

APPENDIX A

Title VI Complaint Form

Sullivan County Title VI Program

TITLE VI COMPLAINT FORM

Title VI of the 1964 Civil Rights Act requires that “no person 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.” If you feel you have been discriminated against, please provide the following information in order to assist us in processing your complaint and send it to one of the following addresses:

Cheryl A. McCausland, County Attorney
100 North Street
P.O. Box 5012
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature
100 North Street
P.O. Box 5012
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW
100 North Street
P.O. Box 5012
Monticello, NY 12701

Please print clearly:

Name: _____

Address: _____

Phone #: (Home) _____ (Cell) _____

Person discriminated against: _____

Address of person discriminated against: _____

Please indicate why you believe the discrimination occurred:

_____ race/color

_____ national origin

What was the date of the alleged discrimination? _____

Where did the alleged discrimination take place? _____

APPENDIX B

Sample Narrative

Sullivan County Title VI Program

Sample of Narrative to be Included in Posters to be Displayed in Revenue Vehicles and Facilities

Title VI of the Civil Rights Act of 1964 prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving federal financial assistance. Specifically, Title VI provides that “no person 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” (42 USC Section 2000d).

Sullivan County is committed to ensuring that no person is excluded from participation in, or denied the benefits of its transit services on the basis of race, color, or national origin, as protected by the Title VI in Federal Transit Administration (FTA) Circular 4702.1.B. **If you feel you are being denied participation in or being denied benefits of the transit services by Sullivan County, or otherwise being discriminated against because of your race, color or national origin, you may contact:**

Cheryl A. McCausland, County Attorney
100 North Street
P.O. Box 5012
Monticello, NY 12701

For more information, visit our website at: www.co.sullivan.ny.us

APPENDIX C

Employee Annual Education Form

Sullivan County Title VI Program

Employee Annual Education Form

Title VI Policy

No person shall, on the grounds 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.

All employees of Sullivan County are expected to consider, respect, and observe this policy in their daily work and duties. Citizen questions or complaints shall be directed to the Sullivan County Attorney, Sullivan County Legislature, or Sullivan County Division of Public Works.

In all dealings with citizens, use courtesy titles (i.e. Mr., Mrs., Ms., or Miss) to respectfully address them without regard to race, color or national origin.

I have read the above statements and understand Sullivan County's Title VI policy. I agree to follow the policy for the duration of my employment with Sullivan County.

Employee Name (Print): _____

Employee Signature: _____ Date: _____

APPENDIX D

Title VI Policy Statement

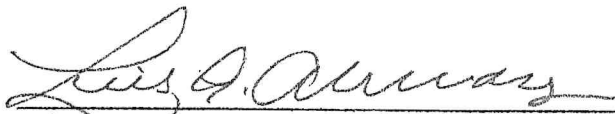
Sullivan County Title VI Program

Sullivan County
Title VI Policy Statement

As a recipient of federal and state funds, Sullivan County is subject to the requirements and provisions of the Title VI of the Civil Rights Act of 1964, as amended. The provisions include but not limited to, prohibiting discrimination on the grounds of race, color or national origin (being denied the benefits of, or being otherwise subjected to discrimination under any program or activity administered by federal or state assisted programs, services and activities). Noncompliance with this mandate can affect federal financial assistance.

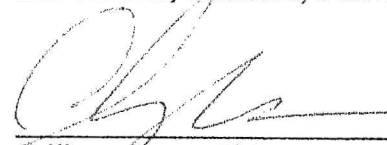
The Civil Rights Restoration Act of 1987 broadened the scope of Title VI coverage by expanding the definition of terms "programs or activities" to include all programs or activities of federal aid recipients, sub-recipients, and consultants, whether such programs and activities are federally assisted or not.

Sullivan County assures that every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs and activities are federally funded or not. The Sullivan County Attorney or his/her designee is responsible for monitoring the Title VI activities for Sullivan County.



Luis Alvarez, Chairman, Sullivan County Legislature


3/2/17
Date



Sullivan County Title VI Coordinator

2/27/17
Date

Approved as to form and legality:



Sullivan County Attorney

3/2/17
Date

APPENDIX E

Limited English Proficiency Plan

County of Sullivan Limited English Proficiency (LEP) Plan

Title VI of the Civil Rights Act of 1964, Executive Order 13166, and various directives from the US Department of Justice (DOJ) and US Department of Transportation (DOT) require federal aid recipients to take reasonable steps to ensure meaningful access to programs, services and activities by those who do not speak English proficiently. To determine the extent to which LEP services are required and in which languages, the law requires the analysis of four factors:

Factor 1

The number or proportion of LEP persons eligible to be served or likely to be encountered by the County's programs, services or activities.

The County of Sullivan utilizes data provided by the United State Census Bureau to determine the percentage of LEP individuals in the service area. The County is aware that such statistical data can be outdated or inaccurate. Therefore, the County will utilize other sources of information such as, social services agencies and other appropriate means to determine the proportion of LEP served by those entities.

Factor 2

The frequency with which LEP individuals come in contact with these programs, services or activities.

The County will provide provisions to accommodate LEP individuals. Data is to be collected on an annual basis on the amount of requests received for translation or interpretation of County programs, services, and activities. The collected data will be used to estimate the percentage of LEP individuals in the community and the most prominent languages.

Factor 3

The nature and importance of the program, service, or activity to people's lives;

The County believes transportation is important to the public. The County currently provides access to shopping centers twice a week. The County will continually develop and update information in the most prominent foreign languages including, but not limited to bus schedules, advertised County special events, public meetings and nondiscrimination and accessibility-oriented policies.

Factor 4

The resources available to the County and the likely costs of the LEP services.

The county of Sullivan has staff whom receive stipends and are available to provide translation services. A list of these staff members is include as Attachment 1 to this document. The county

also has a Department Planning and Environmental Management, Department of Community Services, Division of Health and Family Services and a Sheriff's Department all of which can assist with the goals of this plan.

Current analyses of these factors suggest minimal LEP services are required at this time. Therefore the County has committed to the following:

- Maintain a list of employees who competently speak other languages and who are willing to provide translation and/or interpretation services. (see Attachment 1)
- Distribute this list to staff that regularly have contact with the public.
- Provide notification of the availability of LEP assistance in public meeting notices and on public involvement event signage.
- Translate essential documents into Spanish as data collected indicates this to be the most prevalent language used other than English.

As the County's community profile continues changing, the constant analysis of the four factors may reveal the need for more or varied LEP services in the future. As such, the County will annually examine its LEP plan to ensure it remains reflective of the community's needs.

Persons requiring special language services should contact one of the following:

Cheryl A. McCausland, County Attorney
100 North Street
P.O. Box 5012
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature
100 North Street
P.O. Box 5012
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW
100 North Street
P.O. Box 5012
Monticello, NY 12701

Public Involvement

In order to plan for efficient, effective, safe, equitable and reliable transportation systems, the County values input from the public. The County spends staff and financial resources in furtherance of this goal and encourages the participation of the entire community. The County holds a variety of public meetings, workshops and other events designed to gather public input on project planning and vision of the County.

Persons wishing to request special presentations by the County of Sullivan; volunteer in any of its activities or offer suggestions for improvement of County public involvement may contact one of the following:

Cheryl A. McCausland, County Attorney
100 North Street
P.O. Box 5012
Monticello, NY 12701

AnnMarie Martin, Clerk to the Legislature
100 North Street
P.O. Box 5012
Monticello, NY 12701

Edward McAndrew, Commissioner, DPW
100 North Street
P.O. Box 5012
Monticello, NY 12701

Data Collection

Federal Highway Administration regulations require federal-aid recipients to collect racial, ethnic and other similar demographic data on beneficiaries of or those affected by transportation programs, services and activities. The County of Sullivan will continue to accomplish this through the use of census data, driver and ridership surveys, and other methods as appropriate. From time to time, the County may find it necessary to request voluntary identification of certain racial, ethnic or other data from those who participate in its public involvement events. This information assists the County with improving its targeted outreach and measures of effectiveness. Self identification of personal data to the County of Sullivan will always be voluntary and anonymous. Moreover, the County of Sullivan will not release or otherwise use this data in any manner inconsistent with the federal regulations.

Attachment 1

County Interpretation Service



TEL, 845-807-0485
FAX 845-807-0494

COUNTY OF SULLIVAN
OFFICE OF PERSONNEL AND CIVIL SERVICE ADMINISTRATION
SULLIVAN COUNTY GOVERNMENT CENTER
100 NORTH STREET
PO BOX 5012
MONTICELLO, NY 12701-5192

TO: Commissioners and Department Heads
FROM: Lynda G. Levine, Esq., Director of Human Resources/Personnel Officer
SUBJECT: County Employees who speak/write a second language and are paid a stipend
DATE: 05/13/15

COUNTY EMPLOYEES WHO PROVIDE INTERPRETATION SERVICES AND RECEIVE A STIPEND

AMERICAN SIGN LANGUAGE

Bennett	Patricia	Public Health Services
Caraballo	Antonia	Sheriff's Dept. (Civil Dept.)

CREOLE

Desmond	Daniel James	Dept. Family Services
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HAITIAN

Desmond	Daniel James	Dept. Family Services
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SPANISH

Alejandro	Sandra	Adult Care Center
Alonso	Lazaro	Sheriff's Department (Corrections)
Andino	James	Adult Care Center
Bentacourt-Pena	Christine	Motor Vehicle
Caraballo	Antonia	Sheriff's Department (Civil Dept.)
Castro	Doris	Community Services
Cubero	Maria	Public Health Services
Desmond	Daniel James	Dept. Family Services
Espinoza	Lidia	Adult Care Center
Julek	Anizia	Adult Care Center
Morgan	Richard	Sheriff's Dept. (Patrol)
Nava	Sandra	Motor Vehicle Department
Perez	Edwin	Dept. Family Services
Perez	Miriam	Community Services
Quintero	Ana	Adult Care Center

Ramirez III	Vincent	Sheriff's Department (Corrections)
Ramos	Peter	Sheriff's Department (Road Patrol)
Rau	Alexander	E-911
Reynolds	Rosalinde	Adult Care Center
Rodriguez	Ana	Public Health Services
Rodriguez	Serafin Jr.	Sheriff's Department (Corrections)
Romero	Pepsine	County Clerk's Office
Santiago-Lugo	Pablin	Veterans Service Agency
Stamer	Blake	Sheriff's Department (Patrol)
Torres	Sallie	Dept. Family Services
Wagner	John	Sheriff's Department (Corrections)
Vargas	Linnette	Public Health Services
Whittle	Clement	Family Services
Zayas	Victor	Sheriff's Department (Corrections)

POLISH

Snihura	Lesia	Youth Bureau
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PORTUGUESE

Julek	Anizia	Adult Care Center
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UKRANIAN

Julek	Anizia	Adult Care Center
Snihura	Lesia	Youth Bureau

Attachment 2

2014 American Community Survey data

Towns	Population 5 and Older	Speaks a Language other than English		Spanish	
		Numbers	Percentage	Numbers	Percentage
		Bethel	4021	450	11.20%
Callicoon	2852	123	4.30%	24	0.84%
Cochecton	1309	98	7.50%	35	2.67%
Delaware	2496	287	11.50%	116	4.65%
Fallsburg	12215	3371	27.60%	2324	19.03%
Forestburgh	834	72	8.60%	13	1.56%
Fremont	1475	58	3.90%	24	1.63%
Highland	2286	263	11.50%	78	3.41%
Liberty	9022	1705	18.90%	1276	14.14%
Lumberland	2410	352	14.60%	114	4.73%
Mamakating	11317	826	7.30%	354	3.13%
Neversink	3343	227	6.80%	75	2.24%
Rockland	3391	210	6.20%	98	2.89%
Thompson	14215	2999	21.10%	1876	13.20%
Tusten	1285	87	6.80%	30	2.33%

Callicoon / Delaware Route

Towns	Population 5 and Older	Speaks a Language other than English		Spanish	
		Numbers	Percentage	Numbers	Percentage
		Bethel	4021	450	11.20%
Callicoon	2852	123	4.30%	24	0.84%
Delaware	2496	287	11.50%	116	4.65%
Liberty	9022	1705	18.90%	1276	14.14%
Thompson	14215	2999	21.10%	1876	13.20%

Lumberland / Bethel Route

Towns	Population 5 and Older	Speaks a Language other than English		Spanish	
		Numbers	Percentage	Numbers	Percentage
		Bethel	4021	450	11.20%
Highland	2286	263	11.50%	78	3.41%
Lumberland	2410	352	14.60%	114	4.73%
Thompson	14215	2999	21.10%	1876	13.20%

The United States Department of Transportation (US DOT) Standard Title VI/Nondiscrimination Assurances, DOT Order No.: 1050.2A

The United States Department of Transportation (USDOT)

Standard Title VI/Nondiscrimination Assurances

DOT Order No. 1050.2A

The County of Sullivan (herein referred to as the "Recipient"), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the U.S. Department of Transportation (DOT), through RITA, is subject to and will comply with the following:

Statutory/Regulatory Authorities

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat. 252), (prohibits discrimination on the basis of race, color, national origin);
- 49 C.F.R. Part 21 (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 28 C.F.R. section 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964);

RITA may include additional Statutory/Regulatory Authorities here.

The preceding statutory and regulatory cites hereinafter are referred to as the "Acts" and "Regulations," respectively.

General Assurances

In accordance with the Acts, the Regulations, and other pertinent directives, circulars, policy, memoranda, and/or guidance, the Recipient hereby gives assurance that it will promptly take any measures necessary to ensure that:

No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity, for which the Recipient receives Federal financial assistance from DOT, including RITA.

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Nondiscrimination requirements (The Age Discrimination Act of 1975, and Section 504 of the Rehabilitation Act of 1973), by restoring the broad, institutional-wide scope and coverage of these nondiscrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

RITA may include additional General Assurances in this section, or reference an addendum here.

Specific Assurances

More specifically, and without limiting the above general Assurance, the Recipient agrees with and gives the following Assurances with respect to its federally assisted University Transportation Centers Program:

1. The Recipient agrees that each "activity," "facility," or "program," as defined in §§ 21.23 (b) and 21.23 (e) of 49 C.F.R. § 21 will be (with regard to an "activity") facilitated, or will be (with regard to a "facility") operated, or will be (with regard to a "program") conducted in compliance with all requirements imposed by, or pursuant to the Acts and the Regulations.
2. The Recipient will insert the following notification in all solicitations for bids, Requests For Proposals for work, or material subject to the Acts and the Regulations made in connection with all University Transportation Centers Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

The County of Sullivan, in accordance with the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. §§ 2000d to 2000d-4) and the Regulations, hereby notifies all bidders that it will affirmatively insure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of race, color, or national origin in consideration for an award.

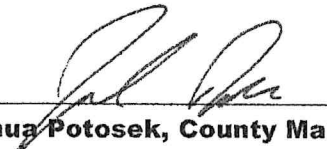
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations.
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting or recording a transfer of real property, structures, use, or improvements thereon or interest therein to a Recipient.
5. That where the Recipient receives Federal financial assistance to construct a facility, or part of a facility, the Assurance will extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the Assurance will extend to rights to space on, over, or under such property.
7. That the Recipient will include the clauses set forth in Appendix C and Appendix D of this Assurance, as a covenant running with the land, in any future deeds, leases, licenses, permits, or similar instruments entered into by the Recipient with other parties:
 - a. for the subsequent transfer of real property acquired or improved under the applicable activity, project, or program; and
 - b. for the construction or use of, or access to, space on, over, or under real property acquired or improved under the applicable activity, project, or program.
8. That this Assurance obligates the Recipient for the period during which Federal financial assistance is extended to the program, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property, or interest therein, or structures or improvements thereon, in which case the Assurance obligates the Recipient, or any transferee for the longer of the following periods:
 - a. the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or
 - b. the period during which the Recipient retains ownership or possession of the property.
9. The Recipient will provide for such methods of administration for the program as are found by the Secretary of Transportation or the official to whom he/she delegates specific authority to give reasonable guarantee that it, other recipients, sub-recipients, sub-grantees, contractors, subcontractors, consultants, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Acts, the Regulations, and this Assurance.
10. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Acts, the Regulations, and this Assurance.

RITA may include additional Specific Assurances in this section.

By signing this ASSURANCE, County of Sullivan also agrees to comply (and require any subrecipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *RITA* access to records, accounts, documents, information, facilities, and staff. You also recognize that you must comply with any program or compliance reviews, and/or complaint investigations conducted by *RITA*. You must keep records, reports, and submit the material for review upon request to *RITA*, or its designee in a timely, complete, and accurate way. Additionally, you must comply with all other reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.

County of Sullivan gives this ASSURANCE in consideration of and for obtaining any Federal grants, loans, contracts, agreements, property, and/or discounts, or other Federal-aid and Federal financial assistance extended after the date hereof to the recipients by the U.S. Department of Transportation under the *University Transportation Centers Program*. This ASSURANCE is binding on County of Sullivan, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *University Transportation Centers Program*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

County of Sullivan:

By: 
Joshua Potosek, County Manager

3/20/17
Date

Appendix A

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees as follows:

1. **Compliance with Regulations:** The contractor (hereinafter includes consultants) will comply with the Acts and Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Office of the Secretary for Research and Technology (OST-R), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Non-discrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, or disability in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 CFR Part 21.
3. **Solicitations for Subcontracts, Including Procurements of Materials and Equipment:** In all solicitations, either by competitive bidding, or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials, or leases of equipment, each potential subcontractor or supplier will be notified by the contractor of the contractor’s obligations under this contract and the Acts and the Regulations relative to Non-discrimination on the grounds of race, color, or national origin.
4. **Information and Reports:** The contractor will provide all information and reports require by the Acts, the Regulations, and directives issued pursuant thereto and will permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the OST-R to be pertinent to ascertain compliance with such Acts, Regulations, and instructions. Where any information required of a contractor is in the exclusive possession of another who fails or refuses to furnish the information, the contractor will so certify to the Recipient or the OST-R, as appropriate, and will set forth what efforts it has made to obtain the information.
5. **Sanctions for Noncompliance:** In the event of a contractor’s noncompliance with the Non-discrimination provisions of this contract, the Recipient will impose such contract sanctions as it or the OST-R may determine to be appropriate, including, but not limited to:
 1. withholding payments to the contractor under the contract until the contractor complies; and /
or
 2. cancelling, terminating, or suspending a contract, in whole or in part.
6. **Incorporation of Provisions:** The contractor will include the provisions of paragraphs one through six in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Acts, the Regulations and directives issued pursuant thereto. The contractor will take action with respect to any subcontract or procurement as the Recipient or the OST-R may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or threatened with litigation by a subcontractor, or supplier because of such direction, the contractor may request the Recipient to enter into any litigation to protect the interests of the Recipient. In addition, the contractor may request the United States to enter into the litigation to protect the interests of the United States.

Appendix B

CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

The following clauses will be included in deeds effecting or recording the transfer of real property, structures, or improvements thereon, or granting interest therein from the United States pursuant to the provisions of Assurance 4:

NOW THEREFORE, the U.S. Department of Transportation as authorized by law and upon the condition that the **(Title of Recipient)** will accept title to the lands and maintain the project constructed thereon in accordance with the Uniform Administrative Requirement, Cost Principles, and Audit Requirements for Federal Awards (2 C.F.R. Part 200), the regulations for the administration of the University Transportation Centers Program, and the policies and procedures prescribed by the Office of the Secretary of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by the Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation pertaining to and effectuating the provisions of the Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. § 2000d to 2000d-4), does hereby remise, release, quitclaim, and convey unto the **(Title of Recipient)** all the right, title and interest of the U.S. Department of Transportation in and to said lands described in Exhibit A attached hereto and made a part hereof.

(HABENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests there in unto **(Title of Recipient)** and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and will be binding on the **(Title of Recipient)**, its successors and assigns.

The **(Title of Recipient)**, in consideration of the conveyance of said lands and interest in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person will on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over, or under such lands hereby conveyed [,] [and]* (2) that the **(Title of Recipient)** will use the lands and interests in lands and interest in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations and Acts may be amended [, and (3) that in the event of a breach of any of the above-mentioned non-discrimination conditions, the Department will have a right to enter or re-enter said lands and facilities on said land, and that above described land and facilities will thereon revert to and vest in and become the absolute Property of the U.S. Department of Transportation and its assigns as such interest existed prior to this instruction].*

(* Reverter clause and related language to be used only when it is determined that such a clause is necessary in order to make clear the purpose of Title VI.)

Appendix C

CLAUSES FOR TRANSFER OF REAL PROPERTY ACQUIRED OR IMPROVED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by the **(Title of Recipient)** pursuant to the provisions of Assurance 7(a):

- A. The (grantee, lessee, permittee, etc. as appropriate) for himself / herself, his / her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree [in the case of deeds and leases add “as a covenant running with the land”] that:
 1. In the event facilities are constructed, maintained, or otherwise operated on the property described in this (deed, license, lease, permit, etc.) for a purpose for which a U.S. Department of Transportation activity, facility, or program is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) will maintain and operate such facilities and services in compliance with all requirements imposed by the Acts and Regulations (as may be amended) such that no person on the grounds of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
- B. With respect to licenses, leases, permits, etc., in the event of breach of any of the above Non-discrimination covenants, the **(Title of Recipient)** will have the right to terminate the (lease, license, permit, etc.) and to enter, re-enter, and repossess said lands and facilities thereon, and hold the same as if the (lease, license, permit, etc.) had never been made or issued.*
- C. With respect to a deed, in the event of breach of any of the above Non-discrimination covenants, the **(Title of Recipient)** will have the right to enter or re-enter the lands and facilities thereon, and the above described lands and facilities will there upon revert to and vest in and become the absolute property of the **(Title of Recipient)** and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix D

CLAUSES FOR CONSTRUCTION / USE ACCESS TO REAL PROPERTY ACQUIRED UNDER THE ACTIVITY, FACILITY OR PROGRAM

The following clauses will be included in deeds, licenses, permits or similar instruments/agreements entered into by the **(Title of Recipient)** pursuant to the provisions of Assurance 7(b):

- A. The (grantee, licensee, permittee, etc. as appropriate) for himself / herself, his / her heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add “as a covenant running with the land”) that: (1) no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land, and the furnishing of services thereon, no person on the ground of race, color, or national origin, will be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) will use the premises in compliance with all other requirements imposed by or pursuant to the Acts and Regulation, as amended, set forth in this Assurance.
- B. With respect to (licenses, leases, permits, etc.), in the event of breach of any of the above Non-discrimination covenants, the **(Title of Recipient)** will have the right to terminate the (license, permit, etc., as appropriate) and to enter or re-enter, and repossess said land and the facilities thereon, and hold the same as if said (license, permit, etc., as appropriate) had never been made or issued.*
- C. With respect to deeds, in the event of breach of any of the above Non-discrimination covenants, the **(Title of Recipient)** will there upon revert to and vest in and become the absolute property of the **(Title of Recipient)** and its assigns.*

(*Reverter clause and related language to be used only when it is determined that such a clause is necessary to make clear the purpose of Title VI.)

Appendix E

During the performance of this contract, the contractor, for itself, its assignees, and successors in interest (hereinafter referred to as the “contractor”) agrees to comply with the following non-discrimination statutes and authorities, including but not limited to:

Pertinent Non-Discrimination Authorities:

- Title VI of the Civil Rights Act of 1964 (42 U.S.C. § 2000d *et seq.*, 78 stat.252), (prohibits discrimination on the basis of race, color, national origin); and 49 CFR Part 21.
- The Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, (42 U.S.C. § 4601), (prohibits unfair treatment of persons displaced or whose property has been acquired because of Federal or Federal-aid programs and projects);
- Federal-Aid Highway act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability); and 49 CFR Part 27;
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Airport and Airway Improvement Act of 1982, (49 U.S.C. § 471, Section 47123), as amended, (prohibits discrimination bases on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-2009), (Broadened the scope, coverage and applicability of Title VI of the Civil Rights Act of 1964, The Age Discrimination Act of 1975 and Section 504 of the Rehabilitation Act of 1973, by expanding the definition of the terms “programs or activities” to include all of the programs or activities of the Federal-aid recipients, sub-recipients and contractors, whether such programs or activities are Federally funded or not);
- Titles II and III of the Americans with Disabilities Act, which (prohibit discrimination on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities) (42 U.S.C. §§ 12131 – 12189) as implemented by Department of Transportation regulations 49 C.F.R parts 37 and 38.
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination of the basis of race, color, national origin and sex);
- Executive Order 12898, Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations, which ensures discrimination against minority populations by discouraging programs, policies, and activities with disproportionately high and adverse human health or environmental effects on minority and low-income populations;
- Executive Order 13166, Improving Access to Services for Persons with Limited English Proficiency, and resulting agency guidance, national origin discrimination includes discrimination because of limited English proficiency (LEP). To ensure compliance with the Title VI, you must take reasonable steps to ensure that LEP persons have meaningful access to your programs (70 FED. Reg. at 74087 to 74100);
- Title IX of the Education Amendments of 1972, as amended, (which prohibits you from discriminating because of sex in education programs or activities) (20 U.S.C. 1681 *et seq.*).