

CHAPTER 1. BASIC AUTHORITIES AND  
RESPONSIBILITIES

1. AUTHORITY.
  - a. Title VI of the Civil Rights Act of 1964, 42 USC 2000d-2000d-4.
  - b. Department of Housing and Urban Development Regulation under Title VI of the Civil Rights Act of 1964, as amended through July 5, 1973, 24 CFR Parts 1 and 2.
  - c. Department of Housing and Urban Development, Assistant Secretary for Fair Housing and Equal Opportunity, and Assistant Secretary for Housing Management, Delegation of Authority, 38 F.R. 8821, May 13, 1971, reprinted at 38 F.R. 17949, July 5, 1973.
  - d. Executive Order 11764, 39 F.R. 2775, January 21, 1974.
  - e. Attorney General Guidelines for the enforcement of Title VI, Civil Rights Act of 1964, 28 CFR 50.3.
  
2. RESPONSIBILITIES. The Secretary of Housing and Urban Development has the duty to administer and enforce the provisions of Title VI in all HUD programs except those programs under which HUD assistance is extended by way of a contract of insurance or guaranty. The Secretary has delegated the responsibility to administer and enforce Title VI to the Assistant Secretary for Fair Housing and Equal Opportunity, except for initial approval of tenant selection and assignment plans of local housing authorities.
  - a. The Assistant Secretary for Fair Housing and Equal Opportunity (AS/FHEO). The Assistant Secretary for Fair Housing and Equal Opportunity acts as the responsible Department official in all matters related to the carrying out of the requirements set forth in HUD's Regulation implementing Title VI.
  - b. Program Assistant Secretaries. All program assistant secretaries are responsible for:
    - (1) assuring that their staffs receive the training needed to recognize Title VI matters;
    - (2) informing the Office of Fair Housing and Equal Opportunity when they find program areas which appear to indicate Title VI compliance deficiencies;

- (3) ensuring their staff cooperation in the implementation of Title VI operating requirements and guidelines; and
- (4) forwarding all complaints of discrimination in HUD programs based on race, color, or national origin to the Office of Fair Housing and Equal Opportunity.

Complaints of sex discrimination should also be forwarded to the Office of Fair Housing and Equal Opportunity. Although Title VI is not applicable, the Office of Fair Housing and Equal Opportunity administers and enforces other laws which prohibit discrimination based on sex.

- c. The Assistant Secretary for Housing Management (AS/HM). The Assistant Secretary for Housing Management has the authority to approve the initial tenant selection and assignment plans (TS&A) for low-rent housing projects of local housing authorities as set forth in the Secretary's Delegation of Authority, 38 F.R. 8821 and in 24 CFR 1.4(b)(2)(ii).
- d. Assistant Regional Administrator for Fair Housing and Equal Opportunity (ARA/FHEO). The ARA/FHEO shall be responsible for: the conduct of Title VI compliance reviews and complaint investigations; the initial determination of substantial compliance or apparent noncompliance of HUD recipients; attempting to secure informal resolution of the compliance matter where a compliance review or complaint investigation indicate apparent noncompliance with Title VI; and, the initial acceptance of revisions to tenant selection and assignment plans submitted in an effort to comply with Title VI.
- e. Supervisors. Supervisors shall insure that all employees under their supervision fully understand their responsibilities regarding equal opportunity and the seriousness of any violation or infringement of this basic principle.
- f. Employees. Employees are personally charged with implementing all equal opportunity requirements in accordance with their assigned duties.