

September 24, 2025

Office of Legal Counsel, FOIA Division  
Equal Employment Opportunity Commission  
131 M Street, NE, 5NW02E  
Washington, D.C. 20507

Submitted via <https://eeoc.arkcase.com/foia/>

RE: FOIA APPEAL of No. 820-2025-010399

To Whom It May Concern:

I write on behalf of the National Women's Law Center ("Requester") concerning our April 15, 2025 Request, as aggregated under FOIA No. 820-2025-010399 ("Request", attached as Exhibit A)<sup>1</sup>, referenced above, and in response to a letter received via email from the Equal Employment Opportunity Commission ("EEOC"), dated July 3, 2025 ("Response," attached as Exhibit B).

### **Background**

Item 1 of the aggregated Request asked the EEOC to produce "[a]ny statistical data related to the case processing" of 8 field offices from January 1, 2023 through the date the request was processed, including 11 specific subcategories of statistical data as outlined below:

- a. The number of inquiries made by the public at this office;
- b. The number of intakes conducted by this office in-person and by phone;
- c. The number of inquiries that resulted in the filing of charges;
- d. The number of charges broken down by statute, basis, and issue;
- e. The number of investigations opened;
- f. The number of investigations closed;
- g. The number of charges mediated;
- h. The number of charges conciliated;
- i. The number of charges that resulted in negotiated settlement;
- j. The number of charges that resulted in litigation; and
- k. The number of open investigations at the time this request is processed.

In its Response, the EEOC denies Item 1 in its entirety. The agency writes that "Item 1 is denied pursuant to FOIA Exemption 3," under which "disclosure is not required for a matter

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<sup>1</sup> NWLC asked the EEOC to produce data from the following offices: Phoenix District Office; El Paso Area Office; Charlotte District Office (specifically the Greensboro Local Office, Greenville Local Office, and Raleigh Area Office); San Jose Local Office; Mobile Local Office; and Kansas City Area Office. These requests were aggregated under FOIA No. 820-2025-010399, and this appeal pertains to the aggregated Request.

specifically exempted from disclosure by statute if that statute: ‘(A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue[.]’”

The EEOC’s Response does not comply with the FOIA or the agency’s own regulations for the following reasons:

- By unilaterally exempting all 11 categories of the requested material, citing exemption (b)(3)(A)(i) of the FOIA and Title VII’s confidentiality provisions, the EEOC has violated the FOIA and made it logistically impossible for the Requester to reasonably file a focused appeal.
- Exempting the requested material violates the EEOC’s own regulations, which allow for the disclosure of non-confidential statistical case-processing data.

We address each of these concerns in detail below:

## **Argument**

### **1. Unilaterally exempting all responsive material violates the FOIA.**

In its Response, the EEOC denies all parts of Request Item 1 pursuant to exemption (b)(3)(A)(i) of the FOIA. Exemption (b)(3)(A)(i) allows the agency to withhold records that are specifically exempted from disclosure by statute if the statute “requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue.” 5 U.S.C. § 552(b)(3)(A)(i). The EEOC asserts that “[t]he confidentiality provisions of Title VII prohibit disclosure of the office-specific data” encompassed in all separate sub-parts of Item 1, and therefore exemption (b)(3)(A)(i) of the FOIA applies. However, Item 1 requests many different types of statistical records and data. The FOIA does not permit an agency to declare that an exemption applies to a mass number of records, and the EEOC’s Response provides no legal justification for its overbroad assertions. The agency’s blanket assertion of this exemption to deny *all* 11 subparts of Item 1, without any particularized justification or any consideration of partial disclosure,<sup>2</sup> fails to satisfy the most basic requirements of the law. See *Milner v. Dep’t of Navy*, 562 U.S. 562, 571 (2011) (*citing Department of Justice v. Tax Analysts*, 492 U.S. 136, 151 (1989) (“We have often noted ‘the Act’s goal of broad disclosure’ and insisted that the exemptions be ‘given a narrow compass.’”).

The Title VII confidentiality provisions cited in the Response are entirely inapplicable to the information encompassed in Item 1. Title VII’s confidentiality provisions provide that “[c]harges shall not be made public by the Commission...Nothing said or done during and

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<sup>2</sup> “An agency shall... “[c]onsider whether partial disclosure of information is possible whenever the agency determines that a full disclosure of a requested record is not possible...” 5 U.S.C. §552(a)(8)(A).

as part of [the Commission's informal endeavors at resolving charges of discrimination] may be made public by the Commission....” 42 U.S.C. § 2000e-5(b). Further, “[i]t shall be unlawful for any officer or employee of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section prior to the institution of any proceeding under this subchapter involving such information.” 42 U.S.C. § 2000e-8(e).

Item 1 of the Request seeks only “non-confidential statistical data related to the case processing” of the identified field office, such as the total number of inquiries made by the public at each office, the total number of charges received (broken down by statute, basis, and issue), and the total number of charges mediated or conciliated. This is aggregate, non-identifiable data that the EEOC compiles itself and that is not unique to any specific case. Disclosing the aggregate data requested in Item 1 would not require disclosing any confidential or identifying information about individual charges or investigations. It would not involve disclosing any individual charges, any “information obtained” pursuant to EEOC’s investigatory authority, or anything “said or done during and as part of” efforts to resolve charges informally, in violation of Title VII. 42 U.S.C. §§ 2000e-5(b), 2000e-8.

The EEOC’s response provides no support for its conclusion that the disclosure of this type of aggregate data would violate Title VII’s confidentiality provisions. Title VII’s confidentiality provisions pertain to the disclosure of information related to specific charges and parties. Case law addressing the disclosure of data involves data on the practices of individual employers obtained through agency investigations, which is clearly distinguishable from aggregate data on the EEOC’s processing of charges. *See, e.g., Sears, Roebuck & Co. v. Equal Employment Opportunity Comm’n*, 581 F.2d 941, 946, 948-49 (D.C. Cir. 1978) (discussing a request for “investigative data” on an employer’s hiring activities and practices, obtained pursuant to EEOC’s investigatory powers and during settlement negotiations, and holding that “as with investigative data, information obtained by the EEOC during settlement discussions with employers cannot be disclosed to anyone outside the government”).

The statistical data requested in Item 1 does not include information about specific charges, parties, or investigations, and as such, does not implicate Title VII’s confidentiality provisions. The confidentiality provisions are intended “to prevent wide or unauthorized dissemination of unproved charges.” *EEOC v. Associated Dry Goods, Corp.*, 449 U.S. 590, 599 (1981); *see also Associated Dry Goods Corp. v. Equal Employment Opportunity Comm’n*, 419 F.Supp. 814, 820 (E.D. Va., 1976) (“[Section 706(b) of Title VII] is intended to supplement the Commission's broad investigatory powers by insuring that information sought and received by the Commission will not be disclosed to the embarrassment, either

financially or politically, of the target employer. It encourages the employer to cooperate, and justifies, in part, the broad grants of investigatory powers given the Commission.”).

The prohibition against disclosing anything “said or done” during efforts to resolve charges informally is a narrow prohibition intended to promote open and honest communication without all parties involved worrying about the risk of their words or actions being used against them in a further process. See *Branch v. Phillips Petroleum Co.*, 638 F.2d 873, 880-81 (5th Cir., 1981); see also *King v. Georgia Power Co.*, 295 F. Supp. 943, 948 (N.D. Ga., 1968).<sup>3</sup> The data sought in Item 1 of the Request is aggregate data on EEOC’s case processing activities generally, which does not require the production of any identifiable charge or information about any individual charges or investigations. Disclosing this data would in no way interfere with the objectives of preventing the publication of unproven charges or encouraging the informal resolution of charges.

## **2. The EEOC’s regulations recognize that the agency may disclose non-confidential, statistical case processing data.**

As the EEOC acknowledges in its Response, the agency’s own regulations expressly permit the public to request “[e]xisting non-confidential statistical data related to the case processing of an office.” 29 C.F.R. § 1610.7(a)(2). Such data is exactly what is sought in Item 1 of the Request. Yet the EEOC argues that all 11 subcategories of statistical case processing data NWLC sought in Item 1 cannot be disclosed because “[t]he confidentiality provisions of Title VII prohibit disclosure of the office-specific data....” The EEOC has offered no support for this erroneous proposition.

The EEOC already publicizes similar statistical data on its case processing activities, which alone demonstrates its lack of confidentiality. In its Response, the EEOC explains that it publishes on its website “non-confidential statistical data in the form of the number of charges broken down by statute, basis, and issue, for each State and U.S. Territory.”<sup>4</sup> The EEOC explains that this data can be used to approximate the number of charges filed in each District Office. If this aggregate statistical data about charge filings by state can be publicly disclosed without violating Title VII, then there is no logical reason why the same

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<sup>3</sup> This mirrors the common requirement of confidentiality during mediations and Federal Rule of Evidence 408, neither of which prohibit the EEOC from publicly reporting statistical data from its mediation program, such as how many cases it mediated and its success rate.

<sup>4</sup> The EEOC also publishes data on charges; resolutions; conciliations; mediations; and litigation on its website, and in Office of General Counsel Annual Reports. See ENFORCEMENT AND LITIGATION STATISTICS, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM’N, <https://www.eeoc.gov/data/enforcement-and-litigation-statistics-0> (last visited Aug. 29, 2025); OFFICE OF GENERAL COUNSEL FISCAL YEAR 2024 ANNUAL REPORT, U.S. EQUAL EMPLOYMENT OPPORTUNITY COMM’N (2024), <https://www.eeoc.gov/office-general-counsel-fiscal-year-2024-annual-report>.

data broken down by office, as requested in Item 1 subpart (d)—“number of charges broken down by statute, basis, and issue”—should be considered confidential and exempt from disclosure.<sup>5</sup> The other categories of data outlined in Item 1—for example, data on the number of inquiries made, the number of investigations opened, and the number of charges mediated or conciliated—are similar in nature to this charge data, in that they encompass the overall case processing activities of each office and do not relate to any individual, identifiable charges. This is precisely the type of data that can be requested under 29 C.F.R. § 1610.7(a)(2).

Agency regulations also require the EEOC to make publicly available certain previously compiled tabulations of “aggregate industry, area, and other statistics,” derived from employer reports, as long as the data is aggregated from more than 3 entities and would not reveal the identity of any individual or entity. 29 CFR § 1610.18(a). This requirement is further indication that Title VII’s confidentiality provisions do not apply to non-identifiable aggregate data.

### **Item-By-Item Errors in EEOC’s Determination**

In addition to the aforementioned errors, which apply to each of the subparts of Item 1 of the Request, the EEOC must provide responsive documents to each subpart of Item 1 for the reasons outlined below:

Subparts (a) Number of inquiries made by the public; (b) Number of intakes conducted in-person and by phone; and (c) Number of inquiries that resulted in the filing of charges.

Subparts (a)-(c) of Item 1 seek aggregate statistical data on the activities of each office with respect to initial inquiries and intakes, and what portion of such inquiries result in charges. Producing the total number of inquiries and intakes made at each office prior to the filing of any charges, and the total number of inquiries that ultimately resulted in charge filings, would not require disclosing any identifiable charges; any information obtained in the investigation of a charge; or anything “said or done” in an effort to resolve a charge informally. As such, the EEOC improperly applied FOIA exemption (b)(3)(A)(i) and 42 U.S.C. §§ 2000e-5(b), 2000e-8 to these subparts.

Subpart (d): Number of charges broken down by statute, basis, and issue.

Subpart (d) of Item 1 seeks aggregate statistical data on the total number of charges filed at each identified office. As outlined above, the EEOC already publishes data on the number

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<sup>5</sup> The data on charges filed by state, referenced in the EEOC’s Response, is not a sufficient substitute for the information requested in Item 1 subpart (d)—the number of charges broken down by statute, basis, and issue for each identified office—because some offices cover only certain areas of a state, as the Response acknowledges.

of charges filed by state, demonstrating that it does not consider this aggregate charge data to be confidential. Moreover, the EEOC's FOIA Reference Guide specifically lists "**existing non-confidential statistical data related to the case processing of a field office, e.g., number of charges filed**" as a type of request that can be directed to field offices.<sup>6</sup> This information is exactly what is requested in this subpart. As such, the EEOC improperly applied FOIA exemption (b)(3)(A)(i) and 42 U.S.C. §§ 2000e-5(b), 2000e-8 to this subpart.

Subparts (e) Number of investigations opened; (f) Number of investigations closed; and (k) Number of open investigations at the time this request is processed.

These subparts seek information about the total number of investigations opened, closed, and currently pending at each identified office. Disclosing aggregate data on the number of investigations handled by each field office is clearly distinct from disclosing identifying or confidential information about these investigations or information obtained by the agency pursuant to its investigative authority. Producing this data would not require disclosing any individual charges; information obtained in the investigation of a charge; or anything "said or done" in an effort to resolve a charge informally. As such, the EEOC improperly applied FOIA exemption (b)(3)(A)(i) and 42 U.S.C. §§ 2000e-5(b), 2000e-8 to these subparts.

Subparts (g) Number of charges mediated; (h) Number of charges conciliated; (i) Number of charges that resulted in negotiated settlement; and (j) Number of charges that resulted in litigation.

These subparts seek aggregate statistical data about the processes used to address and resolve charges at each identified field office. While Title VII prohibits the EEOC from disclosing anything "said or done" during endeavors to resolve charges informally, these subparts do not seek any information about efforts to resolve any individual, identifiable charges. Instead, they seek the total number of charges addressed through the different avenues identified above. The aggregate data sought in these subparts is not identifiable or unique to any individual charges or parties. As such, the EEOC improperly applied FOIA exemption (b)(3)(A)(i) and 42 U.S.C. §§ 2000e-5(b), 2000e-8 to these subparts.

## **Conclusion**

By erroneously exempting and withholding records en masse without particularized justification, the EEOC has violated the FOIA and its own regulations. Title VII's confidentiality provisions are not relevant to the statistical data requested in Item 1, and exemption (b)(3)(A)(i) of the FOIA is therefore inapplicable to Item 1.

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<sup>6</sup> FREEDOM OF INFORMATION ACT REFERENCE GUIDE, U.S. EQUAL OPPORTUNITY COMM'N (issued Feb. 2018), <https://www.eeoc.gov/foia/freedom-information-act-reference-guide>.

The data requested remain necessary given continued uncertainty about the potential closure of EEOC field offices.<sup>7</sup>

We ask that, at a minimum, the EEOC immediately produce all 11 subparts of Item 1, with any exemptions applied appropriately to each specific subpart. If material is found to be exempt, non-exempt material must be segregated per 5 U.S.C. § 552(a)(8)(A)(ii)(II). We request a determination within twenty business days, by October 23, pursuant to 5 U.S.C. § 552(a)(6)(A)(ii).

Thank you for your attention to this matter. Please direct any responses to Lauren Khouri, Senior Director of Workplace Equality & Senior Counsel ([lkhouri@nwlc.org](mailto:lkhouri@nwlc.org)) and Katie Sandson, Senior Counsel, Education & Workplace Justice ([ksandson@nwlc.org](mailto:ksandson@nwlc.org)).

Sincerely,

Lauren A. Khouri  
Senior Director of Workplace Equality & Senior Counsel  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>7</sup> See, e.g., Caroline Colvin, *House Dems Question EEOC Plans to End Leases for 8 Field Offices*, HR DIVE (Mar. 27, 2025), <https://www.hrdive.com/news/eeoc-field-office-lease-termination-democrats/743766/>. As of September 3, 2025, the Department of Government Efficiency website continues to list several EEOC field offices whose leases are being terminated. *Wall of Receipts*, DEP'T OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Sept. 3, 2025).

# **Exhibit A**



Via email

Melinda Caraballo  
District Director  
Phoenix District Office  
3300 N. Central Avenue, Suite 690  
Phoenix, AZ 85012  
Email: [phoenixfoia@eeoc.gov](mailto:phoenixfoia@eeoc.gov)

April 15, 2025

Re: Freedom of Information Act Request

Dear Melinda Caraballo:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the Phoenix District Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the Phoenix District Office that will demonstrate how a decision to close or relocate this office would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

<sup>2</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 at 37 (Jan. 17, 2025), [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf). While the EEOC Annual Performance Report provides the total number of inquiries across all field offices, statistical data on the case processing of individual field offices is not included in the report.

<sup>3</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, FISCAL YEAR 2025 CONGRESSIONAL BUDGET JUSTIFICATION (Mar. 11, 2024), <https://www.eeoc.gov/fiscal-year-2025-congressional-budget-justification>.

### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the Phoenix District Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office;
  - b. The number of intakes conducted by this office in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
  - e. The number of investigations opened;
  - f. The number of investigations closed;
  - g. The number of charges mediated;
  - h. The number of charges conciliated;
  - i. The number of charges that resulted in negotiated settlement;
  - j. The number of charges that resulted in litigation; and
  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of the Phoenix District Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated since January 20, 2025.

NWLC seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voicemail messages and transcripts, notes or minutes of any meetings, telephone conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonable segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

If a request is denied in whole or in part, please provide a detailed justification for withholding the records, including citing each specific exemption that justifies the withholding of information.

You should institute a preservation hold on information responsive to this request. NWLC intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary.

Where possible, please provide responsive material in electronic format by email to [ksandson@nwlc.org](mailto:ksandson@nwlc.org) or in PDF format on a USB drive. Please send any responsive material being

sent by mail to Katie Sandson, National Women's Law Center, 1350 I Street NW, Suite 700, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

#### Fee Waiver Request

NWLC requests that all fees in connection with this FOIA request be waived in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 29 CFR § 1610.15(k) because NWLC does not seek the records for a commercial purpose and disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government.

Workplace discrimination remains widespread and is a matter of public concern. The EEOC is the primary federal agency charged with ensuring compliance with federal workplace antidiscrimination law, and workers who experience discrimination must file charges with the EEOC in order to pursue redress under federal law. The public therefore has an important interest in understanding EEOC's operations, including the activities of its field offices and the impact of closing any field offices.

NWLC is a 501(c)(3) nonprofit organization and does not have a commercial purpose, and the release of the information requested is not in NWLC's financial interest. NWLC has worked for over fifty years to advance and protect women's equality and opportunity—with a focus on women's employment, education, income security, health, and reproductive rights—and has long sought to remove barriers to equal treatment of women and LGBTQI+ individuals in the workplace.

NWLC will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. NWLC will also make materials it gathers, or summaries or analyses thereof, available on its public website and promote their availability on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

#### Application for Expedited Records

We request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E) and 29 CFR § 1610.9(f)(1)(ii).

We certify to be true and correct to the best of our knowledge and belief that expedited processing is warranted because there is an urgency to inform the public about decisions being made that may impact the EEOC's handling of discrimination charges, and because NWLC is primarily engaged in disseminating information.

NWLC has a supporter base of over 650,000 followers across our social media channels, including Instagram (over 65,000 followers) and Bluesky (over 27,000 followers), as well as over 770,000 subscribers to our email list. In February 2025, the NWLC website, [www.nwlc.org](http://www.nwlc.org), had over 275,000 page views, of which over 160,000 were unique visitors. Accordingly, NWLC is primarily engaged in disseminating information.

There is a particular urgency to inform the public about the impact of closing EEOC field offices because workers' ability to file charges in a timely manner may be affected by the closure of these offices. Numerous recently published articles have also raised questions about the termination of leases for EEOC field offices,<sup>4</sup> reflecting the urgency of informing the public about these actions and the work of these offices.<sup>5</sup> Therefore, we request expedited processing of this request.

### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwlrc.org](mailto:gburroughs@nwlrc.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwlrc.org](mailto:ksandson@nwlrc.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").

Via email

David Davis  
District Director  
St. Louis District Office  
Robert A. Young Building  
1222 Spruce Street, Rm. 8100  
St. Louis, MO 63103  
Email: stlofoia@eeoc.gov

April 15, 2025

Re: Freedom of Information Act Request

Dear David Davis:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the Kansas City Area Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the Kansas City Area Office that will demonstrate how a decision to close or relocate this office would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

<sup>2</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 at 37 (Jan. 17, 2025), [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf). While the EEOC Annual Performance Report provides the total number of inquiries across all field offices, statistical data on the case processing of individual field offices is not included in the report.

<sup>3</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, FISCAL YEAR 2025 CONGRESSIONAL BUDGET JUSTIFICATION (Mar. 11, 2024), <https://www.eeoc.gov/fiscal-year-2025-congressional-budget-justification>.

### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the Kansas City Area Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office;
  - b. The number of intakes conducted by this office in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
  - e. The number of investigations opened;
  - f. The number of investigations closed;
  - g. The number of charges mediated;
  - h. The number of charges conciliated;
  - i. The number of charges that resulted in negotiated settlement;
  - j. The number of charges that resulted in litigation; and
  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of the Kansas City Area Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated since January 20, 2025.

NWLC seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voicemail messages and transcripts, notes or minutes of any meetings, telephone conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonable segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

If a request is denied in whole or in part, please provide a detailed justification for withholding the records, including citing each specific exemption that justifies the withholding of information.

You should institute a preservation hold on information responsive to this request. NWLC intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary.

Where possible, please provide responsive material in electronic format by email to [ksandson@nwlc.org](mailto:ksandson@nwlc.org) or in PDF format on a USB drive. Please send any responsive material being

sent by mail to Katie Sandson, National Women's Law Center, 1350 I Street NW, Suite 700, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

#### Fee Waiver Request

NWLC requests that all fees in connection with this FOIA request be waived in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 29 CFR § 1610.15(k) because NWLC does not seek the records for a commercial purpose and disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government.

Workplace discrimination remains widespread and is a matter of public concern. The EEOC is the primary federal agency charged with ensuring compliance with federal workplace antidiscrimination law, and workers who experience discrimination must file charges with the EEOC in order to pursue redress under federal law. The public therefore has an important interest in understanding EEOC's operations, including the activities of its field offices and the impact of closing any field offices.

NWLC is a 501(c)(3) nonprofit organization and does not have a commercial purpose, and the release of the information requested is not in NWLC's financial interest. NWLC has worked for over fifty years to advance and protect women's equality and opportunity—with a focus on women's employment, education, income security, health, and reproductive rights—and has long sought to remove barriers to equal treatment of women and LGBTQI+ individuals in the workplace.

NWLC will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. NWLC will also make materials it gathers, or summaries or analyses thereof, available on its public website and promote their availability on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

#### Application for Expedited Records

We request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E) and 29 CFR § 1610.9(f)(1)(ii).

We certify to be true and correct to the best of our knowledge and belief that expedited processing is warranted because there is an urgency to inform the public about decisions being made that may impact the EEOC's handling of discrimination charges, and because NWLC is primarily engaged in disseminating information.

NWLC has a supporter base of over 650,000 followers across our social media channels, including Instagram (over 65,000 followers) and Bluesky (over 27,000 followers), as well as over 770,000 subscribers to our email list. In February 2025, the NWLC website, [www.nwlc.org](http://www.nwlc.org), had over 275,000 page views, of which over 160,000 were unique visitors. Accordingly, NWLC is primarily engaged in disseminating information.

There is a particular urgency to inform the public about the impact of closing EEOC field offices because workers' ability to file charges in a timely manner may be affected by the closure of these offices. Numerous recently published articles have also raised questions about the termination of leases for EEOC field offices,<sup>4</sup> reflecting the urgency of informing the public about these actions and the work of these offices.<sup>5</sup> Therefore, we request expedited processing of this request.

### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwl.org](mailto:gburroughs@nwl.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwl.org](mailto:ksandson@nwl.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

---

<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").



Via email

Travis Nicholson  
District Director  
Dallas District Office  
207 S. Houston Street 3rd Floor  
Dallas, TX 75202  
Email: [dallasfoia@eeoc.gov](mailto:dallasfoia@eeoc.gov)

April 15, 2025

Re: Freedom of Information Act Request

Dear Travis Nicholson:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the El Paso Area Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the El Paso Area Office that will demonstrate how a decision to close or relocate this office would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

<sup>2</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 at 37 (Jan. 17, 2025), [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf). While the EEOC Annual Performance Report provides the total number of inquiries across all field offices, statistical data on the case processing of individual field offices is not included in the report.

<sup>3</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, FISCAL YEAR 2025 CONGRESSIONAL BUDGET JUSTIFICATION (Mar. 11, 2024), <https://www.eeoc.gov/fiscal-year-2025-congressional-budget-justification>.

### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the El Paso Area Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office;
  - b. The number of intakes conducted by this office in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
  - e. The number of investigations opened;
  - f. The number of investigations closed;
  - g. The number of charges mediated;
  - h. The number of charges conciliated;
  - i. The number of charges that resulted in negotiated settlement;
  - j. The number of charges that resulted in litigation; and
  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of the El Paso Area Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated since January 20, 2025.

NWLC seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voicemail messages and transcripts, notes or minutes of any meetings, telephone conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonable segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

If a request is denied in whole or in part, please provide a detailed justification for withholding the records, including citing each specific exemption that justifies the withholding of information.

You should institute a preservation hold on information responsive to this request. NWLC intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary.

Where possible, please provide responsive material in electronic format by email to [ksandson@nwlc.org](mailto:ksandson@nwlc.org) or in PDF format on a USB drive. Please send any responsive material being

sent by mail to Katie Sandson, National Women's Law Center, 1350 I Street NW, Suite 700, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

#### Fee Waiver Request

NWLC requests that all fees in connection with this FOIA request be waived in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 29 CFR § 1610.15(k) because NWLC does not seek the records for a commercial purpose and disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government.

Workplace discrimination remains widespread and is a matter of public concern. The EEOC is the primary federal agency charged with ensuring compliance with federal workplace antidiscrimination law, and workers who experience discrimination must file charges with the EEOC in order to pursue redress under federal law. The public therefore has an important interest in understanding EEOC's operations, including the activities of its field offices and the impact of closing any field offices.

NWLC is a 501(c)(3) nonprofit organization and does not have a commercial purpose, and the release of the information requested is not in NWLC's financial interest. NWLC has worked for over fifty years to advance and protect women's equality and opportunity—with a focus on women's employment, education, income security, health, and reproductive rights—and has long sought to remove barriers to equal treatment of women and LGBTQI+ individuals in the workplace.

NWLC will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. NWLC will also make materials it gathers, or summaries or analyses thereof, available on its public website and promote their availability on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

#### Application for Expedited Records

We request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E) and 29 CFR § 1610.9(f)(1)(ii).

We certify to be true and correct to the best of our knowledge and belief that expedited processing is warranted because there is an urgency to inform the public about decisions being made that may impact the EEOC's handling of discrimination charges, and because NWLC is primarily engaged in disseminating information.

NWLC has a supporter base of over 650,000 followers across our social media channels, including Instagram (over 65,000 followers) and Bluesky (over 27,000 followers), as well as over 770,000 subscribers to our email list. In February 2025, the NWLC website, [www.nwlc.org](http://www.nwlc.org), had over 275,000 page views, of which over 160,000 were unique visitors. Accordingly, NWLC is primarily engaged in disseminating information.

There is a particular urgency to inform the public about the impact of closing EEOC field offices because workers' ability to file charges in a timely manner may be affected by the closure of these offices. Numerous recently published articles have also raised questions about the termination of leases for EEOC field offices,<sup>4</sup> reflecting the urgency of informing the public about these actions and the work of these offices.<sup>5</sup> Therefore, we request expedited processing of this request.

### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwlrc.org](mailto:gburroughs@nwlrc.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwlrc.org](mailto:ksandson@nwlrc.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").

Via email

Christopher Green  
District Director  
San Francisco District Office  
450 Golden Gate Avenue  
5 West, P.O Box 36025  
San Francisco, CA 94102-3661  
Email: [sanffoia@eeoc.gov](mailto:sanffoia@eeoc.gov)

April 15, 2025

Re: Freedom of Information Act Request

Dear Christopher Green:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the San Jose Local Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the San Jose Local Office that will demonstrate how a decision to close or relocate this office would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

<sup>2</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 at 37 (Jan. 17, 2025), [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf). While the EEOC Annual Performance Report provides the total number of inquiries across all field offices, statistical data on the case processing of individual field offices is not included in the report.

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### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the San Jose Local Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office;
  - b. The number of intakes conducted by this office in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
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2. The number of current and former employees of the San Jose Local Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
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### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwlrc.org](mailto:gburroughs@nwlrc.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwlrc.org](mailto:ksandson@nwlrc.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").



Via email

Betsy Rader, District Director  
Charlotte District Office  
129 West Trade Street  
Suite 400  
Charlotte, NC 28202  
Email: [charfoia@eeoc.gov](mailto:charfoia@eeoc.gov)

April 15, 2025

Re: Freedom of Information Act Request

Dear Betsy Rader:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the Greensboro Local Office, the Greenville Local Office, and the Raleigh Area Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the Greensboro Local Office, the Greenville Local Office, and the Raleigh Area Office, that will demonstrate how a decision to close or relocate these offices would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

<sup>2</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, ANNUAL PERFORMANCE REPORT FISCAL YEAR 2024 at 37 (Jan. 17, 2025), [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf). While the EEOC Annual Performance Report provides the total number of inquiries across all field offices, statistical data on the case processing of individual field offices is not included in the report.

<sup>3</sup> U.S. EQUAL EMP. OPPORTUNITY COMM’N, FISCAL YEAR 2025 CONGRESSIONAL BUDGET JUSTIFICATION (Mar. 11, 2024), <https://www.eeoc.gov/fiscal-year-2025-congressional-budget-justification>.

### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the Greensboro Local Office, the Greenville Local Office, and the Raleigh Area Office from January 1, 2023, through the date this request is processed, including, for each office:
  - a. The number of inquiries made by the public;
  - b. The number of intakes conducted in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
  - e. The number of investigations opened;
  - f. The number of investigations closed;
  - g. The number of charges mediated;
  - h. The number of charges conciliated;
  - i. The number of charges that resulted in negotiated settlement;
  - j. The number of charges that resulted in litigation; and
  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of each office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated from each office since January 20, 2025.

NWLC seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voicemail messages and transcripts, notes or minutes of any meetings, telephone conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonable segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

If a request is denied in whole or in part, please provide a detailed justification for withholding the records, including citing each specific exemption that justifies the withholding of information.

You should institute a preservation hold on information responsive to this request. NWLC intends to pursue all legal avenues to enforce its right of access under FOIA, including litigation if necessary.

Where possible, please provide responsive material in electronic format by email to [ksandson@nwlc.org](mailto:ksandson@nwlc.org) or in PDF format on a USB drive. Please send any responsive material being sent by mail to Katie Sandson, National Women's Law Center, 1350 I Street NW, Suite 700, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

#### Fee Waiver Request

NWLC requests that all fees in connection with this FOIA request be waived in accordance with 5 U.S.C. § 552(a)(4)(A)(iii) and 29 CFR § 1610.15(k) because NWLC does not seek the records for a commercial purpose and disclosure is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government.

Workplace discrimination remains widespread and is a matter of public concern. The EEOC is the primary federal agency charged with ensuring compliance with federal workplace antidiscrimination law, and workers who experience discrimination must file charges with the EEOC in order to pursue redress under federal law. The public therefore has an important interest in understanding EEOC's operations, including the activities of its field offices and the impact of closing any field offices.

NWLC is a 501(c)(3) nonprofit organization and does not have a commercial purpose, and the release of the information requested is not in NWLC's financial interest. NWLC has worked for over fifty years to advance and protect women's equality and opportunity—with a focus on women's employment, education, income security, health, and reproductive rights—and has long sought to remove barriers to equal treatment of women and LGBTQI+ individuals in the workplace.

NWLC will use the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. NWLC will also make materials it gathers, or summaries or analyses thereof, available on its public website and promote their availability on social media platforms such as Facebook, Instagram, and Bluesky, on which it has several thousand followers. Accordingly, NWLC qualifies for a fee waiver. If a waiver is not granted, then please advise us of the amount of any proposed search and reproduction charges before those activities are carried out.

We reserve the right to appeal a decision to withhold any information or to deny a waiver of fees.

#### Application for Expedited Records

We request expedited processing pursuant to 5 U.S.C. § 552(a)(6)(E) and 29 CFR § 1610.9(f)(1)(ii).

We certify to be true and correct to the best of our knowledge and belief that expedited processing is warranted because there is an urgency to inform the public about decisions being made that may impact the EEOC's handling of discrimination charges, and because NWLC is primarily engaged in disseminating information.

NWLC has a supporter base of over 650,000 followers across our social media channels, including Instagram (over 65,000 followers) and Bluesky (over 27,000 followers), as well as over 770,000 subscribers to our email list. In February 2025, the NWLC website, [www.nwlc.org](http://www.nwlc.org), had over 275,000 page views, of which over 160,000 were unique visitors. Accordingly, NWLC is primarily engaged in disseminating information.

There is a particular urgency to inform the public about the impact of closing EEOC field offices because workers' ability to file charges in a timely manner may be affected by the closure of these offices. Numerous recently published articles have also raised questions about the termination of leases for EEOC field offices,<sup>4</sup> reflecting the urgency of informing the public about these actions and the work of these offices.<sup>5</sup> Therefore, we request expedited processing of this request.

### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwl.org](mailto:gburroughs@nwl.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwl.org](mailto:ksandson@nwl.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").

Via email

Bradley Anderson  
District Director  
Birmingham District Office  
Ridge Park Place1130  
22<sup>nd</sup> Street South  
Suite 2000  
Birmingham, AL 35205  
Email: [birmfoia@eeoc.gov](mailto:birmfoia@eeoc.gov)

April 15, 2025

Re: Freedom of Information Act Request

Dear Bradley Anderson:

This letter constitutes a request pursuant to the Freedom of Information Act (“FOIA”), 5 U.S.C. § 552 et seq., submitted by the National Women’s Law Center (“NWLC”).

NWLC seeks documents related to several U.S. Equal Employment Opportunity Commission (“EEOC”) field offices whose leases are reportedly being terminated. The Department of Government Efficiency (“DOGE”) lists eight EEOC offices, including the Mobile Local Office, whose leases are being terminated.<sup>1</sup> It is not clear when each of the lease terminations will take effect or what will happen to these field offices.

As the first point of contact for many workers seeking to report discrimination, field offices are critical to EEOC’s mission. Field offices investigate charges, conduct outreach and education, and resolve complaints. In fiscal year 2024, the EEOC received 248,255 total inquiries in field offices, a 6.2% increase from the previous fiscal year.<sup>2</sup> The EEOC also conducts outreach events through these offices to educate people about their rights in the workplace: in FY 2023, EEOC offices conducted 3,318 outreach events reaching over 314,199 individuals, and they conducted 684 events for vulnerable and underserved workers, reaching 74,769 individuals.<sup>3</sup> Closing these offices would therefore have a significant impact on the EEOC’s ability to serve workers across the country.

NWLC is filing this FOIA request to collect information about the staffing and case processing of the Mobile Local Office that will demonstrate how a decision to close or relocate this office would impact the ability of workers to seek redress for discrimination.

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<sup>1</sup> *Savings*, DEPARTMENT OF GOVERNMENT EFFICIENCY, <https://doge.gov/savings> (last visited Apr. 14, 2025).

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### Requested Records

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the Mobile Local Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office;
  - b. The number of intakes conducted by this office in-person and by phone;
  - c. The number of inquiries that resulted in the filing of charges;
  - d. The number of charges broken down by statute, basis, and issue;
  - e. The number of investigations opened;
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  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of the Mobile Local Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated since January 20, 2025.

NWLC seeks all responsive records regardless of format, medium, or physical characteristics. In conducting your search, please understand the terms “record,” “document,” and “information” in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind. We seek records of any kind, including electronic records, audiotapes, videotapes, and photographs, as well as letters, emails, facsimiles, telephone messages, voicemail messages and transcripts, notes or minutes of any meetings, telephone conversations, or discussions. Our request includes any attachments to these records. No category of material should be omitted from search, collection, and production.

In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonable segregable non-exempt portions of the requested records. If it is your position that a document contains non-exempt segments, but that those non-exempt segments are so dispersed throughout the document as to make segregation impossible, please state what portion of the document is non-exempt, and how the material is dispersed throughout the document.

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sent by mail to Katie Sandson, National Women's Law Center, 1350 I Street NW, Suite 700, Washington, DC 20005. If it will accelerate release of responsive records, please also provide responsive material on a rolling basis.

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#### Application for Expedited Records

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We certify to be true and correct to the best of our knowledge and belief that expedited processing is warranted because there is an urgency to inform the public about decisions being made that may impact the EEOC's handling of discrimination charges, and because NWLC is primarily engaged in disseminating information.

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### Conclusion

Thank you for your consideration of this request. If you do not understand any part of this request or have any questions, please contact Gaylynn Burroughs, Vice President for Education and Workplace Justice, at [gburroughs@nwlrc.org](mailto:gburroughs@nwlrc.org), and Katie Sandson, Senior Counsel for Education and Workplace Justice, at [ksandson@nwlrc.org](mailto:ksandson@nwlrc.org).

Sincerely,

Gaylynn Burroughs  
Vice President for Education and Workplace Justice  
National Women's Law Center

Katie Sandson  
Senior Counsel for Education and Workplace Justice  
National Women's Law Center

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<sup>4</sup> See, e.g., Madelyn Ricket et al., *DOGE cancels leases for four Greensboro federal offices*, WFMY NEWS 2 (last updated Mar. 5, 2025), <https://www.wfmynews2.com/article/news/local/doge-greensboro-federal-offices-canceled-leases/83-e47fa1d0-6106-4a16-89c8-c753d164ab9c>; Brendan Kirby, *DOGE takes aim at more federal leases in Mobile area*, Fox 10 (Mar. 4, 2025), <https://www.fox10tv.com/2025/03/05/doge-takes-aim-more-federal-leases-mobile-area/>; Amy Larson, *DOGE says it terminated leases of 3 Bay Area-based federal agencies*, KRON 4 (Mar. 4, 2025), <https://www.kron4.com/news/bay-area/doge-says-it-terminated-leases-of-3-bay-area-based-federal-agencies/>; Lauren Gersony, *Trump administration cancels leases for 24 federal offices in Arizona: Here's which ones*, AZ CENTRAL (Mar. 6, 2025), <https://www.azcentral.com/story/news/politics/arizona/2025/03/06/trump-administration-cancels-24-office-leases-in-arizona/81657574007/>; Heidi Schmidt, *Leases at 10 Kansas City locations to be terminated, DOGE says*, KCTV 5 (Mar. 6, 2025), <https://www.kctv5.com/2025/03/06/leases-10-kansas-city-metro-locations-be-terminated-doge-says/>; Emily Mikkelsen, *Which North Carolina federal facilities have been impacted by DOGE lease terminations?*, CBS 17 News (Mar. 4, 2025), <https://www.cbs17.com/news/north-carolina-news/which-north-carolina-federal-facilities-have-been-impacted-by-doge-lease-terminations/>; *DOGE terminates leases for federal offices in Carolinas, Georgia*, Fox CAROLINA NEWS (Mar. 6, 2025), <https://www.foxcarolina.com/2025/03/07/doge-terminates-leases-federal-offices-carolinas-georgia/>.

<sup>5</sup> 29 CFR § 1610.9(f)(3) ("the existence of numerous recently published articles on a given subject may be helpful in establishing the requirement that there be an "urgency to inform" the public on the topic").



# **Exhibit B**



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**  
**Office of Legal Counsel**

131 M St, N. E., Fifth Floor  
Washington, D. C. 20507  
Free: (833) 827-2920  
ASL: (844) 234-5122  
FAX: (202) 827-7545  
Website: [www.eeoc.gov](http://www.eeoc.gov)

July 3, 2025

VIA: [ksandson@nwlc.org](mailto:ksandson@nwlc.org)

Katie Sandson  
NATIONAL WOMEN'S LAW CENTER  
1350 I Street NW  
Suite 700  
Washington, DC 20005

Re: FOIA No.: **820-2025-010399 [Aggregated]**

Dear Ms. Sandson:

Your 3-part Freedom of Information Act (FOIA) request, received on 04/15/2025, is processed. Our search began on 04/29/2025. All agency records in creation as of 04/29/2025 are within the scope of EEOC's search for responsive records. The paragraph(s) checked below apply.

- [X] Item 1 is denied pursuant to FOIA Exemption 3. See comments below for details.
- [X] Item 2 is granted. You may access the 9-page record online at <https://eeoc.arkcase.com/foia/portal/login>.
- [X] Item 3 is denied as no records fitting the description of the records you seek disclosed exist or could be located after a thorough search.
- [X] You may contact the EEOC FOIA Public Liaison Michael L. Heise for further assistance or to discuss any aspect of your request. In addition, you may contact the Office of Government Information Services (OGIS) to inquire about the FOIA mediation services they offer.

The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, email at [ogis@nara.gov](mailto:ogis@nara.gov); telephone at (202) 741-5770; toll free 1-877-684-6448.

The contact information for the FOIA Public Liaison is as follows: Michael L. Heise, EEOC FOIA Public Liaison, Office of Legal Counsel, FOIA Division, Equal Employment Opportunity Commission, 131 M. Street, N.E., Fifth Floor, Washington, D.C. 20507, email to [FOIA@eeoc.gov](mailto:FOIA@eeoc.gov), telephone at (202) 921-2542; or fax at (202) 827-7545.

- [X] If you are not satisfied with the response to this request, you may administratively appeal in writing. Your appeal must be postmarked or electronically transmitted in 90 days from receipt of this letter to the Office of Legal Counsel, FOIA Division, Equal Employment Opportunity Commission, 131 M Street, NE, 5NW02E, Washington, D.C. 20507, email to [FOIA@eeoc.gov](mailto:FOIA@eeoc.gov); online at <https://eeoc.arkcase.com/foia/portal/login>, or fax at (202) 827-7545. Your appeal will be governed by 29 C.F.R. § 1610.11.

Sincerely,



Michael L. Heise  
Assistant Legal Counsel | FOIA Division  
[FOIA@eoc.gov](mailto:FOIA@eoc.gov)

Applicable Sections of the Freedom of Information Act, 5 U.S.C. § 552(b):

**Exemption(s) Used:**

|                                                       |                                    |
|-------------------------------------------------------|------------------------------------|
| <input checked="" type="checkbox"/> (b)(3)(A)(i)      | <input type="checkbox"/> (b)(6)    |
| <input checked="" type="checkbox"/> § 706(b)          | <input type="checkbox"/> (b)(7)(A) |
| <input checked="" type="checkbox"/> § 709(e)          | <input type="checkbox"/> (b)(7)(C) |
| <input checked="" type="checkbox"/> § 107 of the ADA  | <input type="checkbox"/> (b)(7)(D) |
| <input checked="" type="checkbox"/> § 207 of the GINA | <input type="checkbox"/> (b)(7)(E) |
| <input type="checkbox"/> (b)(4)                       | <input type="checkbox"/> (b)(7)(F) |
| <input type="checkbox"/> (b)(5)                       |                                    |

Exemption (b)(3)(A)(i) to the Freedom of Information Act (FOIA), 5 U.S.C. § 552(b)(3)(A)(i) (2006), amended by OPEN FOIA Act of 2009, Pub. L. No. 111-83, 123 Stat. 2142, 2184, states that disclosure is not required for a matter specifically exempted from disclosure by statute if that statute:

(A)(i) requires that the matters be withheld from the public in such a manner as to leave no discretion on the issue[.]

Sections 706(b) and 709(e) of Title VII of the Civil Rights Act of 1964, 42 U.S.C. §§ 2000e-5(b), 2000e-8(e)(1982), are part of such a statute. Section 706(b) provides that:

Charges shall not be made public by the Commission . . . . Nothing said or done during and as a part of [the Commission's informal endeavors at resolving charges of discrimination] may be made public . . . .

Section 709(e) of Title VII provides:

It shall be unlawful for any officer of the Commission to make public in any manner whatever any information obtained by the Commission pursuant to its authority under this section [to investigate charges of discrimination and to require employers to maintain and submit records] prior to the institution of any proceeding under this title involving such information.

Section 107 of the Americans with Disabilities Act (ADA) and § 207 of the Genetic Information Nondiscrimination Act adopt the procedures of sections 706 and 709 of Title VII. *See EEOC v. Associated Dry Goods Co.*, 449 U.S. 590 (1981); *Frito-Lay v. EEOC*, 964 F. Supp. 236, 239-43 (W.D. Ky. 1997); *American Centennial Insurance Co. v. EEOC*, 722 F. Supp. 180 (D.N.J. 1989); and *EEOC v. City of Milwaukee*, 54 F. Supp. 2d 885, 893 (E.D. Wis. 1999).

**INFORMATION WITHHELD PURSUANT TO FOIA EXEMPTION THREE:**

- **Non-confidential statistical data related to the case processing of the PHOENIX DISTRICT OFFICE, EL PASO AREA OFFICE, CHARLOTTE DISTRICT OFFICE (specifically the GREENSBORO LOCAL OFFICE, GREENVILLE LOCAL OFFICE, and RALEIGH AREA OFFICE), SAN JOSE LOCAL OFFICE, MOBILE LOCAL OFFICE, and KANSAS CITY AREA OFFICE.**

### Comments

On April 15, 2025, you submitted the following FOIA request:

NWLC requests that the District Office produce the following within twenty business days, no later than May 13, 2025:

1. Any statistical data related to the case processing of the Phoenix District Office from January 1, 2023, through the date this request is processed, including:
  - a. The number of inquiries made by the public at this office.
  - b. The number of intakes conducted by this office in-person and by phone.
  - c. The number of inquiries that resulted in the filing of charges.
  - d. The number of charges broken down by statute, basis, and issue.
  - e. The number of investigations opened.
  - f. The number of investigations closed.
  - g. The number of charges mediated.
  - h. The number of charges conciliated.
  - i. The number of charges that resulted in negotiated settlement.
  - j. The number of charges that resulted in litigation.
  - k. The number of open investigations at the time this request is processed.
2. The number of current and former employees of the Phoenix District Office since January 1, 2023, including title/position, dates of employment, and salary for each employee.
3. The number of employees—including title/position, dates of employment, and salary for each employee—that have been terminated or relocated since January 20, 2025.

That request was assigned control number 820-2025-010399. On April 15, 2025, you submitted 5 additional FOIA requests concerning the EL PASO AREA OFFICE, CHARLOTTE DISTRICT OFFICE (specifically, the GREENSBORO LOCAL OFFICE, GREENVILLE LOCAL OFFICE, and RALEIGH AREA OFFICE), SAN JOSE LOCAL OFFICE, MOBILE LOCAL OFFICE, and KANSAS CITY AREA OFFICE. These requests were assigned control numbers 820-2025-010416; 820-2025-010421; 820-2025-010428; 820-2025-010430; and 820-2025-010434, respectively.

In our April 17, 2025, letter, we informed you of the following:

We reviewed the scope of the above-captured FOIA requests and have determined that the requests involve clearly related matters. Therefore, we reasonably believe aggregation is appropriate given the circumstances involved. See 29 C.F.R. § 1610.9(e).

Please refer to FOIA No. 820-2025-010399 as the **primary** FOIA request, and as such, all future letter and email correspondence concerning the information you requested on April 15, 2025, will be conducted through the **primary** FOIA request.

To further clarify, the other 5 above-captured FOIA requests will be closed but the requested information will continue to be processed under **primary** FOIA No. 820-2025-010399. If you have any questions, please refer to the **primary** FOIA request.

Our response to each item of your aggregated request is as follows:

**Item 2 – Granted.** A single PDF totaling nine (9) pages has been made available to you online at <https://eeoc.arkcase.com/foia/portal/login>. This PDF consists of the requested employment data (number of current and former employees, position titles, dates of employment, and salary) for each of the eight (8) above-captured EEOC offices from January 1, 2023, to April 20, 2025 (date of search).

**Item 3 – Denied.** There are no records fitting the description of the records you seek disclosed exist or could be located after a thorough search. Our office received confirmation from the relevant program office that no employees from any of the above-captured EEOC offices were terminated or relocated since January 20, 2025.

**Item 1 – Denied.** You ask that “the District Office produce” the following “statistical data related to the case processing” of that District Office.<sup>1</sup>

- Number of inquiries made by the public,
- Number of intakes conducted in-person and by phone,
- Number of inquiries that resulted in the filing of charges,
- Number of charges broken down by statute, basis, and issue,
- Number of investigations opened,
- Number of investigations closed,
- Number of charges mediated,
- Number of charges conciliated,
- Number of charges that resulted in negotiated settlement,
- Number of charges that resulted in litigation, and
- Number of open investigations at the time this request is processed.<sup>2</sup>

Along with your request you submitted the Commission’s Annual Performance Report for fiscal year 2024 (Report) and noted on page 37 that this report only provides the total number of inquiries across all field offices. Statistical data on the case processing of individual field offices is not included, you rightly state in your letter.<sup>3</sup>

The confidentiality provisions of Title VII prohibit disclosure of the office-specific data you request. This is because the Commission can only make public “[e]xisting **non-confidential** statistical data related to the case processing of an office.”<sup>4</sup>

EEOC proactively discloses non-confidential statistical data in the form of the number of charges broken down by statute, basis, and issue, for each State and U.S. Territory which approximates Item 1 subpart

<sup>1</sup> PHOENIX DISTRICT OFFICE, EL PASO AREA OFFICE, CHARLOTTE DISTRICT OFFICE (specifically the GREENSBORO LOCAL OFFICE, GREENVILLE LOCAL OFFICE, and RALEIGH AREA OFFICE), SAN JOSE LOCAL OFFICE, MOBILE LOCAL OFFICE, and KANSAS CITY AREA OFFICE.

<sup>2</sup> April 20, 2025 (date of search).

<sup>3</sup> [https://www.eeoc.gov/sites/default/files/2025-01/24-126\\_EEOC\\_2024\\_APR\\_508\\_1.16.25\\_508.pdf](https://www.eeoc.gov/sites/default/files/2025-01/24-126_EEOC_2024_APR_508_1.16.25_508.pdf) [last accessed Jul. 3, 2025].

<sup>4</sup> 29 C.F.R. § 1610.7(a)(2) [emphasis added].

“(d)” of your request. The specific record is titled *Table E1b. Charge Receipts by State (includes U.S. Territories) and Basis or Statute (All Statutes) FY 2009 – FY 2024*, and is accessible online at:

[https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.eeoc.gov%2Fsites%2Fdefault%2Ffiles%2F2025-02%2FTable\\_E1b.\\_Charge\\_Receipts\\_by\\_State\\_%2528includes\\_U.S.\\_Territories%2529\\_and\\_Basis\\_or\\_Statute\\_%2528All\\_Statutes\\_%2529\\_FY\\_2009\\_-\\_FY\\_2024.xlsx&wdOrigin=BROWSELINK](https://view.officeapps.live.com/op/view.aspx?src=https%3A%2F%2Fwww.eeoc.gov%2Fsites%2Fdefault%2Ffiles%2F2025-02%2FTable_E1b._Charge_Receipts_by_State_%2528includes_U.S._Territories%2529_and_Basis_or_Statute_%2528All_Statutes_%2529_FY_2009_-_FY_2024.xlsx&wdOrigin=BROWSELINK).

Since the purpose of your request is “to collect information about the ... case processing of the ... District Office that will demonstrate how a decision to close or relocate [a particular] office would impact the ability of workers to seek redress for discrimination,” it seems *Table E1b* would provide information of interest to you because *Table E1b* details the total number charges received in every State or U.S. Territory by fiscal year.

For example, page 71 of the Report displays a map of the United States with all 15 District Offices color coded by jurisdiction.<sup>5</sup> Using this map in conjunction with *Table E1b* for the PHOENIX DISTRICT OFFICE – which encompasses the states of Arizona, Colorado, Utah, Wyoming, and most of New Mexico<sup>6</sup> – one can see the number of charges that office received in fiscal year 2024:

***Total Charge Receipts of the PHOENIX DISTRICT OFFICE in Fiscal Year 2024***

| State                          | Total Charges |
|--------------------------------|---------------|
| Arizona                        | 1,797         |
| Colorado                       | 1,303         |
| New Mexico                     | 568           |
| Utah                           | 353           |
| Wyoming                        | 52            |
| <b>PHOENIX DISTRICT OFFICE</b> | <b>3,720</b>  |

Similar analyses can be done by your office for the other District Offices referenced in your request.

<sup>5</sup> Page 71 also allows you to link to a full list of EEOC offices as well as a “zip-code based office locator.” See <https://www.eeoc.gov/field-office> [last accessed Jul. 3, 2025].

<sup>6</sup> Including two of that state’s three most populous counties, Bernalillo and Santa Fe, where the cities of Albuquerque and Santa Fe are located. See [https://www.newmexico-demographics.com/counties\\_by\\_population](https://www.newmexico-demographics.com/counties_by_population) [last accessed Jul. 3, 2025].