

TITLE VI COMPLIANCE WORKSHEET

FREQUENTLY ASKED QUESTIONS
RELEASED FEBRUARY 2024

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Introduction

The Community Development Financial Institutions Fund (CDFI Fund) requires all grant award Applicants¹ to complete a Title VI Compliance Worksheet (Worksheet) once each calendar year for grant programs with their applications to assist the CDFI Fund in determining whether Applicants are compliant with the Treasury regulations implementing Title VI of the Civil Rights Act (Title VI), set forth in 31 CFR Part 22. The Worksheet will then be “attached” within the applicable application, similar to how Applicants currently look up and attach their SF-424s. Resources for completing the Worksheet within the CDFI Fund’s Awards Management Information System (AMIS) are [available here](#).

¹ For Depository Institution Holding Company Applicants, the Worksheet requirement also applies to the Applicant’s Subsidiary Depository Institution.

CDFI Fund Title VI Compliance Worksheet

1. What is Title VI?

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the grounds of race, color, or national origin in programs or activities receiving federal financial assistance. The United States Department of the Treasury (Treasury) implements Title VI through regulations set forth in 31 C.F.R. Part 22. Treasury's [Office of Civil Rights and Equal Employment Opportunity](#) (OCRE) conducts investigations of civil rights complaints filed against Recipients of federal financial assistance under any of its programs and conducts pre- and post-award compliance reviews. OCRE can defer action on an application for federal financial assistance, issue a cautionary letter, or deny funding for Applicants that are not in compliance with Title VI and other relevant civil rights laws.

2. Does the CDFI Fund manage Title VI issues?

No. OCRE is responsible for ensuring that any program or activity that receives CDFI Fund federal financial assistance meets the non-discrimination requirements set out in Title VI of the Civil Rights Act, Title IX of the Education Amendments, and Sections 504 and 508 of the Rehabilitation Act, and that CDFI Fund programs are conducted in a non-discriminatory manner.

3. What is the CDFI Fund Title VI Worksheet?

The Worksheet is an online form submitted through AMIS. The CDFI Fund works closely with OCRE to ensure Applicants are following the Treasury Title VI regulations. The Worksheet includes five sections that the Applicant must complete to be considered compliant: (1) Civil Rights Compliance Information; (2) Notice of Rights and Program Locations; (3) Language Assistance Plan; (4) Sub-Recipient Communication; and (5) Board Composition. These sections correlate with the Treasury Title VI regulations.

4. How is the CDFI Fund implementing Treasury's requirements?

The CDFI Fund will require Applicants that apply to any CDFI Fund grant program to complete the Worksheet as part of the eligibility criteria outlined in the relevant program Notice of Funds Availability (NOFA); Applicants that apply for multiple grant programs will only be required to submit one Worksheet each calendar year. The CDFI Fund will coordinate with OCRE regarding Applicants that appear to be noncompliant with Title VI based on their responses to the questions in the Worksheet. OCRE will take prompt action to assist the Applicants to achieve compliance in all instances of noncompliance.

5. Where can I find the CDFI Fund Title VI Worksheet questions?

Resources are on the CDFI Fund's non-discrimination web page, including the pdf version of the Worksheet questions. For more information, please see [Non-Discrimination Statement and Civil Rights Information](#) (cdfifund.gov).

6. Which CDFI Fund programs require Applicants to submit a Worksheet?

Completion of the Worksheet is required for the Bank Enterprise Award (BEA) Program; Capital Magnet Fund (CMF); CDFI Program; Native American CDFI Assistance (NACA) Program; and the Small Dollar Loan (SDL) Program. The Title VI requirement does not apply to the New Markets Tax Credit or the CDFI Bond Guarantee Program.

7. I am unsure about what some of the items on the Worksheet mean. Where can I go for help?

The Treasury's [Office of Civil Rights and Equal Employment Opportunity](#) has many resources on implementing Title VI. Organizations may find the [Civil Rights Toolkit](#) information for the "Department of the Treasury Recipients of Financial Assistance" particularly helpful.

8. What is an "Assurance of Compliance" and why does it matter?

An Assurance of Compliance is a written agreement with a federal agency in which an institution/organization agrees to comply with the statutes that govern non-discrimination in federal financial assistance programs. This matters to you as an Applicant because it is a condition of receipt of federal financial assistance from the Department of the Treasury. You are providing assurances that all your operations and programs, including sub-grantees, contractors, subcontractors, successors, transferees, and assignees do not exclude from a program or activity, deny benefits of, or otherwise discriminate against a person on the basis of race, color, or national origin.

9. What are the applicable civil rights statutes?

Organizations receiving federal funding cannot discriminate based on the following:

- On the grounds of race, color, or national origin (including limited English proficiency), in accordance with Title VI of the Civil Rights Act of 1964, as amended (42 U.S.C. 2000d et seq).
- On the grounds of disability, in accordance with Section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) and the Americans with Disabilities Act of 1990 (ADA) (42 U.S.C. 12101-12213). The ADA's requirements apply whether or not an entity receives federal funds.
- On the basis of age, in accordance with the Age Discrimination Act of 1975 (42 U.S.C. 6101 et seq.).
- On the basis of sex, in any education program or activity, in accordance with Title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq).

Worksheet Submission

10. Does an Applicant have to submit a Worksheet for each application?

The CDFI Fund requires all grant Applicants to submit the Worksheet once each calendar year to assist the CDFI Fund in determining whether Applicants are compliant with the Treasury regulations implementing Title VI, set forth in 31 CFR Part 22. Applicants that apply for multiple programs are only required to submit one Worksheet each calendar year.

For Depository Institution Holding Company Applicants, the requirement to submit a Worksheet each calendar year also applies to the Applicant's Subsidiary Depository Institution.

11. How do I locate and complete my organization's Worksheet in AMIS?

To complete the Worksheet:

- Log into your organization's AMIS account, click on the Organizations tab in the navigation bar, select your organization, and then click on the Related tab.
- Locate the Title VI Compliance Worksheets related list and click the New button to start the Title VI Compliance Worksheet; the Worksheet will open; complete all required information and click Save.

For further assistance on how to submit the Worksheet within AMIS, please refer to the [Title VI AMIS User Guide](#).

Note: For assistance with completing the questions in the Worksheet, please refer to the U.S. Department of the Treasury's regulations implementing Title VI of the Civil Rights Act set forth in 31 CFR Part 22. Applicants should review such regulations carefully before completing this Worksheet. Information can be found in the [Civil Rights Toolkit](#).

12. I want to apply for a CDFI Fund grant program. Is just submitting the Worksheet in AMIS sufficient?

No. After the Worksheet is completed in AMIS, the Applicant must then link the Worksheet to its applicable program application. This is done inside each program application, like how the SF-424 is linked.

For Depository Institution Holding Company Applicants, the Worksheet requirement also applies to the Applicant's Subsidiary Depository Institution. The Applicant will only be able to link the Worksheet for the Depository Institution Holding Company Applicant to the applicable program application. After the submission deadline, the CDFI Fund will verify whether the Worksheet was submitted for the Bank Subsidiary as well.

13. If I recently applied for a CDFI Fund program like SDLP or CDFI/NACA, do I need to submit a new Worksheet for another program application? Or can I use my existing one?

It depends. Applicants to CDFI Fund grants programs are required to complete one Worksheet for **each calendar year** that they submit funding applications. Further, the Worksheet must **match the calendar year of the date the Applicant submits an application**.

For example, the fiscal year (FY) 2024 SDL Program Round had its applications due on December 20, 2023. All Applicants to that program attached a Worksheet for calendar year 2023. The FY 2024 CDFI/NACA Program rounds have open application periods from December 2023 through February 2024. CDFI/NACA Applicants that submitted their applications on or before December 31, 2023, would use the same 2023 Worksheet submitted for SDL Program. However, CDFI/NACA Applicants that submit their applications on or after January 1, 2024, will have to attach a Worksheet for 2024. To do so, your organization application **MUST** complete a new Title VI Worksheet for 2024.

AMIS will not allow you to select a Worksheet from the incorrect calendar year for the applicable application. If you do not see the correct Worksheet available to you as a selectable item in the dropdown menu in AMIS, it indicates that you do not have the correct Worksheet on file to complete the current application. You must therefore complete a current Worksheet to be able to successfully complete and submit your application.

14. Will Tribal governments have to submit the Worksheet?

Yes. The Worksheet and program Award terms and conditions do not impose antidiscrimination requirements on Tribal governments beyond what would otherwise apply under federal law, but Native CDFIs must still complete the Worksheet when applying for funding.

15. Are Depository Institution Holding Companies and Banks required to submit the Worksheet?

Yes. This requirement applies to all Applicants, as well as their prospective subrecipients that are not direct beneficiaries of federal financial assistance (e.g., Depository Institutions Holding Company and their Subsidiary Depository Institutions). In the case where a CDFI Depository Institution Holding Company is the program Applicant but intends to carry out the activities of an award through its Subsidiary Insured Depository Institution, both the Depository Institution Holding Company Applicant and the Applicant's Subsidiary Depository Institution must submit a Title VI Worksheet by the deadline in the applicable NOFA.

16. Can the Worksheet be submitted before or during an application submission?

For each grant program, the Worksheet may be created/completed prior to the application deadline listed in the applicable program NOFA.

Worksheet Review

17. What are Pre-Award and Post-Award Reviews?

Prior to and after approval of funding, OCRE may request information from your organization to determine your compliance with the non-discrimination statutes. Information may be requested in the form of checklists, questionnaires, or surveys.

18. How long must I comply with the civil rights statutes?

Each time your organization applies for and/or receives federal financial assistance in the form of grants from Treasury, you must comply with the applicable civil rights statutes through the entire period of performance of the award life cycle.

19. Will an Applicant that answers “Yes” to question 3a of the Worksheet (they have an Language Assistance Plan (LAP) or a process in place to assist LEPs), but cannot answer “Yes” to 3b, 3c, and/or 3d of the Worksheet (about the specific aspects of the LAP) be treated as favorably during the application review process as an Applicant that answers “Yes” to all four LAP questions in the Worksheet, assuming their applications are otherwise identical?

Applicants that answer “Yes” to question 3a, but cannot answer “Yes” to 3b, 3c and/or 3d, and if clarification is needed on the responses provided in the Worksheet, OCRE will reach out to the Applicant and provide the necessary guidance. The responses to this question will not prohibit the Applicant’s eligibility for review and/or moving through the application review process.

20. If I am an Applicant, what happens if a civil rights program complaint is filed against my organization during the application review process?

Treasury reserves the right to conduct a pre-award review if a complaint is filed against the Applicant during the application review phase. If during the pre-award review, a possible civil rights issue is revealed, OCRE will work with the Applicant to resolve the issue. Depending on the status of the application, the CDFI Fund may defer any compliance action to be taken against the Applicant, or not make an award on the application until OCRE indicates that necessary corrective action(s) has taken place.

21. If I am a Recipient, what happens if a civil rights complaint is filed against my organization?

If a Recipient (funding has been awarded) is subject to a civil rights complaint, OCRE will investigate the allegation(s), if appropriate. If the investigation reveals a violation, OCRE will work with the Recipient to help bring it into voluntary compliance through a written agreement between the Recipient and Treasury. Failure to adhere to the agreement could result in enforcement actions by Treasury grant programs including those administered by the CDFI Fund, such as suspension of funding or remittance of award funds.