



For Immediate Release
Friday, June 13, 2025

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LDF Urges Department of Energy to Uphold Nondiscrimination Policies for Federal Grantees

Today, the [Legal Defense Fund \(LDF\)](#) submitted comments to the Department of Energy, urging the agency to reverse course on attempts to rescind regulations that prohibit discrimination.

This letter comes after the agency issued a direct final rule attempting to walk away from its nondiscrimination obligations under Title VI of the Civil Rights Act of 1964, which prohibits federally-funded organizations from implementing programs and policies that discriminate based on race, color, or national origin, including those that cause unlawful and unwarranted discriminatory effects — a form of discrimination known as disparate impact.

The department’s decision to issue a direct final rule circumvents the standard [notice-and-comment period](#) meant to give potentially impacted members of the public an opportunity to weigh in on the issue. To make its flawed policy changes, the department also misrepresents a number of Supreme Court decisions, including *Students for Fair Admissions v. Presidents and Fellows of Harvard College* and *University of North Carolina, et al.*

Demetria McCain, Director of Policy at LDF issued the following statement alongside the letter:

“The Department of Energy’s proposal to roll back nondiscrimination policies for its grantees is legally unsound.

“Since 1980, the agency has sought to ensure that recipients of its funding don’t engage in discrimination. At a time when our country is struggling to sustain a more equitable and sustainable future, it is imperative that the Department of Energy remains steadfast in its commitment to civil rights. Rescinding these protections would disproportionately harm Black families who already bear the brunt of environmental injustices and systemic disinvestment.

“If the direct final rule is allowed to take effect on July 15, countless families could be left struggling to afford their energy bills and keep the lights on. We urge the department to immediately reverse course and restore the prior version of its rules.”

For LDF’s full comments, [read our letter to the Department of Energy’s Office of General Counsel](#).

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Founded in 1940, the Legal Defense Fund (LDF) is the nation's first civil rights law organization. LDF's Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the Legal Defense Fund or LDF. Please note that LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957 — although LDF was originally founded by the NAACP and shares its commitment to equal rights.