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Following in Paul Miller's (Very Large) Footsteps

Chai R. Feldblum*

Paul Miller was incredibly proud of the work he did as a Commissioner of the Equal Employment Opportunity Commission (EEOC). I thought I understood why that was so during the years that I knew him—both while he was a Commissioner and then later as a fellow academic.

But I understand Paul's pride a great deal more now.

My understanding is bittersweet. It makes me miss Paul terribly. I want to congratulate him on the groundbreaking work he performed at this agency during his tenure—but then I want to pick his fertile, creative brain on how to further the work that he started.

Much of Paul Miller's work while he was an EEOC Commissioner was very public. He was a leader on disability rights and on ensuring that the EEOC was effectively and forcefully implementing the Americans with Disabilities Act (ADA) of 1990. He was on the road constantly, educating people about disability rights. We would often be fellow panelists and I would enjoy his sly wit and self-deprecating humor, always deployed to get his message across with the greatest impact.

Paul was particularly important as a leader in the newly emerging field of genetic discrimination. His early writings in the field, as well as the leadership he took within the Commission on the issue, laid the groundwork for what would ultimately become the Genetic Non-Discrimination Act of 2008.

I also knew Paul's love for the intricacies of law and politics. It was a passion we shared and took delight in. After Paul left the Commission and joined the legal academy, we would look for each other each year at the annual meeting of law professors. We would find a place to stand within the milling crowd and regale each other with stories of politics and law—loving the absurdities that drove other people mad.

When Paul signed up to work in the presidential appointments office under President Obama, I became a direct beneficiary of the care and attention that Paul lavished on every political appointment he was involved with. Paul was an amazing asset to the public interest in that job. There were literally hundreds of people whom Paul helped or

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mentored during his tenure at the White House. (And all this during a time when Paul was going through extensive medical care—see Joe Sellers’ poignant tribute in this issue.)

But what I didn’t know until I assumed my current position as an EEOC Commissioner was the extent to which Paul had immersed himself into the nitty gritty of the workings of the agency—and had pushed for important changes within the agency. I am now reading long memos and reports that bear the mark of Paul’s work. Sometimes I feel as if I can hear his actual voice behind some of the sentences. The clarity, the urgency for change, the commitment to making the EEOC the best agency it can be—this is a Paul Miller as focused on the mundane substance of internal agency operations as he was so often on grand political strategy.

This is a Paul Miller that I crave to talk with. His humor, his wit, his sense of the absurd, and his commitment to change—these were elements he clearly deployed within the agency in pushing for change. And he and I would have had a grand old time using his talents again now.

The last time I saw Paul was when he came to Washington, D.C., for the twentieth anniversary of the ADA. We found our usual space in the milling crowd—and he said to me: “OK, now that you’ve been on the Commission for a year, we can sit down and talk—and now you’ll actually understand what I’m saying.”

We never got that chance to talk. But Paul’s voice is in my head whenever I read something he worked on while he was at the agency. So much good work that the EEOC does today is tied to the good work Paul Miller did during his tenure.

Paul was always adamant that he was not “one of the longest serving EEOC Commissioners,” because—as he would trenchantly observe—he was “*the* longest serving EEOC Commissioner.” I now have a keener understanding of why Paul was so proud of that work. He deserves every bit of congratulations and gratitude for that work—and then some.

As I said, the understanding is bittersweet.