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Women & Families
National Urban League
People for the American Way
Religious Action Center of
Reform Judaism
Service Employees International Union
Sikh Coalition
UnidosUS

President and CEO

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

June 16, 2025
Page 2 of 3

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.

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

June 16, 2025
Page 3 of 3

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