

United States Senate

WASHINGTON, DC 20510

January 16, 2018

The Honorable Richard Shelby
Chairman
Appropriations Subcommittee on
Commerce, Justice, Science, and Related Agencies
142 Dirksen Senate Office Building
Washington, D.C. 20510

The Honorable Jeanne Shaheen
Ranking Member
Appropriations Subcommittee on
Commerce, Justice, Science, and Related Agencies
142 Dirksen Senate Office Building
Washington, D.C. 20510

Dear Chairman Shelby and Ranking Member Shaheen,

As you continue to negotiate an FY18 omnibus appropriations bill with your House and Senate colleagues, we urge you to expand funding for the U.S. Equal Employment Opportunity Commission (“EEOC”) to ensure that the Commission has the resources necessary to enforce the nation’s anti-discrimination laws. We request that the Commission be funded, at a minimum, at \$376.6 million—an increase of \$12 million over the EEOC’s FY17 enacted level.¹

The EEOC is tasked with enforcing the nation’s anti-discrimination laws, including Title VII of the Civil Rights Act of 1964, Title I of the Americans with Disabilities Act, the Equal Pay Act, the Age Discrimination in Employment Act, the Genetic Information Nondiscrimination Act, and the Rehabilitation Act,² and has the power to investigate discrimination charges that individuals file with the Commission.³ Each year, the EEOC receives thousands of complaints. In FY16 alone, the Commission received 91,503 complaints;⁴ in FY17 it received 84,254.⁵

Among its many mandates, the EEOC is responsible for identifying, investigating, and mitigating sex discrimination in the workplace, including sexual harassment. In recent months, the nation has been riveted by high-profile cases of sexual harassment in the entertainment industry and political world. Sexual harassment is indeed pervasive throughout the United States: workers in the health care, manufacturing, mining, construction, agricultural, and information technology industries—among others—have experienced and reported sexual harassment to the EEOC.⁶ In FY16, nearly 30% of the Commission’s complaints alleged sex discrimination—almost 50% of which involved sexual harassment.⁷ Workers in the hospitality and food services industry—a large proportion of which are women and people of color—are particularly vulnerable to harassment.⁸

As the nation grapples with efforts to address and prevent sexual harassment in the workplace, it is critical that the EEOC has the resources necessary to do its job. The Commission has released a Draft Strategic Plan that reiterates its commitment to mitigate individual and systemic discrimination in the workplace.⁹ In 2017, the Commission made significant strides in

reducing its number of outstanding complaints. But the agency still has a charge backlog of over 60,000,¹⁰ and its FY18 budget request of \$364.5 million would result in a “net attrition of [investigator] positions” that will help the agency make only “some” progress on reducing its charge inventory.¹¹

Given the EEOC’s important role in combatting sexual harassment, among other forms of discrimination, we urge you to fund the EEOC at a minimum of \$376,646,000—a sum the EEOC has previously predicted would allow for “expanded hiring” and a “net gain of 40 investigators and 2 mediators.”¹²

All Americans deserve to work in board rooms, factory floors, kitchens, and office buildings without experiencing unwanted sexual behaviors. By increasing funding for the EEOC, Congress would be sending a strong message to the nation that sexual harassment and discrimination are unacceptable in our nation’s workforce. We thank you for your consideration of this request.

Sincerely,



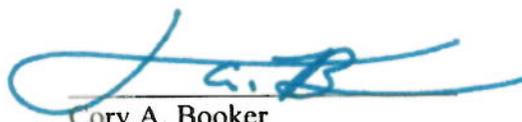
Elizabeth Warren
United States Senator



Edward J. Markey
United States Senator



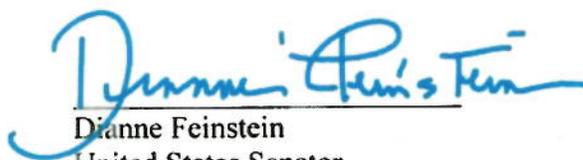
Kirsten Gillibrand
United States Senator



Cory A. Booker
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Richard Blumenthal
United States Senator



Dianne Feinstein
United States Senator



Richard J. Durbin
United States Senator



Chris Van Hollen
United States Senator



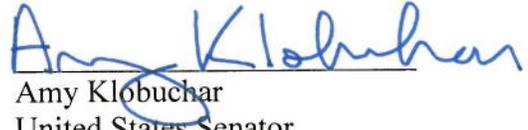
Tammy Duckworth
United States Senator



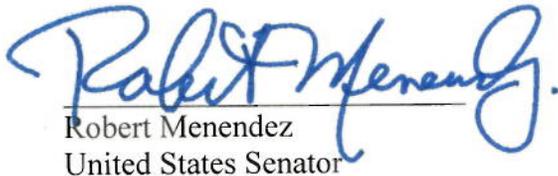
Sherrod Brown
United States Senator



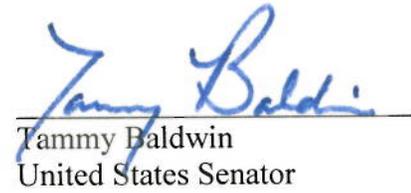
Margaret Wood Hassan
United States Senator



Amy Klobuchar
United States Senator



Robert Menendez
United States Senator



Tammy Baldwin
United States Senator



Kamala D. Harris
United States Senator

¹ U.S. Equal Employment Opportunity Commission, “EEOC Budget and Staffing History 1980 to Present” (online at <https://www.eeoc.gov/eeoc/plan/budgetandstaffing.cfm>).

² U.S. Equal Employment Opportunity Commission, “Laws Enforced by EEOC” (online at <https://www.eeoc.gov/laws/statutes/index.cfm>).

³ U.S. Equal Employment Opportunity Commission, “Overview” (online at <https://www.eeoc.gov/eeoc/index.cfm>).

⁴ U.S. Equal Employment Opportunity Commission, “EEOC Releases Fiscal Year 2016 Enforcement and Litigation Data” (January 18, 2017) (online at <https://www.eeoc.gov/eeoc/newsroom/release/1-18-17a.cfm>).

⁵ U.S. Equal Employment Opportunity Commission, “EEOC Dramatically Reduces Charge Inventory” (November 9, 2017) (online at <https://www1.eeoc.gov/eeoc/newsroom/release/11-9-17.cfm>).

⁶ Jocelyn Frye, “Not Just the Rich and Famous: The Pervasiveness of Sexual Harassment Across Industries Affects All Workers,” *Center for American Progress* (November 20, 2017) (online at <https://www.americanprogress.org/issues/women/news/2017/11/20/443139/not-just-rich-famous/>).

⁷ U.S. Equal Employment Opportunity Commission, “Charge Statistics (Charges filed with EEOC) FY 1997 Through FY 2016” (online at <https://www.eeoc.gov/eeoc/statistics/enforcement/charges.cfm>); U.S. Equal Employment Opportunity Commission, “Charges Alleging Sex-Based Harassment (Charges filed with EEOC FY 2010- FY 2016)” (online at https://www.eeoc.gov/eeoc/statistics/enforcement/sexual_harassment_new.cfm).

⁸ Jocelyn Frye, “Not Just the Rich and Famous: The Pervasiveness of Sexual Harassment Across Industries Affects All Workers,” *Center for American Progress* (November 20, 2017) (online at <https://www.americanprogress.org/issues/women/news/2017/11/20/443139/not-just-rich-famous/>).

⁹ U.S. Equal Employment Opportunity Commission, “Strategic Plan for Fiscal Years 2018-2022” (September 2017) (online at <https://www.regulations.gov/document?D=EEOC-2017-0005-0001>).

¹⁰ U.S. Equal Employment Opportunity Commission, “EEOC Releases Fiscal Year 2016 Enforcement and Litigation Data” (January 18, 2017) (online at <https://www.eeoc.gov/eeoc/newsroom/release/1-18-17a.cfm>).

¹¹ U.S. Equal Employment Opportunity Commission, *Fiscal Year 2018 Congressional Budget Justification* (May 2017) (online at <https://www.eeoc.gov/eeoc/plan/2018budget.cfm>).

¹² U.S. Equal Employment Opportunity Commission, *Fiscal Year 2017 Congressional Budget Justification* (February 2016) (online at https://www.eeoc.gov/eeoc/plan/2017budget.cfm#_Toc442168099).