

§ 1900.155 Designating the processing/servicing official.

(a) *Designating an official with equivalent authority.* The State Director (or Administrator, under § 1900.253(e) of this subpart or this paragraph) designates a nonrelated or nonassociated FmHA or its successor agency under Public Law 103-354 official authorized to conduct the activity under program regulations, established delegation of authority and approval authority under subpart A of part 1901 of this chapter, and whose duty station is most convenient to the recipient and to the security property. A type and/or amount of assistance processed or serviced by a County Supervisor or at a County Office should be assigned only to another County Supervisor or County Office. A type and/or amount of assistance processed or serviced by a District Director or at a District Office should be assigned only to another District Director or District Office.

(b) *County Committee.* For processing or servicing decisions to be made by a County Committee, if the recipient is a member, a different County Committee is designated. If the recipient is related to or associated with the member, notwithstanding the provisions of § 1900.151(a)(3) of this subpart, the State Director *may* permit the decision to be made by the local committee, if the related/associated member abstains.

(c) [Reserved]

§ 1900.156 Special handling—processing.

(a) [Reserved]

(b) *Eligibility determination.* The designated processing official reviews the application and develops additional data as necessary. Upon determination of whether the assistance will be provided, the designated processing official notifies the applicant of the decision in writing under program regulations, subpart A of part 1910 of this chapter, and subpart B of part 1900. If the determination is favorable, unless otherwise designated, the complete application is returned to the original processing official for docket preparation. If the determination is unfavorable, the designated processing official as decisionmaker participates in the appeal process to its conclusion.

(c)-(e) [Reserved]

(f) *Closing agent.* Unless there is a clear or apparent conflict of interest, closing will be at a location and by a closing agent chosen by the recipient.

(g) *Supervised bank account.* Unless there is a clear or apparent conflict of interest, any supervised bank account (or construction account) is established at a financial institution chosen by the recipient under subpart A of part 1902 of this chapter. Countersignature authority is delegated only to a non-related or nonassociated FmHA or its successor agency under Public Law 103-354 official.

(h) *Construction inspection.* Construction inspections are delegated to a non-related or nonassociated employee authorized to conduct inspections, whose duty station is nearest the construction site. The designated processing/servicing official notifies the builder (or architect/engineer) in writing of how and from whom to request inspections.

§§ 1900.157-1900.200 [Reserved]**PART 1901—PROGRAM-RELATED INSTRUCTIONS****Subparts A-D [Reserved]****Subpart E—Civil Rights Compliance Requirements**

Sec.

1901.201 Purpose.

1901.202 Nondiscrimination in FmHA or its successor agency under Public Law 103-354 programs.

1901.203 Title VIII of the Civil Rights Act of 1968.

1901.204 Compliance reviews.

1901.205 Nondiscrimination in construction financed with FmHA or its successor agency under Public Law 103-354 loan or grant.

EXHIBIT A TO SUBPART E—CIVIL RIGHTS COMPLIANCE REVIEWS

EXHIBIT B TO SUBPART E—SUMMARY REPORT OF CIVIL RIGHTS COMPLIANCE REVIEWS

EXHIBIT C TO SUBPART E—FMHA OR ITS SUCCESSOR AGENCY UNDER PUBLIC LAW 103-354 FINANCED CONTRACT

EXHIBIT D TO SUBPART E—GOALS AND TIMETABLES FOR MINORITIES AND WOMEN

EXHIBIT E TO SUBPART E—LIST OF REGIONAL OFFICES, OFFICE OF FEDERAL CONTRACT COMPLIANCE PROGRAMS (OFCCP), U.S. DEPARTMENT OF LABOR (USDOL)

§ 1901.201

7 CFR Ch. XVIII (1-1-05 Edition)

Subpart F—Procedures for the Protection of Historical and Archeological Properties

Subpart E—Civil Rights Compliance Requirements

- 1901.251 Purpose.
- 1901.252 Policy.
- 1901.253 Definitions.
- 1901.254 Scope.
- 1901.255 Historical and archeological assessments.
- 1901.256-1901.258 [Reserved]
- 1901.259 Actions to be taken when archeological properties are discovered during construction.
- 1901.260 Coordination with other agencies.
- 1901.261 [Reserved]
- 1901.262 State supplement.

AUTHORITY: 5 U.S.C. 301; 7 U.S.C. 1989; 40 U.S.C. 442; 42 U.S.C. 1480, 2942.

§ 1901.201 Purpose.

This subpart contains policies and procedures for implementing the regulations of the Department of Agriculture issued pursuant to Title VI of the Civil Rights Act of 1964, title VIII of the Civil Rights Act of 1968, Executive Order 11246 and the Equal Credit Opportunity Act of 1974, as they relate to the Farmers Home Administration (FmHA) or its successor agency under Public Law 103-354. Nothing herein shall be interpreted to prohibit preference to American Indians on Indian Reservations.

[41 FR 40112, Sept. 17, 1976]

EXHIBIT A TO SUBPART F—NATIONAL PARK SERVICE, U.S. DEPARTMENT OF THE INTERIOR REGIONAL OFFICES

Subparts G–J [Reserved]

Subpart K—Certificates of Beneficial Ownership and Insured Notes

§ 1901.202 Nondiscrimination in FmHA or its successor agency under Public Law 103-354 programs.

- 1901.501 Purpose.
- 1901.502 Policy.
- 1901.503 Definitions.
- 1901.504 Authorities and responsibilities.
- 1901.505 Certificates of beneficial ownership in FmHA or its successor agency under Public Law 103-354 loans.
- 1901.506 Book-entry procedure for FmHA or its successor agency under Public Law 103-354 securities—issuance and redemption of certificate by Reserve bank.
- 1901.507 Certificates of beneficial ownership issued by the FmHA or its successor agency under Public Law 103-354 Finance Office.
- 1901.508 Servicing of insured notes outstanding with investors.
- 1901.509 Loss, theft, destruction, mutilation, or defacement of insured notes, insurance contracts, and certificates of beneficial ownership.

(a) *Nondiscrimination by recipients of FmHA or its successor agency under Public Law 103-354 assistance.* (1) No recipient of FmHA or its successor agency under Public Law 103-354 financial assistance will directly or through contractual or other arrangements subject any person or cause any person to be subjected to discrimination on the ground of race, color, or national origin, with respect to any program or facility. This prohibition applies but is not restricted to unequal treatment in priority, quality, quantity, methods, or charges for service, use, occupancy or benefit, participation in the service or benefit available, or in the use, occupancy or benefit of any structure, facility, or improvement provided with FmHA or its successor agency under Public Law 103-354 financial assistance.

Subparts L–M [Reserved]

Subpart N—Indian Outreach Program

- 1901.651 Purpose.
- 1901.652 Goals.
- 1901.653 Field action.
- 1901.654 FmHA or its successor agency under Public Law 103-354 publications.
- 1901.655 Reports.

(2) Specifically, and without limiting the general applicability of this subpart, such recipient will not on the grounds of race, color, or national origin:

AUTHORITY: 5 U.S.C. 301; 7 U.S.C. 1989; 42 U.S.C. 1480.

(i) Deny any person the use, occupancy, or enjoyment of the whole or any part of real or personal property or service, financial aid, or other benefit under any program or facility.

Subparts A–D [Reserved]