

United States Senate

WASHINGTON, DC 20510-2101

March 22, 2016

The Honorable Jenny Yang
Chair
Equal Employment Opportunity Commission
131 M Street NE
Washington, DC 20507

Dear Chair Yang:

We write today to request that the comment period be extended for the Equal Employment Opportunity Commission's (EEOC) recent proposal to revise the Employer Information Report (EEO-1) which would require certain private sector employers to report to the EEOC data regarding employees' pay and hours worked.¹ We encourage the EEOC to allow the public additional time to review the proposal by extending the comment period to 90 days.

As required by the Paperwork Reduction Act, the EEOC's current proposal has a 60 day comment period that ends on April 1, 2016.² EEOC states in the proposal that it expects more than 60,000 employers to have to collect this information for the first time; therefore, a longer comment period is needed. The additional time would enable employers and the public to gather data, provide more robust feedback, and collect more precise estimates about the costs and benefits of the proposed changes compared to what EEOC has estimated. For example, the EEOC's proposal makes several assumptions as to the burden it would impose on employers, but concerns have been raised about the basis of the figures used to calculate the burden. In addition, employers and the public need time to evaluate and comment on potential unintended consequences of new disclosure requirements such as compensation information being used for competitive advantage for businesses. Finally, EEOC failed to adequately explain how the new information will be used in its enforcement efforts.

The EEOC's current proposal would significantly increase the amount of data that employers would be required to submit to the federal government. Therefore, we request the EEOC extend the comment period to 90 days in order for the public to thoroughly review the proposal.

¹ Agency Information Collection Activities: Revision of the Employer Information Report (EEO-1) and Comment Request 81 Fed. Reg. 5113-5121 (Proposed February 1, 2016) [hereinafter *Employer Information Report*].

² See *Employer Information Report*.

The Honorable Jenny Yang
March 22, 2016
Page 2

We appreciate your time and attention to our request, and we look forward to staying apprised of any further developments.

Sincerely,



Lamar Alexander
U.S. Senator



Kelly Ayotte
U.S. Senator



Bill Cassidy, M.D.
U.S. Senator



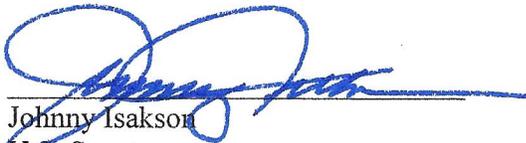
Daniel Coats
U.S. Senator



Thad Cochran
U.S. Senator



Deb Fischer
U.S. Senator



Johnny Isakson
U.S. Senator



Ron Johnson
U.S. Senator



David Perdue
U.S. Senator



Pat Roberts
U.S. Senator