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August 30, 2019

The Honorable Janet Dhillon  
Chair  
U.S. Equal Employment Opportunity Commission  
131 M St., NE  
Washington, D.C. 20002

Dear Chairwoman Dhillon:

We write to request information regarding the U.S. Equal Employment Opportunity Commission's (EEOC) plan for collecting EEO-1 data, including Component 2, which details employees' pay by race, gender, and ethnicity. We are concerned about the lack of transparency around the Administration's plans for the collection of the pay data. To better understand the EEOC's position and process for collecting pay data, we request that the EEOC produce the following information and documents:

1. Written documentation of communications and meetings between outside entities and administration officials relating to EEO-1 pay data collection including the entry logs for the EEOC beginning January 2017.
2. Documentation of the EEOC's planned activities beginning January 2017 relating to collecting EEO-1 pay data, including Component 2, training the EEOC personnel on resolving employer issues with Component 2, and enforcing the EEOC requirements for non-compliance with filing requirements pursuant to Component 2.
3. Documentation of internal administration analyses of the legal authority to halt the previously approved collection of pay data, including Component 2.
4. Written documentation of any inter agency discussions on halting the collection of EEO-1 pay data, including Component 2.

5. In *National Women's Law Center, et. al. v. Office of Management and Budget, et. al.*<sup>1</sup> the EEOC filed documents indicating that the EEOC has not yet determined EEO-1 pay data response rates for the past four years. In the August 16, 2019, court-ordered status report,<sup>2</sup> the EEOC indicated that this review will be completed before the next court-ordered status report. Provide documentation sufficient to show EEOC's planned methodology to conduct this analysis and the date by which the EEOC will complete this analysis.
6. Documentation sufficient to show how the EEOC will ensure that the integrity of the data it receives is not compromised and its utility is not minimized.
7. A detailed explanation and any written documentation of the decision to collect data for 2017 and 2018 by the September 30, 2019, deadline rather than exercising the option of collecting 2018 data this year and 2019 data during the 2020 EEO-1 reporting period. Include documentation on the number of employers that have communicated—either directly to the EEOC or through NORC at the University of Chicago—that they cannot provide the complete Component 2 data of the EEO-1 form for 2017 and 2018 by the September 30, 2019, deadline.
8. A detailed explanation of how the EEOC plans to utilize the EEO-1 pay data collection, including Component 2.

Please provide the EEOC's response to the above requests by September 13<sup>th</sup>, 2019. Please also provide the EEOC's response to each of the above requests as it becomes available rather than waiting to provide all responses at once. If you have any questions, please contact Janice Nsor at [Janice.Nsor@mail.house.gov](mailto:Janice.Nsor@mail.house.gov). Please direct all official correspondence to the Committee's Chief Clerk at [Tylease.Alli@mail.house.gov](mailto:Tylease.Alli@mail.house.gov). Thank you for your attention to this matter, and we look forward to your response.

Sincerely,



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**ROBERT C. "BOBBY" SCOTT**  
Chair



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**SUZANNE BONAMICI**  
Chair  
Subcommittee on Civil Rights and Human  
Services

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<sup>1</sup> *National Women's Law Center, et. al. v. Office of Management and Budget, et. al.*, No. 17-cv-2458 TSC, (D.D.C. November 15, 2017).

<sup>2</sup> Defendant EEOC's Report of Steps to Implement the EEO-1 Component 2 Data Collection: Submitted August 16, 2019, *National Women's Law Center, et. al. v. Office of Management and Budget, et. al.*, No. 17-cv-2458 TSC (D.D.C. August 16, 2019).