AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES, AFL-CIO

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November 17, 2026

The Honorable Bill Cassidy
Chair
Senate Committee on Health, Education, Labor, and Pensions
United States Senate
Washington, DC 20510

The Honorable Bernie Sanders
Ranking Member
Senate Committee on Health, Education, Labor, and Pensions
United States Senate
Washington, DC 20510

Dear Chair Cassidy, Ranking Member Sanders and Members of the Committee:

On behalf of the American Federation of Government Employees (AFGE), which represents over 800,000 federal and D.C. government workers, I write to express our strong opposition to the nomination of Catherine Eschbach to serve as General Counsel of the Equal Employment Opportunity Commission (EEOC). The General Counsel must demonstrate an unwavering commitment to civil rights enforcement. Ms. Eschbach's record as Director of the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) shows otherwise. Under her leadership, OFCCP retreated from its mission of ensuring federal contractors comply with nondiscrimination requirements, oversaw the dismantling of workplace equity protections following the rescission of Executive Order 11246, and moved away from disparate impact enforcement and systemic approaches to identifying discrimination.

The EEOC cannot afford more of the same. Over the past two years, the agency has been steadily weakened. It lost a significant number of staff who enforce laws preventing discrimination and ended investigations of charges based solely on disparate impact at the end of September 2025, abandoning a core tool for identifying systemic discrimination. In fiscal year 2025, it filed just 93 lawsuits, a ten-year low. Ms. Eschbach has been part of the agency's senior legal leadership since September 2025, including Principal Deputy General Counsel of EEOC, and her nomination offers no break from that course. Rebuilding the EEOC requires a fresh approach. The General Counsel shapes the agency's legal positions, enforcement priorities, and litigation strategy, and Ms. Eschbach's record gives workers no reason to expect one.

The EEOC must be a strong, independent institution that vigorously enforces civil rights laws. Federal employees, contractors, and working families deserve leadership that holds employers accountable and addresses both individual discrimination and systemic barriers to equal opportunity. For these reasons, AFGE urges the Committee to reject Ms. Eschbach's nomination.

Thank you for your consideration of AFGE's position and your commitment to protecting the rights of America's workers.

Sincerely,

Daniel Horowitz

Daniel Horowitz
Legislative Director