

Congress of the United States
Washington, DC 20515

June 16, 2025

The Honorable Chris Wright
Secretary of Energy
U.S. Department of Energy
1000 Independence Avenue SW
Washington DC 20585

David Taggart
Acting General Counsel
Office of the General Counsel
U.S. Department of Energy
1000 Independence Avenue SW
Washington DC 20585

Re: Rescinding Regulations Related to Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance (Docket No. DOE-HQ-2025-0025)

Dear Secretary Wright and Mr. Taggart:

As members of the Democratic Caucus, we write with deep concern about the Department of Energy's (DOE) direct final rule (DFR) that rescinds regulations in part 1042 of Chapter X of Title 10 of the Code of Federal Regulations (CFR) ("Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance"), which prohibits discrimination in education for any program that receives federal funding. Specifically, we are outraged by the elimination of 10 CFR 1042.110(b), which allows educational institutions to take proactive steps to help overcome the effects of discrimination that have led to the underrepresentation of women and girls in certain fields. This rule is a clear substantive policy change that has far-reaching implications; it is not a simple, noncontroversial technical change of the sort that the DFR process is intended to be used for. **We will not let this administration threaten opportunities for women by misusing and trying to hide behind complicated bureaucratic procedures.** To be clear, this letter serves as our adverse comment to this DFR, and we demand that this DFR be rescinded.

This proposed DFR would dismantle key protections that allow schools to offer gender-conscious programs giving women and girls access to educational opportunities in fields that they have historically faced exclusion, like science, technology, engineering, and math (STEM) and technical training. The numbers don't lie. Women do not participate in STEM fields at the rates they should. According to the Census Bureau, as of 2019 women accounted for only 27% of STEM workers while men made up 73% of STEM workers in the U.S.¹ This disparity does not result from an innate difference in capability between men and women, but rather from a lack of opportunity and investment. In K-12 education, girls and boys perform equally well on standardized tests for math and science, and girls are on par with boys for achievement in STEM-related courses.² However, participation by women and girls in STEM declines as

1 U.S. Equal Employment Opportunity Commission. (2022, July). *Women in STEM: Special Topics Report*. <https://www.eeoc.gov/sites/default/files/2022-07/Women%20in%20STEM%20Special%20Topics%20Report%20FY%2020%20Final.pdf>

2 Martinez, A., & Christnacht, C. (2021, January 26). *Women making gains in STEM occupations but still underrepresented* U.S. Census Bureau. <https://www.census.gov/library/stories/2021/01/women-making-gains-in->

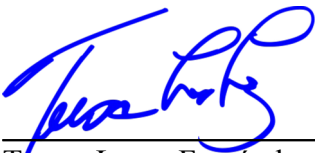
achievement in STEM-related courses.² However, participation by women and girls in STEM declines as they advance through higher levels of education, in a phenomenon known as the “leaky pipeline.” Structural barriers and persistent gender stereotypes further contribute to this underrepresentation, discouraging many women from pursuing STEM fields or remaining in STEM pathways.³ Investments in STEM programs for women and girls is just one example of how gender-conscious programming can have a positive effect on not only women and girls, but our entire economy. Eliminating this critical provision that allows schools to take action to address underrepresentation of women and girls in certain fields due to historical discrimination and barriers is yet another attack on women by this administration. This decision is rooted in misogyny.

This proposed DFR is also an economic attack on women that threatens our country’s ability to lead in innovation, science, and business. Women’s full participation in STEM-fields is vital to maintain the United States’ global leadership and influence. Additionally, women deserve access to good-paying jobs. According to the U.S. Bureau of Labor Statistics, the 2023 average annual salary for workers in non-STEM occupations was \$48,000 whereas the average annual salary for workers in STEM occupations was \$103,580⁴ – more than double. The administration is limiting women’s opportunities to participate in high-earning jobs and the nation’s strength in these fields.

DOE’s efforts to rescind this crucial protection with a DFR is also unlawful. As stated above, direct final rules are only appropriate for noncontroversial or routine changes. This change to DOE’s anti-discrimination regulations are neither. By removing discrimination protections, this DFR would limit opportunities for women and halt progress toward gender equality in STEM fields. Given the harm of removing discrimination protections, this regulatory change should not be issued, and certainly not through a DFR. The public deserves a meaningful opportunity to weigh in.

The proposed DFR hinders women’s and girls’ access to programs that would boost their participation in underrepresented fields, including STEM fields, deepening existing inequalities and intensifying the gender gap. The underrepresentation of women and girls in historically male-dominated fields reinforces harmful stereotypes about women’s and girls’ abilities and keeps the workforce divided by gender, contributing to the gender pay gap. Additionally, this DFR is a complete misuse of the process. Therefore, the proposed DFR should be rescinded immediately. We call on you to stand with women and protect their ability to thrive in fields where they've long lacked representation.

Sincerely,



Teresa Leger Fernández
Chair
Democratic Women's Caucus



Mazie K. Hirono
United States Senator



Deborah K. Ross
Co-Chair
Policy Task Force
Democratic Women's Caucus

[stem-occupations-but-still-underrepresented.html](#)

3 Speer, J. (2021). Bye Bye Ms. American Sci: women and the leaky stem pipeline. *Economics of Education Review* <https://www.jstor.org/stable/pdf/resrep62636.pdf?acceptTC=true&coverpage=false&addFooter=false>

4 U.S. Bureau of Labor Statistics. (2025, April 18). *Employment in STEM occupations* [Table 1.11]. In *Employment projections – Data tables*. <https://www.bls.gov/emp/tables/stem-employment.htm>



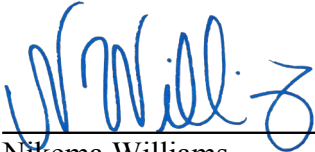
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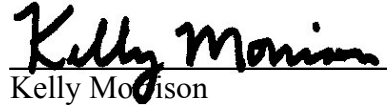
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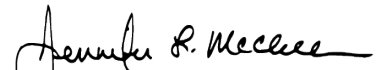
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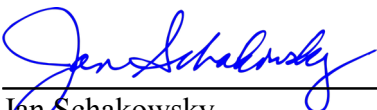
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