

JACKSON MPO

Title VI

Nondiscrimination Plan



**Central Mississippi Planning
& Development District**

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Funding Disclaimer

This document was prepared and published by the Central Mississippi Planning and Development District Metropolitan Planning Organization (MPO) and is prepared in cooperation with and financial assistance from the following public agencies: the Mississippi Department of Transportation (MDOT), the Federal Highway Administration (FHWA) and the Federal Transit Administration (FTA) under the Metropolitan Planning Program. The contents of this report do not necessarily reflect the official views or policy of the funding agencies.

Accessibility Statement

It is the policy of the Central Mississippi Planning and Development District (CMPDD) to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United States shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity for which the CMPDD received federal financial assistance. For more information, or to obtain a Title VI Complaint Form, please visit www.cmpdd.org or contact the CMPDD Title VI Coordinator at (601)981-1511.

Jackson MPO Title VI Nondiscrimination Plan

This document was approved by the
Chief Executive Officer of the
Central MS Planning and Development District
on October 18, 2024



Michael Monk
Chief Executive Officer

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What is Title VI

Title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) stipulates 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 receiving federal financial assistance.

Other Nondiscrimination Regulations

Subsequent federal acts extended nondiscrimination requirements to sex (Federal Aid Highway Act 1973), disability (Rehabilitation Act of 1973 and Americans with Disabilities Act 1990), and age (Age Discrimination Act of 1975).

Executive Order 12898 (Environmental Justice) addresses disproportionate adverse environmental, social and economic impacts that may exist in communities, specifically minority and low-income populations.

Executive Order 13166 (Limited English Proficiency) addresses access to services for persons whose primary language is not English and who have a limited ability to read, write, speak, or understand English.

Definition of Federal Financial Assistance

In relation to Title VI, Federal financial assistance can be more than just money. It includes aid that enhances the ability to improve or expand allocation of a recipient's or subrecipient's resources. Examples include grants, loans, tax exempt bonds, technical assistance, employee training, and property or land purchases.

Recipient and Subrecipient

A recipient is an entity or person that directly (usually through a grant or contract) receives federal financial assistance in order to implement a program or activity, which obligates them to Title VI compliance responsibilities. Each state's Department of Transportation (DOT) receives federal funds from the U.S. Department of Transportation and the DOT is considered a direct recipient.

A subrecipient is an entity or person that indirectly receives federal financial assistance in order to implement a program or activity, which obligates them to Title VI compliance responsibilities as well. Subrecipients include, but are not limited to, Metropolitan Planning Organizations (MPOs) and Local Public Agencies (LPAs).

The MS Department of Transportation (MDOT) receives direct federal funds from the U.S. Department of Transportation and distributes a portion of those federal funds to each MPO in the state to plan, program, and coordinate federal transportation investments. As a result, all federally funded activities conducted by the Jackson MPO must comply with Title VI regulations.

What is an MPO

Federal law requires all urbanized areas with populations greater than 50,000 people to designate a Metropolitan Planning Organization (MPO) to coordinate and develop transportation plans for the region. The Central MS Planning and Development District (CMPDD) was designated as the MPO for the Jackson Urbanized Area on February 5, 1975. The MPO acts as a liaison between local communities, their citizens, and the state and federal departments of transportation. MPOs are important because they help direct how and where transportation dollars will be spent in the region. The Jackson MPO planning area encompasses an area of approximately 1,557 square miles and is made up of 17 municipalities and portions of three counties (Hinds, Madison, and Rankin) in Central Mississippi. The Jackson MPO operates under a committee structure comprised of the Metropolitan Planning Policy Committee and the Intermodal Technical Committee. In addition, the MPO is served by multiple advocacy committees including, but not limited to, the Stakeholders Committee, the Transit Committee, the Bicycle and Pedestrian Subcommittee, and other advisory committees that may be formed from time to time. The structure of the MPO is shown in Figure 1. The number of official MPO advisory committees and their composition is determined by the Metropolitan Planning Policy Committee who makes appointments for each advisory committee. The Metropolitan Planning Policy Committee and Intermodal Technical Committee are appointed by position listed in the Prospectus (bylaws) document with each member agency selecting the representative from their agency to fill the MPO member slots.

The Jackson MPO includes portions of:

Hinds County
Madison County
Rankin County
Town of Bolton
City of Brandon
City of Byram
City of Canton
City of Clinton
City of Florence
Town of Flora
City of Flowood
City of Gluckstadt
City of Jackson
City of Madison
City of Pearl
Town of Pelahatchie
City of Raymond
City of Richland
City of Ridgeland
Town of Terry

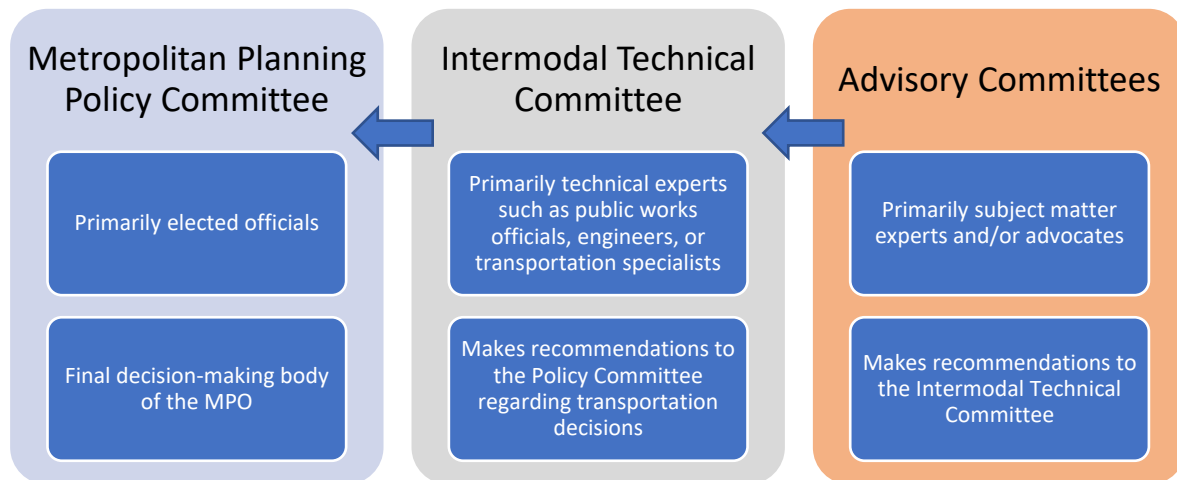
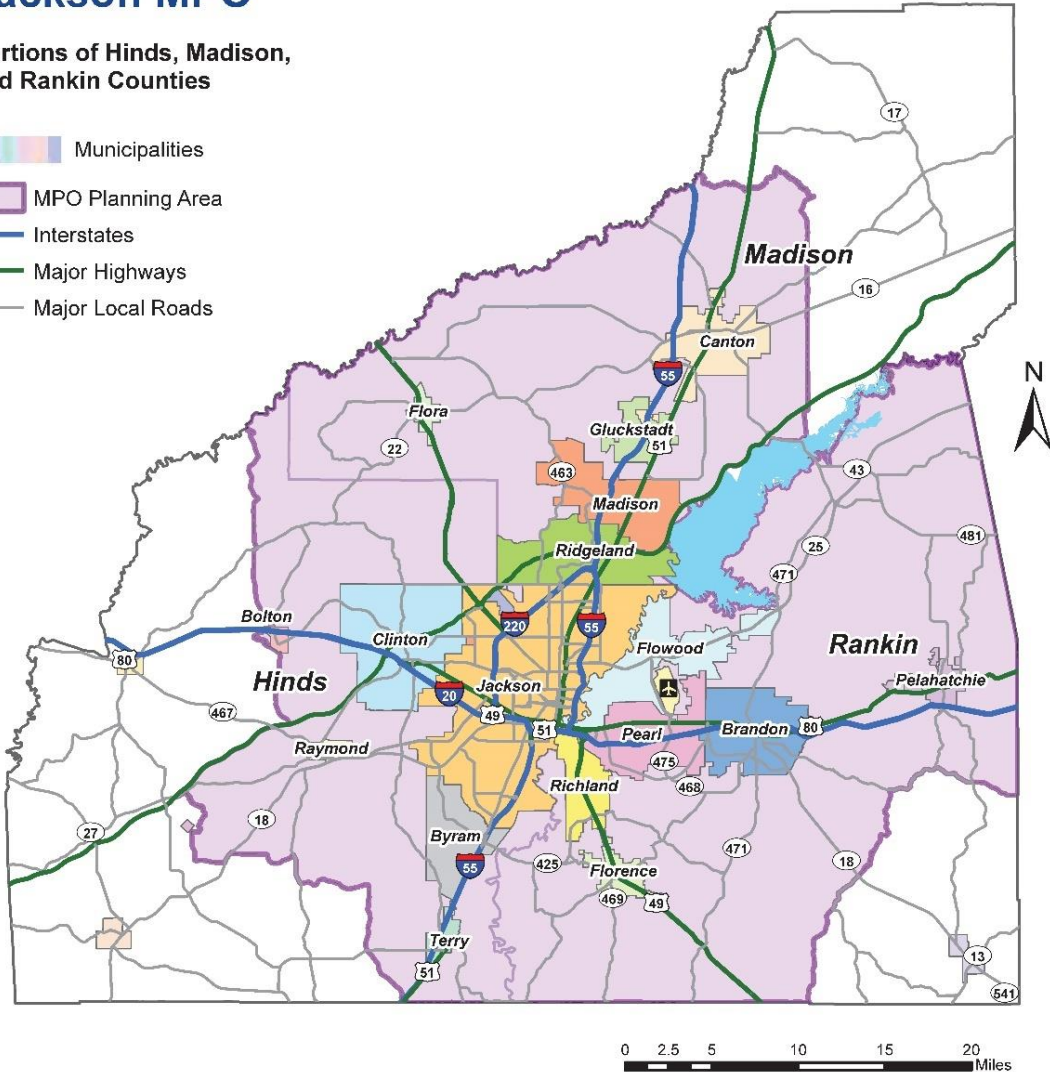


Figure 1: Jackson Metropolitan Planning Organization Committee Structure

Jackson MPO

Portions of Hinds, Madison,
and Rankin Counties

-  Municipalities
-  MPO Planning Area
-  Interstates
-  Major Highways
-  Major Local Roads



Jackson MPO's Responsibilities Regarding Title VI and Nondiscrimination Requirements

As a subrecipient of federal financial assistance, the Jackson MPO must assure that all of its programs and activities will be operated in a nondiscriminatory manner. This means the Jackson MPO promotes fair and meaningful participation in regional transportation decision-making without regard to race, color, national origin, sex, age or disability and its transportation planning process is open, accessible, transparent, inclusive, and responsive.

This document outlines the Jackson MPO's Title VI / nondiscrimination compliance program and is available at the Jackson MPO office (1020 Centre Pointe Blvd. Pearl, MS) as well as on the MPO website, www.cmpdd.org/transportation/plans-and-programs/mpo-title-vi/. This document will be updated regularly to incorporate changes and additional information as needed.

Title VI Notification

As a recipient of federal funding, the Jackson MPO and its subrecipients, consultants, and other contractors will provide information to the public pertaining to Title VI requirements and inform the public of the protections against discrimination that Title VI provides. Posting of the MPO's Title VI Policy Statement, Title VI Nondiscrimination Plan, Title VI Complaint Form, and other nondiscriminatory information is posted on the MPO's website, www.cmpdd.org/transportation/plans-and-programs/mpo-title-vi/. Furthermore, the MPO's Title VI notification statement shall be included in all major documents produced by the MPO and included in any public meeting or workshop notices as space allows. The Title VI notification statement is listed in Appendix C.

Title VI Compliance Coordination

The Chief Executive Officer (CEO) of CMPDD is responsible for administering the federally required duties of the Jackson MPO. As such, the CEO is responsible for the Jackson MPO's adherence to and compliance with Title VI program implementation and policy development.

The Title VI Coordinator is responsible for the day to day direct oversight of the MPO's compliance with Title VI regulations. The Title VI Coordinator has direct access to the Chief Executive Officer. General responsibilities of the Title VI Coordinator include but are not limited to:

- Continuously reviewing the MPO's Title VI program to assure compliance with Title VI regulations.
- Reviewing MPO guidelines and publications, including those for consultants, to ensure that Title VI language and provisions are incorporated, as appropriate.
- Reviewing and updating the MPO's Title VI Plan and program as needed.
- Coordinating Title VI training for MPO staff.
- Distributing information regarding the agency's Title VI program to MPO staff and consultants, in addition to the public.
- As needed, preparing any necessary reports related to Title VI related activities and efforts.

Inquiries regarding the Jackson MPO's Title VI activities should be directed to the following:

Scott Stinson, Jackson MPO Title VI Coordinator
Central MS Planning and Development District
sstinson@cmpdd.org
(601)981-1511

Office Location:
1020 Centre Pointe Boulevard
Pearl, MS 39208

Office Hours:
8:00 a.m. to 4:30 p.m.
Monday through Friday except certain holidays

How do you File a Complaint of Discrimination

Any person who believes they have been excluded from participation in the transportation planning process, denied benefits of any services provided by the MPO, or otherwise discriminated against because of their race, color, or national origin in the programs and activities of the Jackson MPO, may file a Title VI complaint.

To file a complaint of discrimination, complainants should complete the Jackson MPO Title VI Complaint Form. The Title VI Complaint Form is available at the Jackson MPO office and on the MPO website. Complaints must be filed in writing and signed by the complainants and may be filed by mail, fax, in person, or e-mail. Complaints must be filed within 180 days from the last date of the alleged discrimination. Reasonable efforts will be made to assist persons with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, contact the Jackson MPO's Title VI Coordinator.

Mail:

1020 Centre Pointe Boulevard
Pearl, MS 39208

Phone:

(601)981-1511 - office
(601)981-1515 – fax

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Monday through Friday except certain holidays

Website:

www.cmpdd.org

Email:

mpo@cmpdd.org

Title VI complaints may also be filed directly with the MS Department of Transportation (MDOT), the Jackson Federal Highway Administration (FHWA) Division Office, the Federal Transit Administration (FTA), the U.S. Department of Transportation (USDOT) and the U.S. Department of Justice (USDOJ).

Federal Highway Administration, MS Division
100 West Capitol Street
Suite 1062
Jackson, MS 39269
Phone: (601) 965-4215
Fax: (601) 965-4231

Federal Transit Administration
Office of Civil Rights
1200 New Jersey Avenue, SE
Washington, DC 20590
United States

U.S. Department of Transportation
Office of Civil Rights
1200 New Jersey Avenue, SE
8th Floor E81-105
Washington, DC 20590

U.S. Department of Justice
Civil Rights Division
950 Pennsylvania Avenue, NW
Washington, D.C. 20530-0001

Mississippi Department of Transportation
Office of Civil Rights
P. O. Box 1850
Jackson, MS 39215

What Should a Complaint Look Like

Complaints should be in writing and signed. A complaint should contain the following information:

- A written explanation of the alleged discriminatory actions;
- The complainant's contact information, including: full name, postal address, phone number, and email address;
- The basis of the complaint (e.g., race, color, national origin);
- Sufficient information to understand the facts that led the complainant to believe that discrimination occurred in a program or activity of the Jackson MPO; and
- The date(s) of the alleged discriminatory act(s) and whether the alleged discrimination is on-going.

What Happens After a Complaint is Filed

Upon receipt of a Title VI related complaint, the Jackson MPO Title VI Coordinator will notify MDOT within 10 working days of any complaints. All complaints will then be forwarded from the initial receiving agency through the Federal-aid highway oversight hierarchy to FHWA Headquarters Office of Civil Rights for processing. FHWA Headquarters Office of Civil Rights is responsible for all determinations regarding whether to accept, dismiss, or transfer Title VI complaints filed against direct recipients and/or subrecipients of federal financial assistance. In the case of a complaint filed against the Jackson MPO (a Subrecipient), FHWA Headquarters may either conduct the investigation itself, or it may delegate the investigation to the direct recipient (MDOT). FHWA Headquarters will communicate its acceptance of the complaint to the complainant and respondent, and FHWA Headquarters will then conduct all data requests, interviews, and analysis unless otherwise delegated. A Report of Investigation will be created by those investigating the complaint. FHWA Headquarters will review the Report of Investigation and compose a letter of finding based on the report. Furthermore, at any time during the investigation, either FHWA or the respondent may initiate informal negotiations to resolve the issues. FHWA always strives to resolve Title VI complaints informally, if possible.

To date no Title VI investigations, complaints, or lawsuits have been filed against the Jackson MPO. Any individual may exercise their right to file a complaint with the Jackson MPO, if that person believes that they or any other program beneficiaries have been subjected to unequal treatment or discrimination, in their receipt of benefits/services or on the grounds of race, color, or national origin. The MPO will make a concerted effort to resolve all complaints.

What are the MPO's Primary Programs and Activities

There are several ways Title VI and other nondiscriminatory regulations interface with the Jackson MPO's transportation planning process including in the MPO's public outreach efforts and in the programming of federal funds for transportation improvement projects through the MPO's short and long-range transportation plans. Three of the MPO's primary responsibilities include the development, implementation, and maintenance of a Public Participation Process, Metropolitan Transportation Plan, and Transportation Improvement Program.

Public Participation Process

The Public Participation Plan establishes and details strategies and techniques to promote involvement of everyone (including traditionally underserved populations such as low income and minority communities, people with disabilities, and the Limited English Proficiency population) in the transportation planning process. The Plan is a living document that is constantly reviewed for possible revisions to improve the participation process. Obtaining public participation is an essential aspect of the transportation planning process. It is the goal of the Jackson MPO to provide a proactive public involvement process which increases public awareness and understanding; offers complete information and timely public notice; supports early and continued involvement of the public and transportation stakeholders; and provides opportunities for meaningful involvement and citizen feedback. To achieve this goal the Jackson MPO has established five (5) objectives for creating and maintaining an effective public participation process which are outlined in Figure 2. A summary of the Jackson MPO's annual outreach efforts is available online, www.cmpdd.org/public-participation-plan/.

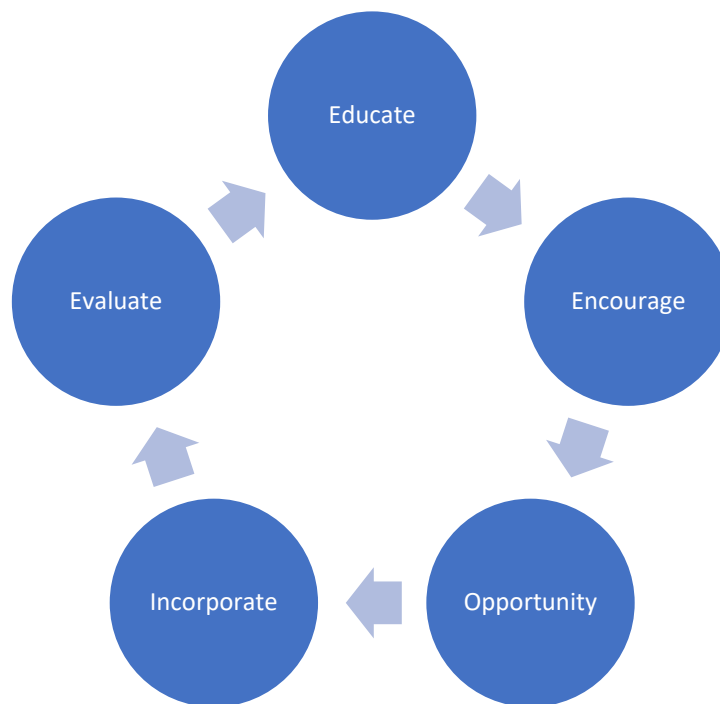


Figure 2: Jackson MPO Public Participation Plan Objectives

Strategies and techniques outlined in the Public Participation Plan which are aimed at making sure traditionally underserved populations such as low income and minority communities, people with disabilities, and the Limited English Proficiency population are involved in the transportation planning process include but are not limited to:

- Advertising public meetings and MPO workshops in publications that target traditionally underserved populations;
- Hosting meetings in locations that are accessible by transit service and held during transit operating hours;
- Utilizing a mixture of traditional visual aids and graphically rich presentation materials during public outreach efforts;
- Providing a comfortable meeting space in neutral locations with appropriate and accessible accommodations;
- Reaching traditionally underserved residents in their communities, and
- Providing materials in alternative formats when requested.

Metropolitan Transportation Plan

The Metropolitan Transportation Plan is a planning document that reflects a comprehensive blueprint of the region's transportation system needs over the next twenty-five years. It forecasts changes in the MPO region and seeks to identify transportation improvements needed to keep people and goods moving. The Plan's analysis of the transportation systems existing and future needs plays a key role in the MPO's selection of projects for federal grant funds awarded by the Jackson MPO. The plan is updated every five years and includes a system level Title VI and environmental Justice analysis to ensure that the burdens and benefits of planned transportation activities are equitably distributed. The current Metropolitan Transportation Plan is available on the MPO website, www.cmpdd.org/transportation/plans-and-programs/long-range-transportation-plan-lrtp/.

Transportation Improvement Program

The region's Transportation Improvement Program provides an overview of how transportation dollars will be invested over a four-year period by federal, state, and local agencies. The Transportation Improvement Program allocates the limited transportation resources available among various capital and operating needs of the region, based on the priorities identified in the region's long-range Metropolitan Transportation Plan. The Transportation Improvement Program is required to be updated at least every four years, but the Jackson MPO typically updates its Transportation Improvement Program every two years. The current Jackson Urbanized Area Transportation Improvement Program is available on the MPO's website, <https://cmpdd.org/transportation-improvement-program-tip/>. Projects selected for federal grant assistance through the MPO's Project Selection Process are evaluated with regards to cost, location, the inclusion of multimodal amenities, the type of project, and access to transit.

Programs and Activities Demographic Data

In order to maintain compliance with Title VI and other nondiscriminatory regulations, the Jackson MPO staff continuously gathers and analyzes demographic data associated with population within the Jackson MPO planning area, and the various Committees associated with the Jackson MPO. This data is used to examine the size and spatial distribution of the various populations protected under Title VI and other nondiscriminatory regulations, and to ensure that everyone, to the maximum extent practicable, is adequately represented in the MPO's planning processes. In an effort to identify and assess the distribution of Title VI and environmental justice protected populations in the Jackson MPO area, 2018-2022 American Community Survey (ACS, 5-year estimates) data has been used at the Census Block Group level, when available, and at the county level, otherwise. Populations evaluated include those living below the poverty level, seniors, minorities, persons with disabilities, those that speak English less than "Very Well", areas of persistent poverty and historically disadvantaged communities.

Race, Ethnicity, and Sex within the Jackson MPO Planning Area

Race, Ethnicity, and Sex	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Population	215,938	46%	101,375	21.6%	152,146	32.4%	469,459	--
Race								
White	50,341	23.31%	59,313	58.51%	110,794	72.82%	220,448	46.96%
Black/African American	158,895	73.58%	35,655	35.17%	33,172	21.80%	227,722	48.51%
Asian/Asian American	1,694	0.78%	2,964	2.92%	1,919	1.26%	6,577	1.40%
American Indian/ Native Alaskan	397	0.18%	20	0.02%	443	0.29%	860	0.18%
Native Hawaiian/ Pacific Islander	22	0.01%	39	0.04%	0	0.00%	61	0.01%
Other	945	0.44%	1,232	1.22%	2,204	1.45%	4,381	0.93%
Two or more Races	3,644	1.69%	2,152	2.12%	3,614	2.38%	9,410	2.00%
Ethnicity								
Hispanic/Latino	3,465	1.61%	3,350	3.30%	4,286	2.82%	11,101	2.37%
Non-Hispanic/ Latino	212,473	98.39%	98,025	96.70%	147,860	97.18%	458,358	97.63%
Sex								
Female	100,686	46.63%	48,866	48.20%	73,489	48.30%	223,041	47.51%
Male	115,252	53.37%	52,509	51.80%	78,657	51.70%	246,418	52.49%

Source: 2022 ACS 5-Year Estimates Tables B01001, B02001, B03003

Poverty within the Jackson MPO Planning Area

Poverty/Low Income	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Number of Families	51,319	--	26,548	--	39,692	--	117,559	--
Families With Income Below the Poverty Line	8,328	16.23%	1,795	6.76%	2,367	5.96%	12,490	10.62%

Source: 2022 ACS 5-Year estimates Table B17010

Seniors within the Jackson MPO Planning Area (Age 65 and Over)

Age 65 and Older	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Population	215,938	--	101,375	--	152,146	--	469,459	--
Population Age 65 and Older	32,220	14.92%	14,704	14.50%	24,288	15.96%	71,212	15.17%

Source: 2022 ACS 5-year estimates Table B3003

Persons with Disabilities within the Jackson MPO Planning Area

Disability	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Population Age 20-64	120,847	--	58,545	--	86,175	--	265,567	--
Persons with Disabilities Age 20-64	16,266	13.46%	5,188	8.86%	9,276	10.76%	30,730	11.57%

Source: 2022 ACS 5-Year Estimates Table B03003

Disabilities within the Jackson MPO Planning Area

Disability	Hinds County		Madison County		Rankin County	
	#	%	#	%	#	%
Total Civilian Non-Institutionalized Population	224,924	--	108,358	--	151,805	--
Total Persons with Disabilities	32,760	14.56%	11,628	10.73%	20,929	13.79%
With a hearing difficulty	6,233	2.77%	2,340	2.16%	5,455	3.59%
With a vision difficulty	6,424	2.86%	2,714	2.50%	3,204	2.11%
With a cognitive difficulty	11,623	5.17%	4,691	4.33%	7,782	5.13%
With an ambulatory difficulty	18,781	8.35%	6,123	5.65%	10,743	7.08%
With a self-care difficulty	7,115	3.16%	2,565	2.37%	4,330	2.85%
With an independent living difficulty	12,487	5.55%	4,527	4.18%	7,133	4.70%

Source: 2022 ACS 5-Year Estimates Table B03003

Limited English Proficiency within the Jackson MPO Planning Area

To provide meaningful access to the MPO's program and services, special attention will be needed to ensure equal participation opportunities for persons with Limited English Proficiency. The MPO will make every effort, to the maximum extent possible, to provide language assistance when requested and utilize a variety of outreach techniques identified in the Public Participation Plan and/or CMPDD's Limited English Proficiency Plan to encourage participation. Both the Public Participation Plan and the Limited English Proficiency Plan can be found online, www.cmpdd.org.

Limited English Proficiency (LEP)	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Population 5 Years and Older	203,832	94.39%	96,174	94.87%	145,012	95.31%	445,018	94.79%
Language								
English Only	195,743	90.65%	88,369	87.17%	136,918	89.99%	421,030	89.68%
Speak English less than "Very Well"	1,599	0.74%	1,302	1.28%	1,237	0.81%	4,138	0.88%
Spanish	3,601	1.67%	2,945	2.91%	4,014	2.64%	10,560	2.25%
Other Indo-European	1,351	0.63%	1,655	1.63%	1,262	0.83%	4,268	0.91%
Asian and Pacific Island	968	0.45%	1,333	1.31%	1,062	0.70%	3,363	0.72%
Other Languages	570	0.26%	570	0.56%	519	0.34%	1,659	0.35%

Source: 2022 ACS 5-Year Estimates Table B16004

Households With No Vehicle Access within the Jackson MPO Planning Area

Vehicle Access	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Households	85,358	--	39,252	--	57,104	--	181,714	--
Households with no vehicle	6,230	7.30%	1,548	3.94%	1,331	2.33%	9,109	5.01%

Source: 2022 ACS 5-Year Estimates Table B03003

Areas of Persistent Poverty within the Jackson MPO Planning Area

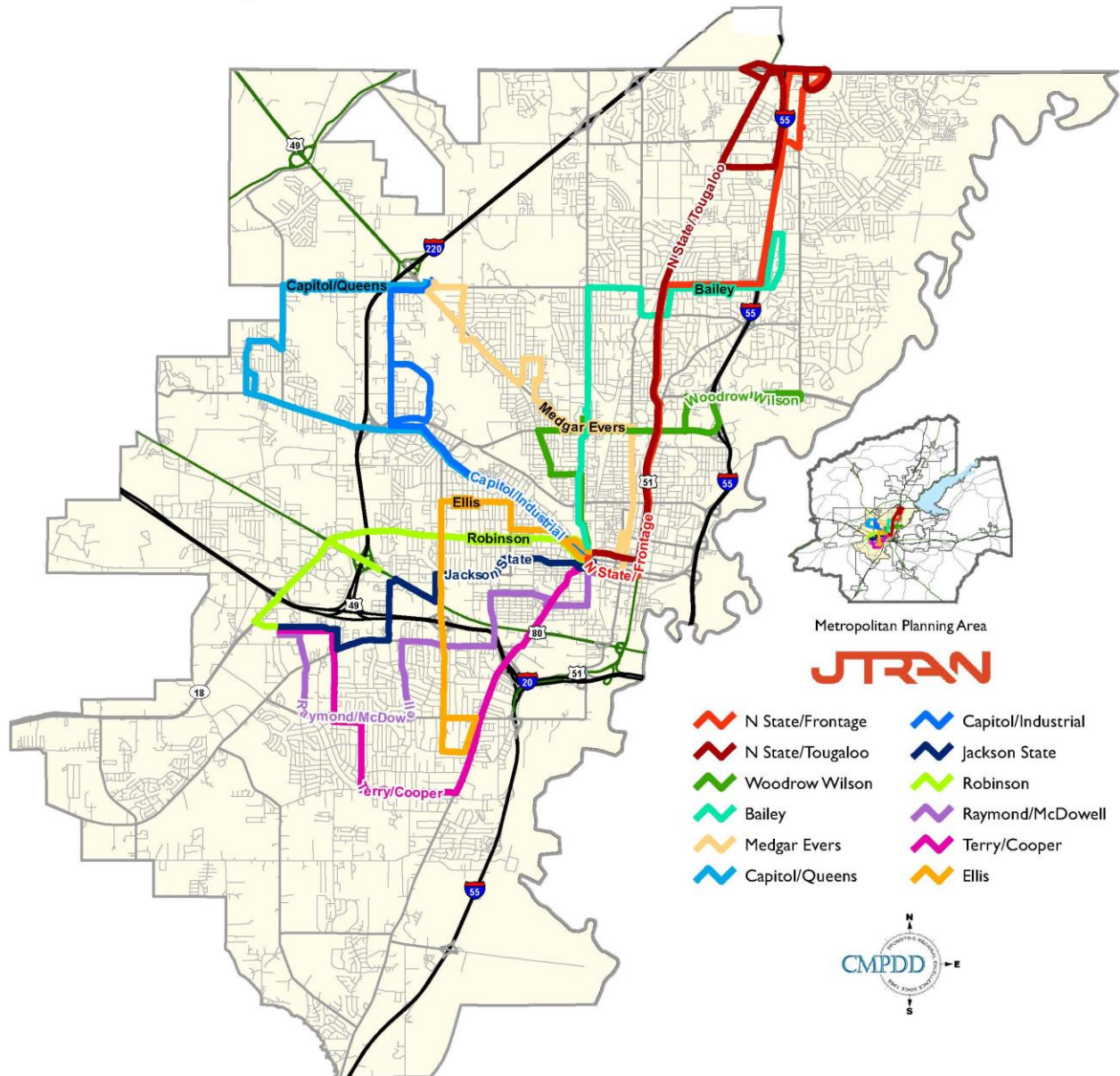
An “**Area of Persistent Poverty**” is defined by the Bipartisan Infrastructure Law. A project is located in an Area of Persistent Poverty if:

1. the **County** in which the project is located consistently had greater than or equal to 20 percent of the population living in poverty in all three of the following datasets: (a) the 1990 decennial census; (b) the 2000 decennial census; and (c) the most recent (2021) Small Area Income Poverty Estimates; **OR**
2. the **Census Tract** in which the project is located has a poverty rate of at least 20 percent as measured by the 2014-2018 5-year data series available from the American Community Survey of the Bureau of the Census; **OR**
3. the project is located in any territory or possession of the United States.

	Hinds County		Madison County		Rankin County		Jackson MPO Planning Area	
	#	%	#	%	#	%	#	%
Total Population	215,938	--	101,375	--	152,146	--	469,459	--
Population in Areas of Persistent Poverty	111,709	51.73%	27,983	27.60%	16,700	10.98%	156,392	33.31%

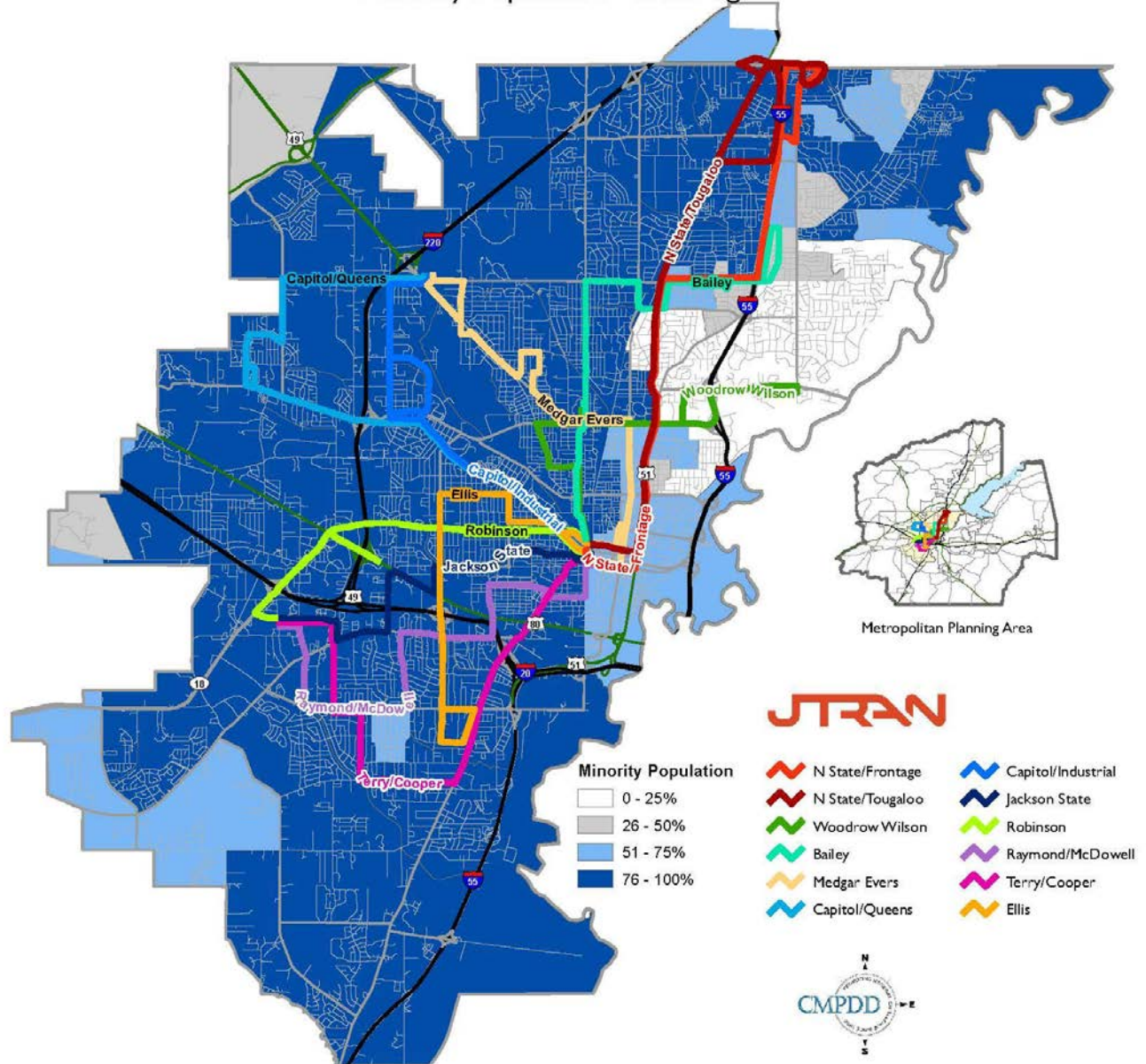
Source: 2022 ACS 5-Year Estimates Table DP05

Jackson MPO Public Transit Service Area

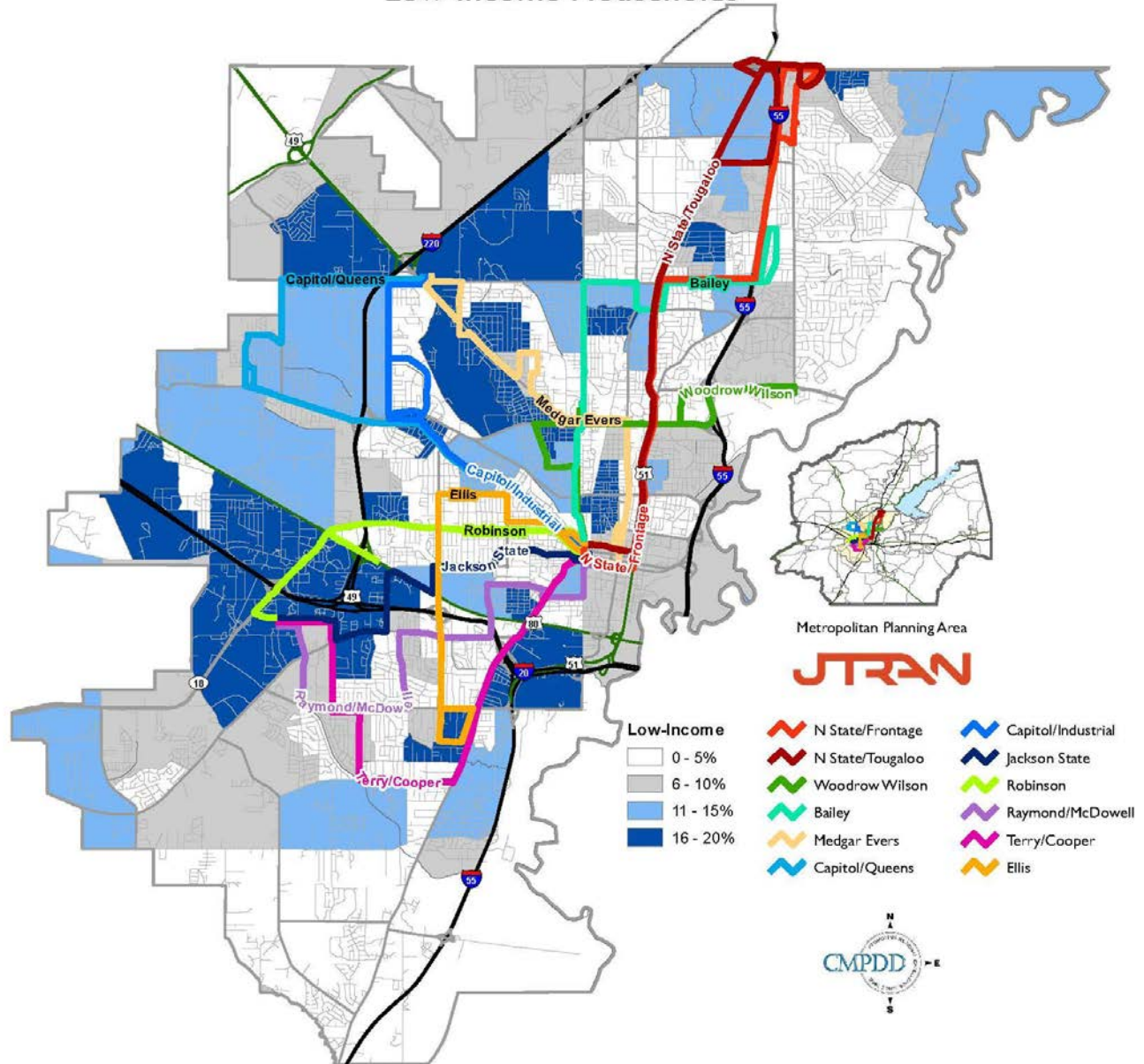


Jackson MPO Public Transit Service Area

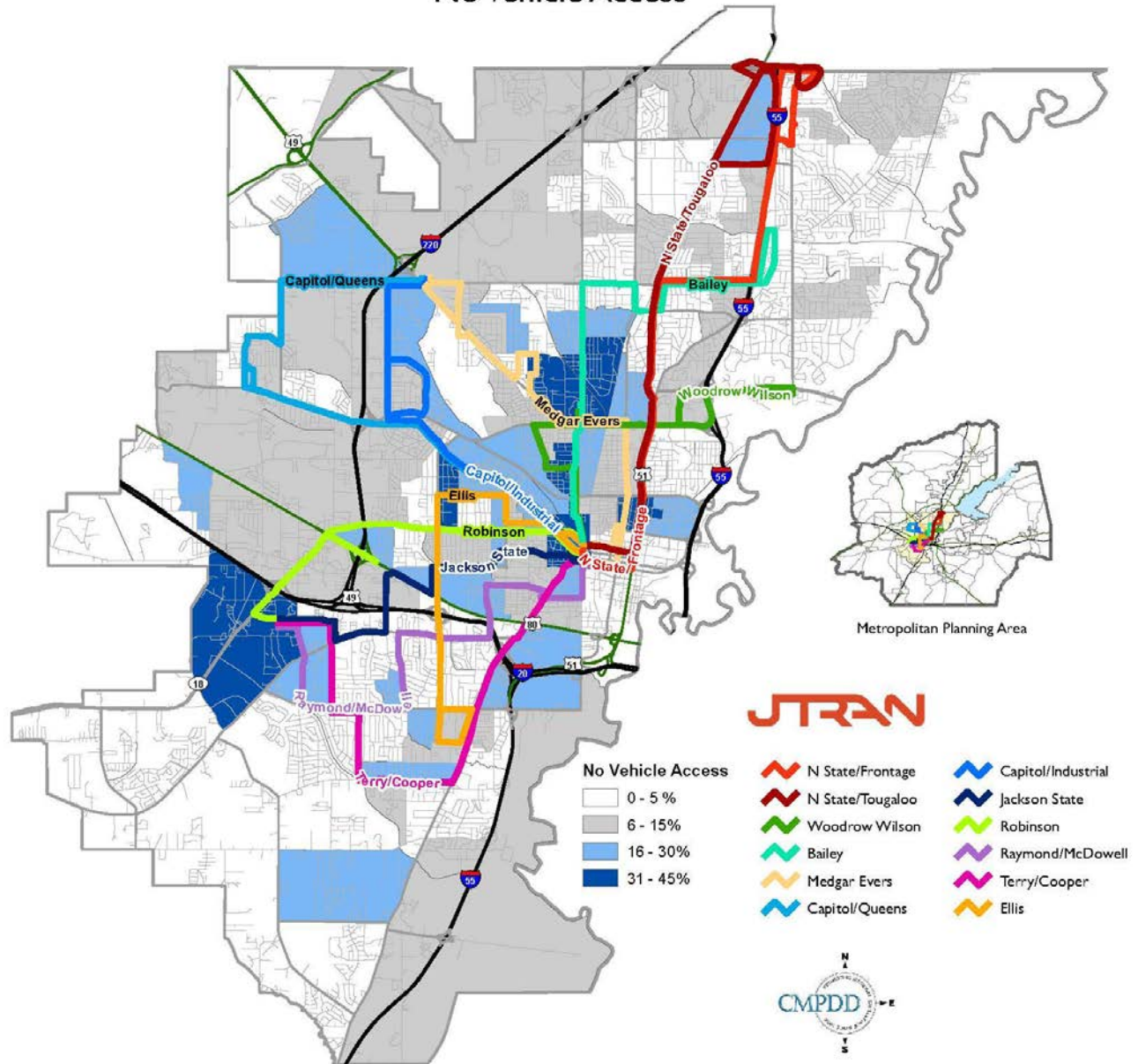
Minority Population Percentages



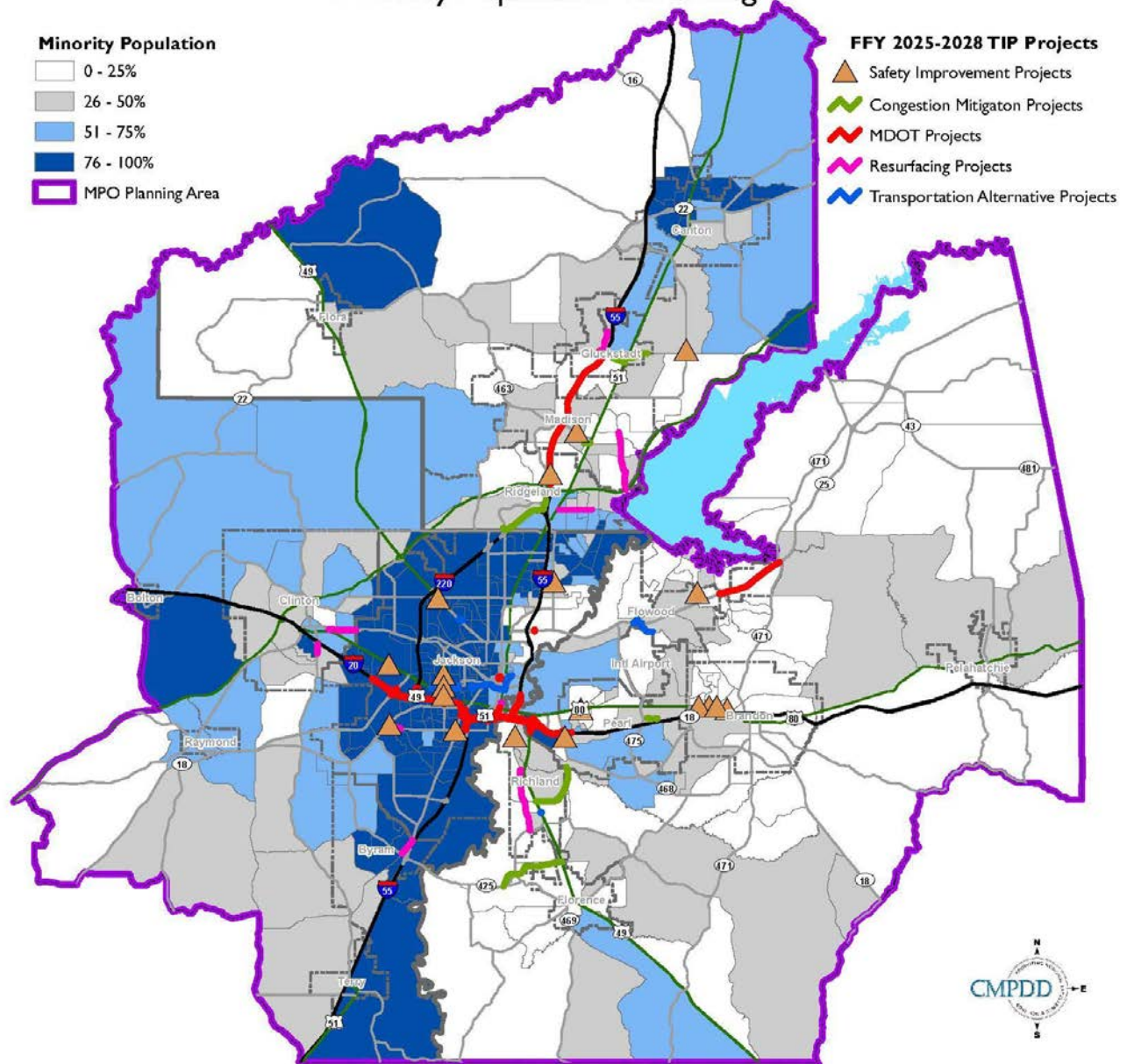
Jackson MPO Public Transit Service Area Low-Income Households



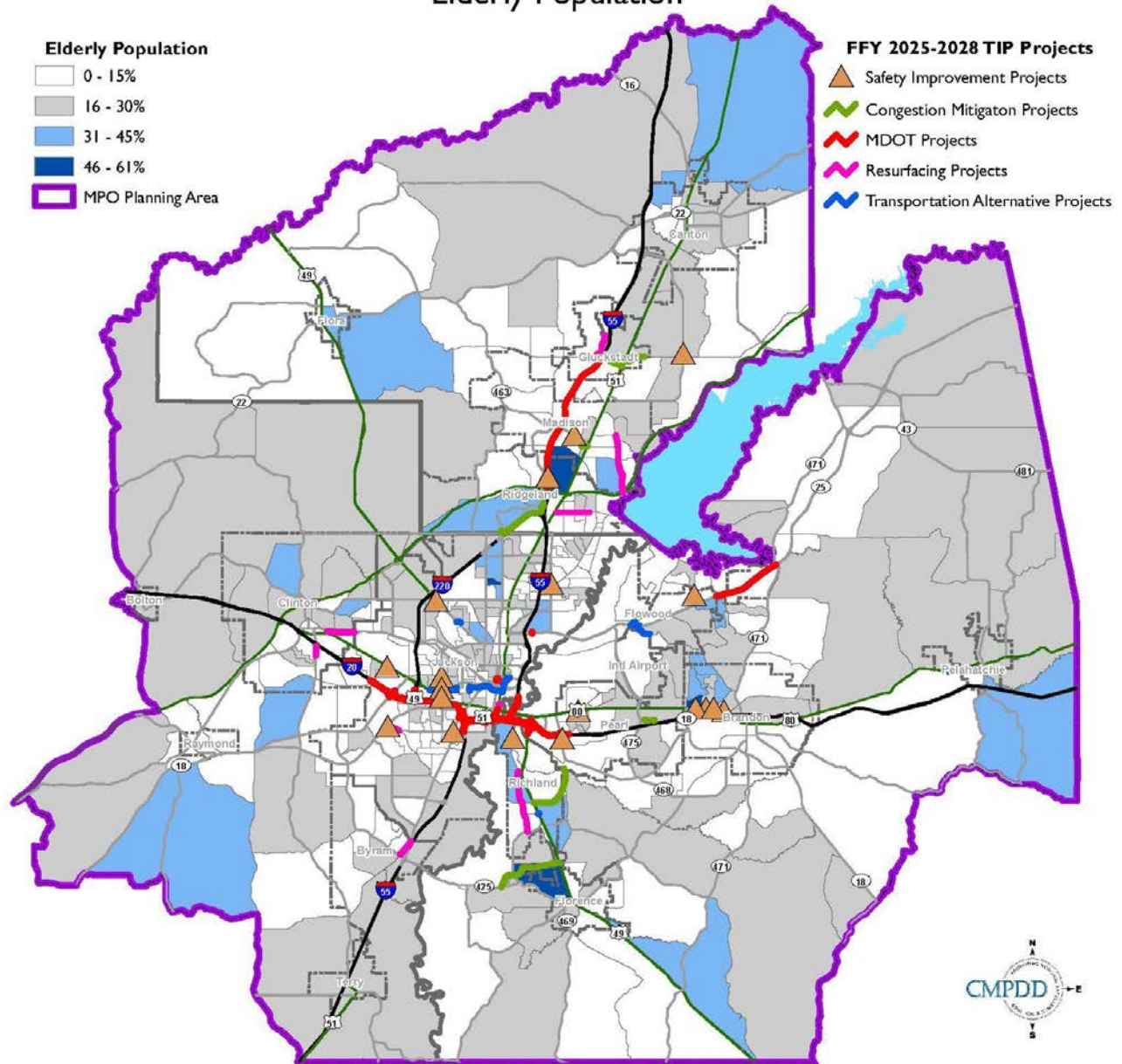
Jackson MPO Public Transit Service Area No Vehicle Access



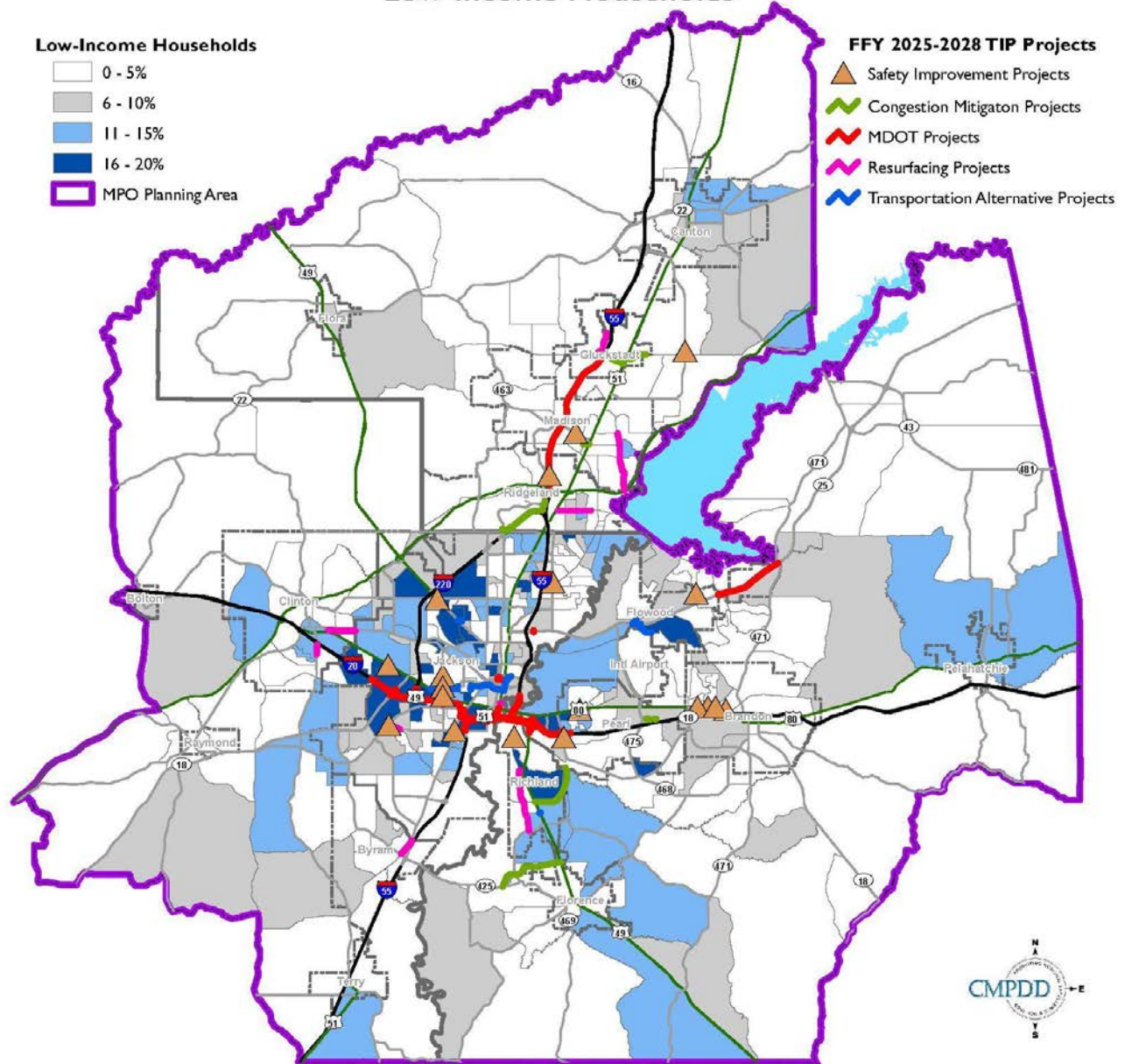
Jackson MPO Transportation Improvement Program Projects Minority Population Percentages



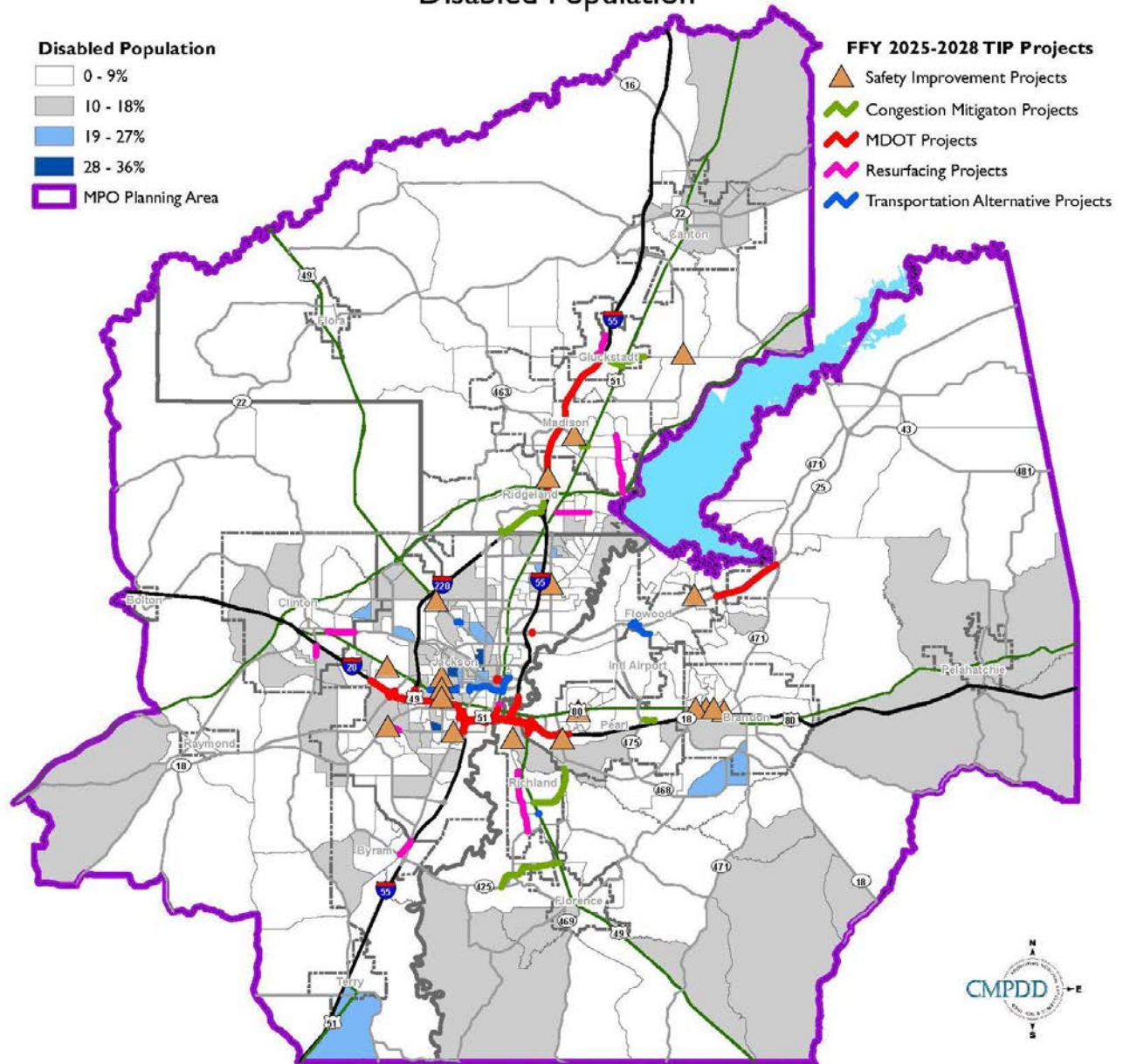
Jackson MPO Transportation Improvement Program Projects Elderly Population



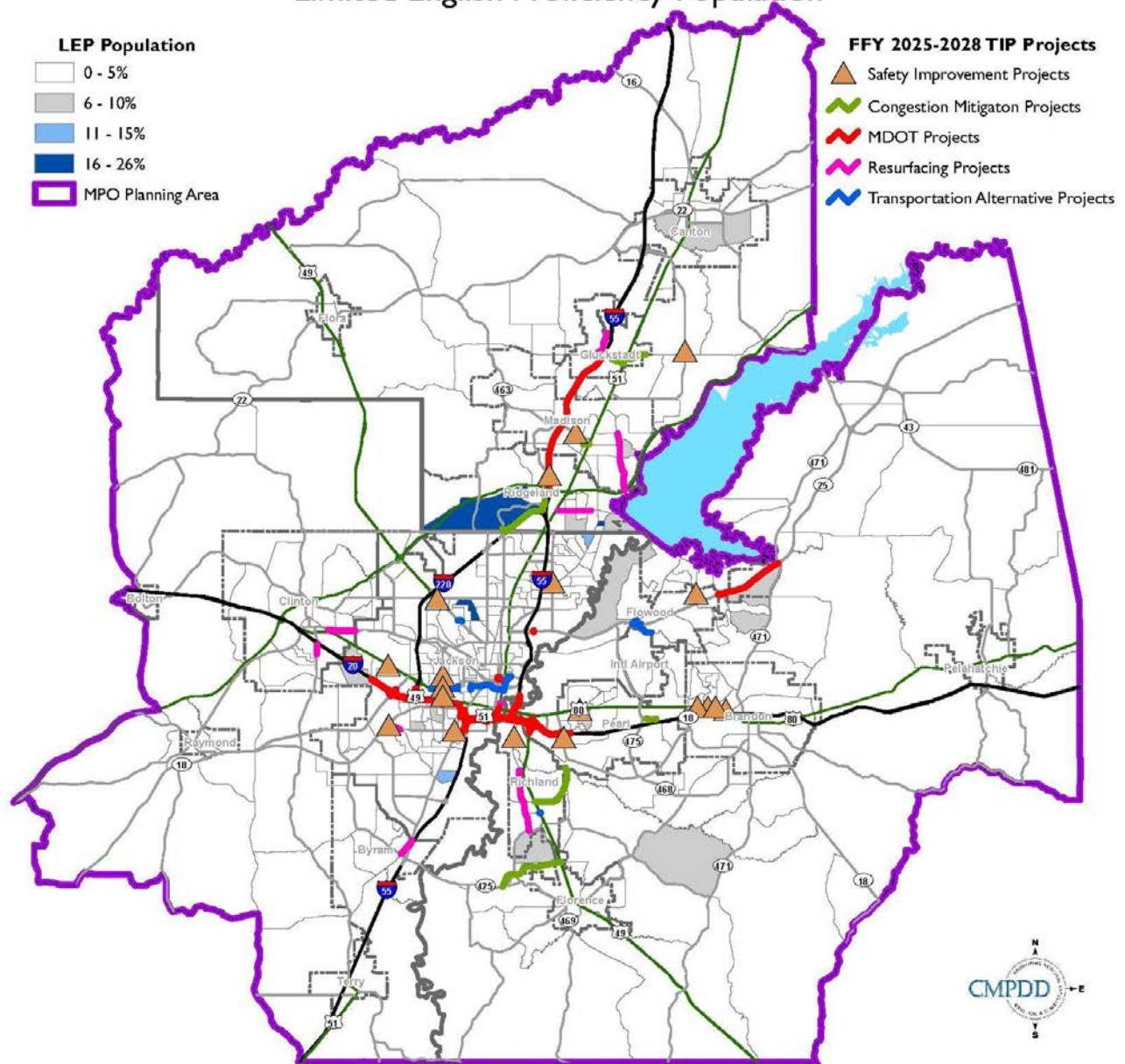
Jackson MPO Transportation Improvement Program Projects Low-Income Households



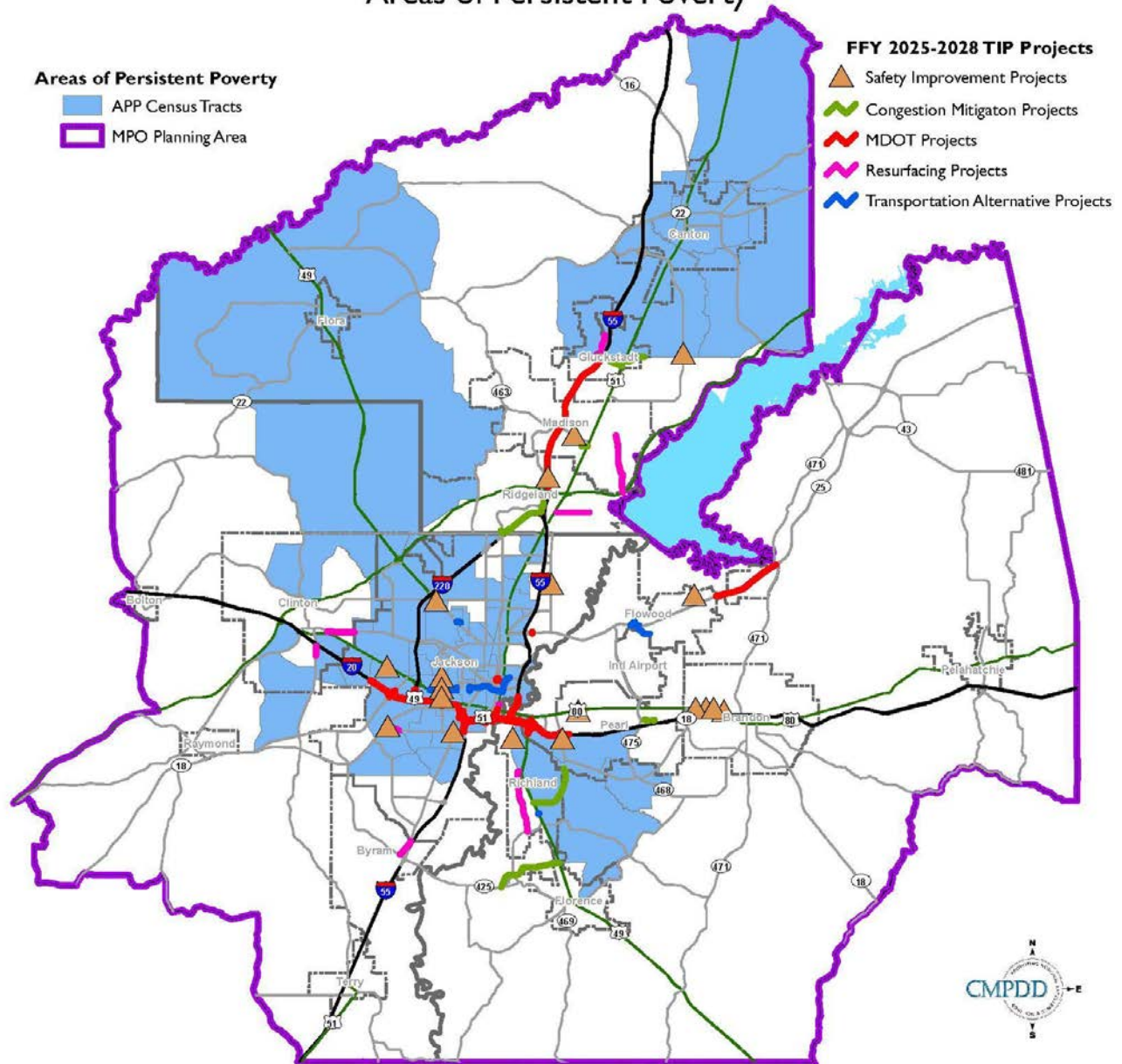
Jackson MPO Transportation Improvement Program Projects Disabled Population



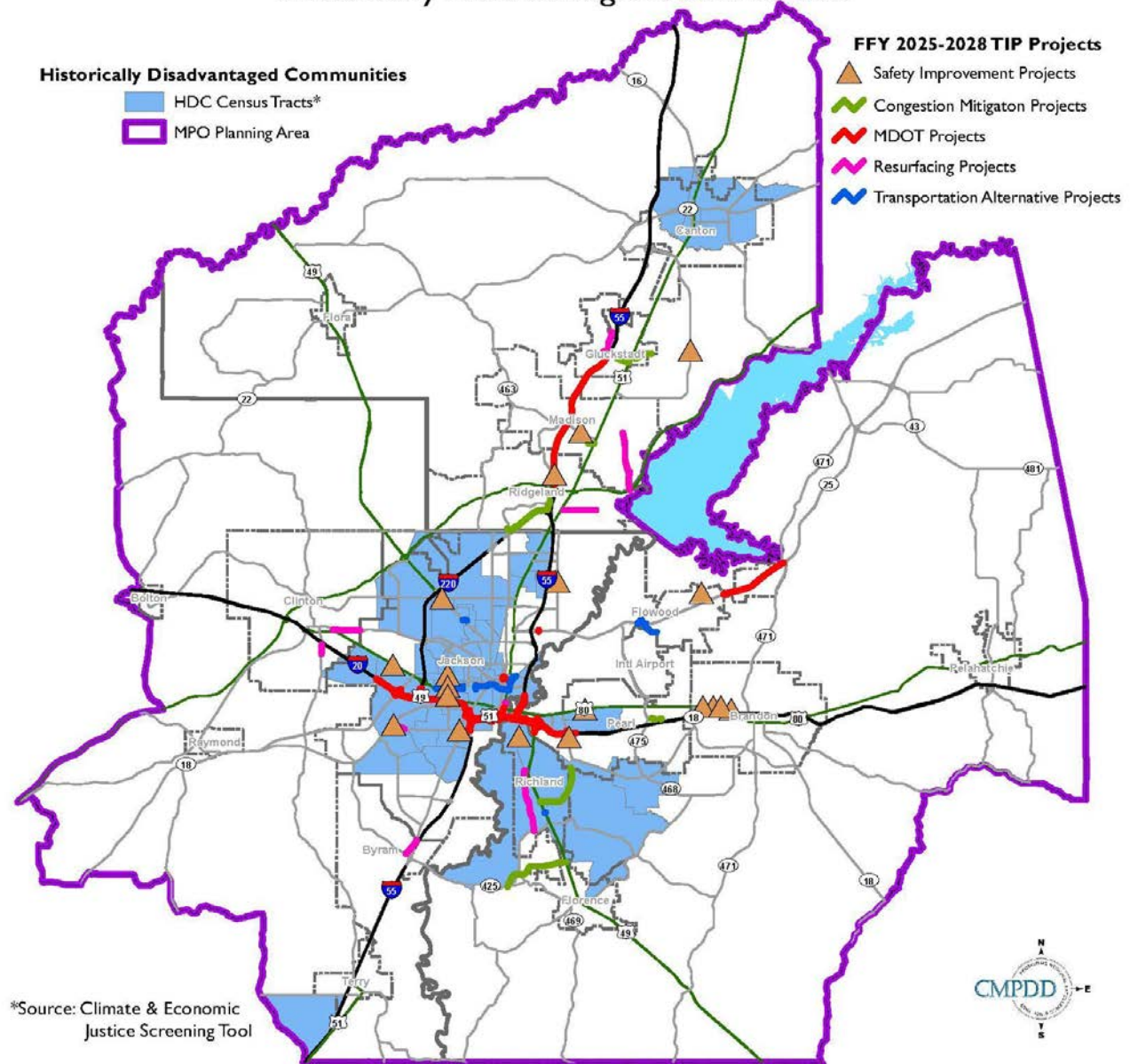
Jackson MPO Transportation Improvement Program Projects Limited English Proficiency Population



Jackson MPO Transportation Improvement Program Projects Areas of Persistent Poverty



Jackson MPO Transportation Improvement Program Projects Historically Disadvantaged Communities



A "**Historically Disadvantaged Community**" is defined by the Justice40 Interim Guidance Addendum, issued by the White House Office of Management and Budget (OMB), White House Council on Environmental Quality (CEQ), and Climate Policy Office (CPO) as:

1. any **Census Tract** identified as disadvantaged in the Climate & Economic Justice Screening Tool ([geoplatform.gov](https://www.geoplatform.gov)) (CEJST), created by CEQ, which identifies such communities that have been marginalized by underinvestment and overburdened by pollution; or
2. any **Federally Recognized Tribe or Tribal entity**, whether or not they have land.

MPO Committees

The Jackson MPO's Metropolitan Planning Policy Committee primarily includes both elected officials and appointed citizen members. The Intermodal Technical Committee members are appointed by position with each member agency selecting staff and/or citizens to fill their MPO member slot(s). The MPO's staff does not control the appointment and participation of committee members. However, when there is a chance for open participation, the MPO casts a wide net and specifically reaches out to underserved communities. The process for fulfilling MPO committee slots is outlined in the MPO's Prospectus (bylaws) document. All members of the Metropolitan Planning Policy Committee and Intermodal Technical Committee, regardless of their race or gender, represent all persons in their community.

Jurisdiction	Voting Committee Members	
	Policy Committee	Technical Committee
Hinds County	3	1
Madison County	3	1
Rankin County	3	1
Bolton	1	1
Brandon	1	1
Byram	1	1
Canton	1	1
Clinton	1	1
Florence	1	1
Flora	1	1
Flowood	1	1
Gluckstadt	1	1
Jackson	3	5
Madison	1	1
Pearl	1	1
Pelahatchie	1	1
Raymond	1	1
Richland	1	1
Ridgeland	1	1
Terry	1	1
Federal or State Agencies	1	7
Other Agencies or Organizations	1	8

Source: Prospectus October 2022

Contracts with the Jackson MPO

Contract administration by the Jackson MPO is conducted in accordance with all applicable state and federal policies and procedures associated with the use of federal funds. All Jackson MPO contracts are official contracts of the Central MS Planning and Development District and not of the Jackson MPO. During Federal Fiscal Years 2023-2024 the Central MS Planning and Development District did advertise for and enter into two contracts for consultant services. The first, for a Safe Streets and Roads for All grant awarded to CMPDD, and the second, a Regional Intelligent Transportation Systems Architecture Plan that utilized Federal Metropolitan Planning Funds available to the MPO. All required Title VI language in written agreements were utilized in each contract. It is the policy of the Jackson MPO to include all required Title VI language in written agreements as outlined in the US Department of Transportation (DOT) Standard Title VI/Nondiscrimination Assurances DOT Order No. 1050.2A (Appendix E)

Appendix A: Assurances



CENTRAL MISSISSIPPI PLANNING AND DEVELOPMENT DISTRICT

1020 Centre Pointe Boulevard • Pearl, Mississippi 39208 • (601) 981-1511 • Fax: (601) 981-1515

Sally Garland, President
Les Childress, Vice President
Dan Hart, Secretary-Treasurer
Michael Monk, Chief Executive Officer

TITLE VI ASSURANCE FOR THE JACKSON METROPOLITAN PLANNING ORGANIZATION

The Central MS Planning and Development District acting as the designated administrator for the Jackson Metropolitan Planning Organization and a subrecipient of federal financial assistance from the MS Department of Transportation assures that no person shall on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964, be excluded from participation in, be denied the benefits of, or otherwise be subject to discrimination under any program or activity receiving federal financial assistance.

The Central MS Planning and Development District further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs or activities were federally funded or not.

In the event the Central MS Planning and Development District distributes federal assistance to a consultant, contractor, or subcontractor or other participants, the Central MS Planning and Development District will include Title VI language in all written agreements and will monitor the consultant, contractor or subcontractor and other participants for compliance. The Jackson Metropolitan Planning Organization Title VI Coordinator is responsible for initiating and monitoring Title VI activities, preparing required reports and other responsibilities as required by 23 CFR 200 and 49 CFR 21.

As required, the Central MS Planning and Development District will comply with the applicable laws and regulations relative to nondiscrimination in federally or state assisted programs of the MS Department of Transportation's Metropolitan Planning Program.



Michael Monk, Chief Executive Officer
Central MS Planning and Development District

October 18, 2024
Date

Appendix B: Jackson MPO Title VI Discriminatory Complaint Form

Discriminatory Title VI Complaint Form

The purpose of this form is to assist you in filing a complaint with the Jackson Metropolitan Planning Organization (MPO). You are not required to use this form; a letter containing the same information may be used as well. For assistance or questions regarding filing a discriminatory complaint contact the Jackson MPO Title VI Coordinator at (601) 981-1511.

Complainant

Name:

First

Middle Initial

Last

Address:

Street

City

State

Zip Code

Telephone:

Home: ()

Cell: ()

Email:

Does an attorney represent you for this complaint?

_____ Yes

_____ No

If yes, please complete the following:

Attorney Name:

Attorney Contact
Information:

Street Address

City

State

Zip Code

()

Phone

Email

Discriminatory Complaint

Complainant alleges Title VI violation is based on:

_____ Race

_____ Color

_____ National Origin

To the best of your knowledge, on what date(s) did the alleged discrimination take place?

[illegible]

Have you tried to resolve this complaint prior to filing a Title VI complaint? _____ Yes _____ No

If Yes, what is the status of the grievance?

Have you filed a complaint of the alleged Title VI violation with a federal, state, or other local agency; or with a state or federal court? _____ Yes _____ No

If Yes, please provide the name of the agency or court where you filed your complaint:

Signature

All complaints should be signed and filed in writing within 180 days from the last date of the alleged discrimination.

Signature of Complainant

Date

Complaints may be filed by mail, fax, in-person, or by email using the information below.

Mail:
CMPDD, MPO Title VI Coordinator
1020 Centre Pointe Boulevard
Pearl, MS 39208

Fax:
(601)981-1515

Email:
mpo@cmpdd.org

Office Location:
1020 Centre Pointe Boulevard
Pearl, MS 39208

Office Hours:
8:00 a.m. to 4:30 p.m.
Monday through Friday except certain holidays

Internal Use Only

Date complaint received by the Jackson MPO Title VI Coordinator: _____

Date complaint forwarded for investigation and to whom: _____
Date

Agency Complaint forwarded to

Appendix C: Notice to the Public

The paragraph below shall be inserted into all required MPO documents and other significant MPO publications that are distributed to the public, such as future updates of the Metropolitan Transportation Plan and Transportation Improvement Program. The version below is the preferred text, but where space is limited or in publications where cost is an issue, an abbreviated version may be used in its place.

Jackson MPO Title VI Document Publication Notice

It is the policy of the Central Mississippi Planning and Development District (CMPDD) to assure full compliance with Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987, Executive Order 12898 Environmental Justice, and related statutes and regulations in all programs and activities. Title VI requires that no person in the United State shall, on the grounds of race, color, or national origin, be excluded from the participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity for which the CMPDD received federal financial assistance. For more information, or to obtain a Title VI Complaint Form, please visit www.cmpdd.org or contact the CMPDD Title VI Coordinator at (601)981-1511.

The paragraph below or a similar shortened version, where space is limited or where cost is an issue, shall be included in public meeting notices issued by the Jackson MPO:

Jackson MPO Title VI Public Meeting Notice

Individuals requiring auxiliary aids, alternative languages or other special accommodations who wish to participate should contact CMPDD at 601-981-1511 or by email at mpo@cmpdd.org at least 7 days prior to the meeting.

The Jackson Metropolitan Planning Organization programs do not discriminate against anyone on the basis of race, color, or national origin, as provided by the Title VI of the Civil Rights Act of 1964. For more information visit www.cmpdd.org or call (601)981-1511.

The following notice shall be posted on the MPO's website.

Jackson MPO Title VI Notice to the Public

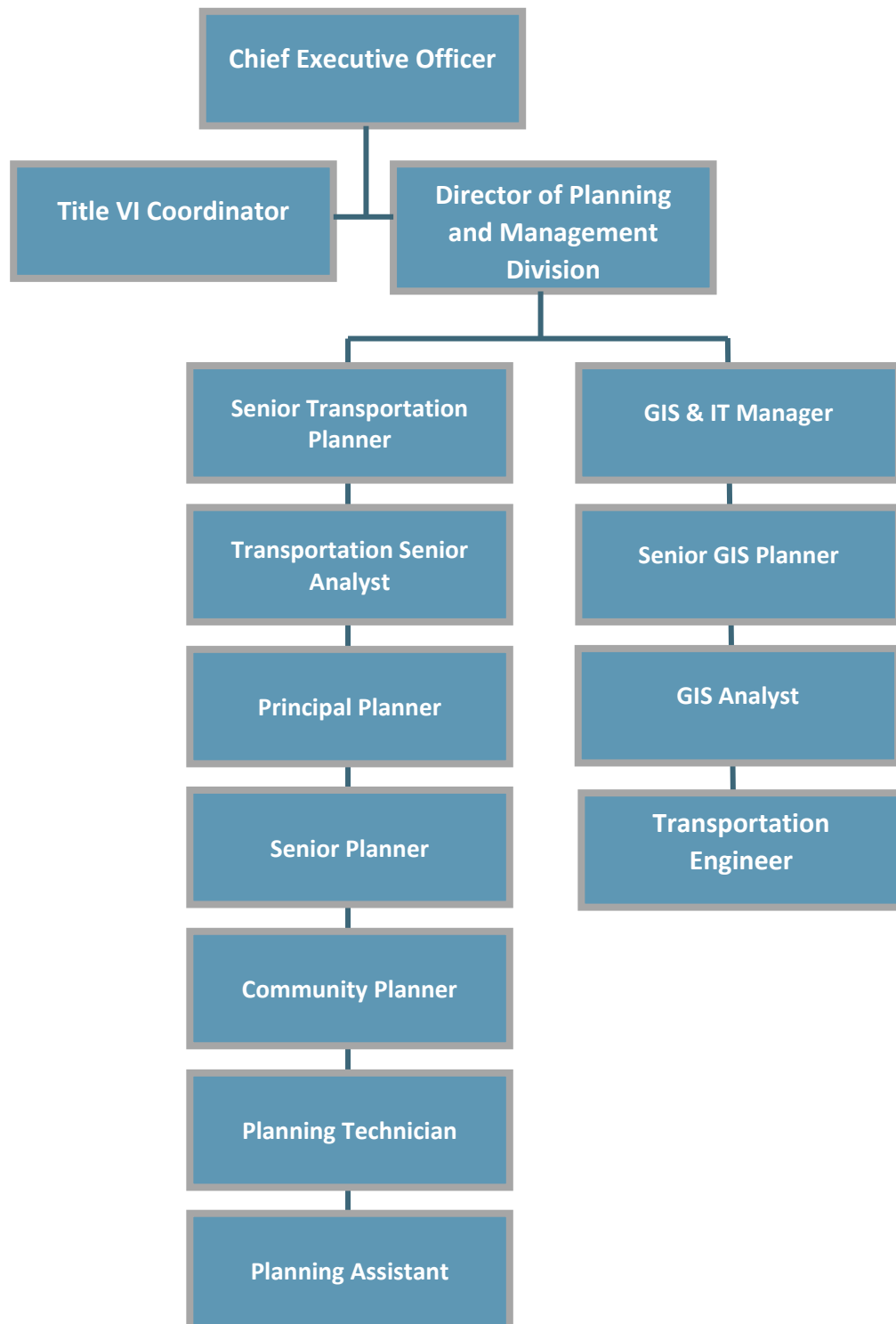
The Jackson Metropolitan Planning Organization assures that no person shall, on the grounds of race, color, or national origin, as provided by Title VI of the Civil Rights Act of 1964 and in the Civil Rights Restoration Act of 1987, be excluded from participation in, be denied benefits of, or be otherwise subjected to discrimination under any program or activity.

Any person who feels that he or she, individually or as a member of any class of persons, on the basis of race, color, or national origin, has been excluded from or denied the benefits of, or subjected to discrimination caused by the Jackson MPO may file a complaint with the MPO's Title VI Coordinator. The complaint form is available for download on the MPO website and in hard copy at the MPO's office. Upon request, the MPO will mail the complaint form. Such complaints must be filed in writing within 180 calendar days from the last date of the alleged discrimination. Reasonable efforts will be made to assist

person with disabilities, non-English speakers, and others unable to file a written complaint. For assistance in filing a complaint, contact the Jackson MPO's Title VI Coordinator.

Scott Stinson, Jackson MPO Title VI Coordinator
Central MS Planning and Development District
1020 Centre Pointe Boulevard
Pearl, MS 39208
sstinson@cmpdd.org
(601) 981-1511

Appendix D: CMPDD Jackson MPO Staff Chart



Appendix E: US Department of Transportation (DOT) Standard Title VI/Non-Discrimination Assurances DOT Order No. 1050.2A



U.S. Department of
Transportation
Office of the Secretary
of Transportation

DOT 1050.2A

SUBJECT: DOT STANDARD TITLE VI ASSURANCES AND NON-DISCRIMINATION PROVISIONS

1. **PURPOSE.** This order updates DOT 1050.2, Standard DOT Title VI Assurances.
2. **SCOPE.** This order applies to the Office of the Secretary and the operating administrations with regard to any program for which Federal financial assistance is authorized under a law administered by the U.S. Department of Transportation.
3. **BACKGROUND.** Section 21.7(a) of Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation – Effectuation of Title VI of the Civil Rights Act of 1964, requires that all applications for Federal financial assistance from the Department of Transportation must contain Title VI Assurances. This order requires the Office of the Secretary and each operating administration to secure from applicants and recipients receiving Federal financial assistance the attached Standard DOT Title VI Assurances. The reverter clause in Appendices B and C of the assurances should be used only when it is determined that such a clause is necessary in order to make clear the purposes of Title VI. The assurances may be supplemented by additional paragraphs by the Office of the Secretary and operating administrations desiring to expand the assurances in order to make them more applicable to a particular program. All such changes or expansions shall be coordinated with the Departmental Office of Civil Rights.
4. **RESPONSIBILITIES.**
 - a. **The Departmental Director of Civil Rights** will monitor compliance with this order, including review of any expansion or addenda to the Standard DOT Title VI Assurances and Non-Discrimination Provisions by the Assistant Secretary for Administration or an operating administration.
 - b. **The Assistant Secretary for Administration**, with respect to programs for which Federal financial assistance is requested from the Office of the Secretary, shall assure that all applications include the attached Standard DOT Title VI Assurances and Non-Discrimination Provisions.
 - c. **The Head of Each Operating Administration**, with respect to programs for which Federal financial assistance is requested from the operating administrations, shall assure that all applications include the attached Standard DOT Order 1050.2, Standard Title VI Assurances and Non-Discrimination Provisions.


Ray LaHood
Secretary of Transportation

The United States Department of Transportation (USDOT)

Standard Title VI/Non-Discrimination Assurances

DOT Order No. 1050.2A

The (**Title of Recipient**) (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 (**Title of Modal Operating Administration**), 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 *Non-discrimination 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);

Modal Operating Administration 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 the (**Title of Modal Operating Administration**).*

The Civil Rights Restoration Act of 1987 clarified the original intent of Congress, with respect to Title VI and other Non-discrimination 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 non-discrimination statutes and requirements to include all programs and activities of the Recipient, so long as any portion of the program is Federally assisted.

Modal Operating Administration 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 (**Name of Appropriate 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 (Name of Appropriate Program) and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

“The (Title of Recipient), 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 ensure that any contract entered into pursuant to this advertisement, disadvantaged business enterprises will be afforded full and fair 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.

Modal Operating Administration may include additional Specific Assurances in this section.

By signing this ASSURANCE, *[Name of the recipient]* also agrees to comply (and require any sub-recipients, sub-grantees, contractors, successors, transferees, and/or assignees to comply) with all applicable provisions governing the *[insert Agency name]* 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 the *[insert Agency name]*. You must keep records, reports, and submit the material for review upon request to *[insert Agency here]*, 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.

[Name of Recipient] 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 *(Name of Appropriate Program)*. This ASSURANCE is binding on *[insert State]*, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the *(Name of Appropriate Program)*. The person(s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

(Name of Recipient)

by _____
(Signature of Authorized Official)

DATED _____

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 the Regulations relative to Non-discrimination in Federally-assisted programs of the U.S. Department of Transportation, (Title of Modal Operating Administration), 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, or national origin 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. *[Include Modal Operating Administration specific program requirements.]*
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. *[Include Modal Operating Administration specific program requirements.]*
4. **Information and Reports:** The contractor will provide all information and reports required 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 (Title of Modal Operating Administration) 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 (Title of Modal Operating Administration), 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 (Title of Modal Operating Administration) may determine to be appropriate, including, but not limited to:
 - a. withholding payments to the contractor under the contract until the contractor complies; and/or
 - b. 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 (Title of Modal Operating Administration) may direct as a means of enforcing such provisions including sanctions for noncompliance. Provided, that if the contractor becomes involved in, or is 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 (Name of Appropriate Legislative Authority), the Regulations for the Administration of (Name of Appropriate Program), and the policies and procedures prescribed by the (Title of Modal Operating Administration) of the U.S. Department of Transportation in accordance and in compliance with all requirements imposed by 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 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 therein 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 interests 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 interests 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 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, (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 (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 Regulations, 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, (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, (Title of Recipient) will there upon revert to and vest in and become the absolute property of (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 USC § 471, Section 47123), as amended, (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987, (PL 100-209), (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 at 49 C.F.R. parts 37 and 38;
- The Federal Aviation Administration’s Non-discrimination statute (49 U.S.C. § 47123) (prohibits discrimination on 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 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.*).