

tion. To meet the title VI requirement, major affirmative changes in policy and administration of Federal programs affecting housing are recommended.²

Lastly, it is suggested that if Federal agencies and metropolitan communities do not move affirmatively to comply with title VI as it affects racial discrimination in housing, court suits may be filed against both the localities and the Federal agencies to enforce compliance. It is to be hoped, however, that litigation will be made unnecessary by the voluntary actions of Federal agencies and metropolitan communities to end racial discrimination in housing.

I. HOUSING DISPLACEMENT IMPACT OF MAJOR FEDERAL CONSTRUCTION PROGRAMS

Many thousands of families are displaced from their homes every year by projects under the workable program for community improvement³ and other governmental activities. The major Federal assistance programs that force these families to seek other housing are:

(1) Direct construction by government: e.g., highways, schools, public housing, public buildings, and such neighborhood facilities as community or youth centers, health stations and similar public institutions.

(2) Slum clearance, urban redevelopment and renewal.

(3) Acquisition of sites to be used in future construction of public works and facilities.

(4) Acquiring and developing land for recreational, conservation and other public uses, including the purchase and clearance of land in built-up areas for such open-space needs as parks, squares, pedestrian malls, etc.

It is estimated that about one and a half million Negro Americans will be displaced from their homes because of these federally financed construction and acquisition activities in the first 8 years following enactment of the 1964 Civil Rights Act.⁴ Commenting on housing relocation, the Housing and Home Finance Agency (HHFA) stated:

"Experience shows that some families displaced from slums and blighted properties have considerable difficulty in finding other accommodations that are decent, safe, and sanitary and within their means due to the limited supply of such housing available to them. For personal or similar reasons, others seek housing no better than that found in the slums and blighted area from which they have been displaced * * *."

The HHFA cautioned community officials "to be fully aware of the importance of taking the necessary steps to provide the means for displaced persons to obtain decent housing which they can afford," and then offered the following guidance about the important elements in determining relocation needs:

"At the time of submission of an initial application for approval of the workable program for community improvement, the community will be required as a minimum to have made a reliable estimate of the number of families to be displaced during the ensuing 2-year period, broken down into four categories of governmental action (i.e., urban renewal, highway construction, code enforce-

² In applying the title VI requirement to housing, we do not overlook what is known as the housing exemption that Congress wrote into set 602. That exemption removes Federal financial assistance by way of "a contract of insurance or guaranty" from the section authorizing Federal agency enforcement of title VI rights. By this exemption, Congress left unaffected the existing nondiscrimination machinery of the Federal Housing Administration and Veterans' Administration home loan guarantee and insurance programs under President Kennedy's Executive Order 11063. In this discussion it is not the exempted Federal housing insurance and guarantee programs, but rather the variety of direct Federal construction, assistance, and loan activities affecting housing with which we are concerned.

³ The workable program for community improvement is the program developed by a local community for the prevention and elimination of slum and blight conditions. To qualify for Federal financial and technical assistance in urban redevelopment, each community must have an approved workable program that meets the standards of the Department of Housing and Urban Development.

⁴ Statistical projections prepared for the Congress (see table I—App. C) show that an estimated 111,080 families and individuals will be displaced annually from their homes during these years by acquisition of real property for federally assisted programs (see 88th Cong., 2d sess., Committee Print No. 31, House Committee on Public Works, pp. 15, 258). Multiplication of the "family" ingredient in this estimate (64 percent) by average family size (3.71) reveals that in the 8 years between 1964 and 1972 about 2,400,000 persons will be displaced. Experience shows that of the persons displaced under these programs approximately three-fifths are nonwhite (see Urban Renewal Administration statistics, table 3, p. 25, Report of Advisory Commission on Intergovernmental Relations, January 1965, "Relocation: Unequal Treatment of People and Businesses Displaced by Governments"). It thus appears that about one and a half million Negro citizens will be displaced from their homes under Federal and federally assisted programs during the first 8 years after the effective date of the 1964 Civil Rights Act.

⁵ Workable Program for Community Improvement, Program Guide No. 6, "Answers on Housing for Displaced Families," p. 1, August 1962, HHFA.