



THE CITY OF NEW YORK
OFFICE OF THE COMPTROLLER
MARK D. LEVINE

February 5, 2026

Jeffery H. Boyd
Chair, Nominating and Corporate Governance Committee
Board of Directors
c/o Corporate Secretary

The Home Depot, Inc.
2455 Paces Ferry Road
Building C-22
Atlanta, Georgia 30339

Dear Mr. Boyd:

I am writing to request that the Nominating and Corporate Governance Committee commission and oversee an independent third-party human rights risk assessment focused on The Home Depot's collection, use, and sharing of license plate and other location-based data, including potential civil rights implications. This request is prompted by recent fatal shootings by U.S. immigration enforcement agents in Minneapolis and media reports highlighting that Home Depot parking lots have become focal points for enforcement activity. Such an assessment would support effective oversight, mitigate legal and reputational risk, and help protect long-term shareholder value.^[i]

As Comptroller of the City of New York, I serve as investment adviser to, and custodian and a trustee of, the New York City Retirement Systems ("NYC Systems"), which are substantial long-term Home Depot shareholders. My office maintains a history of productive engagement with the Company, most recently regarding the transparency of workforce diversity through the disclosure of the Company's EEO-1 Report data.

Home Depot, as a national retailer, engages in a range of security and loss-prevention practices, which can involve the sharing of information for legitimate security purposes. Home Depot's Privacy & Security Statement confirms that the Company collects personal identifiers, including license plate numbers, and may disclose such information to "law enforcement, public and government authorities, and other entities as we deem reasonably necessary to comply with law, support investigations, and protect the rights and property of you, us, and others."^[ii] Given the sensitive nature of this data and the potential downstream use by third parties, it is critical that Home Depot actively implements and adheres to its human rights commitments, ensuring these practices do not create unintended risks.

Home Depot acknowledges in its 2024 Form 10-K that regulators, customers, shareholders, associates, and other stakeholders are increasingly focused on data privacy, human capital,

cybersecurity, and sustainability. The Company notes that evolving laws, regulations, and stakeholder expectations have already—and are likely to continue to—drive higher compliance costs, litigation and enforcement risk, and management attention. Location-based surveillance data implicates these areas and raises human and civil rights considerations, underscoring the importance of independent Board oversight to ensure that the Company’s practices align with its human rights commitments and mitigate operational, legal, and reputational risks.

I am encouraged that Home Depot’s human rights commitments align with leading international standards, including the UN Guiding Principles on Business and Human Rights (UNGPs). I am optimistic that the Board’s oversight will ensure these commitments are both implemented and adhered to across the Company’s operations. The UNGPs emphasize that companies should identify and assess not only direct impacts but also potential human rights risks arising from business relationships—particularly where gaps in oversight could expose the company to regulatory, legal, reputational, or customer-trust risks. In the context of location-based or personal data, such risks can arise even when information is initially shared for lawful purposes, including cases where subsequent access or repurposing through inter-agency information-sharing occurs beyond the Company’s original intent.

Given the specialized nature of these risks, independent, third-party civil and human-rights assessments are increasingly used by large companies to support effective board oversight. For example, Airbnb and Uber commissioned external assessments to evaluate risks related to civil liberties, human rights, and platform misuse, helping their Boards oversee data-related risks effectively. A similar independent assessment at Home Depot would provide the Board with the expertise necessary to evaluate potential human rights and civil rights implications associated with location-based data practices.

These considerations have taken on added urgency in light of reported immigration enforcement actions at large retailers generally, and Home Depot specifically. Public statements by senior federal officials—including a June 2025 meeting in which a White House official explicitly called for more aggressive enforcement at Home Depot—underscore that information initially shared with local law enforcement may ultimately be accessed or used by federal immigration authorities, even when such downstream use was not the original intent.

Given heightened public and investor scrutiny of surveillance technologies—such as the Flock Safety cameras reportedly used at Home Depot’s locations—and the potential secondary use of personal information by public authorities, I believe it would be prudent for the Board to commission an independent assessment of the human rights implications of these practices. Such an assessment would provide the Board and shareholders with greater clarity regarding:

- Whether and how license plate or similar location-based data is collected, retained, and shared;
- The categories of third parties with which such data may be shared, including law enforcement, and the Company’s knowledge of or control over downstream use;
- The safeguards, limitations, and oversight mechanisms in place to address potential downstream human rights impacts; and
- How the Board oversees data-related human rights and privacy risks.

I believe an independent human rights risk assessment—and disclosure of its non-proprietary findings and recommendations—would strengthen governance, ensure alignment with the Company’s stated human rights commitments, mitigate reputational and legal risk, and enhance long-term shareholder confidence in the Company. As Chair of the Nominating and Corporate Governance Committee, you are responsible for overseeing the Company’s corporate social responsibility and environmental efforts, and I respectfully urge you to ensure that the Committee exercises that oversight by commissioning and supervising this independent assessment.

Thank you for the Board’s consideration. I look forward to your written response. My team is available to discuss the Board’s perspective. To schedule a meeting, please contact Michael Garland, Assistant Comptroller for Corporate Governance and Responsible Investment in the Bureau of Asset Management, at mgarlan@comptroller.nyc.gov.

Sincerely,



Mark D. Levine
New York City Comptroller

cc: Board of Directors

[i] <https://www.cnbc.com/2025/06/27/home-depot-parking-lot-labor-market-at-heart-of-ice-immigration-battle.html>

[ii] <https://www.homedepot.com/privacy/privacy-and-security-statement>