

# Congress of the United States

## Washington, DC 20510

September 3, 2025

The Honorable Lori M. Chavez-DeRemer  
Secretary of Labor  
U.S. Department of Labor  
200 Constitution Ave NW  
Washington, DC 20210

Dear Secretary Chavez-DeRemer:

We are deeply concerned that the U.S. Department of Labor (The Department) is failing to protect federal contractor workers with disabilities.

Under Section 503 of the Rehabilitation Act of 1973, federal contractors are prohibited from discriminating against individuals with disabilities in recruitment, hiring, compensation, job assignments, benefits, or promotions.<sup>1</sup> The law also requires employers to take proactive steps to recruit, hire, retain and advance qualified people with disabilities.<sup>2</sup> The Office of Federal Contract Compliance Programs (OFCCP) is charged with enforcing these requirements. But undue delays in investigating complaints of discrimination, abandonment of compliance reviews, and stalled affirmative action plan monitoring call into question the agency's commitment to enforcing protections for federal contract workers with disabilities.

On January 24, 2025, the then-Acting Secretary of Labor issued Secretary's Order 03-2025 directing OFCCP to "notify all regulated parties with impacted open review or investigations" that the Section 503 "components of the review or investigation are being held in abeyance pending further guidance."<sup>3</sup> More than 170 days later, on July 2, 2025, the Department announced that Labor Secretary Lori Chavez-DeRemer issued Secretary's Order 08-2025 lifting

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<sup>1</sup>Section 503 of the Rehabilitation Act of 1973, as amended  
(41 CFR Parts 60-741 and 60-742), U.S. Department of Labor (Updated March 2025),  
<https://webapps.dol.gov/elaws/elg/503.htm>.

<sup>2</sup> *Id.*

<sup>3</sup> Secretary's Order 03-2025 – To Cease and Desist and All Investigative and Enforcement Activity Under Rescinded Executive Order 11246, Vincent N. Mincone, III, Acting Secretary of Labor (Jan. 24, 2025),  
<https://www.dol.gov/sites/dolgov/files/OPA/newsreleases/2025/01/Secretarys-Order-03-2025.pdf>

the abeyance and allowing OFCCP to resume Section 503 enforcement.<sup>4</sup> In contrast to the January order, a copy of the most recent order is not available on the Department's website.

The actions of the last six months raise several issues:

- **Delayed Investigation of Complaints.** To protect federal contract workers, OFCCP is tasked with investigating complaints it receives from workers. OFCCP received 2,384 worker complaints in FY 2024, and, during that time period, 89 percent of complaints were closed within the agency's standard timeframe; for investigated complaints, that meant 120 days if there were no findings and 180 days if conciliation was required.<sup>5</sup> According to the July announcement, under the most recent Secretary's order, Section 503 "complaints held during the abeyance will immediately resume being processed as appropriate and affected parties will be promptly notified of this development."<sup>6</sup> This left nearly 6 months where OFCCP was not processing and investigating complaints.
- **Abandoned Compliance Reviews.** Each year, OFCCP proactively reviews employment practices to see if employers are in violation of the law. During compliance reviews, the agency collects data and information related to hiring, promotion, pay, and workplace policies. These compliance reviews are a critical tool for uncovering hidden or systematic discrimination. The July announcement states that OFCCP would "close all compliance reviews and will take no further action related to the scheduling list released in November 2024."<sup>7</sup> This means that the agency is abandoning review of employment practices for 2,000 companies.<sup>8</sup> This list includes technology companies such as Google and Meta, airlines such as American Airlines, Delta Air Lines, and consulting firms including Deloitte and Boston Consulting Group.
- **Stalled Affirmative Action Plan Monitoring.** Section 503 also requires that certain federal contractors create and maintain affirmative action plans to "to ensure equal employment opportunity and foster employment opportunities for individuals with disabilities."<sup>9</sup> After a 2016 finding from GAO that a significant number of contractors were not complying with these requirements,<sup>10</sup> OFCCP began requiring contractors to annually certify affirmative action plan compliance via an online portal. The agency used

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<sup>4</sup> Bulletin, *Secretary's Order 08-2025 lifting Section 503/VEVRAA abeyance*, U.S. DOL Office of Federal Contract Compliance Programs (July 2, 2025),

<https://content.govdelivery.com/accounts/USDOLOFCCCP/bulletins/3e7c4a3>.

<sup>5</sup> <https://www.dol.gov/sites/dolgov/files/general/budget/2024/FY2024APR.pdf> p. 27

<sup>6</sup> U.S. DOL Office of Federal Contract Compliance Programs, *supra* note 4.

<sup>7</sup> *Id.*

<sup>8</sup> *Scheduling List Resources*, Office of Federal Contract Compliance Programs (n.d.)

[https://www.dol.gov/agencies/ofccp/scheduling-list?utm\\_medium=email&utm\\_source=govdelivery](https://www.dol.gov/agencies/ofccp/scheduling-list?utm_medium=email&utm_source=govdelivery).

<sup>9</sup> 41 C.F.R. § 60-741.40

<sup>10</sup> *Equal Employment Opportunity: Strengthening Oversight Could Improve Federal Contractor Nondiscrimination Practice*, Government Accountability Office (Sept. 2016), <https://www.gao.gov/assets/690/689642.pdf>.

this as a criterion for neutrally selecting companies for its compliance review lists.<sup>11</sup> Employers who had not certified compliance were more likely to be reviewed. The Secretary's most recent order confirms that the agency's "affirmative action program certification period will remain closed." The Department does, however, make clear that affirmative action plan requirements remain in effect.

Taken together, these actions point to workers with disabilities waiting for the justice they deserve. And, even though the OFCCP has resumed processing claims under Section 503, we remain concerned that staff cuts and field office closures have completely undermined its ability to enforce the rights of individuals with disabilities.

We request a response to the following questions by October 1, 2025.

1. How many complaints has OFCCP received since January 24, 2025?
2. How many of the complaints received since January 24, 2025 involved complaints of discrimination due to a disability?
3. How was OFCCP responding to workers who had filed complaints of discrimination due to a disability since January 24, 2025? Please provide the template response the agency was using.
4. During the abeyance, were workers notified that their previously filed complaints of discrimination due to a disability would not be investigated? If so, please provide the standard language used to provide workers with such notice.
5. What is your specific timeline for notifying workers that investigation of their complaints of discrimination due to a disability will be resumed?
6. How do you anticipate the nearly 6-month delay impacting workers' ability to get a timely resolution from their complaints of discrimination due to a disability?

We also request that you promptly add back to the OFCCP's website any policy documents that relate to Section 503 enforcement, including Secretary's Order 08-2025.

Thank you for your attention to this urgent matter. If you have any questions regarding this request, please contact Sedef Berk in my office ([sedef.berk@mail.house.gov](mailto:sedef.berk@mail.house.gov)).. We look forward to your prompt response.

Sincerely,

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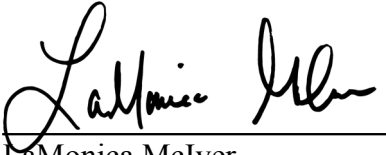
<sup>11</sup> *Directive (DIR) 2018-07*, Office of Federal Contract Compliance Programs (Effective Date: Aug. 24, 2018), <https://roffmanhorvitz.com/documents/roffman-horvitz-plc-2018-dol-ofccp-directive-2018-07-affirmative-action-program-verification-initiative-esqa508c.pdf>.



Lateefah Simon  
Member of Congress



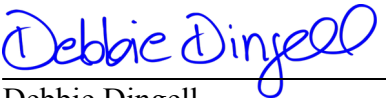
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