funding and a further 10 percent reduction in staff.<sup>4</sup> If enacted, this would represent the lowest staffing level at the agency in at least 40 years and a loss of 186 additional jobs.<sup>5</sup>

<sup>1</sup> <https://www.eeoc.gov/eeoc/plan/budgetandstaffing.cfm>;  
<https://docs.house.gov/meetings/AP/AP00/20180517/108330/HRPT-115-HR.pdf> (“The recommendation continues the increase provided in fiscal year 2018 to address sexual harassment claims.”)

<sup>2</sup> <https://congress.gov/congressional-report/116th-congress/house-report/101/1> (“The recommended additional funding is provided to increase front-line and investigative staff...”)

<sup>3</sup> [https://www.eeoc.gov/eeoc/plan/2021budget.cfm#h\\_8376610713841581113546354](https://www.eeoc.gov/eeoc/plan/2021budget.cfm#h_8376610713841581113546354)

<sup>4</sup> <https://www.eeoc.gov/eeoc/plan/2021budget.cfm>

<sup>5</sup> <https://www.eeoc.gov/eeoc/plan/budgetandstaffing.cfm>

To understand how the agency's request to cut funds and further reduce staff in FY 2021 aligns with its mission, workers' need for its services, and Congress' express direction for how the agency should spend its appropriated funds, we request responses to the following questions no later than March 12, 2020:

1. Please provide a detailed accounting of EEOC's plans by quarter for spending its FY 2020 budget for salaries and expenses on supporting, retaining, and increasing staff. Please include current and projected staffing levels. For current levels, please detail the number of staff hired and the number of staff who have left since January 1, 2019, disaggregated by position, office, and location. For projected levels for 2020, please detail the number of staff the agency plans to hire, as well as the number of staff it plans to terminate, disaggregated by position, office, and location.
2. Please explain how EEOC's plan for FY 2020 spending, including reducing staff by nearly seven percent, aligns with Congress' express intent that the agency use its additional funding to increase front-line and investigative staff.
3. Earlier this month, EEOC published "The Chair's Priorities for 2020."<sup>6</sup> The priorities did not include increasing staff.
  - a. Please explain how the agency is executing on the Chair's commitment to "continuing to provide excellent customer service" by "supporting EEOC's front-line employees," stated in Priority #1.
  - b. Please explain why Priority #4, which outlines the Chair's commitment to "strategically allocating commission resources" to activities that "will have the maximum impact on fulfilling our mission," does not include retaining and hiring staff.
4. EEOC's FY 2021 Budget Justification requests a \$27 million decrease from its FY 2020 enacted budget, including an even further reduction in full-time staff of 10 percent. Please explain how the agency will meet its stated priorities and goals and continue to do its critical work with fewer staff.

Thank you for your attention to this matter. If you have any questions or would like to discuss compliance with this request, please contact Kathleen Borschow with Senator Murray's HELP Committee staff at (202) 224-0767 or Laura Aguilar with Senator Warren's staff at (202) 224-4543.

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<sup>6</sup> [https://www.eeoc.gov/eeoc/plan/chair\\_priorities\\_2020.cfm](https://www.eeoc.gov/eeoc/plan/chair_priorities_2020.cfm)

Sincerely,



PATTY MURRAY  
United States Senator



ELIZABETH WARREN  
United States Senator