The EEOC FOIA Process

1.

Requests Must Be in Writing

Requests must be in writing (no particular form or format is required), reasonably describe the records or information sought, and comply with the FOIA and EEOC regulations at 29 C.F.R. Part 1610, http://www.access.gpo.gov

Charging parties may request their files during the 90 days following issuance of the Notice of Right to Sue. After the 90 day period has expired, a "Filed" marked court complaint must be submitted with the request to receive access.

2.

Requests must be labeled "FOIA Request" on the request and its cover

You may send your written request to EEOC by mail (131 M. Street, NE, Washington, D.C. 20507), email (FOIA@eeoc.gov), fax (202-663-4679) , or by Internet (https://egov.eeoc.gov/foia/). District Offices FOIA email addresses are found at http://www.eeoc.gov/field, or https://egov.eeoc.gov/foia/. Information about FOIA is available on the EEOC website at www.eeoc.gov.

3.

Acknowledgement Letter

You will receive an acknowledgement letter from the EEOC within 10 calendar days of receipt of your request. It will include contact information, the expected date of our response, and a FOIA tracking number.

4.

The EEOC may take 20 business days to respond to a "perfected" request. A "perfected" request complies with EEOC and FOIA regulations. The EEOC may contact you to "perfect," clarify, or resolve any fee related issues involving your request.

5.

FOIA REQUESTS

The EEOC will either:

1. Release documents in full,
2. Release documents in part,
3. Withhold documents in full,
4. Advise that no responsive records could be found

6.

If you disagree with the EEOC's determination, send a FOIA appeal to the Office of Legal Counsel to challenge the withheld records. Within 30 calendar days of receipt of the determination. The appeal must be in writing and labeled "FOIA APPEAL" on the appeal and its cover. All FOIA Appeals are handled by the Office of Legal Counsel at EEOC Headquarters Office in Washington, D.C.

7.

FOIA Appeal

EEOC will either:

1. Grant your appeal and release more records, or
2. Deny your appeal and continue to withhold information.

The agency may take (20) business days to respond unless you are notified that EEOC has taken an extension.

8.

Mediation

Requester or agency can request mediation through the Office of Government Information Services http://www.archives.gov/ogis/.

9.

If you disagree with the decision made on appeal, you may seek judicial review in a federal district court.