

**41 CFR Part 102-74****[Notice-MA-2025-17; Docket No. 2025-0002; Sequence No.15]****Federal Management Regulation; Nondiscrimination Clarification
in the Federal Workplace; Rescission****AGENCY:** Office of Government-wide Policy (OGP); General Services
Administration, (GSA).**ACTION:** Notification of Rescission.**SUMMARY:** GSA is rescinding the Federal Management Regulation
(FMR) bulletin on Nondiscrimination Clarification in the Federal
Workplace, which provided guidance on the interpretation of the
prohibition against sex discrimination under various Federal
civil rights laws. The rescission is based on E.O. 14168,
*Defending Women from Gender Ideology Extremism and Restoring
Biological Truth to the Federal Government*.**DATES:** *Applicability:* [INSERT DATE OF PUBLICATION IN THE FEDERAL
REGISTER].**FOR FURTHER INFORMATION CONTACT:** For clarification of content or
information regarding a request for a delegation of authority,
please contact Aluanda R. Drain, Associate Administrator, Office
of Civil Rights, 202-501-0767, or by email at
aluanda.drain@gsa.gov. For information pertaining to status or
publication schedules, contact the Regulatory Secretariat
Division at 202-501-4755 or GSARegSec@gsa.gov. Please cite the
Notification of Rescission of Nondiscrimination Clarification in
the Federal Workplace in the subject line.**SUPPLEMENTARY INFORMATION:**

On August 18, 2016, GSA issued a bulletin titled
"Nondiscrimination Clarification in the Federal Workplace" (81
FR 55148, as corrected at 81 FR 63134, September 14, 2016).
This bulletin provided guidance on the interpretation of the
prohibition against sex discrimination under various Federal
civil rights laws including Title VII of the Civil Rights Act of
1964 (Title VII), as amended, and Title IX of the Education
Amendments Act of 1973, (Title IX) as amended. In particular,
the Bulletin concludes that sex discrimination under relevant
Federal laws also included discrimination based on gender
identity and gender status. Pursuant to E.O. 14168 "*Defending
Women from Gender Ideology Extremism and Restoring Biological*

Truth to the Federal Government" (90 FR 8615, January 30, 2025), GSA is now rescinding that bulletin.

E.O. 14168 states that gender ideology embraces the belief that there are genders disconnected from the sex that one is assigned at birth. Accordingly, the E.O. directs agencies to promptly remove all statements, policies, regulations, forms, communications, or other internal and external messages that promote or otherwise inculcate gender ideology, and shall cease issuing such statements, policies, regulations, forms, communications or other messages. Additionally, the referenced Bulletin is inconsistent with E.O. 14168 in that it not only considers Title VII and Title IV to protect gender identity, but it also cites support in several cases issued by the U.S. Equal Employment Opportunity Commission upholding the use of restrooms based on gender identity. Therefore, the bulletin must be rescinded to bring GSA-controlled buildings into alignment with the principles of E.O. 14168 declaring that it is the Policy of the United States to recognize only two sexes, male and female.

Larry Allen,
Associate Administrator,
Office of Government-wide Policy,
U.S. General Services Administration.

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