

action or analysis is required to comply with these statutes and executive orders.

V. Authority and Signature

Amanda Laihow, Acting Assistant Secretary of Labor for Occupational Safety and Health, authorized the preparation of this document under the authority granted by Sections 4, 6, and 8 of the Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); sections 1 and 4 of the Walsh–Healey Public Contracts Act (41 U.S.C. 35, 38); sections 2 and 4 of the Service Contracts Act of 1965 (41 U.S.C. 351, 353); section 107 of the Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 333); section 41 of the Longshoremen’s and Harbor Workers’ Compensation Act (33 U.S.C. 941); section 5(j)(2) of the National Foundation on Arts and Humanities Act (20 U.S.C. 954(j)(2)); 5 U.S.C. 553; and Secretary of Labor’s Order No. 8–2020 (85 FR 58393); as applicable.

List of Subjects

29 CFR Part 1911

Administrative practice and procedure, Occupational safety and health.

29 CFR Part 1912

Advisory committees, Freedom of information, Occupational safety and health.

Dated: June 25, 2025.

Amanda Laihow,

Acting Assistant Secretary of Labor for Occupational Safety and Health.

For the reasons set forth in the preamble, OSHA is amending parts 1911 and 1912 as follows:

PART 1911—RULES OF PROCEDURE FOR PROMULGATING, MODIFYING, OR REVOKING OCCUPATIONAL SAFETY OR HEALTH STANDARDS

- 1. The authority for part 1911 is revised to read as follows:

Authority: Secs. 4, 6, 8, Occupational Safety and Health Act of 1970 (29 U.S.C. 653, 655, 657); secs. 1, 4, Walsh–Healey Public Contracts Act (41 U.S.C. 35, 38); secs. 2, 4, Service Contracts Act of 1965 (41 U.S.C. 351, 353); sec. 107, Contract Work Hours and Safety Standards Act (Construction Safety Act) (40 U.S.C. 333); sec. 41, Longshoremen’s and Harbor Workers’ Compensation Act (33 U.S.C. 941); sec. 5(j)(2), National Foundation on Arts and Humanities Act (20 U.S.C. 954(j)(2)); 5 U.S.C. 553; Secretary of Labor’s Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), or 8–2020 (85 FR 58393), as applicable. Sections 1911.12 and 1911.18 also issued under 29 CFR part 1911.

§ 1911.10 [Removed and Reserved]

- 2. Remove and reserve § 1911.10.

- 3. Amend § 1911.11 by revising the section heading and revising and republishing the introductory text and paragraph (a) to read as follows:

§ 1911.11 Standards.

The Assistant Secretary may promulgate, modify, or revoke a standard in the following manner:

(a) The Assistant Secretary may request the recommendations of an advisory committee appointed under section 7 of the Act or other statutory authority. In such event, the Assistant Secretary shall submit to the committee any proposal of his own or of the Secretary of Health, Education, and Welfare, together with all pertinent factual information available to him, including the results of research, demonstrations, and experiments. The committee shall submit to the Assistant Secretary its recommendations regarding the rule to be promulgated within the period prescribed by the Assistant Secretary, which in no event shall be longer than 270 days.

* * * * *

- 4. Amend § 1911.15 by revising and republishing paragraph (a)(1) to read as follows:

§ 1911.15 Nature of hearing.

(a) * * *

(1) The legislative history of section 6 indicates that Congress intended informal rather than formal rulemaking procedures to apply. See the Conference Report, H. Rept. No. 91–1765, 91st Cong., second sess., 34 (1970). The informality of the proceedings is also suggested by the fact that section 6(b) permits the making of a decision on the basis of written comments alone (unless an objection to a rule is made and a hearing is requested), the use of advisory committees, and the inherent legislative nature of the tasks involved. For these reasons, the proceedings pursuant to § 1911.11 shall be informal.

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PART 1912—ADVISORY COMMITTEES ON STANDARDS

- 5. The authority for part 1912 continues to read as follows:

Authority: 29 U.S.C. 653, 655, 656, 657; 5 U.S.C. 553; 5 U.S.C. App. 2; 40 U.S.C. 333; Secretary of Labor’s Order No. 12–71 (36 FR 8754), 8–76 (41 FR 25059), 9–83 (48 FR 35736), 3–2000 (65 FR 50017), or 8–2020 (85 FR 58393), as applicable.

§ 1912.3 [Removed and Reserved]

- 6. Remove and reserve § 1912.3.
- 7. Amend § 1912.8 by revising and republishing paragraph (b)(9) to read as follows:

§ 1912.8 Committee Charters.

* * * * *

- (b) * * *
- (9) The committee’s termination date or other fixed period of termination, if less than 2 years; and

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§ 1912.9 [Amended]

- 8. Amend § 1912.9 by removing paragraph (d).

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DEPARTMENT OF LABOR

Office of the Secretary of Labor

29 CFR Part 37

RIN 1291–AA46

Rescission of Nondiscrimination and Equal-Opportunity Provisions of the Workforce Investment Act

AGENCY: Office of the Secretary, Labor.

ACTION: Direct final rule (DFR); request for comment.

SUMMARY: The U.S. Department of Labor (the Department) is rescinding its regulations implementing the Workforce Investment Act of 1998 (WIA) containing the nondiscrimination and equal-opportunity provisions of WIA. In 2014, Congress passed the Workforce Innovation and Opportunity Act (WIOA), which repealed WIA and required the Secretary of Labor to transition any authority under WIA to the system created by WIOA. Therefore, the Department is taking this action to remove regulations for a program that is no longer operative.

DATES: The final rule is effective September 2, 2025, unless significant adverse comments are received by July 31, 2025. Significant adverse comments are ones which oppose the rule and raise, alone or in combination, a serious enough issue related to each of the independent grounds for the rule that a substantive response is required. If significant adverse comments are received, notification will be published in the **Federal Register** before the effective date either withdrawing the rule or issuing a new final rule which responds to significant adverse comments.

ADDRESSES: Comments may be submitted, identified by Regulatory Information Number (RIN) 1291–AA46, by the following method:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Search for the above-referenced RIN, open the

proposed rule, and follow the on-screen instructions for submitting comments.

Instructions: All submissions received must include “RIN 1291-AA46.”

Please be advised that the Department will post comments received that relate to this rule to <https://www.regulations.gov>, including any personal information provided. The <https://www.regulations.gov> website is the Federal e-Rulemaking Portal and all comments posted there are available and accessible to the public. Please do not submit comments containing trade secrets, confidential or proprietary commercial or financial information, personal health information, sensitive personally identifiable information (for example, social security numbers, driver’s license or state identification numbers, passport numbers, or financial account numbers), or other information that you do not want to be made available to the public. Should the agency become aware of such information, the agency reserves the right to redact or refrain from posting sensitive information, libelous, or otherwise inappropriate comments, including those that contain obscene, indecent, or profane language; that contain threats or defamatory statements; or that contain hate speech. Please note that depending on how information is submitted, the agency may not be able to redact the information and instead reserves the right to refrain from posting the information or comment in such situations.

Docket: For access to the docket to read background documents or comments received, go to <https://www.regulations.gov> (search using RIN 1291-AA46). If you need assistance to review the comments, contact the Civil Rights Center at 202-693-6500 (this is not a toll-free number).

FOR FURTHER INFORMATION CONTACT: Naomi Barry-Perez, Director, Civil Rights Center, U.S. Department of Labor, 200 Constitution Avenue NW, Room N-4123, Washington, DC 20210, telephone (202) 693-6500 (this is not a toll-free number). For persons with a hearing or speech disability who need assistance using the telephone system, please dial 711 to access telecommunications relay services.

SUPPLEMENTARY INFORMATION:

I. Background

Under WIA, the Department of Labor provided financial assistance to certain recipients for the purpose of establishing programs to meet the job training needs of youth and adults facing serious barriers to employment.

Section 188 of WIA contained the nondiscrimination and equal opportunity provisions that prohibited discrimination on the grounds of race, color, religion, sex, national origin, age, disability, political affiliation or belief, and, for beneficiaries only, citizenship status or participation in a WIA-funded program or activity.

WIA provided that final regulations implementing the Act be issued no later than December 31, 1999. On November 12, 1999, the Department issued the implementing regulations at 29 CFR part 37 for the nondiscrimination and equal opportunity provisions of WIA. The rule applies to recipients of Federal financial assistance under WIA. The rule imposes general nondiscrimination and equal opportunity requirements.

WIA was repealed by the Workforce Innovation and Opportunity Act of 2014 (WIOA). Section 188 of WIOA contained substantially similar nondiscrimination and equal opportunity requirements as those contained in WIA. The Department issued regulations implementing WIOA Section 188 at 29 CFR part 38 on December 2, 2016.

II. Discussion

The purpose of this action is to rescind the regulations implementing the nondiscrimination and equal opportunity provisions of WIA. All funding under WIA, together with the obligation to comply with the nondiscrimination and equal opportunity requirement of WIA Section 188, has expired. The WIA Section 188 regulations have been superseded by those implementing Section 188 of WIOA. The regulations at 29 CFR part 37 govern a program that has not been in operation for a decade and are thus outdated and unnecessary. The Department is therefore undertaking this ministerial action to rescind the regulations as they are obsolete. This technical amendment to the CFR affects no rights or obligations and imposes no costs.

III. Procedural Issues and Regulatory Review

A. Review Under Executive Order 12866

Executive Order (E.O.) 12866, “Regulatory Planning and Review,” 58 FR 51735 (Oct. 4, 1993), requires agencies, to the extent permitted by law, to (1) propose or adopt a regulation only upon a reasoned determination that its benefits justify its costs (recognizing that some benefits and costs are difficult to quantify); (2) tailor regulations to impose the least burden on society, consistent with obtaining regulatory objectives, taking into account, among

other things, and to the extent practicable, the costs of cumulative regulations; (3) select, in choosing among alternative regulatory approaches, those approaches that maximize net benefits; (4) to the extent feasible, specify performance objectives, rather than specifying the behavior or manner of compliance that regulated entities must adopt; and (5) identify and assess available alternatives to direct regulation, including providing economic incentives to encourage the desired behavior, such as user fees or marketable permits, or providing information upon which choices can be made by the public.

Section 6(a) of E.O. 12866 also requires agencies to submit “significant regulatory actions” to OIRA for review. OIRA has determined that this direct final rule does not constitute a “significant regulatory action” under section 3(f) of E.O. 12866. Accordingly, this direct final rule was not submitted to OIRA for review under E.O. 12866.

B. Review Under the Regulatory Flexibility Act

The Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) requires preparation of an initial regulatory flexibility analysis (IRFA) and a final regulatory flexibility analysis (FRFA) for any rule that by law must be proposed for public comment, unless the agency certifies that the rule, if promulgated, will not have a significant economic impact on a substantial number of small entities.

DOL reviewed this rescission under the provisions of the Regulatory Flexibility Act. This program is no longer operational, so there is no impact on small entities.

C. Review Under the Paperwork Reduction Act

This rescission imposes no new information or record-keeping requirements. Accordingly, OMB clearance is not required under the Paperwork Reduction Act. (44 U.S.C. 3501 *et seq.*).

D. Review Under Executive Order 13132

E.O. 13132, “Federalism,” 64 FR 43255 (August 10, 1999), imposes certain requirements on Federal agencies formulating and implementing policies or regulations that preempt State law or that have federalism implications. The Executive order requires agencies to examine the constitutional and statutory authority supporting any action that would limit the policymaking discretion of the States and to carefully assess the necessity for such actions. The Executive order also requires agencies to

have an accountable process to ensure meaningful and timely input by State and local officials in the development of regulatory policies that have federalism implications.

DOL has examined this rescission and has determined that it would not have a substantial direct effect on the States, on the relationship between the national government and the States, or on the distribution of power and responsibilities among the various levels of government.

E. Review Under Executive Order 12988

With respect to the review of existing regulations and the promulgation of new regulations, section 3(a) of E.O. 12988, “Civil Justice Reform,” imposes on Federal agencies the general duty to adhere to the following requirements: (1) eliminate drafting errors and ambiguity, (2) write regulations to minimize litigation, (3) provide a clear legal standard for affected conduct rather than a general standard, and (4) promote simplification and burden reduction. 61 FR 4729 (Feb. 7, 1996). Regarding the review required by section 3(a), section 3(b) of E.O. 12988 specifically requires that Executive agencies make every reasonable effort to ensure that the regulation: (1) clearly specifies the preemptive effect, if any, (2) clearly specifies any effect on existing Federal law or regulation, (3) provides a clear legal standard for affected conduct while promoting simplification and burden reduction, (4) specifies the retroactive effect, if any, (5) adequately defines key terms, and (6) addresses other important issues affecting clarity and general draftsmanship under any guidelines issued by the Attorney General.

Section 3(c) of E.O. 12988 requires Executive agencies to review regulations in light of applicable standards in section 3(a) and section 3(b) to determine whether they are met or it is unreasonable to meet one or more of them. DOL has completed the required review and determined that, to the extent permitted by law, this rescission meets the relevant standards of E.O. 12988.

F. Review Under the Unfunded Mandates Reform Act

Title II of the Unfunded Mandates Reform Act of 1995 (UMRA) requires each Federal agency to assess the effects of Federal regulatory actions on State, local, and Tribal governments and the private sector. Public Law 104–4, sec. 201 (codified at 2 U.S.C. 1531). For a

regulatory action likely to result in a rule that may cause the expenditure by State, local, and Tribal governments, in the aggregate, or by the private sector of \$100 million or more in any one year (adjusted annually for inflation), section 202 of UMRA requires a Federal agency to publish a written statement that estimates the resulting costs, benefits, and other effects on the national economy. 2 U.S.C. 1532(a), (b)). The UMRA also requires a Federal agency to develop an effective process to permit timely input by elected officers of State, local, and Tribal governments on a “significant intergovernmental mandate,” and requires an agency plan for giving notice and opportunity for timely input to potentially affected small governments before establishing any requirements that might significantly or uniquely affect them.

DOL examined this rescission according to UMRA and its statement of policy and determined that the rescission does not contain a Federal intergovernmental mandate, nor is it expected to require expenditures of \$100 million or more in any one year by State, local, and Tribal governments, in the aggregate, or by the private sector. As a result, the analytical requirements of UMRA do not apply.

G. Review Under the Treasury and General Government Appropriations Act, 1999

Section 654 of the Treasury and General Government Appropriations Act, 1999 (Pub. L. 105–277) requires Federal agencies to issue a Family Policymaking Assessment for any rule that may affect family well-being. This rescission would not have any impact on the autonomy or integrity of the family as an institution. Accordingly, DOL has concluded that it is not necessary to prepare a Family Policymaking Assessment.

H. Review Under Executive Order 12630

Pursuant to E.O. 12630, “Governmental Actions and Interference with Constitutionally Protected Property Rights,” 53 FR 8859 (March 18, 1988), DOL has determined that this rescission would not result in any takings that might require compensation under the Fifth Amendment to the U.S. Constitution.

I. Review Under the Treasury and General Government Appropriations Act, 2001

Section 515 of the Treasury and General Government Appropriations

Act, 2001 (44 U.S.C. 3516, note) provides for Federal agencies to review most disseminations of information to the public under information quality guidelines established by each agency pursuant to general guidelines issued by OMB. OMB’s guidelines were published at 67 FR 8452 (Feb. 22, 2002). DOL has reviewed this rescission under the OMB and has concluded that it is consistent with applicable policies in those guidelines.

J. Review Under Additional Executive Orders and Presidential Memoranda

DOL has examined this rescission and has determined that it is consistent with the policies and directives outlined in E.O. 14154, “Unleashing American Energy,” E.O. 14192, “Unleashing Prosperity Through Deregulation,” and Presidential Memorandum, “Delivering Emergency Price Relief for American Families and Defeating the Cost-of-Living Crisis.” This rescission is expected to be an Executive Order 14192 deregulatory action.

K. Congressional Notification

As required by 5 U.S.C. 801, DOL will report to Congress on the promulgation of this rule before its effective date. The report will state that it has been determined that the rule is not a “major rule” as defined by 5 U.S.C. 804(2).

List of Subjects in 29 CFR Part 37

Administrative practice and procedure, Aged, Aliens, Civil rights, Equal education opportunity, Equal employment opportunity, Grant programs—Labor, Individuals with disabilities, Manpower training programs, Political affiliation discrimination, Religious discrimination, Reporting and recordkeeping requirements, Sex discrimination.

29 CFR Part 37 [Removed and Reserved]

■ For the reason set out in the preamble and under the authority of 29 U.S.C. 3101 *et seq.*; 29 U.S.C. 5111; 42 U.S.C. 2000d *et seq.*; 29 U.S.C. 794; 42 U.S.C. 6101 *et seq.*; and 20 U.S.C. 1681 *et seq.*, the Department of Labor removes and reserves 29 CFR part 37.

Dean Heyl,

Assistant Secretary for Administration and Management, Labor.

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