



June 3, 2025

The Honorable JD Vance
Vice President of the United States
President of the Senate
Washington, DC 20510

Dear Mr. Vice President:

I am pleased to provide you with the Interagency Age Discrimination Act Report to Congress for Fiscal Year 2023. This report was prepared by the U.S. Department of Health and Human Services (HHS), Office for Civil Rights (OCR), and is submitted in accordance with the report requirement in section 308(b) of the Age Discrimination Act of 1975 (Age Act).

The purpose of the Age Act is to prohibit discrimination on the basis of age in programs or activities that receive federal financial assistance (FFA). HHS is required to issue an update on activities taken by federal agencies under this law. Below are the trends regarding age discrimination complaints, mediation efforts, compliance reviews, and technical assistance and outreach activities by federal departments and agencies in FY 2023.

- Development of Age Act Regulations

Of the 28 agencies that have Age Act responsibilities, 24 have published their agency-specific regulations. In FY 2023, there were no significant advancements in regulation development for the remaining four agencies. The HHS OCR will continue to work with these agencies to review their draft regulations and provide technical assistance consistent with its responsibility to coordinate the federal government's efforts to comply with the Age Act.

- Complaints

Ten agencies reported receiving 1,255 age discrimination complaints from the public in FY 2023, compared to 576 complaints received in FY 2022. This increase in complaints is due to certain agencies not reporting data for FY 2022. The U.S. Department of Education received the most complaints (52%), followed by HHS (39%). The most frequently cited issues involved the denial of benefits or services, and poor customer service. Overall, agencies resolved 1,281 new and older complaints, with 96% closed administratively or without an investigation.

- Mediation Program

The implementing regulations for the Age Act require that new, age-related complaints be referred for mediation. 45 C.F.R. 90.43(c)(3). Out of the 10 agencies that received new complaints, four agencies referred a total of 126 complaints to the Federal Mediation and Conciliation Service (FMCS). Out of 126 referrals, four were successfully mediated. When mediation efforts are unsuccessful, the complaints are returned to the referring agency for processing and investigation. Many agencies did not refer complaints to FMCS in FY 2023 because of the following reasons: (1) referred in previous years; (2) under further review by the receiving agency; (3) referred to other mediation programs; or (4) administratively closed.

- Compliance Reviews

Five agencies reported initiating 664 civil rights compliance reviews that included the Age Act, compared to 358 reviews in FY 2022. The U.S. Department of Agriculture and the Nuclear Regulatory Commission conducted the most reviews (80% and 16%, respectively). Overall, 595 reviews were resolved in FY 2023, with 90% closed without finding sufficient evidence of a violation.

- Technical Assistance, Public Outreach, and Federal Personnel Training

Eighteen agencies (or 64%) continued to provide technical assistance and outreach to help the public understand their rights, as well as to help recipients of FFA understand their obligations under the Age Act. These agencies also reported providing training to their personnel on the Age Act. Lastly, these agencies reported a variety of activities, including online resources, public relation campaigns, trainings, grant programs, presentations, and periodic meetings.

In summary, agencies closed the majority of their age discrimination complaints administratively and the majority of their compliance reviews were closed without finding sufficient evidence of any violations. However, agencies continued to provide quality outreach, technical assistance, and training on the Age Act to the public, recipients of FFA, and federal personnel.

I hope you find this information helpful. A copy has also been provided to the Speaker of the House.

Sincerely,

A handwritten signature in black ink, appearing to read 'M Hailstone'.

Mitchell Hailstone
Acting Assistant Secretary for Legislation



June 3, 2025

The Honorable Mike Johnson
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

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Mitchell Hailstone
Acting Assistant Secretary for Legislation