

Title VI Airport Nondiscrimination Compliance Program



U.S. Department
of Transportation
**Federal Aviation
Administration**

Program Overview and Compliance Reviews

Office Of Civil Rights

*ACHIEVING SAFETY
THROUGH DIVERSITY*

Presented to: Airport Sponsors

Prepared by: FAA Office of Civil Rights

Date: FY 2012



Agenda

- Program Authorities
- Fundamentals of Title VI
- General Administrative Requirements
- Business Opportunity Requirements
- Tenant-Related Requirements
- Limited English Proficiency (LEP)
- Environmental Justice (EJ)
- Enforcement
 - Complaints
 - Compliance Reviews

Program Authorities

- Title VI of the Civil Rights Act of 1964
- Title 49 Code of Federal Regulations Part 21
- Title 49 United States Code Section 47123
- Executive Orders covering LEP and EJ

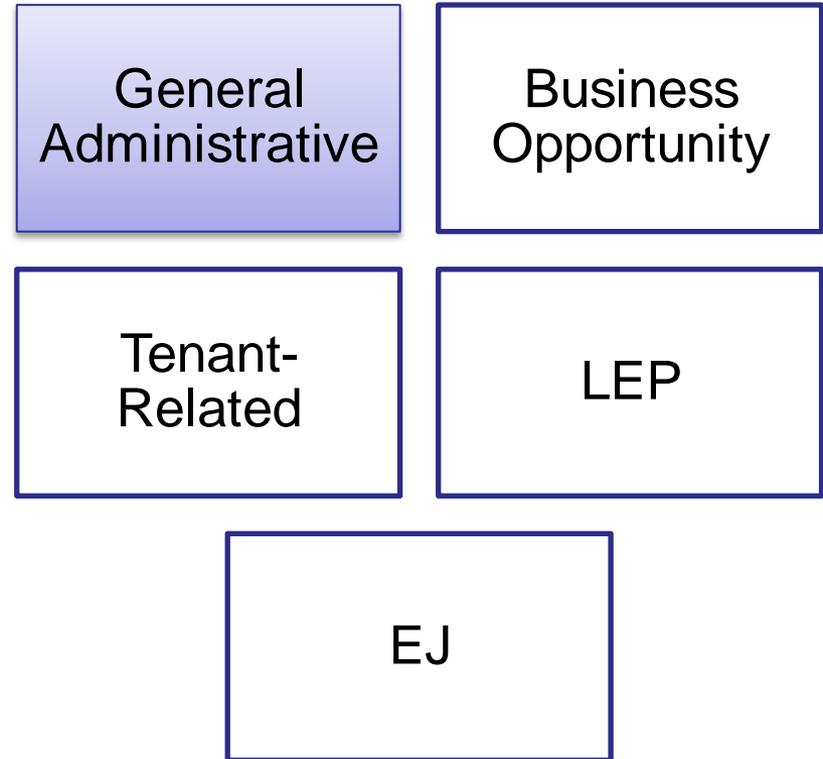
Fundamentals of Title VI

“No persons in the United States shall, on the ground of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.”

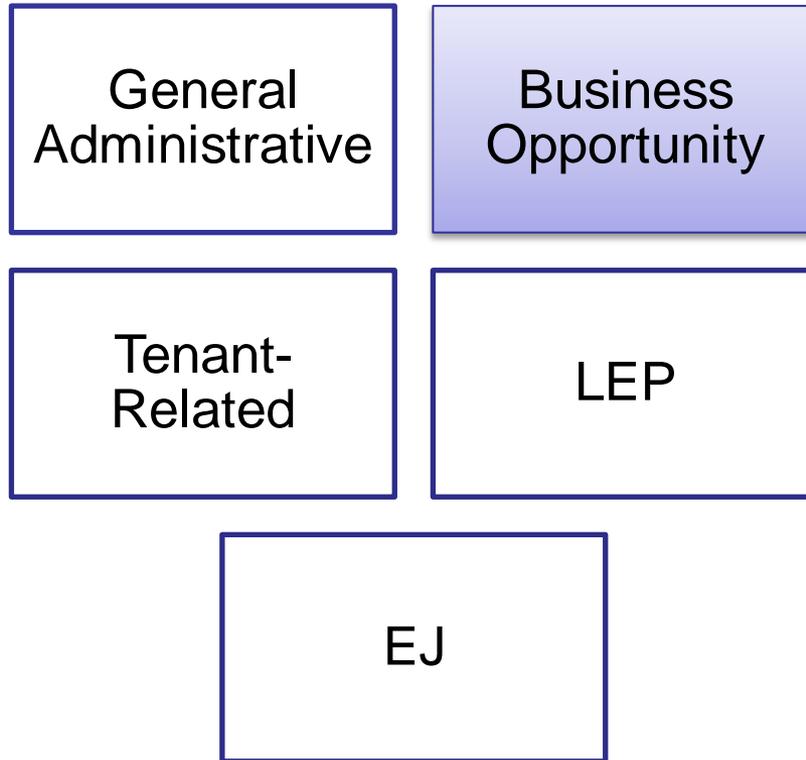
- Applicability
- Coverage
- Federal Financial Assistance

General Administrative Requirements

- Title VI Coordinator
- Public Notification
- Complaint Reporting
- Data Collection and Record Keeping
- Employment



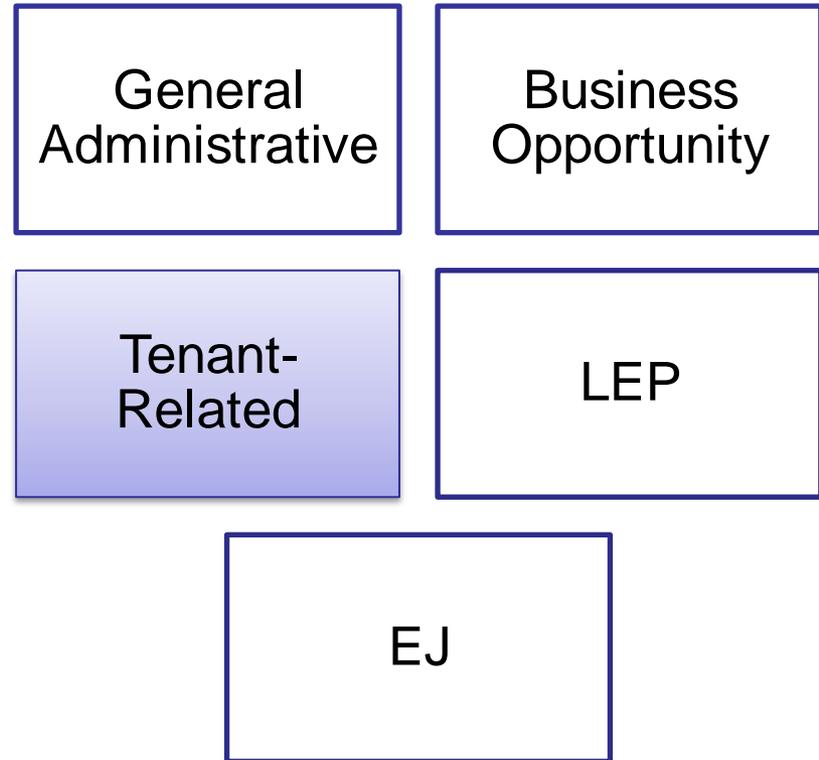
Business Opportunity Requirements



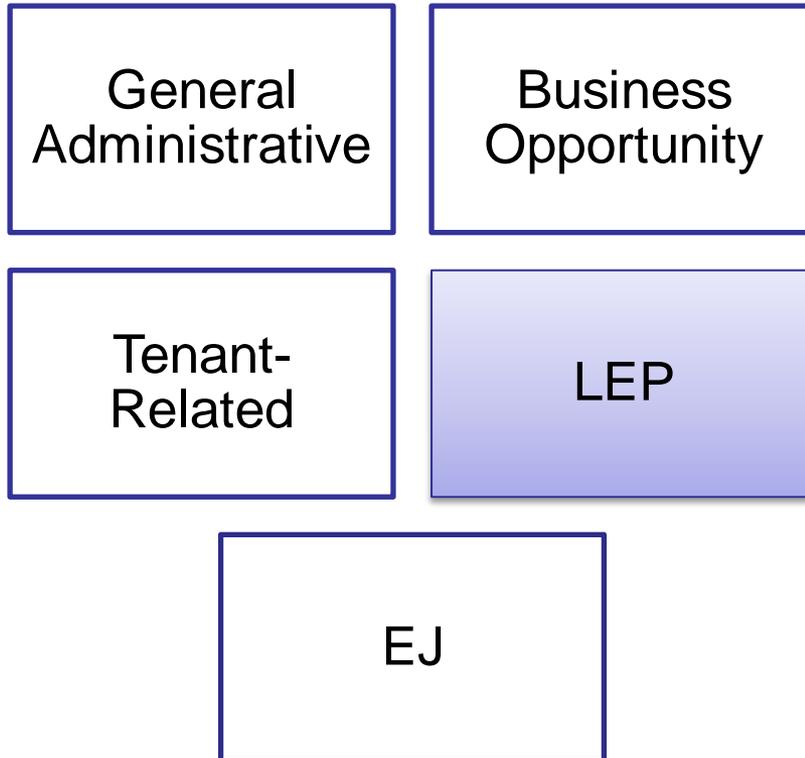
- Applies to all airport contracts – regardless of funding source
- Advertisement of opportunities
- Contract awarding procedures
- Data Collection

Tenant-Related Requirements

- Airport Responsibility
- Nondiscrimination Contract Clauses
- LEP Implications
- Employment



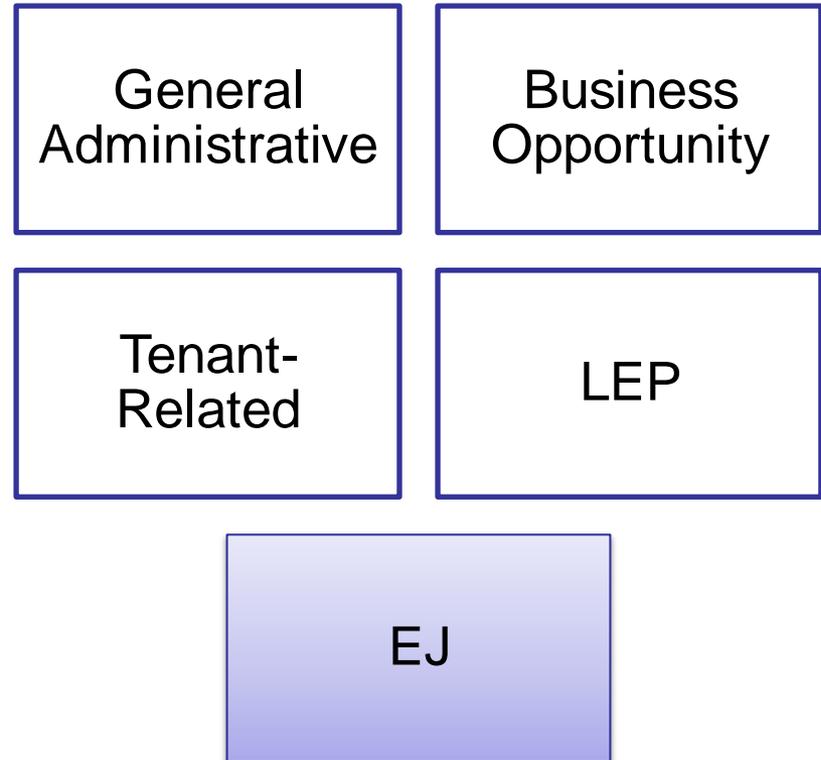
Limited English Proficiency



- Four Factor Analysis
- Language Assistance Plan
- Data Collection and Record Keeping

Environmental Justice

- Definition
- DOT EJ Principles
- Basic Analysis
 - Identifying EJ Populations
 - Disproportionately High and Adverse Effects
 - Avoidance, Minimization, Mitigation
- Public Participation
- Pre-Award Reviews



Enforcement

- Two Primary Methods
 - Complaints
 - Compliance Reviews
- Administrative Processes
- Loss of Federal Financial Assistance

Complaints

- Authority – 49 CFR § 21.11(b)
- DOT Order 1000.18 – Administrative Complaint Process
- Retaliation Prohibited
- Complaints Against Tenants



Complaints

- Timeliness – 180 Days
- Jurisdiction
- Possibility of Dismissal



Complaints

- Notification
- Disparate Treatment vs. Disparate Impact
- Access to Information
- Timeframe



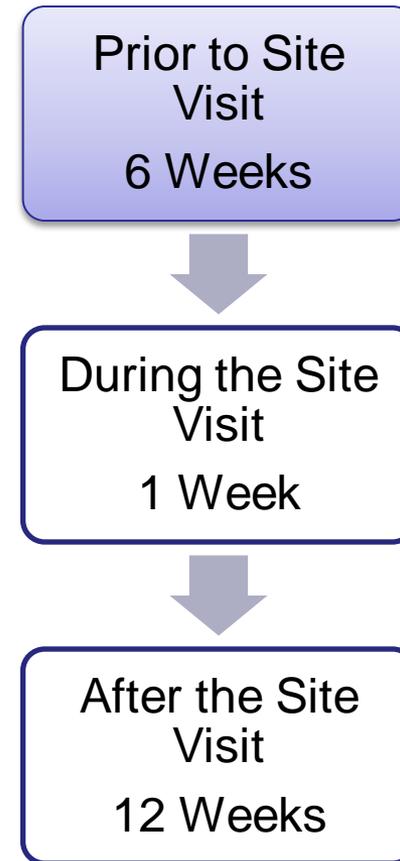
Complaints

- Closure Letters
- Voluntary Compliance
- Informal Appeal Process for Complainant



Compliance Reviews

- Authority – 49 CFR § 21.11(a)
- Factors for Selection
- Initial Contact
- Information Request
- Logistics



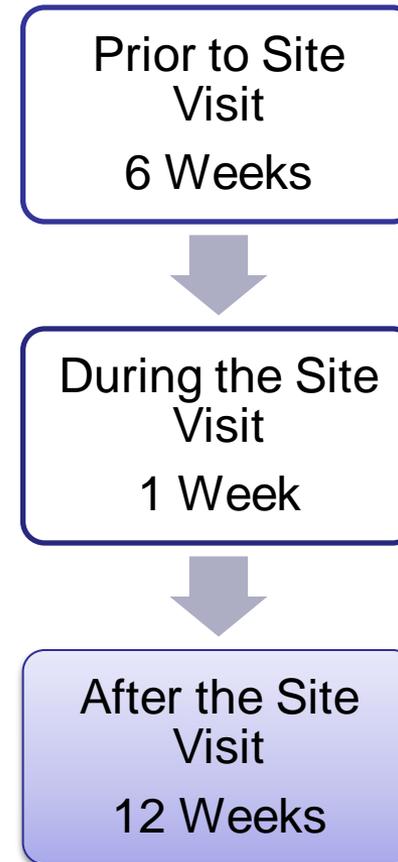
Compliance Reviews

- Duration
- Schedule
- Interviews
- Contract Review
- Preliminary Findings



Compliance Reviews

- Follow-up Interviews
- Additional Information
- Review Report – 3 Months
- Required Actions and Recommended Best Practices
- Expectations



Program Staff

Name	Address	Contact
Maria Sarra Civil Rights Director	FAA Eastern Regional Office 159-30 Rockaway Blvd Jamaica, NY 11434	718-553-3290 maria.sarra@faa.gov
Cherry Smith EEO Specialist		718-553-3299 cherry.smith@faa.gov
Janet Long Management Analyst	FAA National Headquarters Orville Wright Building 800 Independence Ave, SW Washington, D.C. 20591	202-267-8436 janet.long@faa.gov
Nicholas Sun EEO Specialist	FAA New England Regional Office 12 New England Executive Park Burlington, MA 01803	781-238-7068 nicholas.sun@faa.gov



QUESTIONS