

From: [Carr, Debra A - OFCCP](#)
To: [Mehta, Parag V - OFCCP](#); [Coukos, Pamela - OFCCP](#)
Cc: [Horak, Forrest - OFCCP](#)
Subject: FW: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
Date: Tuesday, February 11, 2014 6:02:40 PM
Attachments: [740227 Johnson Request.pdf](#)

Anything for Forrest?

Debra

From: Horak, Forrest - OFCCP
Sent: Tuesday, February 11, 2014 5:40 PM
To: Carr, Debra A - OFCCP; Lenhoff, Donna R - OFCCP
Cc: Spishak, Cynthia - OFCCP; Ruffin, Vivian - OFCCP
Subject: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

Good evening,

OFCCP just received the attached FOIA request from Chris Johnson, a reporter for the Washington Blade. He is seeking the following:

"...any documents, communications or information saying the Obama administration will enforce Executive Order 11246 in the wake of the decision of *Macy v. Holder* to expand the definition of gender to protect transgender workers."

(b) (5)

Please advise as to whether OFCCP has any responsive records and how to respond in general (e.g., should OPA and/or Parag be made aware of this request).

Thank you,

Forrest

Forrest J. Horak

Special Assistant
U.S. Department of Labor
Office of Federal Contract Compliance Programs
Division of Management and Administrative Programs

(b) (6)

[Redacted]

From: Chris Johnson (b) (6)
Sent: Friday, February 07, 2014 4:00 PM
To: Miller, Darlene - SOL; FOIARequests
Subject: Re: FOIA request: Seeking info on OFCCP compliance with Macy

Mailing address is

(b) (6)
[Redacted]

On Fri, Feb 7, 2014 at 3:53 PM, Miller, Darlene - SOL (b) (6) wrote:

Mr. Johnson:

.

We need your mailing address as well to process your request. Please respond to foiarequests@dol.gov with your additional information.

Sincerely,

Darlene Miller

Government Information Specialist, Office of Information Services

Office of the Solicitor | Management & Administrative Legal Services

U.S. Department of Labor

200 Constitution Avenue NW, Rm. N2420

Washington, DC 20210

(b) (6) (O) | (b) (6) (F) | (b) (6) (E)

From: Chris Johnson [mailto:(b) (6)]
Sent: Wednesday, February 05, 2014 7:19 PM
To: FOIARequests
Subject: FOIA request: Seeking info on OFCCP compliance with Macy

Greetings!

My name is Chris Johnson and I'm a news reporter for the Washington Blade. I'm submitting a request under the Freedom of Information Act to the Labor Department's Office of Federal Contract Compliance Programs.

I'm seeking any documents, communications or information saying the Obama administration will enforce Executive Order 11246 in the wake of the decision of Macy v. Holder to expand the definition of gender to protect transgender workers against discrimination.

Thanks for any help. I'm at (b) (6).

--

Chris Johnson

Washington Blade

Chief Political & White House Reporter

Follow me on Twitter:

<https://twitter.com/chrisjohnson82>

--

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Washington Blade

Chief Political & White House Reporter

Follow me on Twitter:

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[REDACTED]

From: Mehta, Parag V - OFCCP
Sent: Wednesday, February 12, 2014 3:34 PM
To: Shiu, Patricia A - OFCCP; Lenhoff, Donna R - OFCCP; Alexander, Elizabeth N - OPA; Maxwell, Mary Beth - ASP
Subject: FW: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
Attachments: 740227 Johnson Request.pdf

We've received a FOIA request from the Washington Blade for communications relating to Macy's.

From: Horak, Forrest - OFCCP
Sent: Tuesday, February 11, 2014 5:40 PM
To: Carr, Debra A - OFCCP; Lenhoff, Donna R - OFCCP
Cc: Spishak, Cynthia - OFCCP; Ruffin, Vivian - OFCCP
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(b) (5) [REDACTED] Please advise as to whether OFCCP has any responsive records and how to respond in general (e.g., should OPA and/or Parag be made aware of this request).

Thank you,

Forrest

Forrest J. Horak
Special Assistant
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Division of Management and Administrative Programs

(b) (6) [REDACTED]

[REDACTED]

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Special Assistant
U.S. Department of Labor
Office of Federal Contract Compliance Programs
Division of Management and Administrative Programs

(b) (6) [REDACTED]

From: [Mehta, Parag V - OFCCP](#)
To: [Carr, Debra A - OFCCP](#)
Cc: [Coukos, Pamela - OFCCP](#); [Horak, Forrest - OFCCP](#)
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
Date: Wednesday, February 12, 2014 3:35:00 PM

I've forwarded this to Pat, Donna, MB and OPA.

(b) (5) [Redacted]
 [Redacted]

From: Carr, Debra A - OFCCP
Sent: Tuesday, February 11, 2014 6:03 PM
To: Mehta, Parag V - OFCCP; Coukos, Pamela - OFCCP
Cc: Horak, Forrest - OFCCP
Subject: FW: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
 Anything for Forrest?
 Debra

From: Horak, Forrest - OFCCP
Sent: Tuesday, February 11, 2014 5:40 PM
To: Carr, Debra A - OFCCP; Lenhoff, Donna R - OFCCP
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Forrest

Forrest J. Horak

Special Assistant

U.S. Department of Labor

Office of Federal Contract Compliance Programs

Division of Management and Administrative Programs

(b) (6) [Redacted]
 [Redacted]

From: [Horak, Forrest - OFCCP](#)
To: [Mehta, Parag V - OFCCP](#)
Cc: [Carr, Debra A - OFCCP](#); [Coukos, Pamela - OFCCP](#)
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
Date: Wednesday, February 12, 2014 4:10:06 PM

Parag,

The FOIA requires us to identify all existing records that are responsive to the request. Responsive records may include, but are not limited to emails, correspondence, memoranda and speeches. Draft documents qualify as responsive records; however, this does not mean that the aforementioned records are subject to mandatory disclosure under the FOIA. For example, most draft documents can be withheld pursuant to the deliberative process privilege incorporated into Exemption 5.

Please feel free to contact me if you have any further questions.

Best regards,

Forrest

From: Mehta, Parag V - OFCCP
Sent: Wednesday, February 12, 2014 3:36 PM
To: Carr, Debra A - OFCCP
Cc: Coukos, Pamela - OFCCP; Horak, Forrest - OFCCP
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

I've forwarded this to Pat, Donna, MB and OPA.

I'm not clear on what FOIA requires us to turn over. Emails? Agency Management Meeting reports? Draft speeches? Can I get some more guidance on this?

From: Carr, Debra A - OFCCP
Sent: Tuesday, February 11, 2014 6:03 PM
To: Mehta, Parag V - OFCCP; Coukos, Pamela - OFCCP
Cc: Horak, Forrest - OFCCP
Subject: FW: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

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Thank you,

Forrest

Forrest J. Horak

Special Assistant

U.S. Department of Labor

Office of Federal Contract Compliance Programs

Division of Management and Administrative Programs

(b) (6)

[REDACTED]

From: Mehta, Parag V - OFCCP
Sent: Wednesday, February 12, 2014 4:17 PM
To: Donna Lenhoff (b) (6)
Subject: FW: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

I responded to Forest before I talked to you. Here was his guidance.

From: Horak, Forrest - OFCCP
Sent: Wednesday, February 12, 2014 4:10 PM
To: Mehta, Parag V - OFCCP
Cc: Carr, Debra A - OFCCP; Coukos, Pamela - OFCCP
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

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To: Carr, Debra A - OFCCP
Cc: Coukos, Pamela - OFCCP; Horak, Forrest - OFCCP
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

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(b) (5)

[REDACTED]

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Sent: Tuesday, February 11, 2014 6:03 PM
To: Mehta, Parag V - OFCCP; Coukos, Pamela - OFCCP
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Forrest J. Horak
Special Assistant
U.S. Department of Labor
Office of Federal Contract Compliance Programs
Division of Management and Administrative Programs

(b) (6)

From: [Mehta, Parag V - OFCCP](#)
To: [Horak, Forrest - OFCCP](#)
Cc: [Carr, Debra A - OFCCP](#); [Coukos, Pamela - OFCCP](#); [Lenhoff, Donna R - OFCCP](#)
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)
Date: Wednesday, February 12, 2014 4:17:00 PM

Thanks. Donna will probably be the lead contact on this request.

From: Horak, Forrest - OFCCP
Sent: Wednesday, February 12, 2014 4:10 PM
To: Mehta, Parag V - OFCCP
Cc: Carr, Debra A - OFCCP; Coukos, Pamela - OFCCP
Subject: RE: Media FOIA Request - Tracking No. 740227 Johnson (Washington Blade)

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(b) (5) [Redacted]

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Forrest

Forrest J. Horak
Special Assistant
U.S. Department of Labor
Office of Federal Contract Compliance Programs
Division of Management and Administrative Programs

(b) (6) [Redacted]

From: [Lenhoff, Donna R - OFCCP](#)
To: [Mehta, Parag V - OFCCP](#); [Coukos, Pamela - OFCCP](#); [Horak, Forrest - OFCCP](#); [Pinto, Consuela - SOL](#)
Subject: meeting to discuss scope of Johnson FOIA request re Macy decision and OFCCP enforcement
Date: Tuesday, February 18, 2014 1:51:33 PM
Attachments: (b) (5)

(b) (5)

Donna R. Lenhoff
Senior Civil Rights Advisor
Office of Federal Contract Compliance Programs (OFCCP)
U.S. Department of Labor
200 Constitution Ave., N.W.
Washington, D.C. 20210

(b) (6)

The information contained in this message is intended only for the personal/confidential use of the person(s) named above. This message may be government communication and/or work product and as such is privileged and confidential. Any review, dissemination, distribution, or copying of this message is strictly prohibited.

Request is for “documents, communications, or information saying the Obama administration will enforce Exec. Order 11246 in the wake of the decision of *Macy v. Holder* to expand the definition of gender to protect transgender workers against discrimination.”



Documents that aren't at OFCCP (but are at SOL, ASP, the Deputy Secretary's Office, or the Secretary's Office)

Documents that don't say “the Obama administration will enforce Exec. Order 11246 in the wake of the decision of *Macy v. Holder* to expand the definition of gender to protect transgender workers against discrimination,” but rather *recommend* that the administration do so, or say that it *will* do so, or *discuss whether* the administration should do so or say that it will do so

Non-final documents of any kind

Documents that say (or recommend) that “the Obama administration will enforce Exec. Order 11246 to expand the definition of gender to protect transgender workers against discrimination” that predate the decision in *Macy v. Holder*

Documents that say (or recommend) that “the Obama administration will enforce Exec. Order 11246 to expand the definition of gender to protect transgender workers against discrimination” without relying on the decision in *Macy v. Holder*

Documents that discuss what the law is on the issue whether the definition of gender discrimination includes discrimination against transgender workers, including discussion of *Macy v. Holder*, without saying what the Obama administration will or should do.