

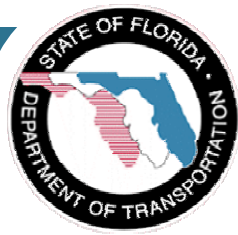
## LEGISLATION AND U.S. CODE

The Civil Rights Act of 1866, 42 U.S.C. 1981, provides that "All persons within the jurisdiction of the United States shall have the same right . . . to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws and proceedings for the security of their persons and property as is enjoyed by white citizens, and shall be subject to like punishments, pains, penalties, taxes, licenses, and exactions of every kind, and to no other." (Equal Rights)

The Civil Rights Act of 1870, 42 U.S.C. 1982, provides that "All citizens of the United States shall have the same right, in every State and Territory, as is enjoyed by white citizens thereof to inherit, purchase, lease, sell, hold, and convey real and personal property." (Property Rights)

The Civil Rights Act of 1871, 42 U.S.C. 1982, provides that "Every person who, under color of any statute, ordinance, regulation, custom or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress." (Deprivation of rights: civil action)

Civil Rights Act of 1964, 42 U.S.C. 2000d–2000d–4 Pub. L. 88–352–Nondiscrimination in Federally Assisted Programs, primary Title VI legislation—mentions race, color, and national origin. Section 601 states 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 be subjected to discrimination under any program or activity receiving Federal financial assistance." (Proscribes discrimination in impacts, services, and benefits of, access to, participation in, and treatment under Federal–aid recipients, programs or activities)

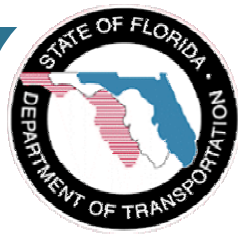


Section 1117 of the Transportation Equity Act for the 21st century (TEA-21) authorized the Secretary to apportion 23 U.S.C.102 funds through FY 2003 to construct Appalachian highways and access roads under section 201 of the 1965 ARDA, and made Title 23 apply to the obligations of funds authorized and other measures.

The Public Works and Economic Development Act of 1965. In cooperation with the States, the Federal government is to assist areas and regions with substantial and persistent unemployment or under-employment to take effective steps in planning and financing their public works and economic development. This includes Federal financial assistance, including grants for public works and development facilities to communities, industries, enterprises, and individuals in areas needing development. It enables such areas to help themselves achieve lasting improvements and enhances domestic prosperity by establishing stable and diversified local economies. Provides that such assistance is preceded by and consistent with sound long-range economic planning.

Highway Beautification Act of 1965--Pub. L. 89-285, Oct. 22, 1965, 79 Stat. 1028, amended by Pub. L. 97-449, Sec. 2(a), Jan. 12, 1983, 96 Stat. 2439.

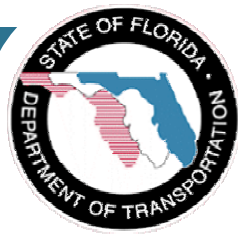
The National Historic Preservation Act (NHPA) of 1966 is the keystone of historic preservation law. It establishes the basic elements of the Nation's historic preservation program and strongly influences FDOT's transportation planning process. At the heart of the program is the National Register of Historic Places (NRHP), a listing of the historic buildings, sites, districts, structures, and objects that are significant in American history, archaeology, culture, or engineering. Section 106 of the NHPA and its implementing regulations, 36 CFR Part 800, requires federal agencies and their agents to "take into account" the effects that any undertaking may have on significant cultural resources (those listed or eligible for listing in the NRHP) that are located within the "Area of Potential



Effect (APE)" for the project. The APE is the geographic area within which project activities could potentially impact the qualities that make a historic resource significant.

The Section 106 regulations mandate consultation, defined as "process of seeking, discussing, and considering the views of other participants, and, where feasible, seeking agreement with them regarding matters arising in the section 106 process"(36 CFR Part 800 Section 800.16(f)). It encourages maximum public participation and requires FDOT to seek and consider the views of the public in a manner commensurate with the nature and complexity of an undertaking and its potential effects on historic properties. It also requires consultation with federally recognized Native American Tribes, especially where the action occurs on tribal lands or involves resources of cultural or religious significance to a tribe on or off tribal lands.

A typical project, therefore, often includes the coordinated efforts of various federal and state agencies, Native American tribes, local governments, historic preservation organizations, local residents, as well as other members of the community. Consequently, the Section 106 consultation effort can provide an entry into a community and an important avenue for identifying issues relevant to SCE evaluations. An advantage of the Section 106 process is its non-threatening nature which can be used to engage people in conversation about their neighborhood or community. Rather than focusing on sensitive areas such as politics, community disruption, or the development process per se, it focuses on cultural resources and history—topics that people generally embrace in a positive and enthusiastic manner. Conversations about history frequently lead to the identification of broader concerns and a more complete understanding of the community's perspective. For example, consultation with members of an historic church in a low-income urban area revealed concerns about the church itself as well as larger community impacts to safety, parking, disruption of a neighborhood, and aesthetics. It also



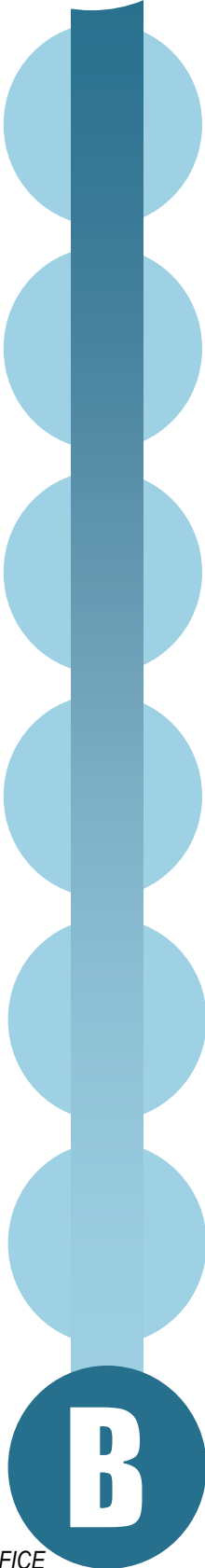
revealed feelings of distrust of the transportation development process. Another informal meeting with tribal representatives regarding a transportation project uncovered concerns about roadside signage and access to remote village sites, that were not apparent in traditional demographic data.

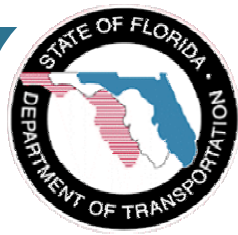
Civil Rights Act of 1968, 42 U.S.C. 3601–3619 Pub. L. 90–284. Title VIII says "It shall be unlawful . . . to refuse to sell or rent after the making of a bona fide offer, or to refuse to negotiate for the sale or rental of, or otherwise make unavailable or deny a dwelling to any person because of race, color, religion or national origin." Prohibits discrimination in the sale or rental of housing.

Fair Housing Act of 1968 (and its Amendments of 1988) (42 U.S.C. 3601–3631) Pub. L. 90–284—makes religion a protected group for relocation purposes with wording similar to Title VI of the Civil Rights Act of 1964.

The Architectural Barriers Act of 1968, Pub. L. 90–480—prescribes standards for the design, construction, and alteration of buildings to insure, whenever possible, that physically disabled persons will have ready access to, and use of, such buildings.

National Environmental Policy Act of 1969, 42 U.S.C. 4321 et seq., declares national policy to encourage harmony between human and the environment, to promote efforts which will prevent or eliminate damage to the environment, and to stimulate the health and welfare of humans; as well as creates the Council on Environmental Quality. The NEPA also 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.





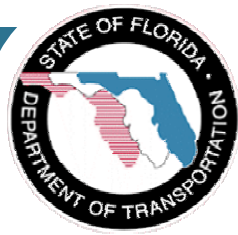
Federal-aid Highway Act of 1970, 23 U.S.C. 109(h) added by Sec. 136(b) of Pub. L. 91-605, 84 Stat. 1734 (Dec. 31, 1970): first appearance of protection for communities/human environment.

Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, 42 U.S.C. 4601 et seq., as amended by the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA--Pub. L. No. 100-17)--also known as the Uniform Act as Amended--(see 49 CFR Part 24)--provides for uniform and equitable treatment of persons displaced from their homes, businesses, or farms due to Federal-aid programs.--"For the fair and equitable treatment of persons displaced as a direct result of programs or projects undertaken by a Federal agency or with Federal financial assistance." Provides for fair treatment of persons displaced by Federal and Federal-aid programs and projects.

Education Amendments of 1972--Title IX makes financial assistance available to institutions of higher education to: (1) strengthen, improve and, where necessary, expand the quality of graduate and professional programs leading to an advanced degree; (2) establish, strengthen, and improve programs designed to prepare graduate and professional students for public service; and (3) assist in strengthening undergraduate programs of instruction in certain instances.

Federal-aid Highway Act of 1973, 23 U.S.C. 324: "Prohibition of discrimination on the basis of sex"--includes "sex" as a protected group with wording similar to Title VI of the Civil Rights Act of 1964.

Rehabilitation Act of 1973, 29 U.S.C. 794--Section 504 includes "handicapped" (physical or mental) as a protected group with wording similar to Title VI of the Civil Rights Act of 1964 (see also Rehabilitation, Comprehensive Services, and Developmental Disabilities Act of 1978). Section 504 provides "(N)o qualified handicapped person shall, solely by reason of his handicap, be excluded from participation in, be denied the



benefits of, or be subjected to discrimination under any program or activity that receives or benefits from Federal financial assistance." Prohibits discrimination based on physical or mental handicap.

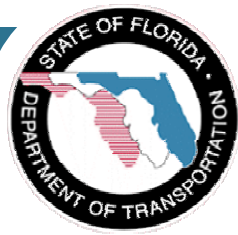
Age Discrimination Act of 1975, 42 U.S.C. 6101 (see also 10 CFR 1040.1 et seq. and 45 CFR 90.1 et seq.)--provides that: "(N)o person in the United States shall, on the basis of age, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance as a protected group with wording similar to Title VI of the Civil Rights Act of 1964. Prohibits discrimination based on age.

The Equal Access to Justice Act of 1976, 42 U.S.C. 1988, provides that individuals and small businesses can recoup legal fees if they successfully bring an action against the government.

Justice System Improvement Act of 1979, 42 U.S.C. 3711, et seq., as amended—includes race, color, national origin, sex, and religion...primarily employment-related Title VI.

Farmland Protection Policy Act, Title XV of the Agriculture and Food Act of 1981 (Pub. L. 98-98, 7 U.S.C. 4201-09)--directs Federal agencies to identify and take into account the adverse effects of Federal programs on the preservation of farmland; consider alternative actions to lessen adverse effect; and assure, to the extent practicable, such programs are compatible with State and local government, and private programs and policies to protect farmland.

The Civil Rights Remedies Equalization Act of 1986, Pub. L. 99-506, 42 U.S.C. 2000d-7--provides at (a), that: "(1) A State shall not be immune ... from suit in Federal court for a violation of Section 794 of Title 29, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975..., Title VI of the Civil Rights Act of 1964..., or the provisions of any



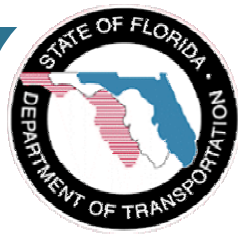
other Federal statute prohibiting discrimination by recipients of Federal Financial assistance. (2) In a suit against a State for a violation of a statute referred to in paragraph (1), remedies (including remedies both at law and in equity) are available for such a violation to the same extent as such remedies are available for such violation in a suit against a private entity other than a State."

Surface Transportation and Uniform Relocation Assistance Act of 1987 STURAA--Pub. L. 100-17)--also known as the (1970) Uniform Act as Amended--(see 49 CFR Part 24)--provides for uniform and equitable treatment of persons displaced from their homes, businesses, or farms due to Federal-aid programs. It provides: "(F)or fair, uniform, and equitable treatment of all affected persons; ... (and) minimizing the adverse impact of displacement...(to maintain)...the economic and social well-being of communities; and...to establish a lead agency and allow for State certification and implementation." Updates the 1970 Act and clarified the intent of Congress in programs and projects which cause displacement or other otherwise necessitate acquisition of property.

Civil Rights Restoration Act of 1987 (Pub. L. 100-259)--restores the broad scope of coverage and adds to Title VI of the Civil Rights Act of 1964 by adding a new section--Section 606. Clarifies the original intent of Congress on Title VI of the 1964 Civil Rights Act, Title IX of the Education Amendments of 1972, the Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973. Restores the broad, institution-wide scope and coverage of the non-discrimination statutes to include all programs and activities of Federal-aid recipients, sub-recipients, and contractors, whether such programs and activities are federally assisted or not.

Fair Housing Act Amendments of 1988 (42 U.S.C. 3601-3631)--makes religion a protected group for relocation purposes with wording similar to Title VI of the Civil Rights Act of 1964.





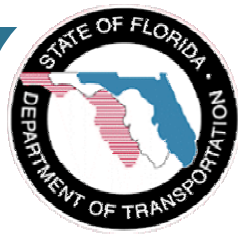
Americans with Disabilities Act of 1990, (Pub. L. 101-336, 42 U.S.C. 12101-12213)-- July 26, 1990, Title II – Public Services; and Title III – Public Accommodations and Services Operated by Private Entities. "No qualified individual with a disability shall, by reason of such disability, be excluded from 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 a local government." Provides enforceable standards to address discrimination against individuals with disabilities.

Intermodal Surface Transportation Efficiency Act of 1991, Pub. L. No. 102-240, December 18, 1991--also known as ISTEA--provides for flexible funding of modes of surface transportation and supports substantial emphasis on early program planning and environmental consideration, including transportation enhancements, bicycle and pedestrian programs, and a National Trails system. It enables corridor preservation. It also encourages public participation be extended into planning efforts. It mentions Indian tribal government involvement in planning and describes women to be presumed to be socially and economically disadvantaged individuals for purposes of Disadvantaged Business Enterprises section. Its Declaration of Policy includes improved mobility for elderly, disabled, and economically disadvantaged and social benefits must be considered...with particular attention to...other aspects of the quality of life...

The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU), August 10, 2005 is the new federal transportation law that will provide federal funding for highway and transit improvements through 2009. SAFETEA-LU addresses challenges such as improving safety, reducing traffic congestion, improving efficiency in freight movement, increasing intermodal connectivity, and protecting the environment.

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The Civil Rights Act of 1991, in part, amended 42 U.S.C. 1981 by adding two new sections: "(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."

The Religious Freedom Restoration Act of 1993--requires Federal, State, and local governments to demonstrate a compelling interest before substantially burdening an individual's exercise of religion.

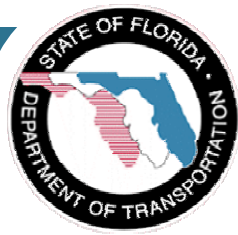
National Highway System Designation Act of 1995, Pub. L. No. 104-59, November 28, 1995--establishes the NHS and its design criteria which, among other things, may take into Account...(A) the constructed and natural environment of the area, (B) the community ...impacts of the activity..., and (C) access for other modes of transportation. It also allows for an advance payment option and credit for donations of funds, materials, and services toward the State match for transportation enhancement activities.

23 U.S.C. 101--Definitions and declaration of policy--(a) 10 eligible ☐ transportation enhancement activities stated. Specific monies set-aside under the Surface Transportation Program for TE activities.

23 U.S.C. 109--"Highway"--Standards for the Secretary of Transportation

23 U.S.C. 109(h)--assure that possible adverse economic, social, and environmental effects relating to any proposed project on any Federal-aid system have been fully considered in developing such project. This section states specific potential sociocultural effects that need to be addressed.

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23 U.S.C. 109(i)--develop noise standards compatible with different land uses and mentions noise mitigation measures such as acquisition of additional ROW, construction of physical barriers, and landscaping.

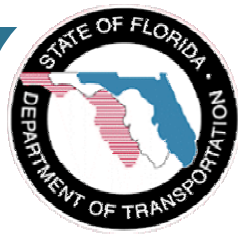
23 U.S.C. 109(m)--no approval for a project that will result in the severance or destruction of an existing major route for nonmotorized traffic and light motorcycles unless the project provides a reasonably alternate route or such a route exists.

23 U.S.C. 128--"Public hearings"--State highway department certification of a public hearing, or opportunity for one, at a convenient location; of allowing persons whose property will be affected or who are contiguous to the project "to express any objections they may have." The State highway department must also certify that it has "considered the economic and social effects" of a project, and that the project is consistent with the goals and objectives of urban planning as promulgated by the community. The certification is accompanied by a report " which indicates the consideration given to the economic, social,...and other effects...raised during the hearing or...otherwise considered."

23 U.S.C. 133--Surface transportation program--(b) makes transportation enhancement activities eligible projects for STP funds and (c) allocates 10 percent of annual apportioned funds under Section 104(b)(3) only for TE activities. Also eligible for funding is mitigation of damage to wildlife, habitat, and ecosystems caused by a transportation project....

23 U.S.C. 134--"Metropolitan planning"--Transportation Improvement Plan and Long-Range Plan, encourages and promotes use of various modes of transportation; encourages cooperation with State and local officials developing transportation plans and programs; defines urban area as more than 50,000 population; requires projects in urban areas be "based on a

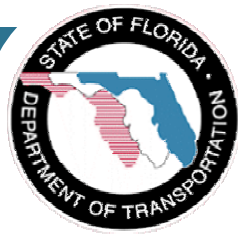




continuing comprehensive transportation planning process;" and requires States to consult with and consider the views of responsible public officials in urban areas. In developing the transportation plan 15 factors to consider include the likely effect of transportation policy decisions on and consistency with land-use and development plans; need to relieve and prevent congestion where it does not yet occur; access to intermodal transportation facilities, national parks, recreation areas, and monuments and historic sites; preservation of rights-of-way; and overall social, economic, energy, and environmental effects of transportation decisions. Plans are to be financially constrained and consistent with Statewide (air quality improvement) Implementation Plans, and Metropolitan Planning Organizations (MPOs) are to provide reasonable notice of and an opportunity to comment on the plans.

23 U.S.C. 135--Statewide planning--Statewide Transportation Improvement Plan, Statewide Long-Range Transportation Plan, and long-range bicycle and pedestrian plan--provides for a continuous planning process for consideration of all modes in solving transportation problems, and incorporates the MPO plans above. State DOTs are to consider 23+ items including transportation needs of non-metropolitan areas; recreational travel and tourism; strategies to include bicycle and pedestrian facilities; effect of transportation decisions on and consistency with land-use and development plans; preservation of rights-of-way; access to intermodal transportation facilities, national parks, recreation and scenic areas, and monuments and historic sites; investment strategies to improve rural economic growth and tourism; concerns of Indian tribal governments having jurisdiction; and overall social, economic, energy, and environmental effects of transportation decisions. Plans are to be financially constrained and consistent with Statewide (air quality improvement) Implementation Plans, and State DOTs are to provide reasonable opportunity to comment on the Statewide transportation improvement and long-range plans.

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23 U.S.C. 138--Preservation of parklands--(a.k.a. Section 4(f)) a national policy that special efforts should be made to preserve the natural beauty of the countryside and public park and recreation and historic sites.

23 U.S.C. 140--"Nondiscrimination"--State employment assurances. Refers to race, color, creed, national origin, or sex.

23 U.S.C. 143--Economic growth center development highways--authority to make grants to States for projects which promote desirable development of the Nations natural resources, to revitalize and diversify the economy of rural areas and smaller communities, and to improve living conditions and the quality of the environment.

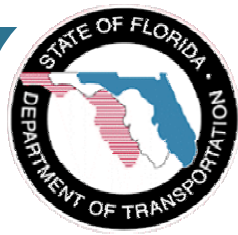
23 U.S.C. 217--"Bicycle transportation and pedestrian walkway"--encourages energy conservation and multiple use of ROW, including development and improvement of pedestrian walkways.

23 U.S.C. 315--"Rules, regulations and recommendations"--allows Federal promulgation of rules and regulations to carry out Title 23 of the U.S. Code.

23 U.S.C. 324--"Prohibition of discrimination on the basis of sex"--provides that: "(N)o person shall on the ground 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 under this title or carried on under this title." (Prohibits discrimination on the basis of sex with wording similar to Title VI of the Civil Rights Act of 1964.)

29 U.S.C. 794--Nondiscrimination under Federal grants and programs: (a) Promulgation of rules and regulations--individuals with disabilities shall not be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal

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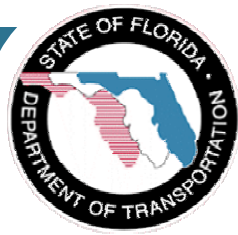
financial assistance or under any program or activity conducted by any Executive agency or by the United States Postal Service; (b) "program or activity" defined; (c) significant structural alterations by small providers; and (d) standards used in determining violation.

42 U.S.C. 2000d-2000d-4--Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin.

42 U.S.C. 3601-3631--Fair Housing Act (Pub. L. 90-284) policy and implementation. Protections afforded against making unavailable or deny, a dwelling to any person "because of race, color, religion, sex, familial status, or national origin"

42 U.S.C. 3608a--enacted as part of the Housing and Community Development Act of 1987--Collection of certain data to assess the extent of compliance with Federal fair housing requirements (including the requirements established under Title VI of Public Law 88-352 (42 U.S.C. 2000d et seq.) and Title VIII of Public Law 90-284 (42 U.S.C. 3601 et seq.)), the Secretary of Agriculture shall collect, not less than annually, data on the racial and ethnic characteristics of persons eligible for, assisted, or otherwise benefiting under each community development, housing assistance, and mortgage and loan insurance and guarantee program administered by such Secretary. Such data shall be collected on a building-by-building basis if the Secretary determines such collection to be appropriate.

42 U.S.C. 4321 et seq.--National Environmental Policy--Congressional declaration of purpose--The purposes of this chapter are: To declare a national policy which will encourage productive and enjoyable harmony between man and his environment; to promote efforts which will prevent or eliminate damage to the environment and biosphere and stimulate the health and welfare of man; to enrich the understanding of the ecological



systems and natural resources important to the Nation; and to establish a Council on Environmental Quality.

42 U.S.C. 4601 et seq.--Uniform Relocation Assistance and Real Property Acquisition Policies for Federal and Federally Assisted Programs.

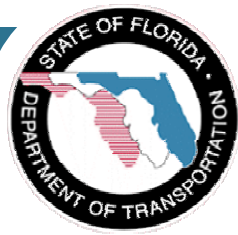
42 U.S.C. 12101-12213--Codification of the Americans with Disabilities Act of 1990-- Equal Opportunity for Individuals with Disabilities.

49 U.S.C. 303--(a.k.a. 4(f))--Policy on lands, wildlife and waterfowl refuges, and historic sites (a) special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites; (b) cooperate and consult with the DOI, HUD, USDA, and the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of lands crossed by transportation activities or facilities; and (c) approve a transportation program or project requiring the use of publicly owned land of a public park, recreation area, or wildlife and waterfowl refuge of national, State, or local significance, or land of an historic site of national, State, or local significance (as determined by the Federal, State, or local officials having jurisdiction over the park, area, refuge, or site) only if: (1) there is no prudent and feasible alternative to using that land; and (2) the program or project includes all possible planning to minimize harm to the park, recreation area, wildlife and waterfowl refuge, or historic site resulting from the use.

49 U.S.C. 306--outlines the responsibilities of the U.S. Department of Transportation and, at (c) 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 require necessary action to ensure compliance.

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## REGULATIONS

7 CFR Part 658--Farmland Protection Policy; Final Rule--published in Federal Register Vol 59, No. 116, on Friday, June 17, 1994, pp. 31110-31117--implements the Farmland Protection Policy Act.

10 CFR 1040.1 et seq.--"Nondiscrimination in Federally Assisted Programs."

23 CFR 200--Title VI Program and Related Statutes--Implementation and Review Procedures--includes race, color, religion, sex, and national origin. The FHWA's regulations implementing Title VI.

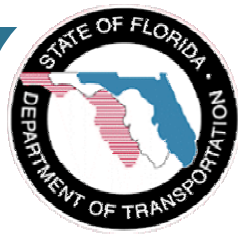
23 CFR 200.5--Definitions: (a) Affirmative action; (b) Beneficiary; (c) Public participation; (d) Compliance; (e) Deficiency status; (f) Discrimination; (g) Facility; (h) Federal assistance; (i) Noncompliance; (j) Persons; (k) Program; (l) State highway agency; (m) Program area officials; (n) Recipient; (o) Secretary; and (p) Title VI. Program incorporates subsequent Federal-aid Highway Acts and related statutes; thus, including the Age Discrimination Act and Rehabilitation Act among others.

23 CFR 200.7--FHWA Title VI Policy.

23 CFR 200.9--(State highway agency responsibilities)-- State Title VI assurances and to "Develop procedures for the collection of statistical data...of participants in, and beneficiaries of State highway programs, i.e., relocatees, impacted citizens and affected communities." 23 CFR 200.13-- Certification acceptance--Title VI and related statutes requirements apply to all State highway agencies and FHWA divisions; they shall monitor the Title VI aspects of the program by conducting annual reviews and submitting required reports.

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23 CFR 450, Planning Assistance and Standards--Subpart B covers Statewide Transportation Planning□ and Subpart C covers Metropolitan Transportation Planning and Programming. Designed to achieve a continuing, cooperative, and comprehensive transportation planning process that results in plans and programs consistent with the comprehensive development of urbanized and nonurbanized areas which are to receive Federal-aid funds.

23 CFR 633--Subpart A specifies required contract provisions to be included in all Federal-aid construction contracts, including Title VI and other proscriptions included in Form FHWA 1273. Subpart B, Appendix A specifies the types of contracts to which Title VI of the 1964 Civil Rights Act apply.

23 CFR 710--Right-of-Way--Subpart B--State Highway Department Responsibilities; Subpart C--Reimbursement provisions; Subpart D--Administrative Settlements, Legal Settlements, and Court Awards; Subpart E--Federal Land Transfers and Direct Federal Acquisition; Subpart F--Functional Replacement of Real Property in Public Owner-ship; Subpart G--Right-of-Way Revolving Fund (advance acquisition).

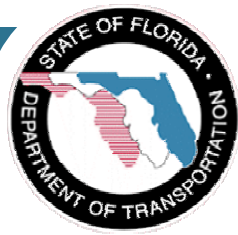
23 CFR 750--Highway Beautification--includes outdoor advertising adjacent to the Interstate; directional and official signs; exempt signs; and outdoor advertising control.

23 CFR 771--Environmental Impact and Related Procedures--primary guidance for the evaluation of social, economic, and environmental impacts in project development as well as early and continuing coordination with the public--1980 and 1987

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23 CFR 771.105(f)--FHWA Policy on Title VI--expands on 23 CFR 200.7 and names categories covered with wording similar to Title VI of the Civil Rights Act of 1964--race, color, national origin, age, sex, handicap.





23 CFR 771.111--Early coordination, public involvement, and project development. (a) Early coordination with appropriate agencies and the public aids in determining the type of environmental document an action requires, the scope of the document, the level of analysis, and related environmental requirements. (b) The Administration will identify the probable class of action as soon as sufficient information is available. (h) For the Federal-aid highway program: (1) Each State must have procedures approved by the FHWA to carry out a public involvement/public hearing program.

23 CFR 1235--FHWA and NHTSA joint regulation governing Uniform System for Parking for People with Disabilities.

28 CFR 35--The Department of Justice's regulations governing nondiscrimination on the basis of disability in State and local government services.

28 CFR 36--The Department of Justice's regulations governing nondiscrimination on the basis of disability by public accommodations and commercial facilities.

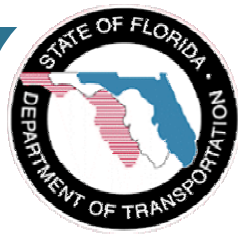
28 CFR 41--Implementation of Executive Order 12250, Nondiscrimination on the basis of handicap in federally assisted programs.

28 CFR 42--Subpart C--The Department of Justice's regulations implementing Title VI of the Civil Rights Act of 1964.

28 CFR 42.200--Subpart D--"Nondiscrimination in Federally Assisted Programs-- Implementation of Section 815(c)(1) of the Justice System Improvement Act of 1979"--Also implements Executive Order 12138.

28 CFR 50.3--The Department of Justice's Guidelines for the enforcement of Title VI, Civil Rights Act of 1964.

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40 CFR 1500–1508 (CEQ Regulations on Implementing NEPA), effective July 30, 1979-- Relates primarily to the natural and physical environment with some references to the human environment. Provides for environmental procedures and document format into which social and economic impact assessment can be fitted.

40 CFR 1502.22--"Incomplete or unavailable information"--"When an agency is evaluating reasonably foreseeable significant adverse effects on the human environment in an [EIS] and there is incomplete or unavailable information, the agency shall always make clear that such information is lacking." Provides a procedure if such information is essential to a reasoned choice among alternatives and costs of obtaining it are or are not exorbitant. Applies only to EIS projects.

45 CFR 90.1--Nondiscrimination on the Basis of Age in Programs and Activities Receiving Federal Financial Assistance--Age Discrimination Act of 1975, as amended, also permits federally assisted programs and activities, and recipients of Federal funds, to continue to use certain age distinctions and factors other than age which meet the requirements of the 1975 Act and other regulations.

49 CFR 21--"Transportation"--Nondiscrimination in Federally-Assisted Programs of the Department of Transportation--Effectuation of Title VI of the Civil Rights Act of 1964--includes race, color, national origin.

49 CFR 24--"Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs"--DOT's regulation implementing the Uniform Act as amended in 1987 for Federal and federally assisted programs requiring compliance with nondiscrimination statutes and executive orders.