



Secretary of Energy

Washington, DC 20585

January 23, 2025

MEMORANDUM FOR HEADS OF DEPARTMENTAL ELEMENTS AND NATIONAL LABORATORIES

From: INGRID C. KOLB
ACTING SECRETARY

Subject: Executive Order on *Ending Radical and Wasteful Government DEI Programs and Preferencing*, and Agency-Wide Policy to Promote Equal Opportunity

1. **Agency-Wide Policy Suspending Justice40, Community Benefits Plans and DEI initiatives**

The Department of Energy (DOE), as a federal agency, must comply with the U.S. Constitution and its amendments, federal civil rights laws, and the statutory mission of the Department for the benefit of the American people. In accordance with the Executive Order, *Ending Radical and Wasteful Government DEI Programs and Preferencing*, effective immediately and until further notice, except as otherwise required by law, I am directing a suspension of:

- diversity, equity, and inclusion (DEI) policies, procedures, programs, activities, and reviews involving or relating to DEI objectives and principles until further notice;
- requiring, using, or enforcing Community Benefits Plans (CBP); and
- requiring, using, or enforcing Justice40 requirements, conditions, or principles in any loans, loan guarantees, grants, cost sharing agreements, funding opportunity announcements, contracts, contract awards, or any other source of financial assistance.

This suspension encompasses a broad spectrum of activities, including but not limited to existing personnel actions and training; awarding and assessments of grants, loans, loan guarantees, cost sharing agreements, or other funding opportunities of any kind; contracting; permitting; procurement announcements and actions; and the releasing of reports, studies, and congressional correspondence. This includes all studies, reports, assessments, permitting actions, or grants that are either ongoing, set to be released, already under review, or have not yet begun.

The suspensions and reviews are necessary to facilitate a comprehensive review of the Department's ongoing activities and to align these efforts with Constitutional principles, U.S. civil rights laws, Congressional authorizations and requirements of the Executive Order, and the Administration's priorities and objectives for the Department.

As such, all DEI, CBP, and Justice40 conditions already in place are not to be required, used, or enforced during this review period, unless approved in writing by the Secretary (Acting) or designee.

Scope:

- **Diversity, Equity, and Inclusion (DEI).** All DEI programs, including those related to employee training, hiring, evaluation, promotion, and discipline are suspended, unless expressly authorized by the Secretary (Acting) or a designee.
- **Justice40.** All Justice40 requirements are suspended, including for the allocation of funding by DOE entities. This suspension applies to all existing and new programs, grants, loans, and all other funding by DOE, unless expressly authorized by the Secretary (Acting) or a designee.
- **Community Benefits Plans (CBP).** All CBP programs, reviews, approvals, assessments, consultations, contract requirements and enforcement of such contract provisions, as well as related agency functions, are suspended unless expressly authorized by the Secretary (Acting) or a designee.
- **Enterprise-Wide Application.** The suspension and review requirements of this directive shall apply to all DOE Programs, Support Offices, National Laboratories, Power Marketing Administrations, Field Offices, and the National Nuclear Security Administration.

2. Renaming Office of Energy Justice and Equity to the Office of Minority Economic Impact, and Refocus of Mission

The Office of Minority Economic Impact was established pursuant to section 641, Title VI, Part 3 of the National Energy Conservation Policy Act of 1978 (codified at 42 U.S.C. § 7141). Without Congressional authorization during the last Administration, the name of the Office was changed to the Office of Energy Justice and Equity. By this directive, the name of the Office of Energy Justice and Equity shall once again be the Office of Minority Economic Impact.

The Office of Civil Rights and Equal Employment Opportunity and the Office of Minority Programs will continue their statutorily mandated work. Any activities that are not required by statute currently being performed by the Office of Minority Economic Impact are hereby suspended and the office shall review all its activities and develop a plan to realign them with the statutory requirements established for the Office by Congress. The plan shall be provided for review by the Secretary (Acting) or a designee within 30 days of this directive.

3. Next Steps

- All Heads of Departmental Elements (HDEs) are directed to immediately disseminate this memorandum within their respective organizations and ensure full compliance with its directives.
- All HDEs and the Office of the General Counsel, in consultation with the Department of Justice, shall review all DEI, Justice40, or CBP programs, and requirements within their respective organization, to determine which, if any, are required by law and do not otherwise violate federal law.

- Any requirement or obligation regarding DEI, Justice40, and CBP shall be removed from all FOAs/NOFOs, grants, cost-sharing agreements, contracts, loans, loan guarantees, and any other funding awards. This applies to any and all program requirements. Contracting Officers, Grant Officers, and Loan Officials shall take immediate action to remove such requirements and obligations from all DOE contractual and financial assistance instruments. Contracting Officers will be provided with substitute language by the Senior Procurement Executive, in consultation with the Office of the General Counsel.
- All programs shall waive and not enforce any DEI, Justice40, or CBP contractual requirements, except as required by law, in all grants, cost-sharing agreements, contracts, loans, loan guarantees and other funding awards and propose amendments to all such agreements and awards.
- All FOAs, grants, cost-sharing agreements, contracts, loans, loan guarantees and other funding awards shall be evaluated based on merit, equal opportunity requirements, and applicable statutory and regulatory requirements.
- All offices that conduct university FOA/grants are to give notice to all DOE-supported universities that the Department will enforce Title IV of the Civil Rights Act requirements.
- Further guidance regarding the resumption of activities, further results of the review process, additional changes in DOE priorities, interagency collaboration when appropriate, and legal compliance guidance, will be forthcoming and communicated in due course. In the meantime, your cooperation and understanding are greatly appreciated as we work to enhance the effectiveness and efficiency of DOE.

Thank you for your attention to this matter.