



U.S. Department of Justice

Civil Rights Division

*Assistant Attorney General
950 Pennsylvania Avenue, NW - RFK
Washington, DC 20530*

March 4, 2009

TO: Agency Senior Accountable Officials for Recovery Act Activities
Agency Civil Rights Directors for Federally Assisted Programs

FROM: Loretta King *Loretta King*
Acting Assistant Attorney General for Civil Rights
United States Department of Justice

SUBJECT: The American Recovery and Reinvestment Act of 2009:
Civil Rights Compliance Responsibilities of Federal Agencies and
Recipients of Federal Financial Assistance

I am writing to offer assistance from the Department of Justice as your agency prepares for and carries out the mission of the American Recovery and Reinvestment Act of 2009 (Recovery Act).

Federal agencies will shortly begin distributing Recovery Act funds. It is important to note that they must do so in accordance with all nondiscrimination and equal opportunity statutes, regulations, and Executive Orders that apply to the distribution of funds under the Recovery Act. Agencies that grant funds also must ensure that their recipients and subrecipients comply with Title VI of the Civil Rights Act of 1964 (prohibiting race, color, and national origin discrimination including language access for limited English proficient persons), Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination), Title IX of the Education Amendments of 1972 (prohibiting sex discrimination in education and training programs), the Age Discrimination Act of 1975 (prohibiting age discrimination in the provision of services), and a variety of program-specific statutes with nondiscrimination requirements.

Other civil rights laws may impose additional requirements on recipients and subrecipients. These laws include, but are not limited to, Title VII of the Civil Rights Act of 1964 (prohibiting race, color, national origin, religion, and sex discrimination in employment), the Americans with Disabilities Act (prohibiting disability discrimination in employment and in services provided by State and local governments, businesses, and non-profit agencies), and the Fair Housing Act (prohibiting race, color, national origin, age, family status, and disability discrimination in housing), as well as any other applicable civil rights laws.

Attached is a brief notice containing a summary of civil rights obligations of Federal agencies providing assistance and of the recipients and subrecipients of that assistance. Please post this notice on your agency's website(s) that applicants and recipients will use to apply for Recovery Act funds and on all other relevant websites. We also ask that you add to your posting contact information for your agency's external civil rights office(s) to help ensure that your agency's employees, as well as current and potential recipients and subrecipients, understand and comply with these laws. The notice should also be available to members of the public. This memorandum and the attachment are being sent to you in both pdf and fully accessible text format.

If you or your staff have any questions, please feel free to contact John Wodatch, Section Chief, Disability Rights Section, at (202) 307-0663, (202) 514-0301 (TDD), for information concerning disability-related questions. Information may also be found at: www.ada.gov. For all other civil rights questions, please contact Merrily Friedlander, Section Chief, Coordination and Review Section, at (202) 307-2222, (202) 307-2678 (TDD). The Coordination and Review Section's website may be found at: www.usdoj.gov/crt/cor.

We look forward to working with you to ensure that your recipients of Federal financial assistance through the Recovery Act operate their programs in a nondiscriminatory manner.

Attachment

**Notice on Civil Rights Obligations Applicable
to the Distribution of Funds under the
American Recovery and Reinvestment Act of 2009**

Federal Agency Obligations

Federal agencies will shortly begin distributing funding from the American Recovery and Reinvestment Act of 2009 (Recovery Act). They must do so in accordance with all nondiscrimination and equal opportunity statutes, regulations, and Executive Orders that apply to the distribution of funds under the Recovery Act. Agencies that grant funds also must ensure that their recipients and subrecipients comply with Title VI of the Civil Rights Act of 1964 (prohibiting race, color, and national origin discrimination including language access for limited English proficient persons), Section 504 of the Rehabilitation Act of 1973 (prohibiting disability discrimination), Title IX of the Education Amendments of 1972 (prohibiting sex discrimination in education and training programs), the Age Discrimination Act of 1975 (prohibiting age discrimination in the provision of services), and a variety of program-specific statutes with nondiscrimination requirements.

Recipient and Subrecipient Obligations

Recipients and subrecipients of Recovery Act funds or other Federal financial assistance must comply with Title VI of the Civil Rights Act of 1964, Section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and a variety of program-specific statutes with nondiscrimination requirements.

Other civil rights laws may impose additional requirements on recipients and subrecipients. These laws include, but are not limited to, Title VII of the Civil Rights Act of 1964 (prohibiting race, color, national origin, religion, and sex discrimination in employment), the Americans with Disabilities Act (prohibiting disability discrimination in employment and in services provided by State and local governments, businesses, and non-profit agencies), and the Fair Housing Act (prohibiting race, color, national origin, age, family status, and disability discrimination in housing), as well as any other applicable civil rights laws.

For questions about these civil rights obligations, please call *insert Agency civil rights office contact phone number* or e-mail *insert Agency civil rights office contact e-mail address*. Office of Civil Rights, 1849 C. Street, NW MS 5214, Washington, DC 20240-0036. E-mail contact is: jack_andre@ios.doi.gov.