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Indians (NCAI)
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Women & Families
National Urban League
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Religious Action Center of
Reform Judaism
Service Employees International Union
Sikh Coalition
UnidosUS

President and CEO

Maya Wiley

June 16, 2025

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

**RE: RIN 1903-AA21 Rescinding Regulations Related to Nondiscrimination in
Federally Assisted Programs or Activities (Nondiscrimination on the Basis of Age)**

Dear Mr. Taggert,

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 51 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 (Nondiscrimination on the Basis of Age)," 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. The Age Discrimination Act of 1975 prohibits discrimination on the basis of age in programs and activities receiving federal financial assistance. Removing the explicit authorization for a recipient of federal financial assistance to proactively seek to remove barriers limiting participation based on age undermines the law by assuming that a recipient has no responsibility until discrimination has occurred. Our goal must always be to proactively ensure equal opportunity so that we might reap the benefits that come from all Americans' participation in federally funded activities. While enforcement in response to discrimination is critically important, it is always preferable to act affirmatively to remove barriers before they cause harm.

While there is no administrative process that would justify the narrowing of our civil rights laws or the enabling 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. This regulation, and

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the way in which it seeks to discourage the proactive pursuit of equal opportunity, is certainly controversial.

The Department of Energy's direct final rule, "Rescinding Regulations Related to Nondiscrimination in Federally Assisted Programs or Activities (Nondiscrimination on the Basis of Age)," 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
Association of University Centers on Disabilities (AUCD)
Autistic Self Advocacy Network
Autistic Women & Nonbinary Network
Bazelon Center for Mental Health Law
Center for Public Representation
CenterLink: The Community of LGBTQ Centers
Clearinghouse on Women's Issues
The Community Equity Initiative at NYU School of Law
Disability Rights California
Equal Justice Society
Equality California
Equality Ohio
Family Equality
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)
Impact Fund
Indianapolis Urban League

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Japanese American Citizens League
Jax NOW
Justice in Aging
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.
Silver State Equality
SAGE
Service Employees International Union (SEIU)
WorkLife Law