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October 8, 2026

The Honorable Daniel Aronowitz
Assistant Secretary
Employee Benefits Security Administration
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Dear Assistant Secretary Aronowitz:

Following your first appearance before the Committee on Education and Workforce (Committee) on April 16, 2026,¹ we write to request information regarding the current capacity and allocation of resources at the Employee Benefits Security Administration (EBSA or Agency). Specifically, we have questions and concerns about EBSA's current capacity to robustly enforce the requirements of the *Employee Retirement Income Security Act of 1974* (ERISA) and safeguard the security of over 155 million workers' job-based benefits. These concerns stem from the unfortunate reality that, for over a decade, EBSA's base budget has remained generally flat while operating costs have dramatically increased and staffing has declined.² Since 2021, beyond a one-time lump sum appropriation that expired at the end of 2024 for the implementation of surprise billing protections, EBSA's budget has lagged far behind the overall inflation rate.³

Since January 2025, EBSA's workforce has been devastated by the "deferred resignation" program and early retirement offers, which alone reportedly resulted in a sharp drop in the agency's staff count by more than 20 percent.⁴ In May 2026, the Agency reportedly had

¹ *Examining the Policies and Priorities of the Employee Benefits Security Administration: Hearing Before the Subcomm. on Health, Employ., Lab., Pensions of the H. Comm. on Educ. And Wrkf.*, 119th Cong. (2026).

² U.S. GOV'T ACCOUNTABILITY OFF., GAO-24-105667, *EMPLOYEE BENEFITS SECURITY ADMINISTRATION: SYSTEMATIC PROCESS NEEDED TO BETTER MANAGE PRIORITIES AND INCREASED RESPONSIBILITIES 4 & 5* (2023), <https://www.gao.gov/assets/d24105667.pdf>.

³ See U.S. DEP'T OF LAB., *EMPLOYEE BENEFITS SECURITY ADMIN.*, FY 2026 CONGRESSIONAL BUDGET JUSTIFICATION 8 (2025), <https://www.dol.gov/sites/dolgov/files/general/budget/2026/CBJ-2026-V2-01.pdf>.

⁴ Paul Mulholland, *EBSA Loses Over 20% of Staff from Resignations*, *Plan Sponsor Council of America* (Apr. 24, 2025), <https://www.pasca.org/news/pasca-news/2025/4/ebsa-loses-over-20-of-staff-from-resignations/>.

approximately 590 employees, “a reduction of 251 employees from what [EBSA] could afford.”⁵ The cuts appear to be especially drastic among EBSA’s enforcement staff, with a former senior official stating that the “agency ha[s] lost 40 [percent] of its investigators since the end of fiscal year 2024.”⁶

The chronic underfunding of EBSA also impacts direct consumer assistance. Workers who are having a problem with their employee benefit plan can contact EBSA’s “Benefits Advisors” who help workers and their families navigate their plans, exercise their rights, and get the benefits they have earned.⁷ Benefits Advisors help working families recover hundreds of millions of dollars in benefits each year.⁸ Yet the availability and capacity of these critical consumer services are reliant on the size of EBSA’s budget.

To put EBSA’s staffing and funding in context, ERISA governs 2.8 million health plans, 837,000 retirement plans, and 521,000 other employee benefit plans that cumulatively cover 155 million Americans.⁹ In 2024, then-Assistant Secretary of EBSA, Lisa Gomez, testified that the Agency had “less than 1 investigator for every 13,900 [health, retirement, and welfare] plans.”¹⁰ Over a year into the second Trump Administration, EBSA’s bandwidth has become even more dire, with a January 2026 Department of Labor Inspector General report stating that the Agency had “roughly 1 investigator for every 21,400 plans.”¹¹

The significant reductions to EBSA’s capacity are particularly concerning because, at the same time, the Trump Administration is weakening workers’ access to care and injecting risk into their hard-earned benefits. In May 2025, EBSA announced that it would no longer enforce regulations that improve compliance and lower barriers for consumers against group health plans to provide similar coverage of mental health and substance use disorder benefits as medical and surgical benefits.¹² Additionally, earlier this year, EBSA issued a proposed rule that would establish a

⁵ Letter from former EBSA officials to the Honorable Tim Walberg & Robert C. “Bobby” Scott regarding concerns over H.R. 6084 (Mar. 12, 2026), <https://docs.house.gov/meetings/ED/ED00/20260317/119079/HMKP-119-ED00-20260317-SD007.pdf>.

⁶ Brett Samuels, *Staff Cuts Have Hit Labor Benefits Agency Hard, Ex-Official Says*, BLOOMBERG LAW (Feb. 5, 2026), <https://news.bloomberglaw.com/daily-labor-report/ex-dol-official-warns-of-staff-cuts-fallout-at-benefits-agency>.

⁷ See U.S. DEP’T OF LAB., *supra* note 3, at 18.

⁸ *Id.*

⁹ About EBSA, EMPLOYEE BENEFITS SECURITY ADMIN., U.S. DEP’T OF LAB., <https://www.dol.gov/agencies/ebsa/about-ebsa> (last visited Aug. 5, 2026).

¹⁰ *Examining the Policies and Priorities of the Employee Benefits Security Administration: Hearing Before the Subcomm. on Health, Lab., Employ., & Pensions of the H. Comm. on Educ. & the Wrkf.*, 118th Cong. 2 (2024) (statement of Ms. Lisa Gomez, Assistant Secretary, Employee Benefits Security Administration, U.S. Department of Labor), https://democrats-edworkforce.house.gov/imo/media/doc/gomez_testimony.pdf.

¹¹ OFFC. OF INSPECT. GEN., U.S. DEP’T OF LAB., U.S. DEPARTMENT OF LABOR’S TOP MANAGEMENT AND PERFORMANCE CHALLENGES 28 (Jan. 2026), <https://oig.dol.gov/public/DOL-OIG%202025%20Top%20Management%20and%20Performance%20Challenges.pdf>.

¹² Press Release, U.S. Dep’t of Lab., Employee Benefits Security Admin., Statement of U.S. Departments of Labor, Health and Human Services, and the Treasury regarding enforcement of the final rule on requirements related to the Mental Health Parity and Addiction Equity Act (May 15, 2025), <https://www.dol.gov/agencies/ebsa/laws-and-regulations/laws/mental-health-parity/statement-regarding-enforcement-of-the-final-rule-on-requirements-related-to-mhpaea>.

legal safe harbor to 401(k) plans to offer so-called alternative assets, such as private equity and cryptocurrency, to workers. The hazard posed to workers' retirement security by this proposed rule is compounded by the agency's new approach to de-prioritize enforcement against plan fiduciaries for imprudent decisions.¹³

The chaotic nature of the Trump Administration's campaign to slash the federal workforce has also obscured the exact scope and severity of the damage imposed on the Agency's workforce. Over the last 20 months, we have had to rely on media reports and top-line figures in annual budget requests to ascertain EBSA's capacity, which are often vague or outdated. Moreover, your responses to the Committee's questions for the record after your appearance failed to provide any substantive information on staffing.¹⁴ In order for the Committee to evaluate EBSA's ability to effectively carry out its mission, as well as to advocate for more resources, it is imperative we have a robust and up-to-date picture of the Agency's workforce changes and composition.

For the above-stated reasons, and in keeping with the Committee's oversight responsibilities, we request your responses by no later than October 22, 2026, to the following:

1. How many Full-Time Equivalents (FTEs) are currently at EBSA?
 - a. How many FTEs are in investigative or enforcement roles?
 - b. How many FTEs are Benefits Advisors?
 - c. Provide a breakdown of the number of FTEs in each national office¹⁵, regional office, and district office.
2. How many FTEs were at EBSA on January 19, 2025?
 - a. How many FTEs were in investigative or enforcement roles at the time?
 - b. How many FTEs were Benefits Advisors at the time?
 - c. Provide a breakdown of the number of FTEs in each national office, regional office, and district office.
 - d. Does EBSA assign investigators for enforcement based on the type of employee benefit plan (*e.g.*, group health plans or retirement plans)? If so, provide a breakdown of the number of investigators assigned to enforce requirements related to group health plans, disability plans, and retirement plans, respectively.
3. For 2025, provide the following:
 - a. the total number of enforcement actions EBSA has initiated;
 - b. the total number of investigations opened; and,
 - c. the total number of investigations closed.

¹³ Assistant Secretary Daniel Aronowitz, Field Assistance Bulletin No. 2026-01, *Guiding Principles for EBSA Enforcement Priorities* (Apr. 14, 2026), <https://www.dol.gov/agencies/ebsa/employers-and-advisers/guidance/field-assistance-bulletins/2026-01>.

¹⁴ Responses from the Honorable Daniel Aronowitz to the Honorable Robert C. "Bobby" Scott regarding Questions for the Record from the Committee's April 16, 2026, hearing 9-10 (2026), <https://docs.house.gov/meetings/ED/ED02/20260416/119161/HHRG-119-ED02-20260416-QFR001-U1.pdf>.

¹⁵ Office of the Chief Accountant; Office of Enforcement; Office of Outreach, Education, and Assistance; Office of Exemption Determinations; Office of Health Plan Standards and Compliance Assistance; Office of Program Planning, Evaluation, and Management; Office of Research and Analysis; Office of Regulations and Interpretations; and Office of Training and Field Assistance.

4. For 2026 through the date of your response, provide the following:
 - a. the total number of enforcement actions EBSA has initiated;
 - b. the total number of investigations opened; and,
 - c. the total number of investigations closed.
5. What objectives were set in regional offices' program operating plans in 2025?
 - a. Were these objectives changed in 2026? If so, what were the changes?
6. Provide the total number of staff hours spent on major cases in 2025.
 - a. Provide a list of both national and regional enforcement projects, including a breakdown of the number of staff hours and percent of total time spent on each project.
7. Provide the total number of staff hours spent on major cases in 2026.
 - a. Provide a list of both national and regional enforcement projects, including a breakdown of the number of staff hours and percent of total time spent on each project.
8. Since January 20, 2025, how many FTEs have been offered deferred resignation offers?
 - a. How many were investigators?
 - b. How many were Benefits Advisors?
 - c. Provide a breakdown of the number of FTEs that have been offered deferred resignation offers by national office, regional office, and district office.
9. Since January 20, 2025, how many FTEs accepted deferred resignation offers?
 - a. How many were investigators?
 - b. How many were Benefits Advisors?
 - c. Provide a breakdown of the number of FTEs that accepted deferred resignation offers by national office, regional office, and district office.
 - d. Provide the average tenure of the FTEs that accepted deferred resignation offers.
10. Since January 20, 2025, how many FTEs have been offered early retirement?
 - a. How many were investigators?
 - b. How many were Benefits Advisors?
 - c. Provide a breakdown of the number of FTEs offered early retirement by national office, regional office, and district office.
11. Since January 20, 2025, how many FTEs accepted early retirement offers?
 - a. How many were investigators?
 - b. How many were Benefits Advisors?
 - c. Provide a breakdown of the number of FTEs that accepted early retirement offers by national office, regional office, and district office.
 - d. Provide the average tenure of FTEs that accepted early retirement offers.
12. Please provide the following information regarding the operations of the Benefits Advisors program since January 20, 2025:
 - a. How many total inquiries or complaints were received from the public by Benefits Advisors in 2025 and 2026 through the date of your response, respectively?
 - b. How many inquiries or complaints were referred to the Office of Enforcement and how many of those referrals resulted in enforcement actions in 2025 and 2026 through the date of your response, respectively?

- c. What was the average wait time to speak with a benefits advisor through the agency's hotline in 2025 and 2026 through the date of your response, respectively?
- 13. What is the current ratio of EBSA investigators to ERISA-covered employee benefit plans?
- 14. Does EBSA plan to hire more investigators and Benefits Advisors?
 - a. If so, provide a breakdown of the number of investigators and Benefit Advisors the Agency plans to hire and by when.

Thank you for your attention to this matter. If you have any questions regarding this request, please contact the Committee's Democratic Staff at EWDoversight@mail.house.gov. We look forward to your response.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member



MARK DeSAULNIER
Ranking Member
Subcommittee on Health, Employment,
Labor, and Pensions