

rulemaking requirements under the Administrative Procedure Act (“APA”) or any other statute. The Administrative Procedures Act exempts from notice and comment requirements rules “relating to agency management or personnel or to public property, loans, grants, benefits, or contracts” (5 U.S.C. 553(a)(2)), so an analysis has not been prepared for this rule.

Severability

It is USDA’s intention that the provisions of this rule shall operate independently of each other. In the event that this rule or any portion of this rule is ultimately declared invalid or stayed as to a particular provision, it is USDA’s intent that the rule nonetheless be severable and remain valid with respect to those provisions not affected by a declaration of invalidity or stayed. USDA concludes it would separately adopt all of the provisions contained in this final rule.

Unfunded Mandates Reform Act (UMRA)

Title II of the UMRA, Public Law 104–4, establishes requirements for Federal Agencies to assess the effects of their regulatory actions on State, local, and Tribal Governments and on the private sector. Under section 202 of the UMRA, Federal Agencies generally must prepare a written statement, including cost-benefit analysis, for proposed and Final Rules with “Federal mandates” that may result in expenditures to State, local, or Tribal Governments, in the aggregate, or to the private sector, of \$100 million or more in any one-year. When such a statement is needed for a rule, section 205 of the UMRA generally requires a Federal Agency to identify and consider a reasonable number of regulatory alternatives and adopt the least costly, more cost-effective, or least burdensome alternative that achieves the objectives of the rule.

This rule contains no Federal mandates (under the regulatory provisions of title II of the UMRA) for State, local, and Tribal Governments or for the private sector. Therefore, this rule is not subject to the requirements of sections 202 and 205 of the UMRA.

USDA Non-Discrimination Statement

In accordance with Federal civil rights laws and USDA civil rights regulations and policies, the USDA, its Mission Areas, agencies, staff offices, employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, disability, age, marital status, family/parental

status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication to obtain program information (e.g., Braille, large print, audiotape, American Sign Language, etc.) should contact the State or local Agency that administers the program or contact USDA through the Telecommunications Relay Service at 711 (voice and TTY). Program information may be made available in languages other than English.

To file a program discrimination complaint, a complainant should complete a Form AD–3027, USDA Program Discrimination Complaint Form, which can be obtained online at <https://www.usda.gov/sites/default/files/documents/ad-3027.pdf> and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632–9992. Submit your completed form or letter to USDA by:

a. Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue SW, Mail Stop 9410, Washington, DC 20250–9410; or

b. Fax: (202) 690–7442; or

c. Email: program.intake@usda.gov.

USDA is an equal opportunity provider, employer, and lender.

List of Subjects in 7 CFR 4287

Community development, Economic development, Energy, Energy conservation, Grant programs, Loan programs, Loan programs—business, Loan programs—housing and community development, Renewable energy, Reporting and recordkeeping requirements, Rural areas.

For the reasons stated in the preamble, the RBCS amends 7 CFR 4287 Subpart D as follows:

PART 4287—SERVICING

■ 1. The authority citation continues to read as follows:

Authority: 5 U.S.C. 301; 7 U.S.C. 1932(a); 7 U.S.C. 1989

Subpart D—Servicing Biorefinery, Renewable Chemical, and Biobased Manufacturing Assistance Guaranteed Loans

■ 2. Revise and republish § 4287.345(c) to read as follows:

§ 4287.345 Default by Borrower.

* * * * *

(c) Debt write-downs for an existing borrower or guarantor, where the same owners or principals retain control of and decision-making authority for the business, are prohibited, except as directed or ordered under the Bankruptcy Code.

* * * * *

■ 3. Amend § 4287.358 by adding paragraph (h) to read as follows:

§ 4287.358 Determination of loss and payment.

* * * * *

(h) Borrowers and guarantors, as well as related parties with whom either the borrower or guarantor does not have an arm’s length transaction relationship, are prohibited from remaining involved in a project any time the agency takes a loss.

Victoria Collin,

Acting Administrator, Rural Business Cooperative Service.

[FR Doc. 2026–13841 Filed 7–8–26; 8:45 am]

BILLING CODE 3410–XY–P

DEPARTMENT OF ENERGY

10 CFR Parts 300, 451, 452, 455, 602, 605, 706, 708, 712, 719, 725, 727, 733, 760, 766, 782, 783, 784, 824, 840, 860, 861, 862, 950, 960, 963, 1009, 1015, 1016, 1045, 1046, and 1061

[Docket No. DOE–HQ–2025–0603]

RIN 1990–AA54

Zero-Based Regulating

AGENCY: Department of Energy (DOE).

ACTION: Withdrawal of direct final rule.

SUMMARY: Due to receipt of adverse comments, the Department of Energy (DOE) is withdrawing the direct final rule titled “Zero-Based Regulating,” which published on May 29, 2026.

DATES: Effective July 9, 2026, DOE withdraws the direct final rule published at 91 FR 31869 on May 29, 2026.

FOR FURTHER INFORMATION CONTACT: Ms. Clara Wheelock, U.S. Department of Energy, Office of Policy, OP–1, 1000 Independence Avenue SW, Washington, DC 20585–0121. Telephone: (202) 586–2859. Email: FederalRegisterOP@hq.doe.gov.

SUPPLEMENTARY INFORMATION: Due to the receipt of adverse comments, DOE is withdrawing the direct final rule titled “Zero-Based Regulating,” which published on May 29, 2026 (91 FR

31869). DOE stated in that direct final rule that if adverse comments were submitted by June 29, 2026, the direct final rule would not take effect and DOE would publish a timely withdrawal in the **Federal Register**. Because DOE subsequently received adverse comments on that direct final rule, DOE withdraws the direct final rule.

DOE published a parallel proposed rule (91 FR 31985, May 29, 2026) on the same day as the direct final rule. The proposed rule invited comments on the substance of the direct final rule. DOE will respond to comments received by June 29, 2026, as part of any final action it takes on the parallel proposed rule.

Approval of the Office of the Secretary

The Secretary of Energy has approved publication of this notice.

List of Subjects

10 CFR Part 300

Administrative practice and procedure, Buildings and facilities, Business and industry, Energy conservation, Grant programs—energy, Housing, Reporting and recordkeeping requirements, Technical assistance.

10 CFR Part 451

Buildings and facilities, Electric utilities, Energy conservation, Grant programs—energy, Income taxes, Reporting and recordkeeping requirements.

10 CFR Part 452

Energy, Grant programs—energy, Reporting and recordkeeping requirements.

10 CFR Part 602

Grant programs—health, Medical research, Occupational safety and health, Reporting and recordkeeping requirements.

10 CFR Part 605

Accounting, Administrative practice and procedure, Adult education, Aged, Agriculture, American Samoa, Bilingual education, Blind, Business and industry, Civil rights, Colleges and universities, Communications, Community development, Community facilities, Copyright, Credit, Cultural exchange programs, Educational facilities, Educational research, Education, Education of disadvantaged, Education of individuals with disabilities, Educational study programs, Electric power, Electric power rates, Electric utilities, Elementary and secondary education, Energy conservation, Equal educational opportunity, Federally affected areas, Government contracts, Grant programs,

Grants administration, Guam, Home improvement, Homeless, Hospitals, Housing, Human research subjects, Indians, Indians—education, Infants and children, Insurance, Intergovernmental relations, International organizations, Inventions and patents, Loan programs, Manpower training programs, Migrant labor, Mortgage insurance, Nonprofit organizations, Northern Mariana Islands, Pacific Islands Trust Territories, Privacy, Renewable Energy, Reporting and recordkeeping requirements, Rural areas, Scholarships and fellowships, School construction, Schools, Science and technology, Securities, Small businesses, State and local governments, Student aid, Teachers, Telecommunications, Telephone, Urban areas, Veterans, Virgin Islands, Vocational education, Vocational rehabilitation, Waste treatment and disposal, Water pollution control, Water resources, Water supply, Watersheds, Women.

10 CFR Part 706

Administrative practice and procedure, Labor management relations, Security measures.

10 CFR Part 708

Administrative practice and procedure, Whistleblowing.

10 CFR Part 712

Administrative practice and procedure, Alcohol abuse, Classified information, Drug abuse, Government contracts, Government employees, Health, Occupational safety and health, Radiation protection, Security measures.

10 CFR Part 719

Government contracts, Legal services.

10 CFR Part 725

Classified information, Nuclear energy, Reporting and recordkeeping requirements.

10 CFR Part 727

Classified information, Computer technology, Government employees, National defense.

10 CFR Part 733

Investigations, Reporting and recordkeeping requirements, Science and technology, Scientists.

10 CFR Part 760

Public lands-mineral resources, Reporting and recordkeeping requirements, Radioactive materials.

10 CFR Part 766

Confidential business information, Electric utilities, Nuclear energy,

Radioactive materials, Reporting and recordkeeping requirements, Waste treatment and disposal.

10 CFR Part 782

Claims, Copyright, Inventions and patents.

10 CFR Part 783

Inventions and patents.

10 CFR Part 784

Inventions and patents.

10 CFR Part 824

Government contracts, Nuclear energy, Penalties, Security measures.

10 CFR Part 840

Administrative practice and procedure, Government contracts, Nuclear energy, Reporting and recordkeeping requirements.

10 CFR Part 860

Federal buildings and facilities, Penalties, Security measures.

10 CFR Part 861

Federal buildings and facilities, Penalties, Traffic regulations.

10 CFR Part 862

Aircraft, Federal buildings and facilities, Security measures.

10 CFR Part 950

Government contracts, Radiation protection.

10 CFR Part 960

Hazardous waste, Nuclear energy, Radiation protection.

10 CFR Part 963

Hazardous waste, Nuclear energy, Radiation protection.

10 CFR Part 1009

Fees.

10 CFR Part 1015

Administrative practice and procedure, Antitrust, Claims, Fraud, Government employees, Privacy.

10 CFR Part 1016

Classified information, Nuclear energy, Reporting and recordkeeping requirements, Security measures.

10 CFR Part 1045

Classified information.

10 CFR Part 1046

Government contracts, Reporting and recordkeeping requirements, Security measures.

10 CFR Part 1061

Administrative practice and procedure.

Signing Authority

This document of the Department of Energy was signed on July 06, 2026, 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 July 7, 2026.

Treena V. Garrett,

*Federal Register Liaison Officer, U.S.
Department of Energy.*

Accordingly, as of July 9, 2026, DOE withdraws the direct final rule amending 10 CFR parts 300, 451, 452, 455, 602, 605, 706, 708, 712, 719, 725, 727, 733, 760, 766, 782, 783, 784, 824, 840, 860, 861, 862, 950, 960, 963, 1009, 1015, 1016, 1045, 1046, and 1061, which published at 91 FR 31869, on May 29, 2026.

[FR Doc. 2026–13875 Filed 7–8–26; 8:45 am]

BILLING CODE 6450–01–P

DEPARTMENT OF STATE**22 CFR Part 141**

[Public Notice: 13049]

RIN 1400–AG23

Rescinding Portions of Department of State Title VI Regulations To Conform More Closely With the Statutory Text and To Implement Executive Order 14281

AGENCY: Department of State.

ACTION: Final rule.

SUMMARY: By this rule, the Department of State (“Department”) amends its regulations implementing Title VI of the Civil Rights Act of 1964 (“Title VI”) to align its regulations with Title VI and, relatedly, to conform to Executive Order 14281.

DATES: The rule is effective on July 9, 2026.

FOR FURTHER INFORMATION CONTACT: Heather Olowski, Office of Civil Rights, at 202–647–9295 or email socr_direct@state.gov.

SUPPLEMENTARY INFORMATION:**I. Executive Summary**

The Department is rescinding portions of its regulations promulgated pursuant to Title VI, 42 U.S.C. 2000d–1, to more closely align them to the statute, which prohibits only intentionally discriminatory conduct, *see* 42 U.S.C. 2000d. There are serious statutory and constitutional concerns with the legality of the Department’s current Title VI regulations because the current regulations go beyond intentional discrimination to additionally prohibit conduct having an unintentional disparate impact. This rule accordingly deletes those portions of the regulations, which are in considerable tension with the statute and Constitution.

The rule’s revisions also conform to Executive Order 14281, *Restoring Equality of Opportunity and Meritocracy*, 90 FR 17537 (April 28, 2025). That Executive Order states that “[i]t is the policy of the United States to eliminate the use of disparate-impact liability in all contexts to the maximum degree possible to avoid violating the Constitution, Federal civil rights laws, and basic American ideals.” Section 5 of that Executive Order specifically directs the Attorney General to work with Federal agencies, including the Department, to repeal or amend Title VI regulations promulgated under 42 U.S.C. 2000d–1 that address disparate-impact liability. Although the Department would take this action independent of Executive Order 14281, the Order supports this action.

This rule makes clear that the Department’s Title VI regulations do not prohibit conduct that has a disparate impact, and the Department thus will not pursue Title VI disparate-impact liability against its Federal-funding recipients.

II. Discussion**A. Statutory History of Title VI**

Title VI of the Civil Rights Act of 1964, as amended, prohibits intentional discrimination on the “ground of race, color, or national origin” in all programs or activities that receive Federal financial assistance. 42 U.S.C. 2000d. Title VI also directs Federal departments and agencies that extend Federal financial assistance to “effectuate the provisions of” Title VI “by issuing rules, regulations, or orders of general applicability.” 42 U.S.C. 2000d–1. The section of Title VI that sets forth the prohibited conduct, 42 U.S.C. 2000d, prohibits only intentional discrimination and makes no reference

to unintentional disparate effects or impact. The statute also does not explicitly provide any Federal department or agency with authority to prohibit conduct having an unintentional disparate impact. And no subsequent amendments to the statute have expanded Title VI to encompass disparate-impact liability.

B. Regulatory History of Title VI

Pursuant to Executive Order 12250, 28 CFR pt. 41, app A, the Department of Justice acts as the lead Federal agency responsible for implementing Title VI’s prohibition of discrimination on the basis of race, color, and national origin in programs or activities receiving Federal financial assistance. As part of this responsibility, Executive Order 12250 provides that the Attorney General must approve other agencies’ Federal regulations implementing Title VI, including the Department’s regulations.

The Department’s Title VI implementing regulations are codified at 22 CFR part 141. The Department originally issued its implementing regulations in 1965. 30 FR 314 (Jan. 9, 1965). In 1973, the Department substantively amended its regulatory description of prohibited discrimination. 38 FR 17946 (July 5, 1973). In 2003, the Department added language regarding “program or activity” to reflect the amendment of Title VI by the Civil Rights Restoration Act of 1987. 68 FR 51334, 51358 (Aug. 26, 2003). Thus, apart from the statutorily required updating of the phrase “program or activity” pursuant to the Civil Rights Restoration Act, the Department has not substantively updated its Title VI regulations since 1973, which was over 50 years ago.

The Department’s implementing regulation describing the scope of prohibited discriminatory conduct, 22 CFR 141.3, currently includes prohibitions on conduct that has an unintentional disparate impact.

C. Relevant Supreme Court Decisions

The Supreme Court has held that Title VI does not prohibit conduct that has a disparate impact but rather prohibits only intentional discrimination. In 1978, five years after the Department last substantively amended its Title VI regulations, the Supreme Court held that Congress intended Title VI to prohibit “only those racial classifications that would violate the Equal Protection Clause” if committed by a government actor. *Regents of Univ. of Cal. v. Bakke*, 438 U.S. 265, 287 (1978) (Powell, J., announcing judgment); *id.* at 325, 328, 352