

Department of the Interior

Departmental Manual

Effective Date: 3/27/72

Series: Real Property

Part 424: Quarters

Chapter 11: Equal Opportunity in Housing

Originating Office: Office of Acquisition and Property Management

424 DM 11

11.1 Authority. Executive Order 11063, November 20, 1962, established the President's Committee on Equal Opportunity in Housing and assigned responsibilities for taking action necessary to prevent discrimination in housing and related facilities because of race, color, creed, or national origin.

11.2 Scope. The provisions of this Chapter are applicable to the sale, lease, rental, or other disposition of housing (including land to be developed for residential use), or in the use or occupancy thereof, if such property is:

- A. Owned, operated, or administered by a bureau or office of this Department, or
- B. Provided in whole or in part with Federal financial assistance of the following types where such assistance is rendered or administered by a bureau or office of this Department:
 - (1) Loans, advances, grants, or contribution hereafter agreed to be made by the Federal Government, or
 - (2) By the development or redevelopment of real property purchased, leased, or otherwise obtained from a State or local public agency receiving Federal financial assistance for slum clearance or urban renewal pursuant to a loan or grant contract hereafter entered into.

11.3 Definitions. For purposes of this Chapter, the term Ahousing@ means permanent and temporary dwelling units, and includes trailer houses, relocable-type houses, dormitories and any other facility provided for use as residential property on a housekeeping or nonhousekeeping basis. Government-owned land, as referred to herein, means that for which both the title and beneficial ownership are vested in the United States.

11.4 Bureau and Office Implementation. It is the policy of the Department that each Bureau and Office comply with the provisions of Executive Order 11063. It shall be the responsibility of the head of each bureau and office to establish procedures and to issue the necessary instructions to ensure such compliance with respect to:

- A. Sale, lease, and rental of government-owned housing under his jurisdiction,

B. Lease of land which may be developed for residential use and,

C. Non-Federal housing provided with the aid of Federal financial assistance of the types referred to in 424 DM 11.2B.

11.5 Employee Housing. Rental of Government-owned quarters to employees of the holding bureau and to employees of other Federal agencies shall continue to be accomplished in accordance with the assignment policies provided in 424 DM 3, without regard to race, color, creed, or national origin. Where non-Federally employed tenants are housed in order to facilitate accomplishment of a Federal program, such rental shall also be accomplished without regard to race, color, creed, or national origin.

11.6 Provision Required in Leases, Licenses, Permits, and Contracts. All leases, licenses, permits or other agreements executed after November 20, 1962, to permit non-Federal use of occupancy of Government-owned land which may be developed for residential purposes, and all contracts or other agreements entered into after November 20, 1962, providing for a loan, grant, contribution, or other Federal assistance to be made to a person, firm, or State or local public agency which may be used for residential development purposes, except as otherwise provided by law, shall include the following affirmative covenant:

AThis (lease) (license) (permit) (contract) is subject to the provisions of Executive Order 11063, dated November 20, 1962. The (lessee) (licensee) (permittee) (contractor) (or other party) agrees that it will not discriminate or permit discrimination by its agents, lessees, or other parties in the sale, lease, rental, use, occupancy, or other disposition of any residential property (erected on the land described herein) (developed with the aid of the (loan) (grant) (contribution) made herein), because of race, color, creed, or national origin. @

11.7 Procedure for Noncompliance. The nondiscrimination provision is an integral part of the lease, contract, or other instrument and is binding on the lessee, grantee, contractor or other party. Violations of the provision should be called to the attention of the lessee, grantee, contractor, or other party, and compliance therewith should be insisted upon. As a matter of policy, it is desirable that any correction of a lessee=s, grantee=s, licensee=s, permittee=s, or contractor=s selling, leasing, or rental practices which may be necessary to eliminate violations should be arrived at by informal means, including conference, conciliation, and persuasion wherever possible. If these efforts are unsuccessful, a complete report of the facts should be made promptly to the Director of Property Management.

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