



January 22, 2024

Via Electronic Mail

Will Evans
Senior Reporter and Producer
The Center for Investigative Reporting
1400 65th Street, Suite 200
Emeryville, CA 94608

RE: Freedom of Information Act Request – Tracking No. 872421

Dear Mr. Evans:

This letter is a third partial response to your Freedom of Information Act (FOIA) request submitted to the United States Department of Labor. The Office of the Solicitor assigned your request to the Office of Federal Contract Compliance Programs (OFCCP) on August 31, 2019. On June 2, 2022, you made a final amendment to your initial request and requested the consolidated Type 2 EEO-1 reports for all federal contractors for reporting years 2016 - 2020.

Consistent with the U.S. Department of Labor's disclosure regulations at 29 CFR 70.26(j), OFCCP provided notice to contractors covered by this FOIA request through a published Notice in the Federal Register.¹ In addition, it provided notice via an e-mail to all federal contractors for whom OFCCP had contact information, and via the OFCCP website.

OFCCP has continued the processing of your FOIA request and is providing you with an additional response. OFCCP has withheld a total of 16,796 EEO-1 reports based on its evaluation that these records are exempt under Exemption 4 of the FOIA. The 16,796 EEO-1 Reports correspond to a total of 4,766 federal contractors. OFCCP's previous releases included 56,487 EEO-1 Reports corresponding to 19,368 federal contractors. This latest release contains 162 EEO-1 Reports corresponding to 69 federal contractors. The 162 reports being released include the reports of 41² entities that were determined to be federal contractors but did not respond to our notice confirming their status as a federal contractor.

Since this matter is the subject of FOIA litigation (Docket No. 3:22-cv-07182) in the U.S. District Court for the Northern District of California, any objections to the interim FOIA releases may be addressed at the appropriate time in the context of the litigation.

Sincerely,

KELECHI
AHAGHOTU

Digitally signed by
KELECHI AHAGHOTU
Date: 2024.01.21
19:48:55 -05'00'

¹ [Notice in the Federal Register](https://www.federalregister.gov/documents/2022/08/19/2022-17882/notice-of-request-under-the-freedom-of-information-act-for-federal-contractors-type-2-consolidated) (https://www.federalregister.gov/documents/2022/08/19/2022-17882/notice-of-request-under-the-freedom-of-information-act-for-federal-contractors-type-2-consolidated)

² 42 entities were to be included in the January 5th release stated in the November 13th, 2023 Ahaghotu Declaration; however, it was determined that one entity was not a federal contractor and therefore it was removed from the release.

Kelechi Ahaghotu
Branch Chief of Information Services
Division of Management and Administrative Programs

Attachment