# 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. § 1610.

Charging parties may request their file 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**

Send your written request to EEOC by mail, by email, by fax or by internet. You may contact us at the following: 131 M. Street, NE, Washington, D.C. 20507, FOIA@eeoc.gov, 202-653-6034 or https://publicportalfoiapal.eeoc.gov/. Information about FOIA is available on the FOIA website at www.eeoc.gov.

**3.**

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 FOIA tracking number.

**4.**

The 20 business-day time frame to respond to your request does not start until a request is perfected. The EEOC may contact you to "perfect," clarify or resolve any fee related issues involving your request.

**5.**

**The EEOC will either:**

1. Release documents in full, or
2. Release documents in part, or
3. Withhold documents in full, or
4. Not find any responsive documents.

**6.**

If you disagree with the EEOC's determination, send a FOIA appeal to the Office of Legal Counsel to challenge the withheld records. EEOC allows requesters 90 calendar days from your receipt of the determination to appeal. 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 Appeals**

EEOC will either:

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

EEOC may take 20 business days to respond to your appeal, unless you are notified that EEOC has taken an extension.

**8.**

**Mediation**

**Requester can request mediation through the Office of Government Information Services (OGIS) if dissatisfied.**

**9.**

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