

**STATEMENT
OF
COMMISSIONERS GAIL HERIOT AND PETER N. KIRSANOW**

In response to the Majority's June 16th Statement of Concern over the Trump Administration's Budget for Civil Rights Agencies

Six members of the U.S. Commission on Civil Rights voted to adopt a statement condemning President Trump's proposed budget cuts to various civil rights agencies. We dissented from that decision and from the exaggerated rhetoric contained in it.

Contrary to the impression one would get from reading the statement adopted by the majority, the Administration's proposal modestly *increases* funding for Department of Justice's Civil Rights Division. What is really remarkable is not the Trump Administration's proposal, but rather the fact that despite the Supreme Court's decision in *Shelby County v. Holder* (2013), which significantly reduced the Civil Rights Division's workload, the Obama Administration repeatedly expanded its budget.

Similarly, the statement adopted by the majority expresses concern with budget reductions for the Department of Education's Office for Civil Rights. But the proposed budget cut is only **1.57%**. This is after OCR received an unusually large (7%) budget increase in Fiscal Year 2016. In our opinion that 2016 increase was unjustified. OCR has been exceeding its authority for many years now. We would have cut its budget by a larger amount than the Trump Administration chose.

The majority statement also accuses Education Secretary Betsy DeVos of having "repeated[ly] refus[ed] in Congressional testimony and other public statements to commit that the Department would enforce civil rights laws." This is over the top. Secretary DeVos never declined to commit to enforcing "civil rights laws." She interprets those laws differently from our colleagues. She could have made that more clear in her testimony before the Subcommittee Labor, Health and Human Services, and Education of the House Committee on Appropriations if Rep. Katherine Clark (D-MA) had not repeatedly badgered and interrupted her.

The majority statement goes on at length, but we will deal with just one more example: It complains that the Department of Labor's Office of Federal Contract Compliance Programs is slated to have substantial staff reductions in connection with the planned transfer to the Equal Employment Opportunity Commission. But the whole point of the restructuring is to increase efficiency. The OFCCP and the EEOC deal with similar issues. While we do not necessarily endorse the transfer of functions, we note that avoiding waste in government spending is in everyone's interest.