

# Civil *Rights*

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*It's the Law*

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# How Does Rural Development Serve Rural America?

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Agencies within USDA Rural Development provide numerous services to help promote rural development. Some of their major efforts include making loans and grants in rural areas for housing, community facilities, and business and industry development. Rural Development loan programs are available to applicants who cannot obtain credit from commercial sources at reasonable rates and terms. All programs are covered by prohibitions against discrimination.

USDA's Rural Development mission operates a nationwide system of local and State offices serving U. S. rural residents, plus Puerto Rico, the Virgin Islands, Guam, the Northern Mariana Islands, and the Pacific Territories. Rural Development encompasses three service areas: The Rural **Business-Cooperative Service (RBS)**, the Rural Housing Service (**RHS**), and the Rural Utilities Service (**RUS**).

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The United States Department of Agriculture (USDA) prohibits discrimination in its programs on the basis of race, color, national origin, sex, religion, age, disability, political beliefs and marital or familial status. (Not all prohibited bases apply to all programs.) Persons with disabilities who require alternative means for communication of program information (Braille, large print, audiotape, etc.) should contact the USDA Office of Communications at (202) 720-2791.

To file a complaint, write the Secretary of Agriculture, U.S. Department of Agriculture, Washington, D.C. 20250, or call 1-800-245-6340 (voice) or (202) 720-1127 (TDD). USDA is an equal employment opportunity employer.

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Civil Rights Staff  
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# Some of USDA's Rural Development Programs

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The following programs administered by USDA Rural Development are covered by nondiscrimination laws.

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## ***Community Facility Loans***

RHS makes loans to public bodies and nonprofit corporations for community facilities in rural areas and towns of up to 10,000 population. Loan recipients include: hospitals and clinics, recreational facilities, fire and police organizations, industrial parks, and other facilities that provide essential services to rural residents.

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## ***Rural Rental Housing Loans***

Rural Rental Housing loans are made to construct, purchase, improve, or repair rental and cooperative housing. Funds may also be used to provide recreational and service facilities. Low-income elderly, persons with disabilities, or families with rents that exceed 25 percent of their adjusted annual income can qualify for rental assistance.

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## ***Farm Labor Housing Loans and Grants***

Loans are made to farm owners and to public or private nonprofit organizations to provide farm workers with modest living quarters, basic household furnishings, and related facilities. Grants may not exceed 90 percent of the total development costs and can be made to public or broad-based private nonprofit organizations of farm workers.

# How Do the Civil Rights Laws Apply to Rural Development?

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Discrimination is prohibited on all loan and grant programs available from Rural Development agencies and provided by Rural Development's personnel.

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## ***Prohibited Practices***

Rural Development will not extend loans or grants to applicants that discriminate in any of the following areas because of race, color, religion, sex, national origin, marital and familial status, disability, or age:

- In providing membership to any type of association or facility requiring membership.
- In providing services- such as water lines, sewer lines, fire protection services, libraries, retirement and nursing homes, roads, and parks.
- In assessing membership dues.
- In establishing charges for usage.
- In setting rental rates.
- In granting Section 502 homeowner subsidies (interest credits).
- In granting rental subsidies.
- In making home repair grants.

Further, the segregation of tenants by race, national origin, sex, color, familial status, disability, or religion in funded rural rental housing projects and farm labor housing projects, or the denial of occupancy because of any of these reasons, except age in an elderly housing project, constitutes an act of discrimination.

# What Laws Protect People Against Illegal Discrimination?

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The Civil Rights Act of 1964, the landmark legislation to ensure equal treatment under the law for all people, prohibits discrimination on the basis of race, color, or national origin in any federally assisted program.

This provision, detailed in Title VI of the Civil Rights Act, applies to many programs of Rural Development. Other anti-discrimination legislation is covered in the Civil Rights Act of 1968, the Age Discrimination Act, the Rehabilitation Act of 1973, Title IX of the Education Amendment Act of 1975, the Fair Housing Amendments Act, and the Equal Credit Opportunity Act. USDA's policy also prohibits discrimination in financially assisted programs and those programs operated by USDA.

These provisions apply both to those who apply for assistance in USDA operated programs and to any facility financed by Rural Development programs. They require equal treatment in the following:

- Priority
- Quality
- Participation
- Use, occupancy, or benefit
- Methods or charges for service

This information represents only some of the many possible prohibited violations. Anytime there is a difference in treatment based on anything other than merit or on practices permitted by law or regulation, such treatment might constitute an act of illegal discrimination and should be reported to the USDA's Office of Operations, Civil Rights.

## What Specific Discriminatory Actions Are Prohibited?

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1) On the grounds of race, color, religion, age, national origin, sex, marital and familial status, or disability, a beneficiary may not be:

- Denied any service, financial aid, or other benefit provided under the program.
- Subjected to segregation or separate treatment relating to the receipt of any service, financial aid, or other benefit.
- Restricted in any way in the enjoyment of any advantage or privilege of the program enjoyed by others.
- Treated differently in determining admission, enrollment, quota, eligibility, membership, or other conditions under the programs.
- Denied an opportunity to participate in providing the service.
- Discriminated against in the selection of members of planning and advisory boards.

2) A recipient in a Rural Development-financed program may not use criteria for membership, charges, rent, or admission that have a discriminatory effect.

3) In determining the site or location of facilities, a recipient may not make a selection that will have a discriminatory effect.

4) Discrimination is prohibited in all services or benefits provided by the project if any part of a service or facility is financed by the Federal Government.

5) Although not specifically named, other forms of discrimination also are subject to USDA nondiscrimination policy.

6) In administering a program in which a recipient has previously discriminated, the recipient must take affirmative action to overcome the effect of the discrimination.

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# How Are These Prohibitions Enforced?

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## ***Assurance Required***

Every applicant for Rural Development assistance must sign an assurance that their activities will comply fully with all civil rights laws. The assurance is provided prior to the extension of funds and remains in effect as long as the property is used for the purpose for which the funds were extended, as long as the property is used for another purpose involving similar services or benefits, or as long as the recipient owns the property, whichever is longer.

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## ***Compliance Reviews***

Rural Development has State Civil Rights Coordinators (SCRC) and employees located across the country who systematically conduct civil rights compliance reviews. They work with applicants for Rural Development assistance to be sure their plans include compliance with nondiscrimination regulations and that they understand how these regulations must be implemented. They also conduct reviews to assure that recipients fully comply with nondiscrimination requirements.

Once the loan is closed, trained office staff make periodic visits to the facilities financed through Rural Development. They examine records, waiting lists, current memberships, service areas, and other records to be sure that the program is available to qualified persons and groups and that prohibited discrimination has not occurred. They also talk with community leaders and citizens in the area to be sure that they know the facility is federally funded and that everyone has been offered equal opportunity to participate.

If they find instances of noncompliance, they work with the borrower to correct all instances of noncompliance. If voluntary compliance cannot be achieved, the issues are referred to Rural Development's Civil Rights Staff.

## What Does Rural Development Do About Discrimination Complaints?

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All discrimination complaints require special handling. They must be sent to the U.S. Department of Agriculture's Office of Operations, Civil Rights. Rural Development then cooperates with the Department's Civil Rights staff in developing the information necessary to resolve the complaint. As a final resort, the Department can refer violations to the U.S. Department of Justice for enforcement.

## What Can You Do If You Feel You Have Been Discriminated Against?

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Individuals who believe that they are victims of the kinds of prohibited discrimination referred to in this pamphlet may file a complaint with any Rural Development office or U.S. Department of Agriculture's Office of Operations, or with the Secretary of Agriculture. Complaints should be submitted in writing and contain the following:

- Name, address, and telephone number of complainant.
- Name and address of the person who allegedly discriminated against them.
- Date and place of the discrimination.
- Description of the discrimination.
- Type of discrimination- age, race, religion, etc.
- Any other information that will assist in investigating and resolving the complaint.

A complaint must be filed no later than 180 days after the date of the alleged discrimination (**1** year if it concerns a housing loan). Complaints should be addressed to: Director, Operations, Civil Rights, U.S. Department of Agriculture, 14th and Independence, S.W., Washington, D.C. 20250