



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

March 18, 2026

Memorandum

To: All Employees

From: Rachel M. Borra  
Chief Human Capital Officer

Subject: Reporting DEI-Related Discrimination, Retaliation, and Related Whistleblower Disclosures

Dear Colleagues,

This memorandum describes clear channels for you to report suspected DEI-related discrimination, retaliation, or related violations of law, along with strong protections against reprisal.

We have eliminated (or are eliminating) any programs, practices, or policies labeled as DEI/DEIA that involve unlawful race-, sex-, or other protected-characteristic-based treatment in employment decisions. This is in accordance with Presidential [Executive Orders 14151](#)<sup>1</sup> and [14173](#),<sup>2</sup> and the agency memos described below in Section 5.

## 1. Definition of DEI-Related Discrimination

DEI-related discrimination occurs when any employment action (hiring, promotion, training access, mentoring, assignments, awards, etc.) is motivated in whole or in part by an employee's or applicant's race, color, sex, national origin, religion, or other protected characteristic. Title VII applies equally to everyone—there is no “reverse” discrimination exception.

Common examples include:

- Requiring “diverse slates,” demographic targets, quotas, or racial/sex balancing in hiring, promotion, or selection processes.

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<sup>1</sup> Exec. Order No. 14,151, Ending Radical and Wasteful Government DEI Programs and Preferencing, Executive Order of January 20, 2025, 90 Fed. Reg. 8339, 8339 (Jan. 29, 2025).

<sup>2</sup> Exec. Order No. 14173, Ending Illegal Discrimination and Restoring Merit-Based Opportunity, Executive Order of January 21, 2025, 90 Fed. Reg. 8633, 8634-35 (Jan. 31, 2025).



# United States Department of the Interior

## OFFICE OF THE SECRETARY

Washington, DC 20240

- Preferring or excluding candidates/employees for training, mentoring, leadership programs, internships, projects, or advancement based on protected characteristics.
- Restricting Employee Resource Groups (ERGs), networking events, or professional development to specific racial, ethnic, or sex groups.
- Using diversity metrics or goals to influence performance ratings, bonuses, awards, or job assignments.
- DEI trainings or materials that stereotype or demean employees based on race, sex, or other protected traits (creating a hostile work environment).
- Awarding recognition, compensation, or opportunities based in part on contributions to “diversity goals” rather than merit.
- Any preference or disparate treatment justified by “diversity,” “equity,” or client preferences.

Opposing or reporting any of the above is protected activity, and any retaliation for doing so constitutes a violation.

## **2. Primary Recommended Channel: U.S. Office of Special Counsel (OSC)**

OSC is the emphasized, secure, independent channel for federal employees and applicants to make whistleblower disclosures<sup>3</sup> under 5 U.S.C. § 1213 and to file complaints of prohibited personnel practices (PPPs) under 5 U.S.C. § 2302(b). Filing with OSC is protected activity. OSC can seek corrective action (e.g., restoration, back pay, damages) and disciplinary action against violators.

OSC handles:

- Discrimination (5 U.S.C. § 2302(b)(1)) — including DEI-related discrimination based on race, color, sex, national origin, religion, etc.
- Retaliation for whistleblowing (5 U.S.C. § 2302(b)(8)).
- Retaliation for protected activity (5 U.S.C. § 2302(b)(9)) — e.g., filing complaints, cooperating with investigations, or refusing to obey an unlawful order.
- Violations of constitutional equal protection, implicating the merit system principles (5 U.S.C. § 2302(b)(12)) — including the enforcement, continuation, or failure to eliminate

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<sup>3</sup> A whistleblower disclosure is any disclosure of information, including to the Office of Special Counsel or the Office of the Inspector General, for which the discloser reasonably believes evidences (a) a violation of law, rule, or regulation; or (b) gross mismanagement, a gross waste of funds, an abuse of authority, or a substantial and specific danger to public health or safety.



## United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

unlawful DEI programs that discriminate or grant preferences based on protected characteristics.

- Discrimination based on personal conduct or beliefs that do not adversely affect job performance (5 U.S.C. § 2302(b)(10)) — e.g., being penalized for refusing ideological DEI activities or expressing merit-based views.
- Whistleblower disclosures (5 U.S.C. § 1213): OSC provides an independent, secure channel for disclosures of information which the discloser reasonably believes evidences violations of law, rule, or regulation (including unlawful DEI discrimination or preferences that violate civil-rights or merit-system laws), gross mismanagement, gross waste of funds, abuse of authority, or substantial and specific danger to public health or safety.

### **How to file with OSC (easy and confidential):**

Visit the OSC Complaint Portal: <https://osc.gov/Pages/File-Complaint-Portal.aspx>

- Use the online form (preferred) or OSC Form-14 (Prohibited Personnel Practices).
- You may file disclosures and PPP complaints together or separately.

### **Statute of Limitations at OSC:**

For PPP complaints (including discrimination and retaliation), you generally have three (3) years from the date you knew or should have known of the alleged prohibited personnel practice to file. This look-back period means complaints filed now can address any prior actions that fall within the three-year window based on your knowledge, including actions that took place in previous administrations.

There is no statute of limitations for whistleblower disclosures, but OSC's authority to bring corrective or disciplinary action for PPP violations such as whistleblower retaliation is generally limited to that three-year period.

### **3. Additional Recommended Channel: Internal Agency Reporting**

You may also report directly and confidentially to the Department of the Interior, Office of Civil Rights:

- Email: [doicivilrights@ios.doi.gov](mailto:doicivilrights@ios.doi.gov)
- Phone: 202-208-5693 (Office of Civil Rights Hotline)
- Mail: 1849 C Street NW, MS 4359, Washington, D.C. 20240-0036



# United States Department of the Interior

OFFICE OF THE SECRETARY

Washington, DC 20240

The Office of Civil Rights will review, coordinate any required investigation, and ensure compliance with merit-system and anti-discrimination laws. Internal reports are encouraged and fully protected; they do not replace your right to file with OSC, and you may submit complaints to both.

Note on EEO Process: For pure Title VII discrimination complaints, you may also contact an agency EEO Counselor within 45 days of the alleged discriminatory act (see 29 C.F.R. § 1614).<sup>4</sup> OSC and EEO channels can operate in parallel where appropriate. For more information on the DOI EEO process, please visit the Office of Civil Rights website at: <https://www.doi.gov/pmb/eo/Complaints-Processing>.

#### **4. Strict Prohibition on Retaliation**

Supervisors, managers, and any agency official are strictly prohibited from retaliating against you for:

- Making a good-faith whistleblower disclosure or PPP complaint to OSC;
- Reporting internally to the Office of Civil Rights; or
- Opposing or participating in proceedings addressing and remedying unlawful DEI practices.

Retaliation itself is a prohibited personnel practice under 5 U.S.C. § 2302(b)(8) and (b)(9) and violates Title VII. Any retaliation will result in prompt disciplinary action, up to and including removal. You are protected even if the underlying concern is ultimately not substantiated, as long as your report was based upon a reasonable belief.

If you experience retaliation, or have experienced it in the past, please use the same reporting systems detailed above.

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<sup>4</sup> For purposes of this memorandum, a ‘pure’ EEO complaint refers to allegations of discrimination covered by Title VII of the Civil Rights Act of 1964—claims based solely on race, color, religion, sex, national origin, age, disability, and/or genetic information—without any accompanying prohibited personnel practice or whistleblower elements. ‘Pure’ Title VII claims are processed in accordance with the federal sector equal employment opportunity regulations, 29 C.F.R. Part 1614. The federal sector EEO process provides the full range of Title VII remedies, operates independently of the OSC process, and may be pursued in parallel where appropriate.



# United States Department of the Interior

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## 5. Additional Information and Resources

- OPM Memo - Merit Hiring Plan: <https://www.opm.gov/chcoc/latest-memos/merit-hiring-plan.pdf>
- OPM Memo - Further DEIA Guidance: <https://www.opm.gov/chcoc/latest-memos/further-guidance-deia.pdf>
- DOJ Memo - Implementation of Executive Orders 14151 and 14173: Eliminating Unlawful DEI Programs in Federal Operations: <https://www.justice.gov/ag/media/1409556/dl?inline>
- DOJ Memo - Ending Illegal DEI and DEIA Discrimination and Preferences: <https://www.justice.gov/ag/media/1388501/dl?inline>
- Eliminating Internal Discriminatory Practices: <https://www.justice.gov/ag/media/1388556/dl?inline>
- Guidance for Recipients of Federal Funding Regarding Unlawful Discrimination: <https://www.justice.gov/ag/media/1409486/dl>
- Full EEOC guidance: <https://www.eeoc.gov/wysk/what-you-should-know-about-dei-related-discrimination-work>
- OSC Portal: <https://osc.gov/Pages/File-Complaint-Portal.aspx>

## 6. Summary

All reports will be handled promptly, fairly, and confidentially to the maximum extent permitted by law. The Department of the Interior values your commitment to merit, integrity, and equal opportunity for all. If you have questions about this memorandum, contact the Office of Civil Rights.

Thank you for your service and for helping maintain a lawful, merit-based federal workplace.