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October 30, 2020

The Honorable Mark T. Esper
Secretary of Defense
Department of Defense
1400 Defense Blvd.
Washington, D.C. 20301

The Honorable Dan Brouillette
Secretary of Energy
Department of Energy
1000 Independence Ave. SW
Washington, D.C. 20585

The Honorable Andrew Wheeler
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave. NW
Washington, D.C. 20460

Dear Secretary Esper, Secretary Brouillette, and Administrator Wheeler:

I write to express significant concern with the effects of implementing the White House Executive Order issued on September 22, 2020, and the Office of Management and Budget (OMB) memo issued on September 4, 2020 prohibiting Executive Branch entities from using federal funds to administer training sessions that incorporate teachings about critical race theory and white privilege.

In the United States, race is still an indicator of an individual's success. Training sessions on diversity, equity, and inclusion are important in bringing forward the voices of underrepresented individuals. Rather than stoking divisiveness, diversity training sessions seek to inform how the world affects those of different races. Public servants require an understanding of the unique experiences of our nation's individuals to adequately serve the public. Furthermore, exploration of the advantages of certain races in social, political, and economic areas can help create a more equitable and effective work environment.

I am also concerned that agencies and departments are broadly discontinuing training sessions on diversity and inclusion in fear of violation of the directive. For example, it was reported that one of the U.S. military academies canceled a scheduled virtual screening and discussion of the film *Malcolm X* hosted by *Arts in the Armed Forces* out of fear that the event was at odds with the executive order.¹ The Department of Energy has stated they will conduct "an expedited

¹ <https://www.indiewire.com/2020/10/trump-executive-order-scared-off-military-screening-malcolm-x-1234590843/>

enterprise wide review of diversity and inclusion workshops.”² The Environmental Protection Agency (EPA) reportedly cancelled part of its speaker series on environmental justice. Furthermore, it is unclear whether companies that contract with government agencies are also being forced to comply with the directive. It is apparent that the vague and misleading phrasing of the directive may result or may have already resulted in the termination of programs that cover diversity, equity, and inclusion in much broader terms than those detailed in the directive.

I ask that you respond to the following questions:

- In response to the September 4th OMB Directive and the September 22nd Executive Order, has your department paused or cancelled any training sessions on diversity, equity, and/or inclusion (DEI)?
- Has the White House or the Office of Personnel Management asked your department to provide them with copies of any materials related to any training sessions on diversity, equity, and/or inclusion since the September 4th OMB Directive. If so, what?
- Please provide any incidences where training or any other events have been cancelled. Please note where the cancelled events are beyond those that specifically mention the phrases named in the OMB directive.
- What instructions has your agency given to contractor organizations?
- For the Department of Energy, what has been communicated to the national labs including the contracted employees there?

Thank you for your urgent attention to this matter.

Sincerely,



Michael F. Bennet

² <https://www.chicagotribune.com/business/ct-biz-federal-contractors-president-trump-ban-diversity-training-20200929-5uzblt3o3zgmlly7ddx2tbskgi-story.html>