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June 17, 2026

The Honorable Tim Walberg
Chairman
Committee on Education and Workforce
2176 Rayburn House Office Building
Washington, DC 20215

Dear Chairman Walberg:

We write to request that you promptly hold an oversight hearing with the Chair of the Equal Employment Opportunity Commission (EEOC or Commission), Andrea Lucas. The Commission's budget request should be examined by this Committee in light of the troubling actions taken over the past year to advance the political directives of the Trump Administration at the expense of workers who face discrimination.¹

As you know, Congress established the EEOC to ensure that employees can have an equal opportunity to succeed in the workforce. Its mission is to prevent and address discrimination in employment due to race, color, national origin, religion, sex (including pregnancy, childbirth, or related conditions, gender identity, and sexual orientation), age, disability, or genetic information.² In January 2025, Andrea Lucas began serving as Acting Chair³ and was, subsequently, officially made Chair in November 2025.⁴ A quorum was re-established at the EEOC following President Trump's unprecedented firing of Commissioners Charlotte Burrows

¹ Although the Chair of the EEOC has not always appeared before the Committee to explain the Commission's budget request, her appearance would be consistent with past practice; her predecessor Chair Charlotte Burrows appeared before the Civil Rights and Human Services Subcommittee on April 27, 2022. *Examining the Policies and Priorities of the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs*, Hearing Before the Subcomm. on C.R. and Hum. Servs. of the H. Comm. on Educ. and Lab., 117th Cong (Apr. 27, 2022), <https://democrats-edworkforce.house.gov/hearings/examining-the-policies-and-priorities-of-the-equal-employment-opportunity-commission-and-the-office-of-federal-contract-compliance-programs>.

² U.S. Equal Emp. Opportunity Comm'n, *Overview*, <https://www.eeoc.gov/overview> (last visited June 8, 2026).

³ Press Release, U.S. Equal Emp. Opportunity Comm'n, *President Appoints Andrea R. Lucas EEOC Acting Chair* (Jan. 21, 2025), <https://www.eeoc.gov/newsroom/president-appoints-andrea-r-lucas-eeoc-acting-chair>.

⁴ Press Release, U.S. Equal Emp. Opportunity Comm'n, *Andrea R. Lucas Designated Chair of the U.S. Equal Employment Opportunity Commission* (Nov. 6, 2025), <https://www.eeoc.gov/newsroom/andrea-r-lucas-designated-chair-us-equal-employment-opportunity-commission>.

and Jocelyn Samuels in his first month in office.⁵ Since Chair Lucas' time at the helm of EEOC, we believe she has taken actions that have seriously undermined the EEOC's work to address workplace discrimination. Some of these actions include:

- Rescinding the 2024 workplace harassment guidance, which included protections related to sexual orientation and gender identity discrimination based on *Bostock v. Clayton County*.⁶
- Posting a video featuring Andrea Lucas urging white men to come forward with allegations of race or sex discrimination at work.⁷
- Revising the process for initiating or intervening in discrimination litigation matters resulting in the Chair having more control in these matters.⁸
- Halting the processing of claims alleging gender identity-based discrimination⁹ and dropping six cases that the Commission had brought on behalf of transgender employees who faced discrimination, despite the Supreme Court's recognition that transgendered workers are protected under Title VII.¹⁰
- Ceasing to pursue cases based solely on allegations of disparate impact, even though disparate impact is specifically prohibited under Title VII.¹¹
- Issuing a decision that permits federal agencies to deny transgender employees access to bathrooms and other sex-segregated facilities consistent with their gender identity.¹²
- Reversing the decision in *Lawrence v. OPM* to now permit federal health insurance plans to exclude necessary gender-affirming care for federal transgender employees.¹³

⁵ Press Release, Office of Rep. Robert C. "Bobby" Scott, *Scott Statement on Firing of EEOC Commissioners Burrows and Samuels* (Jan. 29, 2025), <https://bobbyscott.house.gov/media-center/press-releases/scott-statement-firing-eeoc-commissioners-burrows-and-samuels>.

⁶ Press Release, U.S. Equal Emp. Opportunity Comm'n, *EEOC Commission Votes to Rescind 2024 Harassment Guidance* (Jan. 23, 2026), <https://www.eeoc.gov/newsroom/eeoc-commission-votes-rescind-2024-harassment-guidance>.

⁷ Claire Savage, *Head of Workplace Rights Agency Urges White Men to Report Discrimination*, AP News (Dec. 19, 2025), <https://apnews.com/article/dei-white-men-discrimination-andrea-lucas-eeoc-2996e71763dd0fe4b7f377eb49036fbc>.

⁸ Press Release, U.S. Equal Emp. Opportunity Comm'n, *EEOC Commission Adopts Resolution to Require Commission Approval of Almost All Litigation* (Jan. 23, 2026), <https://www.eeoc.gov/newsroom/eeoc-commission-adopts-resolution-require-commission-approval-almost-all-litigation>.

⁹ Ryan Golden, *EEOC Tells Its Workers to Halt LGBTQ+ Discrimination Claim Processing*, HR Dive (Jan. 30, 2025), <https://www.hrdiver.com/news/eeoc-tells-employees-halt-lgbtq-discrimination-cases/738853/>.

¹⁰ Claire Savage & Alexandra Olson, *EEOC Moves to Drop Transgender Discrimination Cases to Comply with Trump's Order*, PBS NewsHour (Feb. 15, 2025), <https://www.pbs.org/newshour/politics/eeoc-moves-to-drop-one-of-its-own-gender-discrimination-cases-to-comply-with-trumps-order>.

¹¹ Joseph Sellers & Christine Webber, *The EEOC Is Dropping Discrimination Claims — Time to Lawyer Up*, The Hill (Oct. 19, 2025), <https://thehill.com/opinion/civil-rights/5560748-eeoc-rejects-disparate-impact-claims/>.

¹² Press Release, U.S. Equal Emp. Opportunity Comm'n, *EEOC Issues Federal Sector Appellate Decision Recognizing the Ability of Federal Agencies to Designate Intimate Spaces in Federal Workplaces by Sex* (Feb. 26, 2026), <https://www.eeoc.gov/newsroom/eeoc-issues-federal-sector-appellate-decision-recognizing-ability-federal-agencies>.

¹³ Daniel Wiessner, *EEOC Upholds Restrictions on Gender-Affirming Care Coverage for Federal Workers*, Reuters (Mar. 26, 2026), <https://www.reuters.com/legal/government/eeoc-upholds-restrictions-gender-affirming-care-coverage-federal-workers-2026-03-26/>.

- Attempting to rescind the demographic reporting obligations of large employers in the U.S.¹⁴
- Replacing the Strategic Enforcement Plan (SEP) for Fiscal Years 2024-2028—which was developed through a bipartisan, transparent process—with the National Enforcement Plan (NEP). Unlike the SEP, there was no opportunity for public input into the NEP, which inaccurately characterizes virtually all diversity, equity, and inclusion (DEI) activities as illegal discrimination.¹⁵

Since Chair Lucas’s confirmation, Democratic Members have written letters to the EEOC expressing concern over the above-mentioned issues and asking that the Commission revert back to positions that are consistent with statutes and existing legal precedents. However, to date these letters have only resulted in perfunctory responses. Regardless of whether Members of Congress support or oppose the EEOC’s actions, the Members deserve timely and thorough responses to their inquiries. Considering the EEOC’s recent track record of providing inadequate responses to official congressional inquiries, an oversight hearing is particularly necessary so at least the Committee on Education and Workforce (Committee) can better understand whether the EEOC is carrying out its statutorily prescribed functions and if legislative action is needed to ensure that it will do so in the future.

Additionally, Chair Lucas is the subject of a complaint with the Virginia Bar that alleges that “she has repeatedly used her position as Chair of the EEOC to advance initiatives aligned with personal and political objectives even when those initiatives directly violate her duties as chair of the EEOC and Title VII of the Civil Rights Act of 1964.”¹⁶ She has taken numerous actions and made a variety of public statements that appear to lend credence to this complaint. For example, in early 2025, then-Acting Chair Lucas sent letters to twenty law firms aimed at scrutinizing or undermining their attempts to prevent discrimination and promote opportunity. These letters also included a request for information about their DEI practices, a request that was later rescinded.¹⁷ Similarly, Chair Lucas sent letters to the leaders of *Fortune* 500 companies, warning them to avoid what she characterized as “DEI-related discrimination.”¹⁸ More recently, she posted a video on social media urging white men to come forward if they have experienced race or sex discrimination at work.¹⁹ According to *The New York Times*, Chair Lucas allegedly

¹⁴ Lizbeth West, *EEO-1 Reporting Going Away? Breaking Down the EEOC’s New Proposal*, JD Supra (June 4, 2026), <https://www.jdsupra.com/legalnews/eo-1-reporting-going-away-breaking-2068309/>.

¹⁵ Press Release, U.S. Equal Emp. Opportunity Comm’n, *EEOC Releases New National Enforcement Plan* (June 4, 2026), <https://www.eeoc.gov/newsroom/eeoc-releases-new-national-enforcement-plan>.

¹⁶ The Legal Accountability Center, *Complaint against Andrea Lucas, Esq.* 1 (Apr. 23, 2026), <https://static1.squarespace.com/static/67367bde1a5ffd49c54fcf7e/t/69e943e4c2072a1899269882/1776894948202/Lucas+Bar+Complaint.pdf> (alleging that EEOC Chair Andrea Lucas violated Virginia State Bar rules by halting LGBTQ and disparate-impact investigations and issuing unauthorized DEI data demands to law firms).

¹⁷ Elizabeth Lopatto, *EEOC, Law Firms End Lawsuit Over DEI Practices*, HR Dive (Feb. 10, 2026), <https://www.hrdive.com/news/eeoc-law-firms-end-lawsuit-dei-practices/811860/>.

¹⁸ Press Release, U.S. Equal Emp. Opportunity Comm’n, *EEOC Chair Issues Reminder Letter to the Fortune 500 Regarding Title VII Compliance Related to DEI Initiatives* (Feb. 26, 2026), <https://www.eeoc.gov/newsroom/eeoc-chair-issues-reminder-letter-fortune-500-regarding-title-vii-compliance-related-dei>.

¹⁹ Claire Savage, *Head of Workplace Rights Agency Urges White Men to Report Discrimination*, AP News (Dec. 18, 2025), <https://apnews.com/article/dei-white-men-discrimination-andrea-lucas-eeoc-2996e71763dd0fe4b7f377eb49036fbc>.

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provides regular updates to the White House on cases, pursues cases that are a priority for the Administration, and politicizes case prioritization and Commission operations.²⁰ These are deeply troubling allegations that warrant oversight by the Committee.

We remain deeply concerned that, under Chair Lucas' leadership, the EEOC has taken a number of actions that are contrary to the EEOC's mission to "[p]revent and remedy unlawful employment discrimination and advance equal opportunity for all in the workplace."²¹ July 2, 2026, will mark the 61st anniversary of the EEOC.²² For decades, the EEOC has worked to faithfully enforce our nation's workplace civil rights laws. The diversity in the nation's workforce reflects that longstanding effort. The EEOC's current trajectory threatens that progress.

In addition, House Republicans' Fiscal Year 2027 (FY27) Departments of Commerce and Justice, Science, and Related Agencies appropriations bill proposes to slash funding for the EEOC by nearly \$56 million below last year's level.²³ It is important for Committee Members to hear directly from Chair Lucas about the full implications of House Republicans' proposed FY27 funding cut to the EEOC.

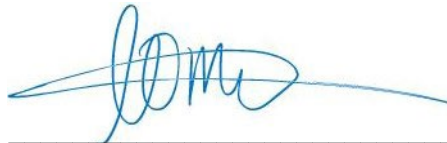
It has been four years since a Chair of the EEOC appeared before our Committee, which occurred when Democrats were in the majority.²⁴ Committee Members deserve the opportunity to conduct oversight with regard to EEOC's actions that we believe depart from its mission and to examine the Commission's funding needs.

We look forward to your response and the opportunity to hear directly from Chair Lucas.

Sincerely,



ROBERT C. "BOBBY" SCOTT
Ranking Member



ILHAN OMAR
Ranking Member
Subcommittee on Workforce Protections

²⁰ Rebecca Davis O'Brien, *Employment Commission Chair Recasts Workplace Discrimination in Trump's Image*, N.Y. Times (Jan. 27, 2026), <https://www.nytimes.com/2026/01/27/us/politics/eocc-dei-employment-discrimination.html>.

²¹ U.S. Equal Emp. Opportunity Comm'n, *Overview*, *supra* note 2.

²² U.S. Equal Emp. Opportunity Comm'n, *EEOC History: The Law*, <https://www.eeoc.gov/history/eeoc-history-law> (last visited June 5, 2026).

²³ Commerce, Justice, Science, and Related Agencies Appropriations Bill, Fiscal Year 2027, H.R. ____, 119th Cong. (2026), <https://docs.house.gov/meetings/AP/AP19/20260430/119251/BILLS-119-SC-AP-FY2027-CJS-FY27CommerceJusticeScienceandRelatedAgencies-SubcommitteeMark.pdf>.

²⁴ *Examining the Policies and Priorities of the Equal Employment Opportunity Commission and the Office of Federal Contract Compliance Programs*: Hearing Before the Subcomm. on C.R. and Hum. Servs. of the H. Comm. on Educ. and Lab., *supra* note 1.