Congress of the United States House of Representatives Washington, D.C. 20515

March 26, 2025

The Honorable Andrea R. Lucas Acting Chair Equal Employment Opportunity Commission 133 M Street, NE Washington, DC 20507

Dear Acting Chair Lucas:

We write with serious concerns about recent reports that the Equal Employment Opportunity Commission (EEOC, Commission, or the Agency) is terminating leases for field offices across the country. The EEOC, which is the lead federal agency charged with safeguarding American workers from illegal discrimination in the workplace, performs a vital mission for our constituents. We strongly urge you to reverse course on any plan to terminate leases at EEOC's field offices.

As you know, the EEOC is charged with enforcing Title VII the *Civil Rights Act of 1964* (Title VII),¹ which prohibits employers from discriminating in any aspect of employment, and other anti-discrimination laws such as the *Americans with Disabilities Act* (ADA), the *Pregnant Workers Fairness Act* (PWFA), and the *Age Discrimination in Employment Act* (ADEA), and investigating charges brought under those laws.² The EEOC works through its 53 field offices located around the country to effectuate enforcement of these laws to protect workers from discrimination in their workplaces.³ These offices serve as the local connection to the EEOC for their communities and are the first line of contact for employees or applicants seeking redress for alleged discrimination and employers seeking assistance with complying with the law.⁴ Field offices receive inquiries and investigate charges of employment discrimination; provide education, outreach and technical assistance to employers, employees, advocacy organizations, and other individuals; and resolve discrimination claims through mediation, negotiated

¹Title VII of the Civil Rights Act of 1964, 42 U.S.C. § 2000e-2(a)(1).

² § 2000e-5; Americans with Disabilities Act, 42 U.S.C. § 2112; Pregnant Workers Fairness Act 42 U.S.C. § 2000gg-1; Age Discrimination in Employment Act of 1967, 29 U.S.C. § 623.

³ Local Offices, U.S. Equal Employment Opportunity Commission, https://www.eeoc.gov/youth/local-offices (last visited Mar. 6, 2025).

⁴ *EEOC Office Overviews: Field Offices*, U.S. Equal Employment Opportunity Commission, <u>https://www.eeoc.gov/eeoc-office-overviews#field</u> (last visited Mar. 6, 2025).

settlement, conciliation, and litigation.⁵ In Fiscal Year 2024, EEOC field offices received over 248,000 inquiries.⁶ These field offices are crucial to protecting workers from discrimination in any aspect of employment and to enforcing anti-discrimination laws when their rights have been violated.

Given the importance of EEOC field offices to enforcing Title VII, ADA, PWFA, and ADEA, we were alarmed to learn of reports that the EEOC plans to close field offices across the country.⁷ According to reports, the following offices have had their leases terminated: Mobile, Alabama; San Jose, California; Greensboro, North Carolina; El Paso, Texas; Phoenix, Arizona; Kansas City, Kansas: Raleigh, North Carolina; and Greenville, South Carolina.⁸ Closure of these offices would have serious negative repercussions for workers in regions served by these offices and hurt their ability to seek the EEOC's help in resolving discrimination issues. These closures would impair not only the EEOC's ability to conduct investigations and bring cases, but also to conduct mediations and arbitrations to resolve claims of employment discrimination. This harms employers as much as employees as these alternatives resolve cases more efficiently and economically than going to court. It would also impair the EEOC's ability to help employers understand their obligations and employees understand their rights under the law by removing a key resource for education, outreach, and technical assistance regarding these laws.

It is also deeply concerning that these unilateral actions are being taken at a time when the Agency lacks a quorum. In 2006, the Commission approved an EEOC Order stating: "The Commission shall approve the establishment of and changes to jurisdictional boundaries of any EEOC field activity. No jurisdictional boundaries can be established or changed, even temporarily, without Commission approval."⁹ The recent lease terminations for EEOC field offices and subsequent consolidation of the service area the remaining offices serve will result in "changes to jurisdictional boundaries," as well as the "establishment of new boundaries" in

⁷ See Madelyn Ricket *et al.*, *Doge cancels leases for four Greensboro federal offices*, WFMYNews2 (March 5, 2025), <u>https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c</u>; Amy Larson, *Doge says it terminated leases of 3 Bay Area-based federal agencies*, KRON4 News (March 5, 2025) <u>https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/; *Wall of Receipts*, U.S. Department of Government Efficiency,</u>

https://doge.gov/savings (last visited March 11, 2025).

⁵ Id.

⁶ Press Release, U.S. Equal Employment Opportunity Commission, EEOC Publishes Annual Performance and General Counsel Reports for Fiscal Year 2024 (Jan. 17, 2025), <u>https://www.eeoc.gov/newsroom/eeoc-publishes-annual-performance-and-general-counsel-reports-fiscal-year-2024</u>.

⁸ Wall of Receipts, U.S. Department of Government Efficiency, <u>https://doge.gov/savings</u> (last visited March 11, 2025).

⁹U.S. Equal Employment Opportunity Commission, EEOC Order No. 120.001 (Jan. 18, 2006), on file with the Committee on Education and Workforce.

violation of the EEOC's own policies and procedures.¹⁰ The Commission must approve changes to the boundaries of field offices by vote. As you are aware, the Commission lacks a quorum and cannot approve such changes unilaterally.

For the above-stated reasons, and in keeping with Congress' oversight and representational duties, we request any and all information, documents, and communications, including downloads, copies, or screenshots of any messages on any digital communications platform, related to the EEOC's decision to terminate leases for and the termination of field offices across the country by no later than April 10, 2025. Additionally, we request responses to the following questions by the same date:

- 1. Since January 20, 2025, how many leases for EEOC field offices or other EEOC spaces have been cancelled or otherwise designated for non-renewal (hereinafter "terminated")?
- 2. Please provide an Excel spreadsheet with the following information about each EEOC lease terminated since January 20, 2025 under the following columns:
 - a. Region;
 - b. District;
 - c. Function of office (e.g., field office);
 - d. Street address;
 - e. City;
 - f. State; and
 - g. ZIP code.
- 3. Was EEOC informed by General Services Administration (GSA) about terminations of the affected leases before receiving communications from landlords about such lease terminations (yes/no)?
- 4. Provide all documents and communications since January 20, 2025, including messages on any digital communications platform, about the termination of the affected leases, including the following:
 - a. Documents and communications establishing targets or quotas for terminating EEOC leases, criteria for terminating any EEOC leases, or identifying specific EEOC leases to be terminated, including affected leases;
 - b. Documents and communications about any consultation, inside and outside of EEOC, about EEOC leases to be terminated;
 - c. Documents and communications about any meetings regarding the termination of EEOC leases; and
 - d. Documents and communications of the EEOC learning about any of the affected leases being terminated.

- 5. Did the General Services Administration (GSA) consult with EEOC before identifying the affected leases for termination or terminating the affected leases (yes/no)?
- 6. A list, including the name, title, name of organization and contact information of all individuals representing, employed by, or contracted by private, nongovernmental organizations consulted or otherwise involved in the decision-making or execution of the termination of EEOC field office leases.
- 7. A list, including the name, title, name of federal agency and contact information of all individuals employed by, or contracted by federal agencies or otherwise involved in the decision-making or execution of the termination of EEOC field office leases.
- 8. Please provide an Excel spreadsheet specifying, for each EEOC field office terminated, the number of FTEs authorized at the end of Fiscal Year 2024, the number of FTEs terminated since January 20, 2025, and the number of FTEs that have been reassigned to other EEOC field offices since January 20, 2025.
- 9. What will happen to FTEs at field offices facing closures? Will reassigned FTEs be given the opportunity to work remotely in circumstances where their newly assigned office is not nearby?
- 10. Provide an explanation of EEOC's actions in light of the January 18, 2006, EEOC order that requires the EEOC to vote on the jurisdiction, including the boundaries and establishment, of any EEOC field offices.
- 11. How will cases and charges that are currently being handled by these offices be redistributed?
 - a. Provide an analysis of how case loads at remaining field offices will be impacted by having to absorb the cases and charges from closed offices.
- 12. Are any cases or charges being closed or dismissed as a result? Please provide a detailed list of closed cases and the number of dismissed charges, since January 20, 2025, for each terminated field office with a rationale for case closure or dismissal of charges.
 - a. What criteria was used for determining which cases to close or charges to dismiss?
- 13. How many charges did each office receive in 2024? For each field office, identify the total number of charges that each office received, and of the total number of charges received identify:
 - a. How many were investigated;
 - b. How many were dismissed;
 - c. How many were mediated;
 - d. How many resulted in negotiated settlement;
 - e. How many were conciliated; and
 - f. How many resulted in litigation.

- 14. What is the timeline for closures of field offices affected by lease terminations? Please provide a list of field offices affected by lease terminations with specific timeline information for each office.
- 15. Are more EEOC field office closures planned?
- 16. Are future layoffs or staff terminations planned at EEOC field offices or at the headquarters? If so, please provide a detailed explanation of any plans.
- 17. What efforts are being made to ensure that people know that these offices are closing and where they should go instead if they have a complaint?

There has traditionally been bipartisan support for the important work being done at EEOC's field offices. In fact, when EEOC offices remained closed due to COVID-19, one Congressional Republican said: "We know that a lack of on-site EEOC personnel hinders the ability of claimants to receive the help the agency was created to provide."¹¹ Again, we urge you to reverse course and restore leases for affected field offices in accordance with EEOC's own protocols.

Please send all official correspondence and information related to these requests to the House Committee on Education and Workforce's Democratic Staff by emailing Eleazar Padilla at Eleazar.Padilla@mail.house.gov. Should you have any questions about this request, please contact Theresa Thompson with the Democratic staff of the House Committee on Education and Workforce at Theresa.Thompson@mail.house.gov.

¹¹ Press Release, Committee on Education and Workforce, Fulcher Calls Out EEOC & OFCCP for Their Harmful Policies Toward Job Creators, (April 27, 2022),

https://edworkforce.house.gov/news/documentsingle.aspx?DocumentID=408238.

Sincerely,

ROBERT C. "BOBBY" SCOTT Member of Congress

ZØE LOFGREN

Member of Congress

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SHOMARI FIGURES Member of Congress

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ALMA S. ADAMS Member of Congress

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YASSAMIN ANSARI Member of Congress

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DEBORAH K. ROSS Member of Congress