
May 14, 2019

The Honorable William P. Barr
Attorney General of the United States
U.S. Department of Justice
Robert F. Kennedy Main Building
950 Pennsylvania Avenue, NW
Washington, D.C. 20530

Dear Attorney General Barr:

On behalf of the Department of Justice Gender Equality Network (DOJ GEN), we congratulate you on your appointment as Attorney General of the United States, and commend you for issuing the Equal Employment Opportunity (EEO) Policy Statement on April 4, 2019.

DOJ GEN is an employee resource and advocacy group with more than 400 members across DOJ. We believe that a diverse workplace is essential to DOJ's mission, and we advocate for enhanced equality of opportunity within our workforce regardless of gender. To achieve these goals we promote stronger and more effective sexual harassment policies, seek to eliminate gender-based barriers to advancement and leadership, push for greater family leave flexibility, work to ensure that DOJ hiring practices do not create a gender wage gap, and educate DOJ employees about issues regarding gender discrimination.

We appreciate the recognition, reflected in the EEO Policy Statement, of the importance of diversity and inclusion for maintaining a dedicated and diligent workforce at DOJ. In particular, we appreciate that you identified the need to guard against discrimination based on an expansive list, including sex, gender identity, pregnancy status, parental status, and marital status. We will continue to work to inform all DOJ employees about the policy so they are aware of their rights and protections.

We also write today to express our concern with the lack of women in top-level leadership positions. On February 12, 2019, DOJ GEN sent a letter and informational charts to the Assistant Attorneys General of the Department's litigating components expressing the same concern. *See* attached. The charts show that, at the time we sent the letter, women held only one of the 50 top-level leadership positions in the litigating components, and *no* women held top-level leadership roles in the Antitrust Division,

Civil Division, Civil Rights Division, Criminal Division, National Security Division, Tax Division, or Solicitor General's Office.¹

We appreciate your appointment of Claire McCusker Murray to the position of Principal Deputy Associate Attorney General. But we continue to be concerned that the dearth of women in top leadership roles sends the message, both to DOJ employees and to the public at large, that the Department does not value including women in top-level decision-making. In our February letter, we told the AAGs we were interested in hearing from them about what they had done or planned to do to address this problem, and we invited them to meet with us to discuss possible ways to foster equality in leadership positions. To date, two AAGs have taken us up on our offer: we had productive meetings with AAG Brian Benczkowski of the Criminal Division on March 13, and AAG John Demers of the National Security Division on April 23.

We also appreciated your nomination of the Honorable Jessie Liu to the position of Associate Attorney General. U.S. Attorney Liu's impressive background commands the respect of many, and DOJ GEN had looked forward to working with her. We hope you will continue to consider a person committed to addressing the important issue of diversity and inclusivity when selecting your next nominee for Associate Attorney General. We look forward to working with him or her to discuss ways to increase opportunities for women to advance within the Department.

Congratulations again on your appointment as Attorney General. We would welcome the opportunity to meet with you, or with a representative from your office, to discuss how DOJ GEN can help enhance equality of opportunity within DOJ's workforce. DOJ GEN stands ready to assist you in implementing a Department-wide, uniform sexual harassment policy, eliminating gender-based barriers to advancement and leadership, devising stronger family leave policies, and eliminating the gender wage gap in DOJ hiring practices. We appreciate your consideration and look forward to hearing from you.

Respectfully,

DOJ GEN Board of Directors

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Civil Division
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Vice President, DOJ GEN
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¹ In response to the letter, DOJ made a statement to the media that the Civil Rights Division recently named a woman as a Deputy Assistant Attorney General. However, no formal announcement about that appointment has been made, and neither the DOJ Directory nor the Civil Rights Division's masthead reflects this change.

ILENE ALBALA
United States Attorney's Office

KISHA BARNES
Bureau of Prisons

GEORGETTE BROWN
Bureau of Prisons

ELIZA DERMODY
Civil Rights Division

LINDSAY DUNN
Civil Division

SHANA EATON
National Security Division

DANIELLE GARTEN
Antitrust Division

STEFANIE HENNES
Civil Division

ELIZABETH MCDONALD
Civil Rights Division

CARMEL MORGAN
Civil Division

HEATHER MOSS
Office of Justice Programs

COLLEEN PHILLIPS
Civil Rights Division

CAROLYN VINES SAPLA
Bureau of Prisons

MEGAN SCHULLER
Civil Rights Division

MIMI TSANKOV
Immigration Court

KIMBERLY WILKENS
Exec. Office of Imm. Review

cc: Rachel Bissex
Counsel to the Attorney General and White House Liaison

Brian Rabbitt
Chief of Staff and Senior Counselor to the Attorney General

February 12, 2019

Assistant Attorney General Brian Benczkowski
Assistant Attorney General Jeff Clark
Assistant Attorney General Makan Delrahim
Assistant Attorney General John Demers
Assistant Attorney General Eric Dreiband
Assistant Attorney General Joseph Hunt
Principal Deputy Attorney General Richard Zuckerman

United States Department of Justice
950 Pennsylvania Avenue
Washington, DC 20530-0001

Dear Assistant Attorneys General Benczkowski, Clark, Delrahim, Demers, Dreiband, and Hunt, and Principal DAAG Zuckerman:

We write this letter to you, the heads of the Department of Justice litigating components, to express our concern about the lack of women in top-level leadership positions and to ask that you be vigilant in recognizing the importance of gender diversity and inclusion when making hiring decisions for leadership positions in your offices. The DOJ Gender Equality Network (DOJ GEN) is a resource and advocacy group comprised of roughly 375 Department employees and contractors. We believe that a diverse workplace is essential to the mission of the Department, and we advocate for policies that enhance equality of opportunity within the Department's workforce, regardless of gender.

We have compiled information about gender and diversity among current DOJ leadership at the DAAG level and above. As shown in the first enclosed chart, there are currently *no* women in top-level leadership roles in the Antitrust Division, Civil Division, Civil Rights Division, Criminal Division, National Security Division, Tax Division, and Solicitor General's Office. The dearth of women in top leadership roles sends a negative message, both to Department employees and to the public at large, that DOJ does not value including women in top-level decision-making.

Another matter of interest to DOJ GEN is the overall number of women in managerial Senior Executive Service (SES) positions (see second enclosed chart). Women currently fill roughly 45% of attorney positions and hold about 38% of SES positions in the

litigating components. It is vital that women be strongly considered for SES roles, and with your support, we hope that the numbers of women in SES roles will grow in the coming years. SES leaders provide day-to-day oversight and management, and they are responsible for many on-the-ground decisions, including determining which employees will staff high profile litigation and policy roles. They also influence the application of human resources policies that affect Department employees.

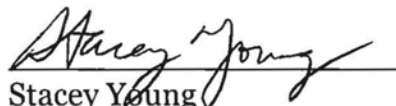
A diverse SES leadership shows that the Department is committed to fostering “an inclusive workplace where diversity and individual differences are valued and leveraged to achieve the vision and mission of the organization.”¹ We believe that when more women and employees of diverse backgrounds are in SES roles, decision makers will be exposed to a greater variety of ideas and perspectives, which in turn fosters greater innovation and productivity, and better results.


We are interested to hear from each of you about what you have done or plan to do to address the lack of women in top-level leadership positions in your respective offices. We also ask that you raise this issue with the Acting Attorney General and any future Attorneys General as a matter of priority for your office and for the Department.

Should you wish to discuss this issue further, we welcome the opportunity to meet with you or with a representative from your office to discuss our ideas and possible ways to better foster equality in leadership positions. We appreciate your consideration and look forward to hearing from you.

Sincerely,

On behalf of the DOJ GEN Board:


Stacey Young
DOJ GEN President


Melanie Krebs-Pilotti
DOJ GEN Vice-President

¹ Guide to Senior Executive Service Qualifications (Sept. 2012), available at https://www.opm.gov/policy-data-oversight/senior-executive-service/reference-materials/guidetosesquals_2012.pdf

DOJ GEN CHART on DOJ LEADERSHIP & GENDER in the LITIGATING COMPONENTS

Title	Name	Gender
Acting AG	Matthew Whitaker	M
Deputy AG	Rod Rosenstein	M
Associate AG	Jesse Panuccio (acting)	M
OSG		
Solicitor General	Noel Francisco	M
Principal Deputy	Jeff Wall	M
Deputy	Ed Kneedler (career)	M
Deputy	Malcolm Stewart (career)	M
Deputy	Michael Dreeben (career)	M
Antitrust Division		
AAG	Makan Delrahim	M
Principal Deputy	Andrew C. Finch	M
DAAG	Roger P. Alford	M
DAAG	Jeffrey Wilder (acting/career)	M
DAAG	Michael F. Murray	M
DAAG	Bernard A. Nigro, Jr.	M
DAAG	Richard Powers (career)	M
Civil Division		
AAG	Joseph H. Hunt	M
Principal Deputy	Chad A. Readler	M
DAAG - Commercial Lit	Michael Raab (acting)	M
DAAG - Appellate	Hashim Mooppan	M
DAAG - Fed Programs	Brett Shumate	M
DAAG - Torts Branch	Thomas Ward	M
DAAG - Consumer Protection	James Burnham (acting)	M
DAAG - Immigration Lit	Scott Stewart	M
Civil Rights Division		
AAG	Eric S. Dreiband	M
Principal DAAG	John M. Gore	M
DAAG	Gregory B. Friel (career)	M
DAAG	Robert Moossy (career)	M
DAAG	Don Livingston	M

ATTACHMENT 1

Criminal Division		
AAG	Brian Allen Benczkowski	M
Principal DAAG	John Cronan	M
DAAG	Bruce Swartz (career)	M
DAAG	Raymond N. Hulser (acting)	M
DAAG	David C. Rybicki	M
DAAG	Richard W. Downing	M
DAAG	Matthew Miner	M
DAAG	Kevin Driscoll (acting)	M
Env't & Natural Res. Division		
AAG	Jeff Clark	M
Principal Deputy	Jeff Wood	M
DAAG	Eric Grant	M
DAAG	Jonathan Brightbill	M
DAAG	Jean Williams (career)	F
DAAG	Bruce Gelber (career)	M
National Security		
AAG	John C. Demers	M
DAAG	Brad Wiegmann (career)	M
DAAG	Stuart Evans (career)	M
DAAG	George Z. Toscas (career)	M
DAAG	Adam Hickey (career)	M
Tax Division		
AAG	(no nominee)	
Principal DAAG	Richard Zuckerman	M
DAAG	David A. Hubbert (career)	M
DAAG	Travis Greaves	M

This chart compiles information about top-level DOJ leadership at the DAAG level and above. All the information is publicly available, but has not been made available by DOJ in any current and centralized location. This information was compiled by DOJ GEN members. We have made best efforts to ensure the accuracy of the information, but are not certain every entry is current.

SES Positions Held by Women in DOJ Litigating Components**

Component	Fiscal Year	Total #s of SES	# of Women
Antitrust Div.	2017	24	9
	2016	25	9
Civil Division	2017	44	15
	2016	45	15
Civil Rights Division	2017	20	14
	2016	20	14
Criminal Division	2017	28	9
	2016	28	9
Env't & Natural Resources Div.	2017	22	7
	2016	22	7
Tax Division	2017	22	6
	2016	22	6

*Gender data is not available for the National Security Division.

** Information for FY2018 is not yet available.