



## DEPARTMENT OF ENERGY

### 10 CFR Part 1040

[DOE-HQ-2025-0015]

RIN 1903-AA24

### Rescinding New Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities

**AGENCY:** Office of Civil Rights and EEO, Department of Energy.

**ACTION:** Direct final rule; further delay of effective date.

**SUMMARY:** The U.S. Department of Energy (DOE) is extending the effective date of the direct final rule “Rescinding Construction Requirements Related to Nondiscrimination in Federally Assisted Programs or Activities,” published on May 16, 2025.

**DATES:** As of [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*], the effective date of the direct final rule published May 16, 2025, at 90 FR 20783, delayed until September 12, 2025 (90 FR 31140) is further delayed until [INSERT DATE 90 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Mr. Jeffrey Novak, U.S. Department of Energy, Office of the General Counsel, GC-1, 1000 Independence Avenue, SW, Washington, DC 20585; (202) 586-5281 or [DOEGeneralCounsel@hq.doe.gov](mailto:DOEGeneralCounsel@hq.doe.gov).

**SUPPLEMENTARY INFORMATION:** On May 16, 2025, DOE published a direct final rule. 90 FR 20783. DOE stated in that direct final rule that if significant adverse comments were received by June 16, 2025, DOE would withdraw the direct final rule. *Id.* On July 14, 2025, DOE published a document delaying the effective date to consider comments submitted in response to the direct final rule. 90 FR 31140.

In this document, DOE is further extending the effective date in order to continue to consider comments submitted in response to the direct final rule.

To the extent that 5 U.S.C. 553 applies to this action, it is exempt from notice and comment because it constitutes a rule of procedure under 5 U.S.C. 553(b)(A) and for which no notice or hearing is required by statute. Additionally, this action is not a “substantive rule” for which a 30-day delay in effective date is required under 5 U.S.C. 553(d).

### **Signing Authority**

This document of the Department of Energy was signed on September 8, 2025, by Chris Wright, Secretary of Energy. That document with the original signature and date is maintained by DOE. For administrative purposes only, and in compliance with requirements of the Office of the Federal Register, the undersigned DOE Federal Register Liaison Officer has been authorized to sign and submit the document in electronic format for publication, as an official document of the Department of Energy. This administrative process in no way alters the legal effect of this document upon publication in the *Federal Register*.

Signed in Washington, DC, on September 9, 2025.

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Treena V. Garrett  
Federal Register Liaison Officer,  
U.S. Department of Energy