APPLICABLE FEDERAL LAWS, ACTS, REGULATIONS, ETC.

Following are summary explanations of applicable Federal Laws, Acts, Regulations, Executive Orders, etc. which are hereby incorporated by reference as though fully set out herein, and which are on file in the St. Clair County Intergovernmental Grants Department. The DELEGATE AGENCY, its agents, contractors, etc. shall have the right at all times during normal work hours to access said documents; and shall comply with all applicable provisions thereof.

1. CIVIL RIGHTS ACT
   A. A concise statement on non-discrimination in federally assisted programs is made in Section 601 of the Civil Rights Acts of 1964 and further expanded in Section 109 of the Housing and Community Development Act of 1974. No person in the United States shall, on the ground of race, color, sex, national origin, or religious preference, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity funded in whole or in part by this Title (receiving federal financial assistance).

   B. Specific Discriminatory Actions Prohibited

      1. A recipient may not, under any program or activity to which the regulation of this part may apply, directly or through contractual or other arrangements, on the ground of sex, race, color, national origin, religious preference, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and persons with special needs, sexual orientation, or gender identity:

         a. Deny any facilities, services, financial aid, or other benefits provided under the program or activity;

         b. Provide any facilities, services, financial aid, or other benefits which are different or are provided in a different form from that provided to others under the program or activity;

         c. Subject to segregated or separate treatment in any facility in, or in any manner of process related to receipt of any service or benefit under the program of activity;

         d. Restrict in any way, access to or enjoyment of, any advantage or privilege enjoyed by others in connection with facilities, services, financial or other benefits under the program or activity;

         e. Treat an individual differently from others in determining whether the individual satisfies any admission, enrollment, eligibility, membership or other requirement or condition which individuals must meet in order to be provided any facilities, services, or other benefit provided under the program or activity; and,

         f. Deny an opportunity to participate in a program or activity as an employee.

2. A recipient may not utilize criteria or methods of administration which have the effect of subjecting individuals to discrimination on the basis of sex, race, color, national origin, or religious preference or have the effect of defeating or substantially impairing accomplishment of the objectives of the program or activity with respect to individuals of a particular sex, race, color, national origin, religious preference, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and also persons with special needs, sexual orientation or gender identity.

3. A recipient, in determining the site or location of housing or facilities provided in whole or in part with community development funds under this part, may not make selections of such site or location which have the effect of excluding individuals from, denying the benefits of, or subjecting them to discrimination on the ground of sex, race, color, national origin, religious preference, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and also persons with special needs, sexual orientation or gender identity; or which have the purpose or effect of defeating or substantially impairing the accomplishment of the objectives of the Act and of this section.

4. A recipient in administering a program or activity funded in whole or in part with community development block grant funds should take affirmative action to overcome the effects of conditions which would otherwise result in limiting participation by persons of a particular sex, race, color, national origin, religious preference, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and also persons with special needs, sexual orientation or gender identity. Where previous discriminatory practice or preference, to exclude individuals from participation in, to deny them the benefits of, or to subject them to discrimination under any program or activity to which this part applies, the recipient has an obligation to take reasonable action to remove or overcome the consequences of the prior discriminatory practice or usage.

C. Title VIII of the Civil Rights Act of 1968 concerns one aspect of equal opportunity, fair housing. This Title's purposes are set forth in Section 901 of the Act (42 U.S.C. 3601). It is the policy of the United States to provide, within constitutional limitations, for fair housing throughout the United States.

   Section 808 (d) directs all executive departments and agencies to "administer their programs and activities relating to housing and urban development in a manner affirmatively to further the purposes of this title". This Title in particular makes illegal discriminatory practices occurring in the advertising and sale of real estate and encourages the enactment and enforcement of a fair and open housing law.

D. Other federal civil rights provisions also have a significant effect upon local use of assistance programs. Equal Employment Opportunity is not only covered by the Civil Rights Act of 1964 (coverage extended in 1972) to employees of states and their political subdivisions but is also the particular subject of Presidential Executive Order 11246 which directs the Secretary of Labor to assure that government contractors and subcontractors do not improperly discriminate against employees or applicants for

employment. The order requires contractors to take affirmative action to ensure that applicants are employed and that employees are treated during employment, without regard to their sex, race, color, national origin, religious preference, national origin, familial status (persons with children under 18 years of age, including pregnant women), disability, and also persons with special needs, sexual orientation or gender identity.

E. Section 3 of the Housing and Urban Development Act of 1968 also applies to requiring employment priority to lower income residents, and contractual priority to local businesses for work to be performed in the community.

2. FEDERAL LABOR STANDARDS PROVISIONS

Except for rehabilitation of residential units for less than eight (8) families, all construction projects over $2,000 financed in whole or in part with Community Development Block Grant (CDBG)/(HOME) funds must comply with the Davis-Bacon Act and the Contract Work Hour and Safety Standards Act. These laws require the payment of prevailing wage rates, govern the ratio of apprentices and trainees to journeymen, require the payment of overtime compensation, and the compliance with safety standards.

3. HATCH ACT

Neither the community development programs nor the funds provided therefore nor the personnel employed in the administration of the program shall be in any way or to any extent engaged in the conduct of political activities in contravention of Chapter 15 of Title 5, United States Code.

4. ARCHITECTURAL BARRIERS ACT

The Architectural Barriers of 1968 requires that the design of any facility (building, outdoor recreation or restroom facility) constructed with funds form this program comply with the "America Standard Specifications for Making Buildings and Facilities Accessible and Useable by the Physically Handicapped". (41 CFR 101-10.603)

5. NATIONAL FLOOD INSURANCE PROGRAM

No portion of the assistance provided under the Agreement with St. Clair County is approved for acquisition or construction purposes, as defined under Section 3(a) of the Flood Disaster Act of 1973, in an area identified by the Secretary of Housing and Urban Development as having special flood hazards which is located in a community not in compliance with the requirements for participation in the national flood insurance program pursuant to Section 301(d) of the Flood Disaster Act of 1973.

The use of any assistance provided under the Agreement with St. Clair County for acquisition/ construction/rehabilitation in such identified areas shall be subject to the mandatory purchase of flood insurance requirements Section 102(a) of the Act. In the event land located in an area identified by the Secretary of Housing and Urban Development as having special flood hazards and in which the sale of flood insurance has been made available under the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 40, the Owner shall, during the ownership of such land, purchase flood insurance as required with respect to financial assistance for acquisition/ construction/rehabilitation purposes under Section 102(a) of the Flood Disaster Protection Act of 1973. Such provisions shall be required not withstanding the fact that the construction/rehabilitation on such land is not itself funded with assistance provided by the department and the County under the agreement.