



CITE 42 USC Sec. 2000d 01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE  
CHAPTER 21 - CIVIL RIGHTS  
SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d. Prohibition against exclusion from participation in, denial of benefits of, and discrimination under federally assisted programs on ground of race, color, or national origin  
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.

SOURCE (Pub. L. 88-352, title VI, Sec. 601, July 2, 1964, 78 Stat. 252.)

NOTES COORDINATION OF IMPLEMENTATION AND ENFORCEMENT OF PROVISIONS  
For provisions relating to the coordination of implementation and enforcement of the provisions of this subchapter by the Attorney General, see section 1-201 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, set out as a note under section 2000d-1 of this title.

SECREP SECTION REFERRED TO IN OTHER SECTIONS  
This section is referred to in section 2000d-1 of this title; title 39 section 410.

CITE 42 USC Sec. 2000d-1 01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE  
CHAPTER 21 - CIVIL RIGHTS  
SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d-1. Federal authority and financial assistance to programs or activities by way of grant, loan, or contract other than contract of insurance or guaranty; rules and regulations; approval by President; compliance with requirements; reports to Congressional committees; effective date of administrative action

Each Federal department and agency which is empowered to extend Federal financial assistance to any program or activity, by way of grant, loan, or contract other than a contract of insurance or guaranty, is authorized and directed to effectuate the provisions of section 2000d of this title with respect to such program or activity by issuing rules, regulations, or orders of general applicability which shall be consistent with achievement of the objectives of the statute authorizing the financial assistance in connection with which the action is taken. No such rule, regulation, or order shall become effective unless and until approved by the President. Compliance with any requirement adopted pursuant to this section may be effected (1) by the termination of

or refusal to grant or to continue assistance under such program or activity to any recipient as to whom there has been an express finding on the record, after opportunity for hearing, of a failure to comply with such requirement, but such termination or refusal shall be limited to the particular political entity, or part thereof, or other recipient as to whom such a finding has been made and, shall be limited in its effect to the particular program, or part thereof, in which such noncompliance has been so found, or (2) by any other means authorized by law: Provided, however, That no such action shall be taken until the department or agency concerned has advised the appropriate person or persons of the failure to comply with the requirement and has determined that compliance cannot be secured by voluntary means. In the case of any action terminating, or refusing to grant or continue, assistance because of failure to comply with a requirement imposed pursuant to this section, the head of the Federal department or agency shall file with the committees of the House and Senate having legislative jurisdiction over the program or activity involved a full written report of the circumstances and the grounds for such action. No such action shall become effective until thirty days have elapsed after the filing of such report.

SOURCE  
NOTES

(Pub. L. 88-352, title VI, Sec. 602, July 2, 1964, 78 Stat. 252.)

#### DELEGATION OF FUNCTIONS

Function of the President relating to approval of rules, regulations, and orders of general applicability under this section, delegated to the Attorney General, see section 1-101 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, set out below.

#### EQUAL OPPORTUNITY IN FEDERAL EMPLOYMENT

Nondiscrimination in government employment and in employment by government contractors and subcontractors, see Ex. Ord. No. 11246, eff. Sept. 24, 1965, 30 F.R. 12319, and Ex. Ord. No. 11478, eff. Aug. 8, 1969, 34 F.R. 12985, set out as notes under section 2000e of this title.

#### EXECUTIVE ORDER NO. 11247

Ex. Ord. No. 11247, eff. Sept. 24, 1965, 30 F.R. 12327, which related to enforcement of coordination of nondiscrimination in federally assisted programs, was superseded by Ex. Ord. No. 11764, eff. Jan. 21, 1974, 39 F.R. 2575, formerly set out below.

#### EXECUTIVE ORDER NO. 11764

Ex. Ord. No. 11764, Jan. 21, 1974, 39 F.R. 2575, which related to coordination of enforcement of provisions of this subchapter, was revoked by section 1-501 of Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72996, set out below.

EX. ORD. NO. 12250. LEADERSHIP AND COORDINATION OF IMPLEMENTATION  
AND ENFORCEMENT OF NONDISCRIMINATION LAWS

Ex. Ord. No. 12250, Nov. 2, 1980, 45 F.R. 72995, provided:

By the authority vested in me as President by the Constitution and statutes of the United States of America, including section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1), Section 902 of the Education Amendments of 1972 (20 U.S.C. 1682), and Section 301 of Title 3 of the United States Code, and in order to provide, under the leadership of the Attorney General, for the consistent and effective implementation of various laws prohibiting discriminatory practices in Federal programs and programs receiving Federal financial assistance, it is hereby ordered as follows:

1-1. DELEGATION OF FUNCTION

1-101. The function vested in the President by Section 602 of the Civil Rights Act of 1964 (42 U.S.C. 2000d-1), relating to the approval of rules, regulations, and orders of general applicability, is hereby delegated to the Attorney General.

1-102. The function vested in the President by Section 902 of the Education Amendments of 1972 (20 U.S.C. 1682), relating to the approval of rules, regulations, and orders of general applicability, is hereby delegated to the Attorney General.

1-2. COORDINATION OF NONDISCRIMINATION PROVISIONS

1-201. The Attorney General shall coordinate the implementation and enforcement by Executive agencies of various nondiscrimination provisions of the following laws:

(a) Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(b) Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.).

(c) Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794).

(d) Any other provision of Federal statutory law which provides, in whole or in part, that no person in the United States shall, on the ground of race, color, national origin, handicap, religion, or sex, be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program or activity receiving Federal financial assistance.

1-202. In furtherance of the Attorney General's responsibility for the coordination of the implementation and enforcement of the nondiscrimination provisions of laws covered by this Order, the Attorney General shall review the existing and proposed rules, regulations, and orders of general applicability of the Executive agencies in order to identify those which are inadequate, unclear

or unnecessarily inconsistent.

1-203. The Attorney General shall develop standards and procedures for taking enforcement actions and for conducting investigations and compliance reviews.

1-204. The Attorney General shall issue guidelines for establishing reasonable time limits on efforts to secure voluntary compliance, on the initiation of sanctions, and for referral to the Department of Justice for enforcement where there is noncompliance.

1-205. The Attorney General shall establish and implement a schedule for the review of the agencies' regulations which implement the various nondiscrimination laws covered by this Order.

1-206. The Attorney General shall establish guidelines and standards for the development of consistent and effective recordkeeping and reporting requirements by Executive agencies; for the sharing and exchange by agencies of compliance records, findings, and supporting documentation; for the development of comprehensive employee training programs; for the development of effective information programs; and for the development of cooperative programs with State and local agencies, including sharing of information, deferring of enforcement activities, and providing technical assistance.

1-207. The Attorney General shall initiate cooperative programs between and among agencies, including the development of sample memoranda of understanding, designed to improve the coordination of the laws covered by this Order.

### 1-3. IMPLEMENTATION BY THE ATTORNEY GENERAL

1-301. In consultation with the affected agencies, the Attorney General shall promptly prepare a plan for the implementation of this Order. This plan shall be submitted to the Director of the Office of Management and Budget.

1-302. The Attorney General shall periodically evaluate the implementation of the nondiscrimination provisions of the laws covered by this Order, and advise the heads of the agencies concerned on the results of such evaluations as to recommendations for needed improvement in implementation or enforcement.

1-303. The Attorney General shall carry out his functions under this Order, including the issuance of such regulations as he deems necessary, in consultation with affected agencies.

1-304. The Attorney General shall annually report to the President through the Director of the Office of Management and Budget on the progress in achieving the purposes of this Order. This report shall include any recommendations for changes in the implementation or enforcement of the nondiscrimination provisions

of the laws covered by this Order.

1-305. The Attorney General shall chair the Interagency Coordinating Council established by Section 507 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794c).

#### 1-4. AGENCY IMPLEMENTATION

1-401. Each Executive agency shall cooperate with the Attorney General in the performance of the Attorney General's functions under this Order and shall, unless prohibited by law, furnish such reports and information as the Attorney General may request.

1-402. Each Executive agency responsible for implementing a nondiscrimination provision of a law covered by this Order shall issue appropriate implementing directives (whether in the nature of regulations or policy guidance). To the extent permitted by law, they shall be consistent with the requirements prescribed by the Attorney General pursuant to this Order and shall be subject to the approval of the Attorney General, who may require that some or all of them be submitted for approval before taking effect.

1-403. Within 60 days after a date set by the Attorney General, Executive agencies shall submit to the Attorney General their plans for implementing their responsibilities under this Order.

#### 1-5. GENERAL PROVISIONS

1-501. Executive Order No. 11764 is revoked. The present regulations of the Attorney General relating to the coordination of enforcement of Title VI of the Civil Rights Act of 1964 (this subchapter) shall continue in effect until revoked or modified (28 CFR 42.401 to 42.415).

1-502. Executive Order No. 11914 is revoked. The present regulations of the Secretary of Health and Human Services relating to the coordination of the implementation of Section 504 of the Rehabilitation Act of 1973, as amended (29 U.S.C. 794), shall be deemed to have been issued by the Attorney General pursuant to this Order and shall continue in effect until revoked or modified by the Attorney General.

1-503. Nothing in this Order shall vest the Attorney General with the authority to coordinate the implementation and enforcement by Executive agencies of statutory provisions relating to equal employment.

1-504. Existing agency regulations implementing the nondiscrimination provisions of laws covered by this Order shall continue in effect until revoked or modified. Jimmy Carter.

SECRET

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in sections 2000d-2, 2000d-5, 9821, 9849, 10406 of this title; title 39 section 410.

CITE 42 USC Sec. 2000d-2 01/06/97  
EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE  
CHAPTER 21 - CIVIL RIGHTS  
SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS  
TEXT Sec. 2000d-2. Judicial review; administrative procedure provisions  
Any department or agency action taken pursuant to section 2000d-1 of this title shall be subject to such judicial review as may otherwise be provided by law for similar action taken by such department or agency on other grounds. In the case of action, not otherwise subject to judicial review, terminating or refusing to grant or to continue financial assistance upon a finding of failure to comply with any requirement imposed pursuant to section 2000d-1 of this title, any person aggrieved (including any State or political subdivision thereof and any agency of either) may obtain judicial review of such action in accordance with chapter 7 of title 5, and such action shall not be deemed committed to unreviewable agency discretion within the meaning of that chapter.  
SOURCE (Pub. L. 88-352, title VI, Sec. 603, July 2, 1964, 78 Stat. 253.)  
NOTES CODIFICATION  
'Chapter 7 of title 5' and 'that chapter' substituted in text for 'section 10 of the Administrative Procedure Act' and 'that section', respectively, on authority of Pub. L. 89-554, Sec. 7(b), Sept. 6, 1966, 80 Stat. 631, the first section of which enacted Title 5, Government Organization and Employees. Prior to the enactment of Title 5, section 10 of the Administrative Procedure Act was classified to section 1009 of Title 5.  
SECRET SECTION REFERRED TO IN OTHER SECTIONS  
This section is referred to in sections 2930c, 2971c, 2985g, 9821, 9849, 10406 of this title; title 39 section 410.  
CITE 42 USC Sec. 2000d-3 01/06/97  
EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE  
CHAPTER 21 - CIVIL RIGHTS  
SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS  
TEXT Sec. 2000d-3. Construction of provisions not to authorize administrative action with respect to employment practices except where primary objective of Federal financial assistance is to provide employment  
Nothing contained in this subchapter shall be construed to authorize action under this subchapter by any department or agency with respect to any employment practice of any employer, employment agency, or labor organization except where a primary objective of

the Federal financial assistance is to provide employment.

SOURCE (Pub. L. 88-352, title VI, Sec. 604, July 2, 1964, 78 Stat. 253.)

SECREf SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 410.

CITE 42 USC Sec. 2000d-4 01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d-4. Federal authority and financial assistance to  
programs or activities by way of contract of insurance or  
guaranty

Nothing in this subchapter shall add to or detract from any  
existing authority with respect to any program or activity under  
which Federal financial assistance is extended by way of a contract  
of insurance or guaranty.

SOURCE (Pub. L. 88-352, title VI, Sec. 605, July 2, 1964, 78 Stat. 253.)

SECREf SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in title 39 section 410.

CITE 42 USC Sec. 2000d-4a 01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d-4a. 'Program or activity' and 'program' defined

For the purposes of this subchapter, the term 'program or  
activity' and the term 'program' mean all of the operations of -

(1)(A) a department, agency, special purpose district, or other  
instrumentality of a State or of a local government; or

(B) the entity of such State or local government that  
distributes such assistance and each such department or agency  
(and each other State or local government entity) to which the  
assistance is extended, in the case of assistance to a State or  
local government;

(2)(A) a college, university, or other postsecondary  
institution, or a public system of higher education; or

(B) a local educational agency (as defined in section 8801 of  
title 20), system of vocational education, or other school  
system;

(3)(A) an entire corporation, partnership, or other private  
organization, or an entire sole proprietorship -

(i) if assistance is extended to such corporation,  
partnership, private organization, or sole proprietorship as a

whole; or

(ii) which is principally engaged in the business of providing education, health care, housing, social services, or parks and recreation; or

(B) the entire plant or other comparable, geographically separate facility to which Federal financial assistance is extended, in the case of any other corporation, partnership, private organization, or sole proprietorship; or

(4) any other entity which is established by two or more of the entities described in paragraph (1), (2), or (3);

any part of which is extended Federal financial assistance.

SOURCE (Pub. L. 88-352, title VI, Sec. 606, as added Pub. L. 100-259, Sec. 6, Mar. 22, 1988, 102 Stat. 31; amended Pub. L. 103-382, title III, Sec. 391(q), Oct. 20, 1994, 108 Stat. 4024.)

NOTES

#### AMENDMENTS

1994 - Par. (2)(B). Pub. L. 103-382 substituted ''section 8801 of title 20'' for ''section 198(a)(10) of the Elementary and Secondary Education Act of 1965''.

#### EXCLUSION FROM COVERAGE

This section not to be construed to extend application of Civil Rights Act of 1964 (42 U.S.C. 2000a et seq.) to ultimate beneficiaries of Federal financial assistance excluded from coverage before Mar. 22, 1988, see section 7 of Pub. L. 100-259, set out as a Construction note under section 1687 of Title 20, Education.

#### ABORTION NEUTRALITY

This section not to be construed to force or require any individual or hospital or any other institution, program, or activity receiving Federal funds to perform or pay for an abortion, see section 8 of Pub. L. 100-259, set out as a note under section 1688 of Title 20, Education.

CITE 42 USC Sec. 2000d-5

01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT

Sec. 2000d-5. Prohibited deferral of action on applications by local educational agencies seeking Federal funds for alleged noncompliance with Civil Rights Act

The Secretary of Education shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.), by the

Act of September 30, 1950 (FOOTNOTE 1) (Public Law 874, Eighty-first Congress), or by the Cooperative Research Act (20 U.S.C. 331 et seq.), on the basis of alleged noncompliance with the provisions of this subchapter for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 2000d-1 of this title, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Secretary, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of this subchapter: Provided, That, for the purpose of determining whether a local educational agency is in compliance with this subchapter, compliance by such agency with a final order or judgment of a Federal court for the desegregation of the school or school system operated by such agency shall be deemed to be compliance with this subchapter, insofar as the matters covered in the order or judgment are concerned.

(FOOTNOTE 1) See References in Text note below.

SOURCE

(Pub. L. 89-750, title I, Sec. 182, Nov. 3, 1966, 80 Stat. 1209; Pub. L. 90-247, title I, Sec. 112, Jan. 2, 1968, 81 Stat. 787; Pub. L. 96-88, title III, Sec. 301(a)(1), title V, Sec. 507, Oct. 17, 1979, 93 Stat. 677, 692; Pub. L. 103-382, title III, Sec. 392(b)(1), Oct. 20, 1994, 108 Stat. 4026.)

NOTES

REFERENCES IN TEXT

This Act, referred to in text, is Pub. L. 89-750, Nov. 3, 1966, 80 Stat. 1191, as amended, known as the Elementary and Secondary Education Amendments of 1966. For complete classification of that Act to the Code, see Short Title of 1966 Amendment note set out under section 6301 of Title 20, Education, and Tables.

The Elementary and Secondary Education Act of 1965, referred to in text, is Pub. L. 89-10, Apr. 11, 1965, 79 Stat. 27, as amended generally by Pub. L. 103-382, title I, Sec. 101, Oct. 20, 1994, 108 Stat. 3519, which is classified generally to chapter 70 (Sec. 6301 et seq.) of Title 20. For complete classification of this Act to the Code, see Short Title note set out under section 6301 of Title 20 and Tables.

Act of September 30, 1950, referred to in text, is act Sept. 30, 1950, ch. 1124, 64 Stat. 1100, as amended, popularly known as the Educational Agencies Financial Aid Act, which was classified generally to chapter 13 (Sec. 236 et seq.) of Title 20 prior to

repeal by Pub. L. 103-382, title III, Sec. 331(b), Oct. 20, 1994, 108 Stat. 3965. For complete classification of this Act to the Code, see Tables.

The Cooperative Research Act, referred to in text, is act July 26, 1954, ch. 576, 68 Stat. 533, which was classified generally to chapter 15 (Sec. 331 et seq.) of Title 20, and terminated on July 1, 1975, under provisions of section 402(c)(1) of Pub. L. 93-380, title IV, Aug. 21, 1974, 88 Stat. 544. See section 1851 et seq. of this title. For complete classification of this Act to the Code, see Tables.

#### CODIFICATION

Section was enacted as part of the Elementary and Secondary Education Amendments of 1966, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.

#### AMENDMENTS

1994 - Pub. L. 103-382, which directed amendment of this section by striking out ''by the Act of September 23, 1950 (Public Law 815, 81st Congress),'', was executed by striking out ''by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress)'' before ''or by the Cooperative'' to reflect the probable intent of Congress.

1968 - Pub. L. 90-247 inserted proviso.

#### EFFECTIVE DATE

Section 191 of Pub. L. 89-750 provided that: ''The provisions of this title (enacting this section and sections 241m, 871 to 880, and 886 of Title 20, Education, amending sections 241b, 241c, 241e, 241f, 241g, 241h, 241j, 241k, 241l, 244, 331a, 332a, 332b, 821, 822, 823, 841, 842, 843, 844, 861, 862, 863, 864, 883, and 884 of Title 20, repealing section 241d of Title 20, and enacting provisions set out as notes under sections 241a, 241b, and 241c of Title 20) shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.''

#### TRANSFER OF FUNCTIONS

''Secretary of Education'' and ''Secretary'' substituted in text for ''Commissioner of Education'' and ''Commissioner'', respectively, pursuant to sections 301(a)(1) and 507 of Pub. L. 96-88, which are classified to sections 3441(a)(1) and 3507 of Title 20, Education, and which transferred all functions of Commissioner of Education of Department of Health, Education, and Welfare to Secretary of Education.

SECRET

#### SECTION REFERRED TO IN OTHER SECTIONS

This section is referred to in section 2000d-6 of this title.

CITE 42 USC Sec. 2000d-6

01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d-6. Policy of United States as to application of  
nondiscrimination provisions in schools of local educational  
agencies

(a) Declaration of uniform policy

It is the policy of the United States that guidelines and criteria established pursuant to title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.) and section 182 of the Elementary and Secondary Education Amendments of 1966 (42 U.S.C. 2000d-5) dealing with conditions of segregation by race, whether de jure or de facto, in the schools of the local educational agencies of any State shall be applied uniformly in all regions of the United States whatever the origin or cause of such segregation.

(b) Nature of uniformity

Such uniformity refers to one policy applied uniformly to de jure segregation wherever found and such other policy as may be provided pursuant to law applied uniformly to de facto segregation wherever found.

(c) Prohibition of construction for diminution of obligation for enforcement or compliance with nondiscrimination requirements

Nothing in this section shall be construed to diminish the obligation of responsible officials to enforce or comply with such guidelines and criteria in order to eliminate discrimination in federally assisted programs and activities as required by title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.).

(d) Additional funds

It is the sense of the Congress that the Department of Justice and the Secretary of Education should request such additional funds as may be necessary to apply the policy set forth in this section throughout the United States.

SOURCE (Pub. L. 91-230, Sec. 2, Apr. 13, 1970, 84 Stat. 121; Pub. L. 96-88, title III, Sec. 301, title V, Sec. 507, Oct. 17, 1979, 93 Stat. 677, 692.)

NOTES

#### REFERENCES IN TEXT

The Civil Rights Act of 1964, referred to in subsecs. (a) and (c), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to this subchapter (Sec. 2000d et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

CODIFICATION

Section was enacted as part of the Elementary and Secondary Education Amendments of 1969, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.

TRANSFER OF FUNCTIONS

'Secretary of Education' substituted for 'Department of Health, Education, and Welfare' in subsec. (d) pursuant to sections 301 and 507 of Pub. L. 96-88, which are classified to sections 3441 and 3507 of Title 20, Education, and which transferred functions and offices (relating to education) of Department and Secretary of Health, Education, and Welfare to Secretary of Education.

CITE 42 USC Sec. 2000d-7 01/06/97

EXPCITE TITLE 42 - THE PUBLIC HEALTH AND WELFARE

CHAPTER 21 - CIVIL RIGHTS

SUBCHAPTER V - FEDERALLY ASSISTED PROGRAMS

TEXT Sec. 2000d-7. Civil rights remedies equalization

(a) General provision

(1) A State shall not be immune under the Eleventh Amendment of the Constitution of the United States from suit in Federal court for a violation of section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794), title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.), the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.), title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d et seq.), 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 a violation in the suit against any public or private entity other than a State.

(b) Effective date

The provisions of subsection (a) of this section shall take effect with respect to violations that occur in whole or in part after October 21, 1986.

SOURCE (Pub. L. 99-506, title X, Sec. 1003, Oct. 21, 1986, 100 Stat. 1845.)

NOTES

REFERENCES IN TEXT

The Education Amendments of 1972, referred to in subsec. (a)(1), is Pub. L. 92-318, June 23, 1972, 86 Stat. 235, as amended. Title IX of the Education Amendments of 1972 is classified principally to

chapter 38 (Sec. 1681 et seq.) of Title 20, Education. For complete classification of this Act to the Code, see Short Title of 1972 Amendment note set out under section 1001 of Title 20 and Tables.

The Age Discrimination Act of 1975, referred to in subsec. (a)(1), is title III of Pub. L. 94-135, Nov. 28, 1975, 89 Stat. 728, as amended, which is classified generally to chapter 76 (Sec. 6101 et seq.) of this title. For complete classification of this Act to the Code, see Short Title note set out under section 6101 of this title and Tables.

The Civil Rights Act of 1964, referred to in subsec. (a)(1), is Pub. L. 88-352, July 2, 1964, 78 Stat. 241, as amended. Title VI of the Civil Rights Act of 1964 is classified generally to this subchapter (Sec. 2000d et seq.). For complete classification of this Act to the Code, see Short Title note set out under section 2000a of this title and Tables.

#### CODIFICATION

Section was enacted as part of the Rehabilitation Act Amendments of 1986, and not as part of the Civil Rights Act of 1964, title VI of which comprises this subchapter.