

FAA Office of Civil Rights

Civil Rights Act of 1964 Historical Overview



Federal Aviation
Administration

Office Of Civil Rights

ACHIEVING SAFETY
THROUGH DIVERSITY

Presented to: NCRTC Attendees

Date: July 17, 2019

Session 1

Office Of Civil Rights

ACHIEVING SAFETY
THROUGH DIVERSITY



**Federal Aviation
Administration**

Timeline of Key Events

- **April 1861: Outbreak of Civil War**
- **Jan. 1863: Emancipation Proclamation**
- **Dec. 1865: 13th Amendment Ratified**
- **July 1866: 14th Amendment Ratified**
- **Feb. 1870: 15th Amendment Ratified**

- **March 1877: End of Reconstruction**

-- 77 Years --

- **May 1954: Brown v. Board of Education Decision**
- **Dec. 1955: Montgomery Bus Boycott**

- **July 1964: Civil Rights Act of 1964 Signed**

Timeline of Key Events: 1963-1964

- **April 1963: Martin Luther King's Letter from Birmingham Jail**
- **June 1963: Civil Rights Act of 1963 Proposed**
- **Nov. 1963: Pres. Kennedy Assassination**
- **Nov. 1963: Pres. Johnson Addresses Joint Session of Congress**
- **March 1964: Senate Begins Consideration of Civil Rights Act of 1964 / Filibuster Starts**
- **June 1964: Filibuster Ends**
- **July 1964: Civil Rights Act of 1964 Signed**

Letter from the Birmingham Jail

You deplore the demonstrations that are presently taking place in Birmingham. But I am sorry that your statement did not express a similar concern for the conditions that brought the demonstrations into being. I am sure that each of you would want to go beyond the superficial social analyst who looks merely at effects and does not grapple with underlying causes. I would not hesitate to say that it is unfortunate that so-called demonstrations are taking place in Birmingham at this time, but I would say in more emphatic terms that it is even more unfortunate that the white power structure of this city left the Negro community with no other alternative...

It is the strangely irrational notion that there is something in the very flow of time that will inevitably cure all ills. Actually, time is neutral. It can be used either destructively or constructively. I am coming to feel that the people of ill will have used time much more effectively than the people of good will. We will have to repent in this generation not merely for the vitriolic words and actions of the bad people but for the appalling silence of the good people. We must come to see that human progress never rolls in on wheels of inevitability.

Segregation at Airports



Source:
Jim Crow Terminals
by Anke Ortlepp

Student Nonviolent Coordinating Committee (SNCC)

- Video 1



President Kennedy June 11, 1963 Address:

- Followed National Guard enforcement of Federal court ruling at University of Alabama
- Video 2



President Johnson Nov. 27, 1963 Address:

- President Kennedy assassination on Nov. 22, 1963
- Video 3



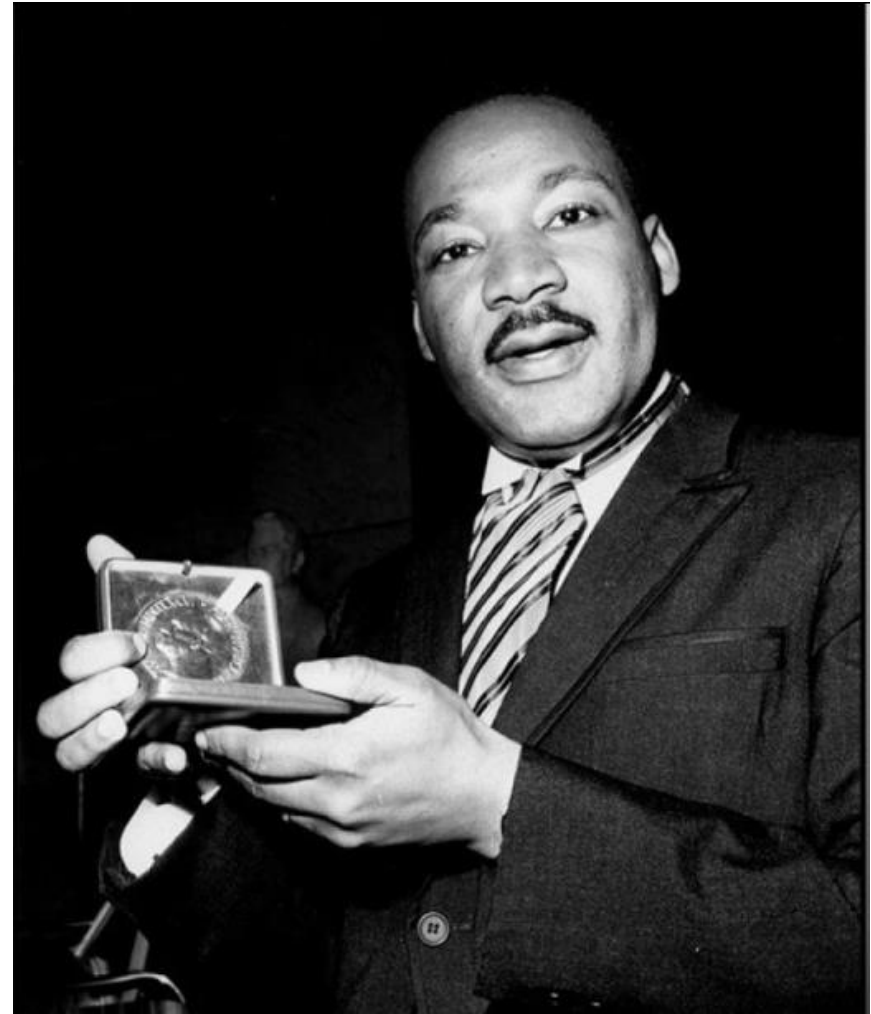
Passage and Signing of the Civil Rights Act of 1964

- **Passage followed 54-day filibuster**
- **Watching debate, Martin Luther King and Malcolm X meet in person for the first and only time**
- **Video 4**



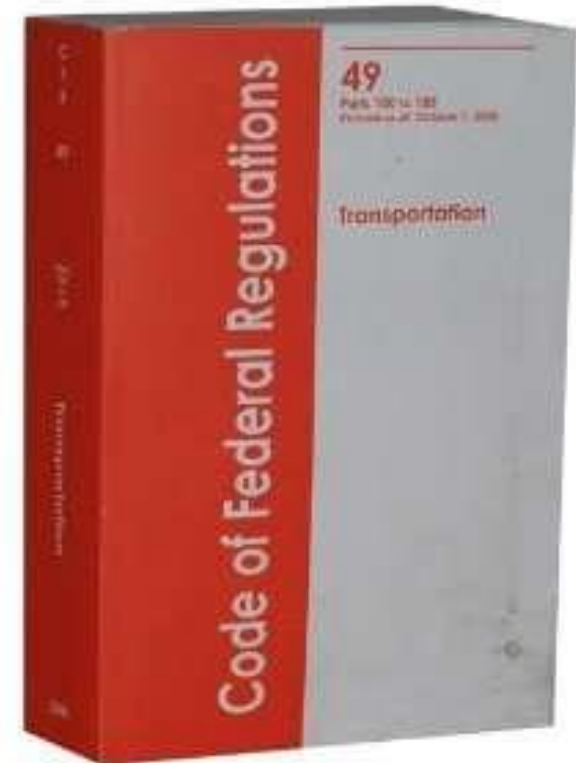
Martin Luther King, Jr. Awarded Nobel Prize

- **Awarded Dec. 10, 1964 in Oslo, Norway**
- **Video 5**



Implementing Title VI of the Civil Rights Act

- 1 of 11 Titles
- Dept. of Justice regulations at 28 CFR Part 42
- Dept. of Transportation regulations at 49 CFR Part 21
- Video 6



Implementing Title VI of the Civil Rights Act

49 CFR 21.5(b): A recipient may not, directly or through contractual or other arrangements, on the basis of their race, color, or national origin:

- Deny a person any benefit
- Provide a benefit to a person which is different, or is provided in a different manner
- Subject a person to segregation or separate treatment
- Deny a person the opportunity to participate as a member of a planning, advisory, or similar body
- Utilize criteria or methods of administration which have the effect of
 - subjecting persons to discrimination
 - defeating or substantially impairing accomplishment of the objectives of the program

Session 2

Office Of Civil Rights

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**Federal Aviation
Administration**

FAA Title VI Oversight and Technical Assistance

Activity	Process
Compliance Reviews	<ul style="list-style-type: none">• Full Reviews• Mini-Reviews• Self-Assessments• Enforce regulations and executive orders
Complaint Investigations	<ul style="list-style-type: none">• Investigate complaints received• Assist recipients with complaints they receive
Education	<ul style="list-style-type: none">• Technical assistance• Consultations• Webinars• On-site training• Conferences• Tools and resources

FAA Online Assessments

Compliance

1 49 CFR § 21.5(b)(7) Apart from efforts to remove or overcome the consequences of prior discrimination, does the airport and do its tenants and contractors ensure against separate or different treatment on the basis of race, color, national origin, sex, or creed in public airport programs?

*** answer required**

- Yes
 Partial

E

Administrative

5 49 CFR Part 21, Appendix C (b)(2) Does the Airport have a copy of 49 CFR Part 21 available for inspection during normal business hours by any person requesting it?

*** answer required**

i.e. in the Airport administration office in the terminal, at information booths; hardcopy or online.

- No
 N/A

- Yes
 Partial

Explain (required if option is selected)

- No
 N/A

FAA Online Assessments

<https://faa.civilrightsconnect.com/>

Main	DBE/ACDBE Programs	DBE Goals & Reports	Title VI	ADA	Compliance Reviews	Complaints	Inquiries	Assessments
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New Assessment

[PDF training guide for compliance assessments](#)

FAA Online Assessments - Compliance

- 1. Apart from efforts to remove or overcome the consequences of prior discrimination, does the airport and do its tenants and contractors ensure against separate or different treatment on the basis of race, color, national origin, sex, or creed in public airport programs?**
- 2. Apart from efforts to remove or overcome the consequences of prior discrimination, does the airport and do its tenants and contractors ensure against different treatment of employees and employment applicants on the basis of race, color, national origin, sex, creed, or age (for those over the age of 40)?**

FAA Online Assessments - Compliance

- 3. Does the Airport maintain records and collect data necessary to assess their compliance status?**
- 4. Does the Airport display the FAA “Unlawful Discrimination” poster conspicuously in the main public areas of the Airport?**

FAA Online Assessments - Administrative

- 5. Does the Airport have a copy of 49 CFR Part 21 available for inspection during normal business hours by any person requesting it**

- 6. Does the Airport conduct outreach in the minority- and/or women-owned business community to advise businesses of the opportunities offered by Airport concessions, and ensure that bids are solicited from such firms, where qualified?**

- 7. Are there public transportation services linking the airport to the disadvantaged areas of nearby communities?**

FAA Online Assessments - Third Party

8. Does the Airport have the appropriate clauses in each AIP funded contractual agreement between the Airport and a third party?

9. Does the Airport have the appropriate clauses in each non-AIP funded contractual agreement between the Airport and a third party?

10. Does the Airport have a method for monitoring and ensuring that primary contractors have included Title VI requirements in their subcontracts?

FAA Online Assessments - Complaints

11. Did the Airport forward to the FAA, within 15 days after receipt, a copy of each written Title VI complaint received and inform FAA of the actions taken regarding the complaint?

12. Does the Airport have Title VI complaint procedures, and are they available to the public?

13. Does the Airport have a policy for collecting complaint information from all Airport employees, airlines, concessionaires, etc., and has the policy for collecting the complaint information been communicated to them?

FAA Online Assessments - LEP

14. Has the Airport assessed the limited English proficiency (LEP) population characteristics and analyzed Airport programs and services using the Four-Factor Analysis to determine the particular language assistance obligations for LEP individuals at the Airport?

15. Does the Airport keep the data used for determining its LEP population characteristics up-to-date?

16. Are resources currently in place to provide meaningful access for LEP individuals, consistent with the results of the Four-Factor Analysis?

FAA Online Assessments - LEP

17. Does the Airport have an LEP plan?

18. Does the Airport Emergency Plan identify how LEP individuals/populations will be assisted in an emergency?

FAA Online Assessments - Environmental Justice

19. Does the Airport have a public communication plan to promote involvement of minority and/or low-income populations in the decision making process for potential airport projects, and for ongoing EJ concerns?

20. Does the Airport maintain records and collect data necessary to understand the financial, racial, and ethnic composition of the surrounding communities in order to determine if projects may have EJ impacts?

21. Within the past 3 years, has any Airport project or potential project had an EJ impact on minority and/or low income communities, even if the impact was fully or partially mitigated?

FAA Online Assessments - Other Issues

22. Does the Airport have measures in place to prevent and address sexual harassment and/or assault at the airport, including measures addressing employees, members of the public, and airport tenants?

23. Does the Airport ensure against different treatment of adult airport guests, on the basis of age?

24. If the Airport conducts or provides support for educational programs or activities, does it ensure against discrimination on the basis of sex in those programs or activities?

Title VI, LEP, EJ Websites

Description	Website Link
49 CFR Part 21	www.ecfr.gov for 49 CFR 21
FAA Order 1400.11 (Appendix 4)	http://www.faa.gov/documentLibrary/media/Order/FAA_1400_11.pdf
FAA Title VI Brochure	http://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/media/Title_VI_Brochure.pdf
Lists Information on LEP	http://www.lep.gov
DOT Order 5610.2a on EJ	https://www.fhwa.dot.gov/environment/environmental_justice/ej_at_dot/orders/order_56102a/index.cfm
EJSCREEN	https://www.epa.gov/ejscreen

Questions

