



**U. S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Washington, DC 20507**  
**JAN 25 2013**

Honorable Bennie G. Thompson  
Ranking Member  
U.S. House of Representatives  
Committee on Homeland Security  
Washington, D.C. 20515

Dear Congressman Thompson:

The U.S. Equal Employment Opportunity Commission (EEOC) appreciates the information the Committee shared with us through your November 26, 2012 letter. It is our intent to conduct a program evaluation of the Transportation Security Administration (TSA) within the Department of Homeland Security (DHS).

In early 2010, we were made aware of potential hostile work environment issues within several TSA regional offices. Soon thereafter, we sent a request for information to TSA's Office of Civil Rights and Civil Liberties. See attached. As we progressed in our inquiry, we learned that DHS' Office of Inspector General (OIG) had initiated an investigation of the same matters. On April 14, 2010, staff from DHS OIG and EEOC met at EEOC headquarters. Given that DHS OIG had already put together a team and secured the funding and resources necessary to visit several of the regional offices, EEOC decided to assist the DHS OIG investigation instead of duplicating efforts. DHS OIG kept EEOC aware of its activities throughout the process.

In light of the new OIG report and potential issues raised therein, EEOC independently will evaluate TSA's EEO complaint framework and will begin our investigation with a request for information. Ensuing steps will include an evaluation plan, entrance conference, witness interviews and a resulting report on our findings and recommendations.

Please be mindful that our evaluation unit only has four full-time employees and that travel needs may create funding issues. Additionally, we currently have an active evaluation that requires significant staff time and will not be completed until end of the second quarter of FY 2013. Thank you for leadership in ensuring that federal government fulfills its promise of equal employment opportunity and fair and equitable treatment of its employees.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd A. Cox", is written over a faint, larger signature that is partially obscured.

Todd A. Cox, Director  
Office of Communications  
and Legislative Affairs

Attachment



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Office of Federal Operations**  
**P. O. Box 19848**  
**Washington, D.C. 20036**

February 4, 2010

Jennifer Carmichael, Director  
Office of Civil Rights and Liberties (TSA-6)  
Transportation Security Administration  
601 South 12th Street  
Arlington, VA 20598

Dear Ms. Carmichael:

This is a follow-up to our telephone conversation yesterday. As part of EEOC's oversight responsibility, we are charged with evaluating federal agencies' EEO programs, operations, and activities.

In this capacity, we have received allegations of hostile work environments in several Transportation Security Administration (TSA) regional offices. This includes information received from a concerned individual who supplied pictures of a "Jeopardy"-style game board with many offensive and inflammatory categories. Also, there have been several media reports concerning allegations of inappropriate conduct at TSA facilities.

We request that TSA provide this office with information relevant to the recent reports of offensive conduct. EEOC seeks this information under its authority under Section 717 of the Civil Rights Act of 1964 and Executive Order 11478. If after review of this information we decide to conduct an in-depth review of TSA's anti-harassment program or its EEO program as a whole, we will inform your office as soon as possible.

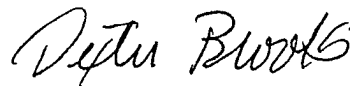
Below is our request; we ask TSA to provide all information by March 5, 2010, either via email or in hard copy. For each request for which you provide a narrative response, please also submit any relevant documents.

1. The status of any inquiry, evaluation, or investigation that TSA undertook as a result of the incidents of alleged inappropriate behavior identified above. If a final report has been issued, please provide a copy of the report.
2. TSA's anti-harassment policy and procedures, including training materials and brochures, and a description of how these documents are or have been disseminated to managers and employees. If TSA has plans to issue an updated anti-harassment policy and/or any implementing guidelines, please provide a copy and explain how this information was or will be disseminated to employees and managers.
3. A description of any administrative or disciplinary actions TSA has taken resulting from any employee, manager or supervisor participation in or tolerance of harassment (sexual or non-sexual) from FY 2007 through the present. Describe the actions taken and the circumstances leading to the actions.

4. A description of any anti-harassment or other EEO training TSA is providing as a result of the circumstances outlined above. Explain whether the training is voluntary or mandatory, the manner in which the training is presented (*i.e.*, in-person, CD, etc.), and how often the agency provides each type of training to employees.
5. Identification of how many managers have received training on the following topics: (a) EEO process; (b) TSA's anti-harassment program; (c) management skills; and (d) communication skills. For each topic, explain whether the training was voluntary or mandatory, the manner in which the training is presented (*i.e.*, in-person, CD, etc.), and how often the agency provides each type of training to managers.
6. All reports/surveys containing or regarding work climate assessments of employees and managers between FY 2007 and the present. If a report was not prepared, please provide a summary of the findings.
7. Race, national origin and gender demographics of the Federal Air Marshal Service management staff from FY 2007 to FY 2009.
8. The name and telephone number of a contact person who will be able to assist us with any clarification or explanation of the information provided in response to this request.

EEOC stands ready, willing, and able to provide technical assistance to TSA in our mutual goal of ensuring that the federal workplace is free from unlawful discrimination. If you have any questions regarding this request, please contact me at 202-663-4511 or [dexter.brooks@eeoc.gov](mailto:dexter.brooks@eeoc.gov).

Sincerely,



Dexter Brooks, Director  
Federal Sector Programs

cc: Gale Rossides, Acting Administrator  
Office of the Administrator (TSA-1)  
Transportation Security Administration  
601 South 12th Street  
Arlington, VA 20598

Stephen Shih  
Director of Equal Employment Opportunity Programs  
Office of Civil Rights and Civil Liberties  
United States Department of Homeland Security  
Washington, D.C. 20528