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United States Senate

COMMITTEE ON
HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS
WASHINGTON, DC 20510-6250

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May 28, 2015

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

Dear Ms. Yang:

In 2013, I began investigating how the Department of Defense manages and oversees its efforts to account for and recover missing personnel from past military conflicts.¹ During that investigation, I received many complaints from current and former staff working at the agencies responsible for accounting efforts, including the Joint POW/MIA Accounting Command (JPAC)² and the Defense POW/Missing Personnel Office (DPMO).³ These individuals described an environment that was rife with systemic discrimination and retaliation. These individuals also reported that they had filed numerous complaints with the U.S. Equal Opportunity Employment Commission (EEOC), as well as retaliation complaints with the Office of Special Counsel and allegations of waste, fraud and abuse with the Department of Defense Office of Inspector General. Many of these complaints remain unresolved and, despite the reform and reorganization efforts, I have continued to receive reports of ongoing discrimination and retaliation at the newly-created Defense POW/MIA Accounting Agency (DPAA).

To help me with my ongoing oversight of JPAC, DPMO, and DPAA, I request that you provide information about these agencies' compliance with the No FEAR Act and Management Directive 715 from 2003 to the present. I also request that you provide information on whether the EEOC has conducted any reviews of these agencies for compliance with the EEO process and any systemic problems. Please provide this information no later than June 19, 2015.

¹ Subcommittee on Financial and Contracting Oversight, Senate Committee on Homeland Security and Governmental Affairs, *Hearing: Mismanagement of POW/MIA Accounting*, 113th Cong. (S. Hrg. 113-293) (Aug. 1, 2013).

² The Joint POW/MIA Accounting Command includes the Central Identification Laboratory (CIL).

³ Prior to 2015, JPAC and DPMO operated as separate agencies within the Department of Defense, but they have now been merged into the DPAA. This is part of a reorganization of the accounting agencies as directed by Congress in the FY 2015 National Defense Authorization Act, Pub. L. No. 113-291 (2014).

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Thank you for your assistance. Please contact Sarah Garcia with Senator McCaskill's Subcommittee staff at (202) 224-9505 with any questions. Please send any official correspondence relating to this request to Kelsey_Stroud@hsgac.senate.gov.

Sincerely,



Claire McCaskill
Ranking Member
Permanent Subcommittee on Investigations

cc: Rob Portman
Chairman
Permanent Subcommittee on Investigations