

# United States Senate

WASHINGTON, DC 20510

April 13, 2018

The Honorable Richard Shelby  
Chairman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Patrick Leahy  
Vice Chairman  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Roy Blunt  
Chairman  
Subcommittee on Labor, Health and  
Human Services, and Education  
Senate Committee on Appropriations  
Washington, D.C. 20510

The Honorable Patty Murray  
Ranking Member  
Subcommittee on Labor, Health and  
Human Services, and Education  
Senate Committee on Appropriations  
Washington, D.C. 20510

Dear Chairman Shelby, Vice Chairman Leahy, Chairman Blunt and Ranking Member Murray:

As you begin consideration of the Fiscal Year 2019 (FY19) Labor, Health and Human Services, and Education Appropriations bill, we write to express our strong support for funding to ensure that all students have access to equal opportunities and a safe environment in education. **We respectfully request that you provide adequate funding in Fiscal Year 2019 for the Office of Civil Rights of the U.S. Department of Education.**

The Department of Education's Office for Civil Rights (OCR) investigates cases of discrimination in education across the country. Their important work safeguards students and empowers institutions to address inequality. Yet the administration has requested funding for 46 *fewer* employees suggesting that the office is "able to do more with less"<sup>1</sup>, despite the fact that civil rights advocates have long been concerned that this arm of the agency is understaffed.<sup>2</sup> In its Fiscal Year 2018 budget request OCR officials reported civil rights investigators would be expected to handle over 60% more cases than their 2015 workload (which was the last year for which this data is available).<sup>3</sup> These statements taken together with the insufficient funding request call attention to the dire need for Congress to safeguard this office and its employees.

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<sup>1</sup> Secretary DeVos on fiscal year 2019 budget request. (2018, March 20). Retrieved March 26, 2018, from <https://www.c-span.org/video/?442744-1/secretary-devos-testifies-fiscal-year-2019-budget-request>

<sup>2</sup> Green, E. L. (2017, June 16). Education Dept. says it will scale back civil rights investigations. *New York Times*, Politics.

<sup>3</sup> Hackman, M. (2017, December 15). Trump job cuts at Education Department worry civil-rights advocates. *Wall Street Journal*, Education.

Every complaint reported to OCR requires thorough time and expertise to investigate. Thorough investigation is in the best interest of all parties, and safeguards the rights of individuals and institutions while effectively pursuing justice for victims of discrimination. OCR handles the investigation and enforcement of violations of Title IX, and the Clery Act Compliance Team enforces the Clery Act. Given the extent of the problem of sexual assault on college campuses, there is a clear need for an adequate amount of trained staff to enforce the laws currently on the books. In addition, the Department of Education is charged with enforcing regulations regarding the Violence Against Women Reauthorization Act amendments to the Clery Act, which expanded the scope of requirements under the Clery Act for universities and colleges to more effectively address and reduce campus sexual violence. Proper enforcement of these regulations and the existing provisions of the Clery Act and Title IX requires sufficient funding.

Discrimination in education takes a toll on the academic performance, and the mental and physical wellbeing of our nation's students.<sup>4</sup> We have made great strides over time in recognizing the various manifestations and consequences of civil rights violations, but there is still much more to be done. We must do everything in our power to address the needs of our students and guarantee that they have access to an academic environment that is safe and free from discrimination. In order to realize this goal it is essential that the U.S. Department of Education have the resources necessary to continue this important work.

We respectfully request that the Senate Committee on Appropriations and the Senate Appropriations Subcommittee on Labor, Health and Human Services, Education and Related Agencies provide adequate funding for FY 2019 to the Office for Civil Rights and the Clery Act Compliance Team at the U.S. Department of Education to continue their vital work in ensuring compliance with our civil rights statutes. We appreciate your consideration of this request.

Sincerely,



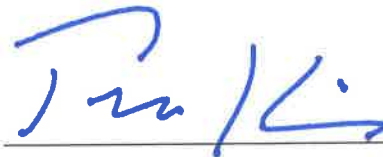
Kirsten Gillibrand  
United States Senator



Claire McCaskill  
United States Senator

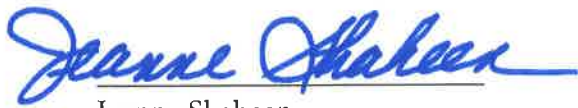


Richard Blumenthal  
United States Senator

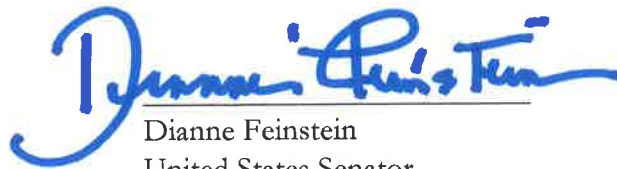


Tim Kaine  
United States Senator

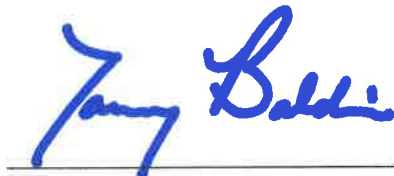
<sup>4</sup> American Psychological Association (2016). Stress in America: The impact of discrimination. Stress in America™ Survey



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United States Senator



Dianne Feinstein  
United States Senator



Tammy Baldwin  
United States Senator



Mazie K. Hirono  
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Mark R. Warner  
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