



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Washington, D.C. 20002

Office of the Chair
Andrea R. Lucas

February 26, 2026

Via USPS and Electronic Mail

[COMPANY]
c/o [CEONAME], Chief Executive Officer
[GCNAME], General Counsel
[CHAIRNAME], Board Chairman
[ADDRESS]
[EMAIL]

Re: Reminder of Title VII Obligations Related to DEI Initiatives

Dear [CEONAME], [GCNAME], and [CHAIRNAME],

The U.S. Equal Employment Opportunity Commission (EEOC) was created by Congress more than 60 years ago to prevent and to remedy employment discrimination in our nation's workplaces. In furtherance of these objectives, the agency is committed to educating employers to promote compliance and prevent unlawful discrimination, as well as to using its full range of enforcement tools, having recently obtained a quorum of commissioners. As we begin a new year, I write to ensure that, in your respective roles as chief executive officer, general counsel, and chairman of the board, you are aware of the EEOC's technical assistance documents addressing race and sex-based discrimination in employment that may result from a company's so-called diversity, equity, and inclusion (DEI) policies, programs, or practices.¹

The EEOC's anti-discrimination mission goes to the heart of the foundational beliefs and promises of our nation, namely that: *all* Americans are inherently created equal; *all* citizens are entitled to equal treatment under law and therefore should have equality of opportunity in every sector of our society, including the workplace; and *all* Americans have the right to be treated in the workplace as individuals, not members of a particular race or group, and judged only by the content of their character, skills, and abilities, rather than by the color of their skin or by their sex.

In the past few years, these bedrock American principles have been under attack by movements and ideologies that elevate group rights over individual rights; demand equal outcomes over equal treatment and equal opportunity; and, most absurdly, twist our nation's civil rights laws to promote discrimination against certain races or groups, rather than protect all Americans equally and evenhandedly.

¹ This includes functionally similar programs, policies, and practices that now may bear other labels, such as Inclusion & Diversity; Belonging; People & Culture; or Opportunity & Inclusion.

The EEOC stands ready to combat such discrimination and protect each worker’s individual rights to be judged on merit, as well as to help employers provide equal opportunity for all in the workplace. The agency’s mission is evident in our very name given to us by Congress in the Civil Rights Act of 1964 — we are the *Equal Employment Opportunity* Commission, not the *Equitable Employment Outcomes* Commission. Over the first year of the second Trump Administration, the EEOC under my leadership has undertaken exhaustive efforts to return to its founding principles and restore evenhanded enforcement of employment civil rights laws on behalf of all Americans. Guided by President Trump’s pledge to restore dignity to the American worker and his series of landmark civil rights executive orders, the EEOC has mobilized every available resource at its disposal to ensure this nation’s workforce can once again prosper under the protection of a government committed to eradicating discriminatory practices.

As always, the Commission is committed to fully utilizing all statutory tools to fulfill the Commission’s mission — from education and compliance efforts to the administrative enforcement process and litigation. In October 2025, the Commission regained its quorum, empowering it to bring all types of cases in federal court, including systemic cases; pattern and practice lawsuits; and other large-scale litigation.

Protecting workers, however, starts with preventing discrimination in the first place. To that end, earlier this year, the EEOC and the U.S. Department of Justice (DOJ) released educational resources about unlawful discrimination related to DEI in the workplace. As the EEOC noted upon publishing these materials, the widespread adoption of DEI in the Fortune 500 and elsewhere in our country does not change longstanding legal prohibitions against the use of race, sex, and other protected characteristics in employment. See [Press Release, EEOC and Justice Department Warn Against Unlawful DEI-Related Discrimination](#).² To help educate the public about how well-established civil rights rules apply to employment policies, programs, and practices — including those labeled or framed as “DEI” or other euphemisms — the EEOC and the DOJ therefore released a joint one-page technical assistance document, “[What To Do If You Experience Discrimination Related to DEI at Work](#).”³ The EEOC also released a longer question-and-answer technical assistance document, “[What You Should Know About DEI-Related Discrimination at Work](#).”⁴

Both non-binding documents are based on the text of Title VII, existing EEOC policy guidance and technical assistance documents, and Supreme Court precedent.⁵ They are designed to help educate employers as they seek to comply with their obligations under federal employment civil rights laws, including with respect to any current or past DEI policies, programs, or practices.

² <https://www.eeoc.gov/newsroom/eeoc-and-justice-department-warn-against-unlawful-dei-related-discrimination>

³ <https://www.eeoc.gov/what-do-if-you-experience-discrimination-related-dei-work>

⁴ <https://www.eeoc.gov/wysk/what-you-should-know-about-dei-related-discrimination-work>

⁵ After the documents were published, the Supreme Court further affirmed positions taken therein, in a unanimous opinion in *Ames v. Ohio Department of Youth Services*, 605 U.S. __ (2025) (Title VII “establish[es] the same protections for every ‘individual’—without regard to that individual’s membership in a minority or majority group”).

This letter is not intended to be a comprehensive statement of concerns or issues that may exist in connection with the use of DEI-related policies, programs, and practices, but rather a reminder of the importance of your non-discrimination obligations and this Administration's vigilance in protecting the rights of all Americans.⁶ It is your responsibility to comply with all requirements of federal law, including Title VII.

As we celebrate the 250th Anniversary of our Nation's founding, let us affirm our shared commitment to operating workplaces where every American worker has an equal opportunity to succeed, without regard to the color of their skin or their sex.

Please direct any relevant inquiries concerning this letter to the Chief Counsel to the Chair, including any requests to meet with EEOC staff regarding its subject matter.

Sincerely,

A handwritten signature in black ink that reads "Andrea R. Lucas". The signature is written in a cursive style with a large initial 'A'.

Andrea R. Lucas
Chair
U.S. Equal Employment Opportunity Commission

⁶ Please note that I am distributing this letter broadly to hundreds of the country's largest employers, which have operated or engaged in a wide variety of employment policies, programs, and practices; your receipt of this letter is not intended to suggest that your company has engaged in illegal conduct.