



March 7, 2023

Final Notice Re: Disclosure of Type 2 EEO-1 Data in Response to Freedom of Information Act Request

The Office of Federal Contract Compliance Programs (OFCCP) is writing to provide final notice that if you do not object by **March 31, 2023**, the agency will release your organization's Type 2 EEO-1 Report data for filing years 2016-2020 in response to Freedom of Information Act (FOIA) requests. Since OFCCP received three or more FOIA requests for the same information, OFCCP is required to make the data publicly available on its [FOIA Library](#).

On August 19, 2022, OFCCP published a Federal Register notice explaining that the Center for Investigative Reporting (CIR) submitted a FOIA request to OFCCP, asking the agency to disclose Type 2 EEO-1 Report data submitted by all multi-establishment federal contractors for filing years 2016-2020. 87 Fed. Reg. 51145. This notice provided a deadline of September 19, 2022, which was subsequently extended to October 19, 2022, for federal contractors to submit written objections to disclosure. 87 Fed. Reg. 58534. OFCCP has taken numerous actions, including individual emails, to publish and disseminate notices of the FOIA request and provide an opportunity for contractors to object to disclosure of their data should they wish to do so. For more information, you may visit the landing page for this FOIA request at the [Submitters Notice Response Portal](#). As a courtesy, OFCCP is mailing this notice to those federal contractors that the agency's records indicate are covered by this FOIA request and have not submitted objections. OFCCP has used the mailing addresses contractors provided in their EEO-1 filings and their registration in OFCCP's Contractor Portal. In the future, the agency may rely solely on posting and publishing the notice in a place reasonably calculated to provide contractors with notice, such as by notice published in the Federal Register and/or by posting to the OFCCP website, since a mailed notice is not legally required due to the voluminous number of covered contractors.

To ensure that you receive important messages from OFCCP, including concerning FOIA requests, all contractors are strongly encouraged to subscribe to OFCCP notifications on the [OFCCP website](#) and click on **SUBSCRIBE** at the top right of our website to complete our questionnaire. Please remember to add OFCCP@subscriptions.dol.gov on your safe senders list. We remind current federal contractors that they must **register** each establishment and/or functional business unit in **OFCCP's Contractor Portal**, and **annually certify compliance** in the [OFCCP Contractor Portal](#).

If your entity wishes to object to disclosure of its Type 2 EEO-1 data on any other grounds aside from claiming it is not a federal contractor, the objection must include an explanation as to why your entity did not object in response to previous notices OFCCP issued, and why there is good cause for OFCCP to accept the objection at this point. OFCCP has published [FAQs](#) that provide additional information about the FOIA request and how entities may respond to the agency if they choose. All responses must be received by **March 31, 2023**, at 11:59 p.m. EST, via this email address: OFCCP-FOIA-EEO-Questions@dol.gov, and must include your organization's EEO-1 unit number(s).

If OFCCP does not receive a written objection by the deadline, the agency will conclude that your entity has no objection to disclosure and will begin the process of disclosing your Type 2 EEO-1 Report data to CIR. If you have questions, please contact our helpdesk: 1-800-397-6251 or email: OFCCP-FOIA-EEO1-Questions@dol.gov.