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# OFCCP Announces Response to Revocation of Executive Order Limiting Diversity Trainings

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As we previously reported, shortly after taking office, President Biden revoked the controversial Combatting Race and Sex Stereotyping Executive Order (the "Order") as part of a new Executive Order focusing on "Advancing Racial Equity and Support for Underserved Communities Through the Federal Government." The new Order notes that "[i]t is . . . the policy of [this] Administration that the Federal Government should pursue a comprehensive approach to advancing equity for all," and is just one mechanism through which the President has begun making his mark in ways that will impact the government contractor community.

In response to the revocation of the Order, OFCCP announced the following actions:

- OFCCP has rescinded its Frequently Asked Questions regarding the Order.
- OFCCP will completely shut down the phone hotline and email address that were created to accept complaints related to contractors' alleged noncompliance with the Order. OFCCP had previously acknowledged that it was no longer accepting complaints after a nationwide preliminary injunction prohibited enforcement of the Order, but it has now taken the additional step of completely shutting down the hotline and email address.
- OFCCP will administratively close all complaints regarding alleged noncompliance with the Order received through the hotline or any other means. For any complaints that were previously held in abeyance pursuant to the preliminary injunction, OFCCP will notify affected employers to the extent possible.
- OFCCP will not enforce any of the Order's requirements, including the requirement that contractors include certain flow down provisions in their subcontracts. To the extent contractors have already included the provisions required by the Order in their subcontracts, OFCCP will no longer take any action to enforce such provisions. Further, OFCCP will not require contractors or subcontractors to provide notice of their commitments under the Order to their respective labor unions or employee representatives.

- OFCCP will not publish any additional Requests for Information from any individual or entity regarding the training, workshops or programming provided to employees of government contractors or subcontractors with regard to compliance or noncompliance with the Order.

As always, we will continue to report on noteworthy developments impacting the federal government contractor community. In addition, you can subscribe to Proskauer's Law and the Workplace blog to stay current on the latest Biden Administration developments impacting your business.

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