
CHAPTER 4. HOW TO PROVIDE TECHNICAL ASSISTANCE

4-1. OVERVIEW.

a. Why technical assistance is important.

- (1) Technical assistance is the primary means of fostering the State's awareness and understanding of civil rights requirements in the CDBG program. In carrying out this function, FHEO staff communicate an understanding of laws and regulations and promote cooperation and exchange of knowledge with State staffs.
- (2) Without technical assistance from FHEO staff, the unique characteristics of civil rights laws may result in wrong interpretations and application of civil rights requirements by the State. States have broad discretion in developing their own procedures and standards for implementing civil rights laws where there are no applicable Federal regulations.
- (3) Technical assistance should assist the State in its efforts to:
 - (a) achieve CDBG program objectives;
 - (b) increase its capacity to understand and administer civil rights and equal opportunity aspects of the CDBG program in an efficient and effective manner;
 - (c) meets its statutory requirements and certifications;
and
 - (d) resolve any problems or issues identified as a result of a HUD review.

b. Communicating with States.

- (1) HUD staff meets annually with States to negotiate a plan and schedule for carrying out HUD's assistance responsibilities. CPD has the lead responsibility for the negotiations; however, as part of the negotiation process, FHEO and CPD staffs should discuss:

- (4-1.)
 - (a) areas where technical assistance is needed;
 - (b) methods and dates for giving such assistance to States; and
 - (c) methods for evaluating the assistance provided.
- (2) In most instances, HUD will not interact directly with recipients where funded activities are actually carried out and benefits and services are provided. Technical assistance by HUD staff is directed at the State level. The State, in turn, provides direct guidance to the recipients on civil rights requirements.

4-2. AREAS FOR ASSISTANCE.

The purpose of FHEO technical assistance is to convey an understanding that civil rights requirements touch upon every aspects of the program. This Section enumerates specific areas where guidance may be provided regarding implementation of civil rights laws. However, technical assistance need not be limited to these areas. Appendices 5 through 9 include illustrations of the areas listed in items a through e below.

- a. Explanation of applicable civil rights and equal opportunity requirements. The following information should be provided (see Appendix 5):
 - (1) citation of the laws;
 - (2) objective
 - (3) covered groups;
 - (4) federal regulations and their applicability;
 - (5) pertinent administrative functions; and
 - (6) application to program delivery.
- b. Suggested procedures, considerations and implementation activities for carrying out civil rights requirements (see Appendix 6).
- c. Types and sources of data relevant to civil rights matters (see Appendix 7)
- d. Records that are required under civil rights laws and other types of records that are not required but which may be useful in demonstrating civil rights performance. (see Appendix 8).

(4-2a.) e. Actions that affirmatively further fair housing (see Appendix 9).

g. HUD's procedures for investigating civil rights complaints and conducting civil rights compliance reviews (see Chapter 7).

4-3. WAYS OF PROVIDING ASSISTANCE

a. Training. Instruction may be given through formal, planned presentations to State agency staff responsible for administering the State CDBG program.

(1) Conduct training for the State staff.

(2) Support State-sponsored training for recipients regarding civil rights and equal opportunity requirements in the CDBG program. To the extent resources permit, serve as technical advisors at training conducted by the State.

b. Written Materials. Provide the State with copies of statutes, regulations and other written materials that contain explanations of the various civil rights and equal opportunity requirements. Exercising caution not to be directive, FHEO staff may offer written examples or suggestions for implementing these requirements in the CDBG program.

c. Technical Review of Documents. Advise the State regarding appropriate civil rights and equal opportunity provisions that can be included in various documents used in administering the CDBG program. Although HUD does not prescribe specific documents, examples are:

(1) state guidebooks or manuals for use by local government recipients;

(2) written agreements between the State and the local government recipients; and

(3) construction contracts funded in whole or in part with CDBG funds.

d. On-site Visits. FHEO staff may visit the State for the sole purpose of providing technical assistance or provide it at the same time as a visit is made to review performance. Visits to the State to review performance may be an opportunity to provide technical assistance. Such visits must be negotiated with the State and coordinated with CPD staff.

(4-3.) e. Referrals to Other Agencies and Organizations. FHEO staff should share with the State the names of other Federal, State and local agencies and groups that may have data or skills that would be useful in administering the civil rights and equal opportunity aspects of the program. For example,

- (1) Equal Employment Opportunity Commission;
- (2) Office of Federal Contract Compliance Programs, Department of Labor;
- (3) U.S. Census Bureau;
- (4) State Human Relations Commissions; and
- (5) State Chapters of the National Association for the Advancement of Colored Peoples, LaRaza and other minority group associations.