

Insights: Alerts

Newly Appointed OFCCP Director Reveals Plans to Review Previously Submitted Affirmative Action Plans of Federal Contractors

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On March 24, 2025, the U.S. Department of Labor (“DOL”) appointed Catherine Eschbach as the head of the Office of Federal Contract Compliance Programs (“OFCCP”). Prior to her appointment, Director Eschbach worked for six years in Morgan, Lewis & Bockius LLP’s appellate group where her practice focused on complex constitutional, statutory, and administrative law issues. Her past clients include representing Elon Musk’s SpaceX in a 2024 lawsuit related to workers’ rights.

In the [news release from the DOL](#) announcing her appointment, Eschbach is quoted saying that “President Trump made clear in his executive order on eliminating DEI that [Executive Order] 11246 had facilitated federal contractors adopting DEI practices out of step with the requirements of our Nation’s civil rights laws.” As director, Eschbach affirmed that she is honored to “oversee [the OFCCP’s] transition to its new scope of mission” and committed to “carrying out President Trump’s executive orders, which will restore a merit-based system to provide all workers with equal opportunity.”

Following her appointment, The Wall Street Journal (“WSJ”) is now reporting that it obtained and viewed an internal email from Director Eschbach to OFCCP staff discussing plans to review federal contractor affirmative action plans previously submitted to the OFCCP, before President Trump’s term, for evidence of discriminatory employment practices. The WSJ quotes Director Eschbach’s email as telling OFCCP staff members that “much of the previous work of OFCCP was misaligned or even contradictory to U.S. laws, and all reform options are on the table.”

It is currently unclear whether these reviews will ultimately occur and, if so, what the specific reviews will entail or which contractors will be evaluated. However, any plan submitted to the OFCCP under the previous Executive Order 11246 and before President Trump issued Executive Order 14173 could be eligible for review.

This is a developing story, and we will continue to monitor Director Eschbach’s plans as they impact government contractors.

For more information or assistance related to this Legal Alert, please contact one of the authors or a member of Kilpatrick’s Government Contracting & Public Procurement or Labor and Employment Team.

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