comment are unnecessary. For the same reason, good cause exists for not publishing this rule at least 30 days before its effective date, as is ordinarily required by 5 U.S.C. 553(d). Therefore, this rule is effective on the date of its publication.

List of Subjects in 49 CFR Part 1

Authority delegations (Government agencies) Organization and functions (Government agencies).

In consideration of the foregoing, and under the authority of 49 U.S.C. 322, Part 1 of Title 49 Code of Federal Regulations is amended as follows:

PART 1—[AMENDED]

1. The authority citation for part 1 continues to read as follows:

Authority: 49 U.S.C. 322; Pub. L. 101–552; 28 U.S.C. 2672; 31 U.S.C. 3711(a)(2).

- 2. 49 CFR Subtitle A is amended as follows:
- a. Section 1.23 is amended by revising paragraph (l) to read as follows:

§ 1.23 Spheres of primary responsibility.

(l) Departmental Office of Civil Rights. The Director of the Departmental Office of Civil Rights serves as the Department's Equal Employment Opportunity (EEO) Officer and Title VI Coordinator. The Director also serves as principal advisor to the Secretary and the Deputy Secretary on the civil rights and nondiscrimination statutes, regulations, and executive orders applicable to the Department, including titles VI and VII of the Civil Rights Act of 1964, as amended, the Age Discrimination in Employment Act of 1967, as amended, the Age Discrimination Act of 1975, as amended, section 504 of the Rehabilitation Act of 1973, as amended, the Americans with Disabilities Act of 1990, and the Equal Pay Act of 1963. The Office of Civil Rights also provides policy guidance to the operating administrations and Secretarial officers on these matters. Also, the Office periodically reviews and evaluates the civil rights programs of the operating administrations to ensure that recipients of DOT funds meet applicable Federal civil rights requirements.

b. Section 1.45 is amended by revising paragraph (a)(10) to read as follows:

§ 1.45 Delegations to all Administrators. (a)* * *

(10) Exercise the authority of the Secretary to resolve informal allegations of discrimination arising in or relating to their respective organizations through **Equal Employment Opportunity** counseling or the Alternative Dispute Resolution process and to develop and implement affirmative action and diversity plans within their respective organizations. With regard to external civil rights programs, each Administrator exercises authority pursuant to statutes, regulations, executive orders, or delegations in subpart C of this Part to carry out these programs, under the general policy guidance of the Director of the Departmental Office of Civil Rights, including conducting compliance reviews and other activities relating to the enforcement of these statutes, regulations, and executive orders.

c. Section 1.54 is amended by adding a new paragraph (b)(11) to read as follows:

§ 1.54 Delegations to all Secretarial Officers.

(b)* * *

(11) Exercise the authority of the Secretary to resolve informal allegations of discrimination arising in or relating to their respective organizations through Equal Employment Opportunity counseling or the Alternative Dispute Resolution process and to develop and implement affirmative action and diversity plans within their respective organizations.

d. Section 1.59 is amended as follows:

1. Paragraph (b)(2) is removed and paragraphs (b) (3) through (9) are redesignated as paragraphs (b) (2) through (8) respectively.

2. Redesignated paragraph (b)(4)(ii) is removed and reserved.

- 3. Paragraph (j) is removed and paragraph (k) through (q) are redesignated as (j) through (p), respectively.
- e. A new § 1.70 is added to read as follows:

§ 1.70 Delegations to the Director of the Departmental Office of Civil Rights.

The Director of the Departmental Office of Civil Rights is delegated authority to conduct all stages of the formal internal discrimination complaint process (including the acceptance or rejection of complaints); to provide policy guidance to the operating administrations and Secretarial officers concerning the implementation and enforcement of all civil rights laws, regulations and executive orders for which the Department is responsible; to otherwise perform activities to ensure compliance with external civil rights programs; and to review and evaluate the operating

administrations' enforcement of these authorities.

These authorities include:

- (a) Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000e et seq.
- (b) Title VI of the Civil Rights Act of 1964, as amended, 42 U.S.C. 2000d et seq.
- (c) Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794 and 794a.
- (d) Section 501 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 791.
- (e) Age Discrimination in Employment Act of 1967, as amended, 29 U.S.C. 621 et seq.
- (f) Age Discrimination Act of 1975, as amended, 42 U.S.C. 6101.
- (g) Americans with Disabilities Act of 1990, Pub. L. No. 101–336, 104 Stat. 327 (1990) (codified at 42 U.S.C. 12101–121213).
- (h) Equal Pay Act of 1963 (enacted as section 6(d) of the Fair Labor Standards Act of 1938, 29 U.S.C. 206(d)).
- (i) Alcohol, Drug Abuse, and Mental Health Administration Reorganization Act, 42 U.S.C. 290dd(b).
- (j) 29 CFR Parts 1600 through 1691 (Equal Employment Opportunity Commission Regulations).
- (k) Department of Transportation Coast Guard Military Justice Manual, CG–488, Part 700–9 (Civil Rights Complaints).
- (l) Title VIII of the Civil Rights Act of 1968, as amended, 42 U.S.C. 3601 et seq. (fair housing provisions).
- (m) The Federal Property and Administrative Services Act of 1949, 40 U.S.C. 476.
- (n) Title IX of the Education Amendments Act of 1972, 20 U.S.C. 1681.
- (o) Executive Order No. 12898, Federal Actions To Address Environmental Justice in Minority Populations and Low-Income Populations. (In coordination with the Assistant Secretary for Transportation Policy.)
- (p) 49 U.S.C. 47113, 47107, and 47123 (formerly sections 505(f), 511(a)(17), and 520 of the Airport and Airway Improvement Act of 1982, as amended).
- (q) 49 U.S.C. 41705 (formerly the Air Carrier Access Act of 1986, as amended).
- (r) The Federal-Aid Highway Act, as amended, 23 U.S.C. 140 and 324.
 - (s) 49 U.S.C. 306.
- (t) 49 U.S.C. 5310, 5332 (formerly sections 16 and 19 of the Federal Transit Act, *as amended*).
- (u) The Intermodal Surface Transportation Efficiency Act of 1991, Pub. L. 102–240, 105 Stat. 1919, section 1003.