

CITY OF GRESHAM

TITLE VI IMPLEMENTATION PLAN

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II. Introduction

The City of Gresham’s (City) Title VI of the Civil Rights Act of 1964 Implementation Plan (Title VI Plan or Plan) advances the community values of equity and fairness, and is intended to ensure equal opportunities for all community members to participate in the decisions and activities of government.

As the recipient of federal financial assistance, the City of Gresham is required to comply with various non-discrimination laws and regulations, including Title VI of the Civil Rights Act of 1964. The City of Gresham has adopted a non-discrimination policy statement. The non-discrimination policy is in addition to the requirements of the Title VI of the Civil Rights Act of 1964; however, it follows the same complaint and investigation process as Title VI complaints.

This Title VI implementation plan focuses on the administration of the City’s Title VI policy and Title VI complaint process. It provides a summary of required actions by staff, subrecipients, and contractors in order to comply with Title VI statutes.

After the Title VI Plan is adopted by the Council, the City will develop administrative procedures to implement it, including procedures for:

- A complaint investigation procedural guide.
- An updated limited English proficiency plan.
- Environmental justice requirements.

III. Legal Authority

Title VI of the 1964 Civil Rights Act and related statutes and regulations (“Title VI”) provides that no person in the United States shall, on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or otherwise be subjected to discrimination under any program or activity receiving federal financial assistance (42 USC 2000d) (23 CFR Part 200 and 49 CFR

Part 21). Other state and federal legislation prohibit discrimination based on age, disability, sex, religion, gender, gender identity, sexual orientation, and source of income. A summary of [Legal Authority](#) can be found on Attachment A.

IV. City of Gresham non-discrimination policy

It's the City's policy that no person shall be denied benefits of, or be subjected to discrimination in, any City program, service or activity on the grounds of race, color, national origin, English proficiency, sex, age, disability, religion, sexual orientation, gender identity or source of income.

The complaint process, as outlined below, applies to both the classes identified under Title VI, as well as those listed in the City's non-discrimination policy.

V. Title VI plan objectives

The City's Title VI Plan objectives are to:

- Ensure the City's compliance with Title VI Civil Rights Act of 1964 and assign responsibilities for ensuring compliance.
- Ensure that individuals with limited English proficiency (LEP) are provided meaningful access to programs and activities.
- Avoid, minimize, or mitigate disproportionate adverse environmental effects, including social and economic effects, on Black, Indigenous, and persons of color (BIPOC) and low-income populations as a result of City programs, services, and activities.
- Establish procedures for filing, investigating, and resolving complaints in a timely basis and at the lowest level possible. For example, if a Title VI designee can resolve the complaint, then there would be no need to escalate it to the city manager for resolution.

VI. Title VI Coordinator

The Title VI Coordinator and Transportation Title VI Coordinator will monitor and ensure the compliance of City programs and activities subject to Title VI. The City of Gresham Title VI Coordinator will implement the administrative procedures set forth in Exhibit A-1. The Transportation Division will implement the guidelines set forth in Exhibit B-1. The Transportation Title VI Coordinator will monitor and ensure compliance with the guidelines set forth in Exhibit B-2.

VII. Definitions

Adjudicate- to make an official decision about who is right in (a dispute): to settle judicially.

Americans with Disabilities Act (ADA)- The ADA requires that reasonable accommodation be made so as to provide individuals with disabilities equal opportunities. Barriers to employment, transportation, public accommodations, public services, and telecommunications for persons with disabilities are prohibited.

Annual Accomplishment Report- Required annual on October 1, this report summarizes the work done by the City's Transportation Department, including engagement accomplishments, project summaries and any Title VI violations within the Department.

Community Engagement Annual Program Report- An annual accomplishment report of the City's community engagement program, pursuant to the City Charter (currently Section 9A). To be presented to the Mayor and Council.

Complainant- The party (person or entity) who makes a complaint qualifying under this Plan.

Disposition- The final settlement of a matter.

Discrimination- The unjust or prejudicial treatment of different categories of people.

Environmental Justice- Executive Order 12898: Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations. Its purpose is to focus federal attention on the environmental and human health effects of federal actions on minority and low-income populations with the goal of achieving environmental protection for all communities.

Federal Highway Administration (FHWA)- Supports State and local governments in the design, construction, and maintenance of the nation's highway system and various federally and tribal owned lands.

Legal Authority- Any provision of law or regulation that carries the force of law, including, for example, statutes, rules and regulations, and court rulings.

Limited English Proficiency (LEP) - Refers to a person who is not fluent in the English language, often because it is not their native language. Executive Order 13166: The Executive Order requires Federal agencies to examine the services they provide, identify any need for services to those with limited English proficiency and develop and implement a system to provide those services so LEP persons can have meaningful access to them.

National Environmental Policy Act (NEPA)- A United States environmental law that promotes the enhancement of the environment and established the President's Council on Environmental Quality.

Non-discrimination Contract Provisions- Language included in the City's transportation contracts that specifies that the Recipient (and their subcontractors) of the contract gives assurance that it will follow the City's non-discrimination policy, as well comply with the additional statutory/regulatory authorities outlined in the provision.

Oregon Department of Transportation (ODOT)- A department of the state government of Oregon responsible for systems of transportation. It works closely with the five-member Oregon Transportation Commission in managing the state's transportation systems.

Person: individual or private entity.

Punitive damages- Damages awarded in excess of compensation to the plaintiff to punish a defendant for a serious wrong.

Remuneration- To pay an equivalent to for a service, loss or expense.

Respondent- Individual or group identified by the complainant who allegedly committed the Title VI violation.

Subrecipients- A non-Federal Entity (or a Federal agency under an Award or Subaward to a non-Federal Entity) receiving Federal funds through a Prime Recipient (in this case the City of Gresham) to support the performance of the Federal project or program for which the Federal funds were awarded. A Subrecipient is subject to the terms and conditions of the Federal Award to the Prime Recipient, including program compliance requirements.

VIII. Title VI organizational structure

Title VI Coordinator must have direct access to the City Manager with authority and responsibility to implement the Title VI program.



The Title VI Program must be able to maintain its independence, objectivity and impartiality in the discharge of its non-discrimination responsibilities. The Title VI Coordinator will develop, issue and enforce Citywide policies on civil rights impartially without prejudice and bias.

IX. Website

The City of Gresham’s external website (GreshamOregon.gov/Title-VI-Program/) contains public information about Title VI, the City’s program documents and process for filing a complaint.

X. Complaints

These procedures apply to all complaints filed under Title VI of the Civil Rights Act of 1964, relating to any program or activity administered by the City or its sub-recipients, consultants, and/or contractors. The City will also apply these procedures to classes protected under the City’s non-discrimination policy.

It is important to note, complaints may not expressly specify Title VI; however, a report of denial of services or benefits offered on the basis of race, color national origin or sex, offered under any program administered by the City as an ODOT sub-recipient will be classified as a Title VI complaint.

Any person who believes that they have been discriminated against or denied benefits of any program provided by the City on the basis of race, color, national origin, English proficiency, sex, age, disability, religion, sexual orientation, gender identity or source of income may file a complaint within 180 calendar

days of the alleged [discrimination](#) or when the complainant knew or should have known of the alleged discrimination.

Disability, while covered under the City's non-discrimination policy, could also concern Title II protections under the Americans with Disabilities Act (ADA). For complaints specific to the ADA, the City's Title II Coordinator will take the lead. A full outline of the City's Title II complaint process can be found at GreshamOregon.gov/How-to-File-an-ADA-Complaint/

These procedures do not deny the right of the [complainant](#) to file formal complaints with other state or federal agencies, or to seek private counsel for complaints alleging discrimination. These procedures are part of an administrative process that does not provide for remedies that include [punitive damages](#) or [remuneration](#) for the complainant.

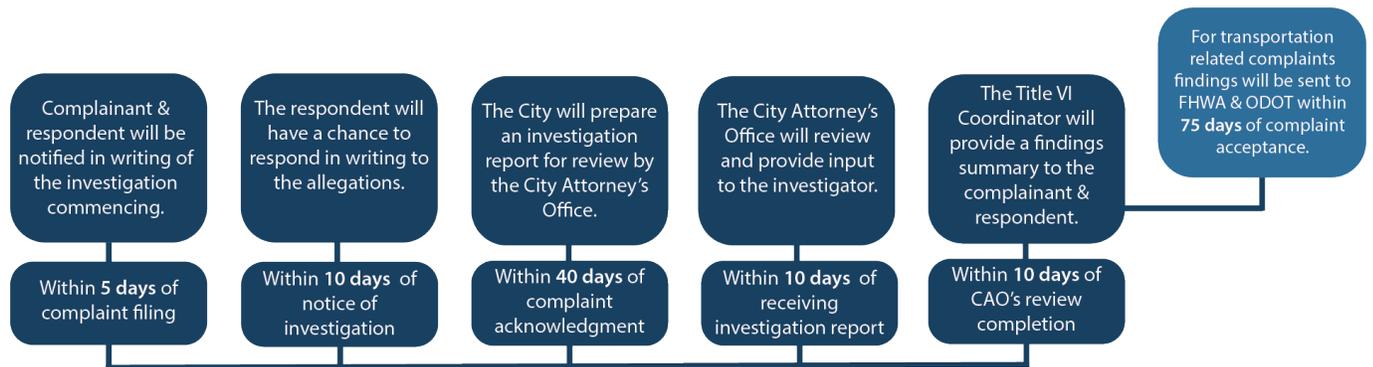
The option of informal mediation meeting(s) between the affected parties and the Title VI Coordinator may be utilized for resolution, at any stage of the process. The Title VI Coordinator will make every effort to pursue a resolution to any substantiated complaint.

City complaint procedure:

1. Any person that believes they have been subjected to discrimination prohibited by Title VI non-discrimination provisions may file a written complaint with the City's Title VI Coordinator.
 - a. A formal complaint must be filed within 180 calendar days of the alleged discrimination or when the complainant knew or should have known of the alleged discrimination.
 - b. Complaints shall be in writing and signed by the complainant(s). Complaints may be received via the City's online complaint form and must be electronically signed.
 - i. The complaint form may be completed by the complainant's authorized representative.
 - ii. The complainant may ask the Title VI coordinator, or their designee, for assistance completing the form.
 - iii. The complaint form may be emailed or printed out and mailed via the U.S. Postal Service if the complainant is unable to submit it via the City's electronic form.
 - c. Complaints shall include the date of the alleged act of discrimination (date when the complainant(s) became aware of the alleged discrimination; or the date on which the conduct was discontinued or the latest instance of the conduct).
 - d. Complaints shall present a detailed description of the issues, including names and job titles of those individuals perceived as parties in the complained-of incident. Allegations received by telephone will be documented in writing and provided to the complainant for confirmation or revision before processing. This is in addition to the acknowledgment letter, which will be sent separately.
2. In order to be accepted, a complaint must meet the following criteria:
 - i. The complaint must be filed within 180 calendar days of the alleged discrimination or when the complainant knew or should have known of the alleged discrimination.
 - ii. Include the date of the alleged discriminatory act(s) and whether the alleged discrimination is ongoing.
 - iii. The allegation(s) must be based on discrimination due to race, color, or national origin.

- iv. The allegation(s) must involve a City program or activity that received federal financial assistance.
 - v. Include enough information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity that received federal financial assistance.
 - vi. Include the names of specific persons and respondents (e.g., subrecipient, contractor, agencies/organizations) alleged to have discriminated.
 - vii. Provide complainant's full name and contact information, if available, to include postal address, phone number, and email address. The complainant must provide at least one mode of contact. Complaints should include names and contact information for witnesses, including City employees or contractors.
 - a. A complaint may be dismissed for the following reasons:
 - i. The complaint is submitted anonymously.
 - ii. The complaint is untimely.
 - iii. The complaint is legally insufficient.
 - iv. The complainant requests the withdrawal of the complaint.
 - v. The complainant fails to respond to repeated requests for additional information needed to process the complaint.
 - vi. The complainant cannot be located after reasonable attempts.
3. Upon receipt of the complaint, the Title VI Coordinator will determine its jurisdiction, acceptability, and need for additional information, as well as assign an investigator or investigate the merit(s) of the complaint. In cases where the complaint is against one of the City's sub-recipients of federal funds, the City will assume jurisdiction and will investigate and [adjudicate](#) the case.
4. The City will refer to ODOT any complaints that it has violated Title VI in connection with federal highway administration-funded programs or activities for proper disposition pursuant to their procedures. In special cases warranting intervention to ensure equity, ODOT, or applicable federal agency, may assume jurisdiction and either complete or obtain services to review or investigate matters. Complaints investigated by the ODOT, or applicable federal agency, will be subject to their policies and procedures.
5. Once the City or the ODOT decides to accept the complaint for investigation, the complainant and the respondent will be notified in writing of such determination within five calendar days. The complaint will receive a case number and will then be logged into the City's records identifying its basis, alleged harm, and the complainant's protected class.
6. In cases where the City assumes the investigation of the complaint, the City will provide the [respondent](#) with the opportunity to respond to the allegations in writing. The respondent will have 10 calendar days from the date of the City's written notification of acceptance of the complaint to provide their response to the allegations.
7. In cases where the City assumes the investigation of the complaint, within 40 calendar days of the acceptance of the complaint, the City's Investigator will prepare an investigative report for review by the City Attorney's Office. (The City's investigator can be one of the City's Title VI designees, an outside investigator, or the City's Title VI Coordinator.)
8. The investigative report and its findings will be sent to the City Attorney's Office for review. The City Attorney's Office will review the report and associated documentation and will provide input to the Investigator within 10 calendar days.

9. Human Resources (HR) must be informed if the complaint involves a City employee. The Title VI Coordinator will notify HR once it has been determined City staff are allegedly involved and have been identified.
10. Any comments or recommendations from the City Attorney's Office will be reviewed by the City's Investigator. If someone other than the City's Title VI Coordinator investigated the allegations, then the Investigator will discuss the report and recommendations with the Title VI Coordinator within 10 calendar days.
11. The City's final investigative report and a copy of the complaint will be forwarded to the [Federal Highway Administration](#) (FHWA) and ODOT within 75 calendar days of the acceptance of the complaint. This step is only required for complaints directed toward federal highway administration-funded programs or activities.
12. The investigator shall inform the complainant if it cannot meet the timelines in this Plan and provide an anticipated date of response.
13. The City will notify the parties of its final decision. The City has discretion to reconsider its decision if new facts are presented that warrant the City's reconsideration.
14. For complaints specific to the denial of services or benefits under any program administered by the City as an ODOT sub-recipient, if the complainant is not satisfied with the results of the investigation the complainant will be advised of the right to appeal to the U.S. Department of Transportation (USDOT). The complainant has 180 calendar days after the City's final resolution to appeal to USDOT.



The process must be finalized within a maximum of **75 calendar days** from the receipt of complaint to the final findings report being sent to the complainant and respondent.

XII. Contractor and subrecipient

The City's policy requires that contractors and subrecipients acknowledge that they are aware of federal, state, and local non-discrimination requirements. The City's contractor and subrecipient agreements shall include non-discrimination clauses required by federal statutes and executive orders and their implementing regulations.

Contractors and subrecipients must comply with Title VI. The City does not allow and considers it a serious violation of this Plan to intimidate or retaliate, in any way, against a person because that person reported discrimination, opposed discrimination, in good-faith assisted in the enforcement of this Plan or participated or cooperated with an investigation, or testified in discrimination proceedings. Retaliation is broadly construed and may include any conduct, whether related to the subrecipient's or contactor's business or not, that could discourage a person from making a report of discrimination.

If the City finds a contractor or subrecipient violated this policy or anti-retaliation standard, then it may take appropriate corrective action, including suspending, terminating, refusing to grant, or continue financial assistance from any source.

Exhibit A | City of Gresham Title VI Coordinator's administrative responsibilities

Below is a non-exhaustive outline of the administrative responsibilities of the Title VI Coordinator's role at the City, including tasks to ensure compliance with the Title VI Plan.

Training and distribution of information

Conduct or facilitate training programs on Title VI issues and regulations for City of Gresham employees; and facilitate Title VI training for appropriate staff, contractors and sub-recipients. A summary of training conducted will be reported in the [Annual Accomplishments Report](#) (AAR) yearly update.

The Title VI coordinator will also attend Title VI trainings at the Federal and State level as available.

Public participation

- Promote and raise awareness of Title VI requirements as engagement strategies are developed for City projects.
- Utilize the City's Engagement Toolkit to analyze the level of engagement needed and identify the target audience to ensure representative voices are included in the process.
- Assess the translation needs for a project based on the neighborhood language data.
- Translate vital program or project information as needed to ensure that the [Limited English Proficiency](#) (LEP) community has access.
- Ensure [Non-discrimination Contract Provisions](#) (see Appendix B) are included in applicable project contracts.

Complaints

- Refer individuals with reports of complaints to the complaint process as outlined above.
- Coordinate and oversee resolution of complaints.
- Maintain a list of investigations and complaints.
- Forward complaints related to the City's Transportation Department or its sub-recipients/contractors to ODOT or appropriate federal agency, as applicable per the process outlined in the complaint procedure above.

Title VI related programs

- Promote compliance with the City's Limited English Proficiency (LEP) plan, [National Environmental Policy Act](#) (NEPA) and [Environmental Justice](#).
- Stay apprised of engagement best practices for reaching historically marginalized populations through the work of the Community Engagement Program.
- Align goals and best practices with the City's DEI program once established.

Data collection, documentation and reporting

- Collect Title VI related data from the Transportation Title VI Coordinator and other non-transportation project managers, as applicable.
- Include organizational engagement efforts tracked for the annual [Community Engagement Annual Program report](#) in the Annual Accomplishments Report to ODOT.
- Timely file an annual Title VI Accomplishments Report highlighting accomplishments and any changes to the Title VI implementation plan in the preceding federal fiscal year.
- Assess the plan's effectiveness, procedures, staffing and resources available. The Title VI Coordinator will then be responsible for overseeing any corrective action needed.
- Correct Title VI issues discovered or identified by ODOT, FHWA, other federal agency, or CAO within 90 calendar days from when the issue was identified.

Title VI Implementation Plan update

- The Title VI Coordinator will review and update the City of Gresham Title VI Implementation Plan when significant staff changes (new Administrator/Title VI Coordinator) or other information changes that alters the intent of a section of the document.
- The plan must also be updated and submitted to ODOT every three years. The steps for approval include presenting the updated Plan to CAO for review and Council for approval. Once approved the plan will be submitted to ODOT's Office of Civil Rights for approval.
- The Title VI Implementation Plan is due to ODOT's Office of Civil Rights Title VI Coordinator by October 1st of each three-year cycle. If the City updates a Title VI Implementation Plan for any reason during a three-year cycle before the required three-year submission date; the next three-year cycle will begin as of the next October 1st closest to the last submission of the new Title VI Implementation Plan.

Exhibit B.1 | Transportation Title VI compliance

Program & project development

- Work with Metro, the local governmental agency that serves as a forum for cooperative transportation decision making for the Portland metropolitan area, to ensure Title VI concerns are included in the project planning phase.
- Incorporate public involvement into the project planning phase.
- For non-Metro related projects, make sure Title VI concerns are included in the planning phase.
- Working with Community Engagement Program staff, verify and assist project manager's collection of demographic information related to the project and document that information as part of the NEPA process.
- Incorporate public involvement into the Program Development (Planning) phase to continue to ensure programs reflect the community's needs.

Advertising, bid and award

- Develop ODOT bid and contract templates for federally funded projects to ensure processes comply with local, state and federal procurement laws.

Right of Way / Consultant Contracting

- Verify the hiring of consultants for right of way acquisition follows public contracting rules.
- Refer individuals with reports of complaints to the complaint process.

Construction

- Follow the City's Construction Manual and comply with local, state, and federal public contracting laws.

Public Involvement – Below are some of the more frequent mechanisms City staff can use to inform the public, including Title VI protected populations, about the planning and implementation of City projects:

Opportunities for public comment

- The City and Department of Environmental Services (DES) provide opportunities for comment on a range of policy, programs and projects.
- Public comment periods are typically advertised through email notices, newsletters, web and newspaper advertisements, and social media.
- Comments can be accepted by phone, email, online submissions, mail and in person at meetings.

Website

- GreshamOregon.gov – The City maintains a responsive website, which is updated regularly and contains general information on the City's departments, programs, calendars for public meetings and events, agendas and minutes, contact information for staff and opportunities to engage with the City.
- GreshamOregon.gov/Transportation contains information about specific transportation projects and other public works, and capital improvement projects.
- GreshamOregon.gov/TitleVI contains information about Title VI, including a community comment and complaint form.

Publications

- Throughout the year, the City produces many publications that communicate project updates, policy changes and program services. This information can be accessed by the public through the City website.
- “GRESHAM”, the City’s quarterly newspaper publication, is sent to every residence within the City and is a mechanism regularly used by staff to inform the community.

Communications

Press Releases: Staff work with the Communication Department to issue press releases to regional, local and multicultural news outlets as applicable.

Social media: City staff work with the Communication Department to post content to the City’s official social media channels. Those include Twitter, Facebook, Instagram, and YouTube. Staff can also post to NextDoor through the City’s Office of Neighborhood and Community Enhancement.

Public meeting & events

- Meetings of the City Council and City advisory committees and commissions are open to the public. Time for community comments is reserved at Council meetings.
- Meeting dates, times and agendas are posted in advance on the City’s website.
- Council meetings are recorded and available at [GreshamOregon.gov/Videos](https://www.greshamoregon.gov/Videos).
- When feasible, based on best practices, staff will strive to select meeting locations out in the community, convenient to a project. Meeting locations need to be in close proximity to transit service, be wheelchair accessible and have interpretation or listening devices, or other [ADA](#) accommodations available when requested in advance or if the need is anticipated. See the City’s LEP plan for additional information about the City’s process and best practices around public meeting access for the LEP community.
- Events such as workshops, open houses and forums are held as needed. Depending on the event, notice of these events may be made by email, postcard, newsletter, letter, newspaper advertisements, social media and on the City’s website. Event locations should be chosen with the same considerations as meetings and look to reduce barriers to access, such as, providing childcare, transportation assistance, varying event times, and additional barrier-reduction best practices.

Mailings

- DES routinely uses email, brochures, letters and/or postcards to keep the public informed of the City’s programs, projects, public comment periods, meetings and publications.

Staff contact

- Contact information for staff is generally provided on the City’s website and specifically provided on project fact sheets, brochures and postcards, as well as on meeting agendas. Staff attends public meetings and is available to answer questions and take comments.

Exhibit B.2 | Transportation Title VI Coordinator's administrative responsibilities

Below is a non-exhaustive outline of the administrative responsibilities of the Transportation Title VI Coordinator's role at the City, including tasks to ensure compliance with the Title VI Plan.

Training and Distribution of Information

- Attend Title VI trainings at the Federal and State level as available.
- Provide Title VI information and/or training to applicable transportation employees, contractors, sub-recipients, and programs, City liaisons, and the general public.

Project Development: Bid, Grant and Contract Monitoring (Transportation)

- Ensure that Title VI Non-discrimination Contract Provisions are included in applicable contracts.
- Ensure consultant & contractor selection follows local, state and federal public contracting laws.
- Perform onsite worker wage interviews on all federally funded jobs to ensure that all employees are being paid the correct prevailing wage rate wages.

Public Participation

- Encourage community participation including participation of Title VI protected groups and perform outreach throughout the phases of a project, including Program Development, Project Development, Right of Way, and Ad, Bid, and Award.
- Encourage participation of Title VI protected groups to create awareness and address physical accessibility, language issues and others.

Title VI Related Programs

- Assist the Title VI Coordinator to promote project compliance with Limited English Proficiency (LEP), NEPA and Environmental Justice (EJ).
- Assist the Title VI Coordinator with the investigation of complaints against subrecipients or contractors as requested.

Data collection, documentation and reporting

- Collect Title VI related data from transportation project managers, as applicable.
- Manage the drafting of the annual Title VI Accomplishments Report highlighting accomplishments and changes to the program in the preceding federal fiscal year.
- Assess the program effectiveness, procedures, staffing, and resources available and provide recommendations to the City's Title VI Coordinator.

Attachment A | Legal Authorities

ORS 659A.030

ORS 659A.030 prohibits discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, or age in cases of employment.

ORS 659A.403

ORS 659A.403 prohibits discrimination based on race, color, religion, sex, sexual orientation, national origin, marital status, or age in places of public accommodation.

ORS 659A.421

ORS 659A.421 prohibits discrimination in transactions for the sale, lease, or renting of real property based on race, color, religion, sex, sexual orientation, national origin, marital status, familial status, or income source.

Title VI of the Civil Right Act of 1964 (42 USC 2000d)

Title VI of the 1964 Civil Rights Act provides that no person in the United States shall, on the grounds of race, color, or national origin (including Limited English Proficiency), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity receiving federal financial assistance.

The Civil Rights Restoration Act of 1987 (Pub. L. No. 100-259)

The Civil Rights Restoration Act of 1987 broadens the scope of Title VI by expanding the definitions of terms "programs or activities" to include all programs and activities of Federal Aid recipients, sub-recipients, and contractors.

Civil Rights Act of 1991, 42 U.S.C. §1981

The Civil Rights Act of 1991 added two new sections that provided:

“(b) For the purposes of this section, the term ‘make and enforce contracts’ includes the making, performance, modification, and termination of contracts and the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship.”

“(c) The rights protected by this section are protected against impairment by non-governmental discrimination and impairment under color of State law.”

23 CFR 200 and 49 CFR 21

23 CFR 200 and 49 CFR 21 are administrative regulation for USDOT and FHWA that specify requirements for state DOTs to implement Title VI policies and procedures at the state and local levels.

Federal-Aid Highway Act of 1973 (23 USC 324)

The Federal Aid Highway Act of 1973 provides that no person, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Federal-Aid Highway Act, 49 U.S.C. 306

The Federal-Aid Highway Act, 49 U.S.C. 306 outlines the responsibilities of the U.S. Department of Transportation and, and outlines the Secretary’s authority to decide whether a recipient has not

complied with applicable Civil Rights statutes or regulations, requires the Secretary to provide notice of the violation, and requires necessary action to ensure compliance.

Age Discrimination Act of 1975 (42 USC 6101)

The Age Discrimination Act of 1975 provides that no person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Americans With Disabilities Act of 1990 (Pub. L. No. 101-336)

The Americans With Disabilities Act of 1990 provides that no qualified individual with a disability shall, by reason of such disability, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination by a department, agency, special purpose district, or other instrumentality of a state or local government.

Section 504 of the Rehabilitation Act of 1973

Section 504 of the Rehabilitation Act of 1973 provides that no qualified handicapped person shall, solely by reason of his/her handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal assistance.

Uniform Relocation Assistance & Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601

This Act establishes minimum standards for federally funded programs and projects that require the acquisition of real property or displace persons from their homes, businesses, or farms. "For the fair and equitable treatment of persons displaced as direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance."

Title VIII of the 1968 Civil Rights Act, 42 U.S.C. 3601

Title VIII of the 1968 Civil Rights Act provides that "(I) It shall be unlawful...to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion or national origin." The U.S. Department of Housing and Urban Development (HUD) is the primary interest agency, but the Federal Highway Administration (FHWA) and states are responsible for preventing discrimination in the acquisition of right-of-way.

National Environmental Policy Act of 1969, 42 U.S.C. 4321

The National Environmental Policy Act requires the consideration of alternatives, including the "no-build" alternative, consideration of social, environmental and economic impacts, public involvement, and use of a systematic interdisciplinary approach at each decision-making stage of federal-aid project development.

Executive Order 12250

Executive Order 12250 regards Department of Justice (DOJ) Leadership and Coordination of Non-discrimination Laws.

Executive Order 12259

Executive Order 12259 regards HUD Leadership and Coordination of Federal Fair Housing Programs.

Executive Order 12898

Executive Order 12898 regards federal actions to address Environmental Justice in minority populations and low-income populations.

Executive Order 13160

Executive Order 13160 regards non-discrimination on the basis of race, sex, color, national origin, disability, religion, age, sexual orientation, and status as a parent in federally conducted education and training programs.

Executive Order 13166

Executive Order 13166 regards the improvement of access to services for persons with limited English proficiency.