

projects until such time as such obligations may be referred to the Attorney General for suit or collection; and

(3) Take any and all other actions determined by it to be necessary or desirable in purchasing, servicing, compromising, modifying, liquidating, or otherwise administratively dealing with or realizing on loans or guaranties made or evidences of indebtedness purchased.

**§316.8 Public information.**

The rules and procedures regarding public access to the records of the Economic Development Administration are found at 15 CFR part 4.

**§316.9 Relocation assistance and land acquisition policies.**

Recipients of EDA financial assistance under PWEDA and the Trade Act (states and political subdivisions of states and non-profits as applicable) are subject to requirements set forth at 15 CFR part 11.

**§316.10 Additional requirements; Federal policies and procedures.**

Grantees as defined under §314.2 of this chapter are subject to all Federal laws and to Federal, Department of Commerce and EDA policies, regulations, and procedures applicable to Federal financial assistance awards.

**§316.11 Amendments and changes.**

(a) Requests by grantees for amendments to a grant shall be submitted in writing to the EDA Regional Office for processing, and shall contain such information and documentation necessary to justify the request.

(b) All change orders are subject to EDA approval. Any changes made without prior approval by EDA are made at grantee's own risk of suspension or termination of the project.

(c) Changes of project scope will not be approved by EDA.

[60 FR 49678, Sept. 26, 1995. Redesignated at 61 FR 7983, Mar. 1, 1996]

**§316.12 Contract and subcontract clauses.**

Grantees must see that grantees' and subgrantees' contracts contain all required clauses in accordance with 15 CFR part 24, Uniform Administrative

Requirements for Grants and Cooperative Agreements to State and Local Governments, or OMB Circular A-110, Uniform Administrative Requirements for Grants and Agreements with Non-profit Organizations, whichever is applicable.

[60 FR 49678, Sept. 26, 1995. Redesignated at 61 FR 7983, Mar. 1, 1996]

**§316.13 Preapproval construction.**

Project construction carried out before approval of an application by EDA is carried out at the sole risk of applicant. Such activity could result in rejection of such project application, the disallowance of costs, or other adverse consequences as a result of non-compliance with Federal labor standards, or Federal environmental, historic preservation or related requirements.

[61 FR 7985, Mar. 1, 1996]

**PART 317—CIVIL RIGHTS**

AUTHORITY: Sec. 701, Pub. L. 89-136; 79 Stat. 570 (42 U.S.C. 3211); Department of Commerce Organization Order 10-4, as amended (40 FR 56702, as amended).

SOURCE: 60 FR 49702, Sept. 26, 1995, unless otherwise noted.

**§317.1 Civil rights.**

(a) Discrimination is prohibited in programs receiving federal financial assistance from EDA in accordance with the following authorities:

(1) Section 601 of Title VI of the Civil Rights Act of 1964, codified at 42 U.S.C. 2000d et seq. (proscribing discrimination on the basis of race, color, or national origin), and the Department of Commerce's implementing regulations found at 15 CFR part 8;

(2) 42 U.S.C. 3123 (proscribing discrimination on the basis of sex);

(3) 29 U.S.C. 794, as amended, and the Department of Commerce's implementing regulations found at 15 CFR part 8b (proscribing discrimination on the basis of disabilities);

(4) 42 U.S.C. 6101, as amended, and the Department of Commerce's implementing regulations found at 15 CFR part 20; and

(5) Other Federal statutes, regulations and Executive Orders as applicable.

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(b)(1) Definitions:

(1) *Other Parties* means, as an elaboration of the definition in 15 CFR part 8, entities which, or which are intended to create and/or save 15 or more permanent jobs as a result of EDA assistance provided that they are also either specifically named in the application as benefitting from the project, or are or will be located in an EDA building, port, facility, or industrial, commercial or business park prior to EDA's final disbursement of funds awarded for the project.

(2) [Reserved]

(2) Additional definitions are provided in EDA's Civil Rights Guidelines and 15 CFR part 8.

(c) All recipients of EDA financial assistance under PWEDA and the Trade Act, and Other Parties are required to submit the following to EDA:

(1) Written assurances that they will comply with Department of Commerce and EDA regulations, and such other requirements as may be applicable, prohibiting discrimination;

(2) Employment data in such form and manner as determined by EDA;

(3) Information on civil rights status and involvement in charges of discrimination in employment or the provision of services during the 2 years previous to the date of submission of such data as follows:

(i) Description of the status of any lawsuits, complaints or the results of compliance reviews; and

(ii) Statement indicating any administrative findings by a Federal or State agency.

(4) Whenever deemed necessary by EDA to determine that applicants and other parties are in compliance with civil rights regulations, such applicants and other parties shall submit additional information in the form and manner requested by EDA; and

(5) In addition to employment record requirements found in 15 CFR 8.7, complete records on all employees and applicants for employment, including information on race, sex, national origin, age, education and job-related criteria must be retained by employers.

(d) To enable EDA to determine that there is no discrimination in the distribution of benefits in projects which provide service benefits, in addition to requirements listed in paragraph (c) of this section, applicants are required to submit any other information EDA may deem necessary for such determination.

(e) EDA assisted planning organizations must meet the following requirements:

(1) For the selection of representatives, EDA expects planning organizations and OEDP Committees to take appropriate steps to ensure that there is adequate representation of minority and low-income populations, women, people with disabilities and Federal and State recognized American Indian tribes and that such representation is accomplished in a nondiscriminatory manner; and

(2) EDA assisted planning organizations and OEDP Committees shall take appropriate steps to ensure that no individual will be subject to discrimination in employment because of their race, color, national origin, sex, age or disability.

(f) Reporting and other procedural matters are set forth in 15 CFR parts 8, 8(b), 8(c), and 20 and the Civil Rights Guidelines which are available from EDA's Regional Offices. See part 300 of this chapter.

[60 FR 49678, Sept. 26, 1995, as amended at 61 FR 7985, Mar. 1, 1996]

**PART 318 [RESERVED]**