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Maya Wiley

June 16, 2025

David Taggart  
Office of the General Counsel  
U.S. Department of Energy  
1000 Independence Ave., SW  
Washington, DC 20585

**RE: RIN 1903-AA20 Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions)**

Dear Mr. Taggart,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 240 national organizations to promote and protect the civil and human rights of all persons in the United States, and the 59 undersigned organizations, we offer the following **significant, adverse comments** in opposition to the Department of Energy's direct final rule, "Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions)" published in the Federal Register on May 16, 2025 and **urge its immediate withdrawal**. This direct final rule is inconsistent with our civil rights laws, undermines the protections they provide, and has been issued through an inappropriate process.

Our nation's civil rights laws are a promise made by Congress to the American people that they will be free from the burdens of discrimination and that their constitutional rights and human dignity will be respected. Title VI of the Civil Rights Act of 1964 was passed after many decades of advocacy and sacrifice by the civil rights community. The prohibition on discrimination in all its forms based on race, color, and national origin by recipients of federal financial assistance has meant that generations of Americans have had the opportunity to live, learn, and work free from discrimination.

Yet this regulation seeks to narrow the scope of Title VI's prohibitions and rescind provisions that prohibit policies and practices with discriminatory effects, undermining the law's promises and subjecting people to unlawful and harmful discrimination. The Department of Energy (DOE) fails to provide a reasoned explanation for this change. Now is the time to strengthen civil rights enforcement, to recommit to equal protection under the law, and to act together to ensure that no person is excluded from participation in, denied the benefits of, or subject to discrimination under any program or activity receiving federal financial assistance. This direct final rule will instead undermine equal access to programs

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and perpetuate unlawful discrimination by removing longstanding protections against unjustified disparate impacts and requirements to provide language access. It should thus be immediately withdrawn.

While there is no administrative process that would justify the narrowing of our civil rights laws or the permitting of discrimination, the use of the direct final rule process in this instance reinforces the inappropriateness of the agency's action. The direct final rule process is intended for noncontroversial rules that are unlikely to raise objections. Eliminating longstanding protections against discrimination by recipients of federal funds, as this regulation does, cannot, in any instance, be considered noncontroversial. The rule reverses DOE regulations that have been in effect for decades and substantially impacts the rights and interests of the public.

Whether discrimination is demonstrated through different treatment, or unjustified disparate impact, it is both wrong and a violation of our laws. The Department of Energy's direct final rule, "Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (General Provisions)," must be immediately withdrawn, and the agency must instead focus on robust enforcement of the underlying law and existing regulation. If you have any questions or need additional information, please contact Liz King, educational equity senior program director, at [king@civilrights.org](mailto:king@civilrights.org).

Sincerely,

The Leadership Conference on Civil and Human Rights  
The Leadership Conference Education Fund  
The Advocacy Institute  
AFL-CIO  
AFT  
Alliance to Reclaim Our Schools  
American Association of People with Disabilities  
American Atheists  
American Humanist Association  
Arab American Institute (AAI)  
Aspira Charter Schools of IL  
ASPIRA of the Mid-Atlantic  
Association of University Centers on Disabilities (AUCD)  
Autistic Self Advocacy Network  
Autistic Women & Nonbinary Network  
Bazelon Center for Mental Health Law  
Brown's Promise  
Center for Public Representation  
CenterLink: The Community of LGBTQ Centers  
Civil Rights Project/Proyecto Derechos Civiles, UCLA  
Clearinghouse on Women's Issues  
The Community Equity Initiative at NYU School of Law

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Disability Rights California  
Education Law Center-PA  
Equal Justice Society  
Equal Rights Advocates  
Equality California  
Equality Ohio  
Family Equality  
Family Voices NJ  
Feminist Majority Foundation  
FL National Organization for Women (FL NOW)  
Georgia Coalition for the Peoples Agenda  
Gibson-Banks Center for Race and the Law, University of Maryland Francis King Carey School of Law  
Greater Orlando National Organization for Women (Greater Orlando NOW)  
Honesty for Ohio Education  
Impact Fund  
Indianapolis Urban League  
Japanese American Citizens League  
Jax NOW  
Justice in Aging  
Lawyers' Committee for Civil Rights Under Law  
Lawyers for Good Government  
Michigan Alliance for Special Education  
National Action Network  
National Association of Councils on Developmental Disabilities  
National Association of Social Workers  
National Center for Youth Law  
National Education Association  
National Employment Lawyers Association  
National Partnership for Women & Families  
NETWORK Lobby for Catholic Social Justice  
NMAC  
North Carolina Justice Center  
PolicyLink  
Positive People Network, Inc.  
SAGE  
Service Employees International Union (SEIU)  
The Sikh Coalition  
Silver State Equality  
SPAN Parent Advocacy Network  
Teach for America  
WorkLife Law