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## Civil Rights Title VI/Nondiscrimination Background and Purpose

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*The historical context of the Title VI of the Civil Rights Act of 1964 is explained to help comply with Federal-aid program requirements*



Most of us know about the Civil Rights Act of 1964 that sets the foundation for nondiscrimination. The Civil Rights Act provides protections to people in many facets of life in America. Title VI of the Civil Rights Act covers nondiscrimination in the program's services and activities you provide as an LPA that are funded with Federal dollars. It is important that you understand the protections that Title VI provides and what your responsibilities as a recipient agency are to ensure compliance with its requirements.

One of the cornerstones of the American democratic experience is the pursuit of equality or nondiscrimination.

The Declaration of Independence signed in 1776 espoused the principle of equality, which has come to represent for many people all over the world a moral standard that United States should strive for, protect, preserve and defend. In the United States, it has taken many Federal legislations, executive orders and other mandates, as well as Supreme Court decisions, to ensure that this principle is applied equally to all people in the United States.



In the 1960s, achieving legal equality for all was the main goal of the Kennedy-Johnson Administration. However, from the Lincoln Administration up to the Eisenhower Administration, executive proclamations were brought forward to ensure that public funds were evenly distributed to all, and not used to sponsor [racial] discrimination. These proclamations included prohibitions against racial discrimination in the armed forces, employment by contractors in federally funded construction projects, education, and federally assisted housing. Despite these remedial efforts, racial discrimination continued to be widely subsidized by Federal funds.

Largely due in part to the vigorous and vigilant demands for comprehensive protection of civil rights in the 1960s, President Kennedy saw the time as opportune to present a legislative proposal aimed at providing legal equality for all in the United States. He sought to create a legislative precedence by proposing the Civil Rights Act of 1963, which became the Civil Rights Act of 1964 upon passage, to make discrimination, in its numerous manifestations, an unlawful act in the United States. In his speech to the American public on June 11, 1963, President Kennedy said:

*“Now the time has come for this nation to fulfill its promise. The events in Birmingham and elsewhere have so increased the cries for equality that no city or state or legislative body can prudently choose to ignore them.”*

With the untimely death of President Kennedy in November of 1963, Vice President and later President Lyndon B. Johnson picked up President Kennedy’s civil rights mantle and worked diligently to make it a legislative reality. After about a year of debate, the landmark civil rights bill was passed in the Senate and signed into law on July 2, 1964, by President Johnson as the most comprehensive piece of civil rights legislation.



The 11 titles included in the Civil Rights Act of 1964 can therefore be regarded as a nationwide offensive by the U.S. government against discrimination. Title VI of the Civil Rights Act of 1964 prohibits discrimination in federally assisted programs and activities.

Title VI of the Civil Rights Act, as originally enacted, prohibits discrimination on the basis of race, color or national origin in any program or activity receiving Federal financial assistance.

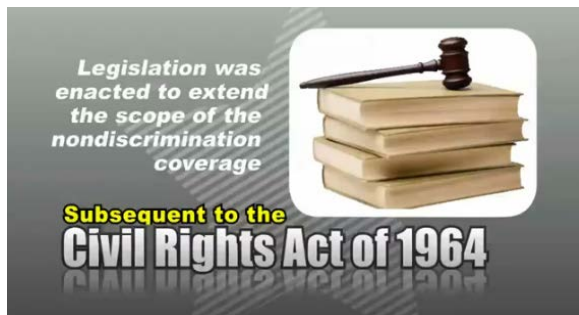
President Kennedy justified Title VI as follows:

*“Simple justice requires that public funds, to which all taxpayers of all races contribute, not be spent in any fashion which encourages, entrenches, subsidizes, or results in racial discrimination. Direct discrimination by Federal, State, or local governments is prohibited by the Constitution. But indirect discrimination, through the use of Federal funds, is just as invidious; and it should not be necessary to resort to the courts to prevent each individual violation.”*

In the same light, Senator John Pastore added:

*“Title VI is sound; it is morally right; it is legally right; it is constitutionally right. It will guarantee that the money collected by colorblind tax collectors will be distributed by Federal and State administrators who are equally colorblind. The title has a simple purpose – to eliminate discrimination in federally financed programs.”*

In effect, Title VI is about the equitable distribution and use of Federal funds – public funds for public benefit.



Subsequent to 1964, other legislation had been enacted to extend the scope of the nondiscrimination coverage of Title VI to include discrimination on the basis of sex, age, or disability.

You are required by Title VI and related statutes that you do not discriminate in your programs, services and activities as a condition for receiving the Federal assistance. If it is found that Federal funds are involved in any form of discrimination in your LPA programs, you risk jeopardizing all Federal funds.

### Additional Resources

- FHWA regulations on implementing Title VI of the Civil Rights Act  
[http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title23/23cfr200\\_main\\_02.tpl](http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title23/23cfr200_main_02.tpl)
- U.S. DOT regulations on implementing Title VI of the Civil Rights Act  
[http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr21\\_main\\_02.tpl](http://www.ecfr.gov/cgi/t/text/text-idx?c=ecfr&tpl=/ecfrbrowse/Title49/49cfr21_main_02.tpl)
- Link to FHWA's Office of Civil Rights Web site with important program and background information  
<http://www.fhwa.dot.gov/civilrights/>
- FHWA guidance on Title VI program implementation and non-discrimination  
<http://www.fhwa.dot.gov/civilrights/program/tvi/htm>
- U.S. Department of Justice guidance on implementation of Title VI  
<http://www.justice.gov/crt/about/coord/vimanual.pdf>

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This companion resource is the script content for the video production of the same name.