

June 18, 2024

## Wiley Post-Will Rogers Memorial Airport (BRW) 2024 FAA Title VI Plan

### 1. Title VI Policy Statement<sup>1</sup>

The Alaska Department of Transportation and Public Facilities (DOT&PF) assures that no person shall, on the grounds of race, color, national origin (including limited English proficiency (LEP)), sex (including sexual orientation and gender identity), creed, or age, as provided by Title VI of the Civil Rights Act of 1964, the Civil Rights Restoration Act of 1987 (PL 100.259), Section 520 of the Airport and Airway Improvement Act of 1982, and related authorities (hereafter, "Title VI and related requirements"), be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity that receives U.S. Department of Transportation (DOT) funding. Title VI also prohibits retaliation for asserting or otherwise participating in claims of discrimination.

DOT&PF further assures every effort will be made to ensure nondiscrimination in all of its programs and activities, whether those programs are federally funded or not, *"including any programs or activities of our sub-recipients."* The Airport Sponsor agrees, among other things, to understand the communities surrounding or in the flight path and customers that use the airport. Anytime communities may be impacted by programs or activities the DOT&PF will take action to involve them and the general public in the decision-making process.

DOT&PF requires nondiscrimination assurances, as prescribed by the FAA, from each tenant, contractor, and concessionaire providing an activity, service, or facility at the airport. Assurances must be included in any related lease, contract, or franchise agreement between DOT&PF and each tenant, contractor, and concessionaire, as well as in any similar agreements with their own sub-tenants and sub-contractors.

The Title VI Coordinator is available at 907-269-0852 and [Robespierre.howard@alaska.gov](mailto:Robespierre.howard@alaska.gov). The Coordinator is responsible for overseeing the Airport Sponsor's compliance with Title VI and is the point of contact for all airport Title VI matters and related responsibilities, including those required by 49 CFR Part 21.

Signed by:  
  
3BEC855630834FF...  
**Signature**  
**Ryan Anderson, P.E.**  
**Commissioner**

12/20/2024

**Effective Date**

**[Effective Date plus 3 years]**  
**3-Year Expiration Date**

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<sup>1</sup> This policy statement will be translated into languages other than English, upon request and based on patron and local language demographics.

## 2. Administration

The DOT&PF Commissioner has reviewed and adopted this Title VI Nondiscrimination Plan for DOT&PF. This plan will be updated no less than once every 3 years. The plan will not be re-adopted following minor changes, such as updating the DOT&PF Commissioner’s Airport Director or the DOT&PF’s Title VI Coordinator. Significant revisions to our policies or federal guidelines may warrant re-adoption by the DOT&PF’s Civil Rights Office (CRO) and resubmittal to the FAA.

In addition to the coordinator and airport sponsor’s leadership, the following people also assist with our Title VI program requirements:

<b>Staff Supporting Title VI Program</b>	<b>Airport Sponsor Program / Office</b>
Robespierre Howard	ADA / Title VI Coordinator / DOT/ CRO
Jeff Russell	Airport Superintendent
John Olsen	Airport Manager

BRW has the following airport program sub-recipients:

### **Sub-Recipients**

None
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As of the date of this plan, BRW has the following pending applications for Federal financial assistance:

<b>Federal Source</b>	<b>Grant Number</b>	<b>Amount</b>
AIP	3-02-0026-025-2023	\$896,035

“In addition, BRW sub-recipients have the following pending applications for Federal financial assistance (either directly from the FAA, or passed through the State DOT):

<b>Federal Source</b>	<b>Grant Number</b>	<b>Amount</b>
None		

Updated information for pending and awarded grant applications will be available through the following methods:

<b>Federal Source</b>	<b>Grant Award Information Available at:</b>
FAA AIP	<a href="https://www.faa.gov/airports/aip/">https://www.faa.gov/airports/aip/</a>

### **3. Grant and Procurement Assurances**

49 CFR § 21.7 (a)(1); 49 CFR Part 21 Appendix C (b)

DOT&PF will complete standard grant assurances for Title VI and related requirements, in the form prescribed by FAA. See [https://www.faa.gov/airports/aip/grant\\_assurances/#current-assurances](https://www.faa.gov/airports/aip/grant_assurances/#current-assurances).

#### **Clauses/Covenants**

- a. All contracts, leases, deeds, licenses, permits, and other similar instruments, must contain the contractual requirements and clauses, in the form prescribed by FAA. See [https://www.faa.gov/airports/aip/procurement/federal\\_contract\\_provisions/](https://www.faa.gov/airports/aip/procurement/federal_contract_provisions/). Note that unlike many other clauses, Civil Rights clauses are required in all contracts. Note also special clauses that are required for certain types of contracts, such as land acquisition.
- b. DOT&PF requires, Civil Rights clauses to be included in solicitations and contracts for all subcontractors, subleases, and any other agreements.

#### **Description of Oversight Methods for Subcontracts**

To ensure compliance with the subcontractor, the Title VI Coordinator and Airport Title VI Liaison will conduct annual reviews of 10% of all AIP-funded projects. These reviews will examine the information listed below, which will be documented in the FAA Title VI Plan's Appendices. In addition, the Alaska DOT&PF Central Region Contracts section provides oversight of all BRW project contracts, whether federally or airlines funded, including both vertical and horizontal agreements. The Contractor will ensure that paragraphs one through six of federal regulations "combined-federal-contract-provisions-2023-5-24, Section A6.4.2, Compliance with Nondiscrimination Requirements (see Appendix A)" are included in every subcontract, including material procurements and equipment leases, unless exempted by the Acts, Regulations, and associated directives.

The Contractor will take necessary action, as directed by the Recipient or the Federal Aviation Administration, to enforce these provisions, including imposing sanctions for noncompliance.

If the Contractor faces litigation from a subcontractor or supplier due to such direction, they may request the Recipient to engage in legal proceedings to protect the Recipient's interests.

Additionally, the Contractor may request that the United States participate in the litigation to safeguard the United States' interests.

### **4. Title VI Coordinator Responsibilities**

The Coordinator is responsible for ensuring that they and other staff supporting Title VI are trained in Title VI requirements. Essential training topics include:

- Basic Title VI requirements
- Airport language assistance resources and practices
- Collecting and assessing demographic data
- Reporting Title VI complaints and other required FAA notifications.

See Training Section for more information on expected training for all staff.

Among other responsibilities, the Title VI Coordinator:

- Proactively ensures that the Airport Sponsor is in compliance with nondiscrimination requirements of Title VI and reports to DOT&PF leadership on the status of Title VI compliances.
- Responds promptly to requests by the FAA for data and records and for scheduling compliance reviews and other FAA meetings to determine compliance with Title VI and related requirements.
- Receives discrimination complaints covered by Title VI and related requirements and forwards them to the FAA within 15 days of receipt, together with any actions taken to resolve the matter.
- Provides the FAA with updates regarding its response and status of early resolution efforts to complaints concerning Title VI and related requirements (49 CFR Part 21, Appendix C(b)(3)), including resolution efforts.
- Annually reviews the airport's Title VI plan and disseminates information throughout staff and the Airport Sponsor's leadership.
- Coordinates data collection to evaluate whether racial or ethnic groups are unequally benefited or impacted by airport programs. The data will be regularly assessed and readily available upon request (49 CFR § 21.9(b) & (c)). Data collection methods will include optional demographic questions in: airport customer satisfaction surveys, customer complaints, airport event sign-in sheets, bids/proposals for airport contracts, and other methods described in the airport Community Participation Plan (CPP).
- Maintains demographic data for members of appointed planning and advisory bodies for the airport. Identifies any disparities compared to the community. Provides information to the membership selecting official/committee, particularly when vacancies occur.
- Maintains a copy of 49 CFR Part 21 for inspection by any person asking for it during normal working hours (49 CFR 21, Appendix C (b)(2)(i)).

See Notice, Compliance Reviews, Audits, Lawsuits, Other Investigations, and Complaints Sections of this Plan.

The Title VI Coordinator has requested and received access to the Title VI portion of the FAA Civil Rights Connect System (<https://faa.civilrightsconnect.com/>).

## **5. Notice**

49 CFR Part 21 Appendix C(b)(2)(ii)

BRW will conspicuously display the FAA-provided Unlawful Discrimination Poster in all public areas on airport property, including those with pedestrian activity. The Title VI Coordinator

ensures that these posters are visible, accessible,<sup>2</sup> and maintained. The poster template is available at

[https://www.faa.gov/about/office\\_org/headquarters\\_offices/acr/com\\_civ\\_support/non\\_disc\\_pr/](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_support/non_disc_pr/); a completed copy is attached. See Section 15 Appendix.

BRW has posted the above Title VI policy statement at its staff offices.

BRW will distribute this Title VI Plan among its employees, airport contractors, concessionaires, lessees, and tenants. This plan is available on the DOT&PF website: [Title VI of the Civil Rights Act of 1964 & Environmental Justice, Civil Rights Office, Transportation & Public Facilities, State of Alaska.](#)

Posters are displayed in the terminal and other public areas on airport property, including the following public locations:

<b>Terminal/FBO/Concessions/ Other Locations</b>	<b>Quantity in Pre-Security Area</b>	<b>Quantity in Post-Security Area</b>	<b>Additional Quantities</b>
Terminal A	1	1	
Rent-a-Car	1		

#### Outreach to Affected Communities

The DOT&PF CRO Title VI Coordinator will ensure that the Airport's Title VI Liaisons ensure notices for public meetings reach all segments of the impacted community. The Title VI coordinator will identify the effective media platforms to share announcements and notices. Announcements are made in social media, general circulation newspapers, community newspapers, email broadcasts, and the DOT&PF’s website. The CRO Title VI Coordinator contacts leaders and representatives in Affected Communities directly or indirectly to confirm effective media platforms to reach all Affected Communities<sup>3</sup> and provide important feedback on translated materials. The office maintains records of all such notices and the efforts made to reach each of the Affected Communities.

DOT&PF will create a detailed Community Participation Plan (CPP) by July 31, 2024. Detailed information on our public notice and outreach procedures and a copy of the plan will be available in [Title VI of the Civil Rights Act of 1964 & Environmental Justice, Civil Rights Office, Transportation & Public Facilities, State of Alaska](#)

To ensure that the community is effectively informed of and able to participate in public

<sup>2</sup> For more information about website accessibility, please visit ADA.gov.

<sup>3</sup> We will not subject any persons to discrimination based on race, color, national origin, age, sex, or creed. The term "protected communities" is used within this Title VI Plan to highlight the requirements of Title VI, 49 U.S.C. § 47123, the Age Discrimination Act of 1975, and, in some instances, includes low-income populations under Executive Order 12898

hearings, DOT&PF’s CRO includes public notices translated into appropriate languages, including for any language spoken by a significant number or proportion of the Affected Community population with limited English proficiency (LEP). Such social media postings and notices will include directions for obtaining an interpreter, free of charge, for public hearings. 28 CFR § 42.405(d). See Limited English Proficiency (LEP) Section.

## 6. Community Statistics

Title VI regulations require Federal grant recipients to know their community demographics. See 49 CFR § 21.9(b). By knowing this information, the CRO Title VI Coordinator can identify, understand, and engage with communities. In doing so, the DOT&PF needs to know about communities eligible to be served, actually or potentially affected, benefited, or burdened by DOT&PF’s airport program.

<b>Affected Communities<sup>4</sup></b>	<b>Population</b>
Utqiagvik	4,776

(Hereafter, the above communities will be referred to collectively as “the Affected Communities”).

We have identified the following facts about the Affected Communities:

us

### Low Income Communities<sup>5</sup>

A low-income area is an identifiable group of persons living in geographic proximity, whose median household income is at or below the Department of Health and Human Services poverty guidelines. Pursuant to Executive Order 12898, “Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations,” DOT&PF is collecting information about affected and potentially affected low-income communities. According to U.S. Census Report, such as S1701: Poverty Status in the Past 12 Months, the overall poverty level for the Utqiagvik community is approximately 9.2 %. The poverty rate remains “low” compared with the rest of the State of Alaska at 10.5%. The poverty rates for the specific Affected Communities are as follows.

<b>Affected Communities</b>	<b>Poverty Rate</b>
Utqiagvik	9.2%

### Racial and Ethnic Communities.

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<sup>4</sup> “Affected communities” means any readily identifiable group potentially impacted by an airport project or operation, such as the community immediately surrounding a project or a community in the flight path.

<sup>5</sup> Low-income data must be collected to assist in our compliance with Environmental Justice requirements (not Title VI requirements). For example, this data will be utilized in our Community Participation Plan (CPP) to help ensure the meaningful involvement of low income communities in airport programs and activities.

Demographic data for race, color, and national origin was evaluated to identify racial and ethnic communities and populations in each Affected Community. The demographic composition by race, color, or national origin have not identified any specific area or Affected Communities and has only been determined by the community as a whole.

**Affected Community:   Utqiagvik**  
**Total Affected Community Population:   4776**

<b>Demographic Group within Affected Community</b>	<b>Number of People in Minority Group</b>	<b>Percent of Total Affected Community Population</b>
White	391	3.8%
Black or African American	89	0.0%
American Indian or Alaska Native	3080	12.3%
Asian	489	0.0%
Native Hawaiian or Other Pacific Islander	142	0.0%
Hispanic or Latino	31	0.0%
More than one	534	8.8%
Some other race alone	51	0.0%

Limited English Proficiency (LEP).

All language access planning and implementation aim to ensure that DOT&PF effectively with limited English proficient (LEP) individuals. Effective language access requires self-assessment and planning. The next table lists non-English languages<sup>6</sup> that are spoken in LEP households in the Affected Communities, the data source is American Community Survey, U.S. Census, EJ Screen, and City-Data.

The threshold we have used for identifying the languages with significant LEP populations is the DOT LEP Policy Guidance safe harbor threshold, which is 5% or 1,000, whichever is less.<sup>7</sup> The safe harbor for our community is 193.15. Please refer to the end of this document to find data for all languages in our community.

<b>Languages Spoken by LEP Population that Meet the Safe Harbor Threshold</b>	<b>Number</b>	<b>Margin of Error</b>
None		

<sup>6</sup> Recommend using language groups from the U.S. Census and data for the "Speak English less than 'very well'" category for each language over the threshold.

<sup>7</sup> See the DOT LEP Policy Guidance at <https://www.federalregister.gov/d/05-23972/p-133>. The safe harbor provisions apply to the translation of written documents only; however, it provides a consistent starting point for identifying significant LEP populations.

Frequency of contact with LEP individuals at the airport and airport-related activities (all languages): None

<b>Languages Spoken by LEP Persons</b>	<b>A few times a year (12 or less days a year)</b>	<b>Several times a month (13 to 51 days a year)</b>	<b>At least once a week (52 to 364 days a year)</b>	<b>Every day (365 days a year)</b>

Additional languages spoken by significant numbers of LEP persons in the Affected Communities, local schools, emergency service providers, and others, include: None

**Additional Languages Spoken**

*None*

This information is updated annually<sup>8</sup> through checking the following resources:

<b>Data Sources for Languages Spoken in Affected Community</b>	<b>Website link to Data Source</b>
U.S. Census Bureau	<a href="#">B16001: LANGUAGE SPOKEN AT HOME BY ... - Census Bureau Table</a>
Local public-school data	<a href="#">Data Center - Education and Early Development (alaska.gov)</a>
U. S. Environmental Protection Agency	<a href="#">EJScreen: Environmental Justice Screening and Mapping Tool   US EPA</a>
City-Data	<a href="#">City-Data.com - Stats about all US cities - real estate, relocation info, crime, house prices, cost of living, races, home value estimator, recent sales, income, photos, schools, maps, weather, neighborhoods, and more</a>
Alaska Department of Health	<a href="#">Tribal Health Regions   Alaska Health Data Geographic Descriptions</a>

Beneficiary Diversity.

Demographic information is collected from airport customers, attendees at community meetings, and businesses seeking opportunities at the airport, through voluntary disclosures.

<sup>8</sup> Data should be kept up-to-date, but this plan does not need to be updated for incremental data changes during the Plan’s 3-year period.



**Description of Beneficiary Demographic Information Collection Methods**

- Participants at small business workshops, pre-bid meetings, and other public meetings are asked to complete an anonymous survey that includes demographic information.
- Businesses that submit bids or offers are asked to complete an anonymous survey that includes demographic information submitted through a data collection website.

Staff and Advisory Board Diversity.

Demographic information is collected from airport program employees and members of planning and advisory boards, through voluntary disclosures.

**Description of Employee and Advisory Board Demographic Information Collection Methods**

- Currently, the BRW has no planning or advisory board members.
- Airport program employees provide voluntary demographic data during onboarding as part of collecting efforts to ensure nondiscrimination.

**7. Potential or Known Community Impacts**

Projects or services receiving federal financial assistance have the potential to touch so many aspects of American life. Thus, in general, no DOT&PF activity must have a discriminatory disparate impact on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age. This means that policies or procedures that have a disparate impact would require a well-documented substantial legitimate nondiscriminatory justification, summarized below. Impacts to protected communities must be avoided or minimized to the extent possible. No project with a discriminatory impact on protected communities will be undertaken.<sup>9</sup>

The following airport facilities are already in use or under construction and expected to be in use within the next 3 years:

<b>Existing Airport Facilities</b>	<b>Affected Community Impacted by Operation of the Facility</b>
Runway	Runway
Terminal	Terminal
Maintenance Building	Maintenance Building

The following airport facility projects (including all alternatives) are in construction or expected to be in construction within the next 3 years:

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<sup>9</sup> In order to carry out an alternative with a discriminatory impact, the airport sponsor must demonstrate that there was a substantial legitimate justification for the decision. The sponsor must also show that alternatives with less discriminatory impacts were meaningfully considered and rejected for legitimate reasons.

**Airport Facility Construction Projects**

**Affected Community Impacted by Construction of the Facility**

Barrow Rotary Plow & Push Broom Replacement	Village of Barrow
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We have analyzed the above existing facilities and facility construction projects for disparate impacts on the basis of race, color, or national origin (including LEP) in Affected Communities. The following have disparate impacts:

<b>Facilities or Construction Projects with Disparate Impacts</b>	<b>Affected Community Impacted</b>	<b>Impact Can Be Eliminated?</b>
None		

**Justifications:**

<b>Facilities or Construction Projects</b>	<b>Justification</b>
Rotary Plow and Push Broom Replacement	Replace Rotary Plow 32586 & Push Broom 38728 with new Rotary Plow and Push Broom

**8. Limited English Proficiency (LEP)**

Executive Order 13166

In creating a Language Assistance Plan, the DOT&PF will consider the volume, proportion, or frequency of contact with LEP persons in determining the appropriate language assistance to provide.

In Community Statistics section, we identified the following languages spoken by LEP persons in Affected Communities:

<b>Language</b>
None

DOT&PF also collects data for languages spoken by airport guests.<sup>10</sup> Data sources include:

<b>Data Sources for Languages Spoken by Airport Guests</b>	<b>Website link to Data Source</b>
None	
Airline-provided data	N/A
Assumption from flight origin / destination	N/A
Assistance requests to airport information desks	N/A

<sup>10</sup> We aim to provide appropriate language assistance services to every LEP person encountered. This includes instances when LEP statistical data for a particular language was not available beforehand, or the safe harbor threshold for written translation was not met.

Based on the above data, the following additional languages have been identified as likely to be spoken by LEP airport guests: None

**Language**

None
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The Title VI Coordinator will also actively engage with community educators, community groups, places of work, business groups, social groups, and the like to confirm that translation and interpretation services are accurate and effective. Additionally, the Title VI Coordinator will inform leadership and staff of the BRW of the responsibility to provide language access. We have made the following plans to provide translation services free of charge to ensure that individuals with LEP have access to the benefits of the airport:

**Translation Services:**

- All written notices contain a statement in the identified languages, when appropriate, of how to receive translated written materials.
- The following vendors have been identified for written translations:

Translation Vendors	Languages
On-Demand Interpreting and Translation Services	All above languages

- Information regarding translation services can be obtained at:

Location for Translation Assistance	Languages
Language Interpreter Center Anchorage/ Juneau Office	All above languages

**Interpretation Services:**

- The following vendors have been identified for interpretation services:

Interpretation Vendors	Languages
All Language Services, LLC	All above languages
Alaska Native Language Center	All Alaskan Native Languages

- Information regarding interpretation services can be obtained at:

Location for Interpretation Assistance	Languages
On-Demand Interpreting and Translation Services	<a href="#">On-Demand Interpreting and Translation Services, Office of Procurement and Property Management, State of Alaska</a>

**Description of Interpretation Assistance Processes**

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- The airports operated by the Alaska Department of Transportation & Public Facilities (DOT&PF) use a combination of human staff, technology, and clear signage to offer translation services and ensure fair access to airport facilities. To address language barriers, DOT&PF uses pictograms in their wayfinding to bridge the gap between different languages. The Airport Emergency Plans include procedures to identify individuals who may require extra assistance, such as those with Limited English Proficiency (LEP), individuals with dementia or other invisible disabilities, people with visible disabilities, and unaccompanied elderly individuals and children. Staff members can provide language assistance by giving directions, answering questions, and offering guidance to passengers. In addition to human assistance, passengers can use smartphone translation apps as a technology solution.
  - The DOT&PF CRO understands that the resources needed to provide the cost of translation services or have a certified translator in certain parts of rural Alaska might be high or non-existent. In such circumstances, the LEP person may use a friend or someone appropriate. In this circumstance, The DOT&PF CRO Title VI Specialist shall be notified when using a non-certified individual via email at DOT.Title6@alaska.gov or phone call at 907-268-0852 or 1-800-770-6236 within Alaska. year.
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**9. Transportation**

49 Part CFR 21 Appendix C (a)(1)(ix)

In the Community Statistics section of this plan, we identified Affected Communities and provided demographic and related data for the community populations. The minority and disadvantaged community areas located within the Affected Communities are identified below. Other minority and disadvantaged community areas that are near the airport but not within Affected Communities are also identified below.

We have coordinated with Utqiagvik to encourage them to provide transit service access between the airport and these areas.

The following chart identifies existing and planned transit services connecting the airport employment centers with the identified minority and disadvantaged community areas.

<b>Minority and/or Disadvantaged Community Areas</b>	<b>Transit Service</b>	<b>Planned or Existing</b>
None		

**10. Minority Businesses**  
49 CFR 21 Appendix C (a)(1)(x)

Bids for airport concessions and other business opportunities are solicited from area minority and woman-owned businesses through the following methods:

<b>Airport Business Opportunity</b>	<b>Minority Business Outreach Methods</b>
Shuttle Vehicle Maintenance Contract	Advertised through all local chambers of commerce, minority and woman owned business outreach email list
Parking Lot Operations Contract	Followed procedures for State Minority and Woman Owned Business Enterprise Program
Groundskeeper Contract	Bids required to include disadvantaged business mentor component for sub-contractors
Statewide Leasing	Statewide Aviation Leasing receives and processes applications for use of land at rural State-owned airports. Following internal review to decide if the application is approvable, a public notice is published listing the location to be contracted, authorized land use, length of contract and annual rent charged. These public notices are first posted on the State of Alaska website. Additionally, public notice flyers are physically posted in three public areas near the area to be contracted. These areas may include the local post office, shopping center, airport terminal buildings or other areas where the general public gathers. Public notices for new contracts and some applicable contract term extensions will solicit both comment and competing applications for submission. The length of public notice period is determined by the term of the contract, with contracts over 270 days in length being posted online for 30 days and physically posted in the community for 21 days.
Construction	<a href="#">Construction &amp; Maintenance Contracting, Procurement and Contracting, Transportation &amp; Public Facilities, State of Alaska</a>

Selections are in compliance with Title VI, Part 21, and related requirements. Information on the award process and documentation for specific bid decisions is kept with Statewide Aviation (SWA) and/or DOT&PF Contracts section.

**11. Training**

New employee orientation incorporates Title VI training. Topics include:

- Title VI and related laws prohibit discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age
- Title VI complaints must be forwarded to the Coordinator
- Protections against retaliation for filing civil rights complaints or related actions

- Title VI notices must be displayed throughout the airport public facilities
- All contracts must include Title VI clauses
- Language interpretation and translation services
- Cultural and community relations sensitivity training
- Anti-harassment training

Refresher information will be provided annually.

## **12. Compliance Reviews, Audits, Complaints, Lawsuits, and Other Investigations**

**FAA Notification.** The Coordinator will notify FAA of any pending investigations and reviews, including:

- Compliance reviews or audits concerning civil rights requirements<sup>11</sup>
- Complaints, lawsuits, or other investigations alleging noncompliance with civil rights requirements<sup>12</sup>

As discussed in the Title VI Complaints Section, Title VI complaints must be forwarded to FAA contacts within 15 days of receipt. For all other civil rights investigations, BRW must notify FAA contacts of any new investigations prior to grant execution.

At regular intervals, the Coordinator will provide FAA contacts with status updates for the investigations and reviews, until completed. For each existing investigation or review completed within 5 years of this plan, the Coordinator will also provide a statement about the outcome, unless previously provided.

## **13. Title VI Complaints**

49 CFR 21.11; 49 CFR 21 Appendix C (b)(3); 28 CFR 42.406(d)

**Scope.** These procedures are for complaints of discrimination under Title VI and related laws (hereafter “Title VI Complaints.” In order to be a Title VI Complaint, the complaint must:

1. Allege discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age or violations administrative requirements under Title VI or related laws.

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<sup>11</sup> Includes any Title VI, ADA, Sec. 504, Title VII/EEO, or other civil rights program compliance review or audit to be performed on the airport sponsor or any of its sub-recipients by any State, local or Federal agency.

<sup>12</sup> Includes allegations of discrimination based on race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age, whether because of actions of the airport sponsor itself, or its employees, contractors, or tenants. Includes noncompliance with related administrative requirements under civil rights laws.

2. Not only be for employment matters<sup>13</sup>
3. Allege misconduct by the BRW, including airport employees, contractors, concessionaires, lessees, or tenants.
4. Concern an airport facility or actions by the BRW including airport employees, contractors, concessionaires, lessees, or tenants.

Rights. Any person who believes that he or she has been subjected to discrimination on the basis of race, color, national origin (including LEP), sex (including sexual orientation and gender identity), creed, or age has the right to file a complaint with the BRW.<sup>14</sup> Alternatively, they can file a formal complaint with an outside agency, such as the U.S. Departments of Justice or Transportation, or the Federal Aviation Administration (FAA), or seek other legal remedies.

Receipt of Complaint. The Coordinator will log in the complaint and promptly send copies of the complaint to The Title VI Coordinator will log in the complaint and promptly send copies of the complaint to DOT/Civil Rights Office, Office named in complaints, and the Airport Director.

Complaints must be filed within 180 days of the discriminatory event, must be in writing, and must be delivered to:

Robespierre Howard, Statewide Title VI Specialist  
2200 E. 42<sup>nd</sup> Ave  
Anchorage, Alaska 99508  
907-269-0852  
Robespierre.howard@alaska.gov

If a complaint is initially made by phone, it must be supplemented with a written complaint before 180 days after the discriminatory event has passed. If a verbal complaint is received, the complainant should be given a copy of the Airport Discrimination Complaint Procedures and instructed to submit a written complaint. Accommodation will be provided upon request to individuals unable to file a written complaint due to a disability.

Initial Procedure. The Coordinator may meet with the complainant to clarify the issues, obtain additional information, and determine if informal resolution might be possible in lieu of an investigation. If successfully resolved, the Coordinator will issue a closure letter to the complainant, record the disposition in the complaints log, and report the resolution to FAA.

### **Discrimination Complaint Referral Procedure**

Internal Complaint Referral. All Title VI complaints must be promptly forwarded to the

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<sup>13</sup> Complaints of employment discrimination must be addressed as required by EEOC and other applicable authorities with jurisdiction over employment matters. If an Airport sponsor employment activity is supported by FAA-provided financial assistance or it is alleged that the employment discrimination affects the broader airport program, complaints about that activity must also be reported to FAA.

<sup>14</sup>

Coordinator within 72 hours.

Initial FAA Notification. A copy of each Title VI complaint will be forwarded to the FAA within 15 days of initial receipt (not the date that the Title VI Coordinator was notified). The Title VI Coordinator will forward a copy of the complaint and a statement describing all actions taken to resolve the matter, and the results thereof to the FAA Civil Rights staff. (Note: complaints based on disability do not have to be forwarded to FAA.) To transmit complaint information to the FAA, the Coordinator will upload complaints to the FAA Civil Rights Connect System, which issues automated notifications to FAA staff. The Title VI Coordinator will also seek technical assistance from FAA, as needed, throughout complaint intake, investigation and resolution process.

### **Investigation Procedure**

Assignment of Investigator. The Coordinator will immediately begin the investigation or designate an investigator.

Cooperation with FAA. The Coordinator will promptly investigate all Title VI complaints, including those referred by the FAA for investigation. If the FAA is investigating a complaint against BRW, the Coordinator will avoid interfering with the FAA investigation, cooperate with the FAA when needed, and share factual information with the FAA.

Prompt Investigation. The Coordinator will make every effort to complete discrimination complaint investigations within 60 calendar days after the complaint is received. Some investigations may take longer with a justification for the delay and assurance that the investigation is being completed as quickly as possible.

Contact with Complainant. The Coordinator will meet with the complainant to clarify the issues and obtain additional information, and also speak with community members and potential witnesses, as appropriate.

Investigation Report. After completing the investigation, the Coordinator will prepare a written report.

Consultation with Legal Counsel. In each case, the Coordinator will consult with Legal Counsel regarding the investigation and the report. Airport Legal Counsel will ensure that the report is consistent with the DOT and FAA Title VI nondiscrimination requirements.

Prompt Resolution of Disputes. The Coordinator will emphasize voluntary compliance and quickly and fairly resolve disputes with complainants, or with contractors, tenants, or other persons, through reasonable accommodations, alternate dispute resolution, negotiation, and/or mediation.

Forwarding Report and Response to Complainant. At the completion of the investigation, the complainant and respondent will receive a letter of findings and determination of the investigation and any applicable resolution. The letter transmitting the findings and any



applicable resolution will state BRW's conclusion regarding whether unlawful discrimination occurred and will describe the complainant's appeal rights. A summary of the investigation report, any appeal, or follow-up actions will be sent to the FAA via FAA Civil Rights Connect System.

Appeal Rights. The complainant must be notified of their right to appeal the findings or determinations, and of the procedures and requirements for an appeal:

- The complainant may appeal in writing to the Airport Director.
- The written appeal must be received within 15 business days after receipt of the written decision.
- The written appeal must contain all arguments, evidence, and documents supporting the basis for the appeal.
- The Airport Director will issue a final written decision in response to the appeal.

Avoiding Future Discrimination. In addition to taking action with respect to any specific instances of discrimination, the BRW will identify and implement measures to reduce the chances of similar discrimination in the future.

Intimidation and Retaliation Prohibited. BRW employees, contractors, and tenants will not intimidate or retaliate against a person who has filed a complaint alleging discrimination.

For information on filing a complaint with DOT/FAA, please contact Robespierre Howard at 907-269-0852.

This complaint procedure is shared with the public through the following methods:

#### **Website, In-person, and Other Distribution Methods**

1 Alaska DOT&PF website, [Discrimination Complaint, Civil Rights Office, Transportation & Public Facilities, State of Alaska](#)

**Appendix A 14. Population / Language Data**  
**S1701 tables from [www.census.gov](http://www.census.gov)**

	ZCTA5 99723					
	Total		Below poverty level		Percent below poverty level	
Label	Estimate	Margin of Error	Estimate	Margin of Error	Estimate	Margin of Error
Population for whom poverty status is determined	4,776	±93	441	±227	9.2%	±4.7
AGE						
Under 18 years	1,459	±179	124	±141	8.5%	±9.3
Under 5 years	294	±81	45	±62	15.3%	±19.6
5 to 17 years	1,165	±164	79	±107	6.8%	±8.9
Related children of householder under 18 years	1,459	±179	124	±141	8.5%	±9.3
18 to 64 years	2,806	±144	178	±90	6.3%	±3.3
18 to 34 years	1,153	±174	75	±50	6.5%	±4.4
35 to 64 years	1,653	±147	103	±75	6.2%	±4.6
60 years and over	771	±143	189	±119	24.5%	±15.1
65 years and over	511	±106	139	±106	27.2%	±18.9
SEX						
Male	2,441	±185	198	±114	8.1%	±4.6
Female	2,335	±152	243	±154	10.4%	±6.6
RACE AND HISPANIC OR LATINO ORIGIN						
White alone	391	±322	15	±15	3.8%	±4.5
Black or African American alone	89	±86	0	±10	0.0%	±24.1
American Indian and Alaska Native alone	3,080	±281	379	±221	12.3%	±7.1
Asian alone	489	±138	0	±10	0.0%	±5.0
Native Hawaiian and Other Pacific Islander alone	142	±74	0	±10	0.0%	±16.1
Some other race alone	51	±72	0	±10	0.0%	±36.2
Two or more races	534	±242	47	±67	8.8%	±12.7

Hispanic or Latino origin (of any race)	250	±81	47	±67	18.8%	±25.8
White alone, not Hispanic or Latino	360	±312	15	±15	4.2%	±4.8
EDUCATIONAL ATTAINMENT						
Population 25 years and over	2,867	±160	296	±144	10.3%	±5.1
Less than high school graduate	416	±100	107	±91	25.7%	±20.3
High school graduate (includes equivalency)	1,033	±157	135	±105	13.1%	±9.5
Some college, associate's degree	1,035	±186	48	±53	4.6%	±5.1
Bachelor's degree or higher	383	±196	6	±11	1.6%	±2.6
EMPLOYMENT STATUS						
Civilian labor force 16 years and over	2,355	±217	60	±49	2.5%	±2.1
Employed	2,085	±214	41	±43	2.0%	±2.0
Male	1,000	±161	0	±10	0.0%	±2.5
Female	1,085	±154	41	±43	3.8%	±4.0
Unemployed	270	±88	19	±26	7.0%	±8.7
Male	201	±78	13	±24	6.5%	±11.0
Female	69	±37	6	±11	8.7%	±16.1
WORK EXPERIENCE						
Population 16 years and over	3,563	±149	317	±148	8.9%	±4.2
Worked full-time, year-round in the past 12 months	1,611	±187	15	±24	0.9%	±1.4
Worked part-time or part-year in the past 12 months	780	±171	26	±36	3.3%	±4.7
Did not work	1,172	±189	276	±145	23.5%	±11.3
ALL INDIVIDUALS WITH INCOME BELOW THE FOLLOWING POVERTY RATIOS						
50 percent of poverty level	283	±199	(X)	(X)	(X)	(X)

125 percent of poverty level	456	±228	(X)	(X)	(X)	(X)
150 percent of poverty level	585	±291	(X)	(X)	(X)	(X)
185 percent of poverty level	1,014	±336	(X)	(X)	(X)	(X)
200 percent of poverty level	1,100	±326	(X)	(X)	(X)	(X)
300 percent of poverty level	1,880	±418	(X)	(X)	(X)	(X)
400 percent of poverty level	2,624	±425	(X)	(X)	(X)	(X)
500 percent of poverty level	3,253	±423	(X)	(X)	(X)	(X)
UNRELATED INDIVIDUALS FOR WHOM POVERTY STATUS IS DETERMINED	924	±178	170	±89	18.4%	±8.7
Male	439	±134	95	±71	21.6%	±13.8
Female	485	±118	75	±49	15.5%	±10.0
15 years	0	±10	0	±10	-	**
16 to 17 years	0	±10	0	±10	-	**
18 to 24 years	131	±71	21	±29	16.0%	±25.6
25 to 34 years	243	±102	13	±24	5.3%	±9.6
35 to 44 years	110	±71	0	±10	0.0%	±20.2
45 to 54 years	98	±51	21	±27	21.4%	±26.7
55 to 64 years	170	±86	63	±59	37.1%	±23.0
65 to 74 years	151	±63	52	±53	34.4%	±26.7
75 years and over	21	±26	0	±10	0.0%	±56.8
Mean income deficit for unrelated individuals (dollars)	7,977	±1,693	(X)	(X)	(X)	(X)
Worked full-time, year-round in the past 12 months	488	±130	0	±10	0.0%	±5.0
Worked less than full-time, year-round in the past 12 months	186	±90	0	±10	0.0%	±12.6
Did not work	250	±112	170	±89	68.0%	±19.4

Population in housing units for whom poverty status is determined	4,654	±94	432	±227	9.3%	±4.9
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**Appendix A 14. Population / Language Data**  
**B16001 tables from [www.census.gov](http://www.census.gov)**

ZCTA5 99723		
Label	Estimate	Margin of Error
Total:	3,863	±244
Speak only English	1,925	±286
Spanish or Spanish Creole:	83	±53
Speak English "very well"	43	±31
Speak English less than "very well"	40	±53
French (incl. Patois, Cajun):	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
French Creole:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Italian:	1	±9
Speak English "very well"	1	±9
Speak English less than "very well"	0	±9
Portuguese or Portuguese Creole:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
German:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Yiddish:	0	±9
Speak English "very well"	0	±9

Speak English less than "very well"	0	±9
Other West Germanic languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Scandinavian languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Greek:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Russian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Polish:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Serbo-Croatian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Other Slavic languages:	13	±31
Speak English "very well"	9	±23
Speak English less than "very well"	4	±10
Armenian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Persian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Gujarati:	0	±9
Speak English "very well"	0	±9

Speak English less than "very well"	0	±9
Hindi:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Urdu:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Other Indic languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Other Indo-European languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Chinese:	1	±2
Speak English "very well"	1	±2
Speak English less than "very well"	0	±9
Japanese:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Korean:	25	±27
Speak English "very well"	16	±19
Speak English less than "very well"	9	±11
Mon-Khmer, Cambodian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Hmong:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Thai:	37	±37
Speak English "very well"	13	±14

Speak English less than "very well"	24	±24
Laotian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Vietnamese:	6	±10
Speak English "very well"	6	±10
Speak English less than "very well"	0	±9
Other Asian languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Tagalog:	242	±73
Speak English "very well"	147	±48
Speak English less than "very well"	95	±48
Other Pacific Island languages:	361	±164
Speak English "very well"	236	±139
Speak English less than "very well"	125	±52
Navajo:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Other Native North American languages:	1,162	±197
Speak English "very well"	804	±154
Speak English less than "very well"	358	±89
Hungarian:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Arabic:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9
Hebrew:	0	±9
Speak English "very well"	0	±9



Speak English less than "very well"	0	±9
African languages:	7	±10
Speak English "very well"	7	±10
Speak English less than "very well"	0	±9
Other and unspecified languages:	0	±9
Speak English "very well"	0	±9
Speak English less than "very well"	0	±9

## **Appendix 15. Completed Unlawful Discrimination Poster**

[https://www.faa.gov/about/office org/headquarters offices/acr/com civ supp  
ort/non disc pr/](https://www.faa.gov/about/office_org/headquarters_offices/acr/com_civ_supp/ort/non_disc_pr/)

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### **Unlawful Discrimination**

It is unlawful for airport operators and their lessees, tenants, concessionaires and contractors to discriminate against any person because of race, color, national origin, sex, creed, or disability in public services and employment opportunities. Allegations of discrimination should be promptly reported to the Airport Manager or:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Federal regulations on unlawful discrimination are available for review in the Airport Manager's Office.

**Coordinator:** Robespierre Howard  
**Phone:** 907-269-0852  
**Address:** 2200 E. 42nd Ave.  
Anchorage, AK 99508

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### **Discriminacion Ilegal**

Se prohíbe a los operadores de aeropuertos y a sus arrendatarios, inquilinos, concesionarios y contratistas discriminar contra cualquier persona por motivo de raza, color, nacionalidad de origen, sexo, creencias religiosas, impedimento físico o discapacidad en lo que respecta a servicios públicos y oportunidades de empleo. Las alegaciones de discriminación deberán ser dirigidas inmediatamente al Administrador del Aeropuerto o a:

Federal Aviation Administration  
Office of Civil Rights, ACR-1  
800 Independence Avenue, S.W.  
Washington, D.C. 20591

Los reglamentos sobre discriminación ilegal están a la disposición de los interesados para su examen en la oficina del Administrador del Aeropuerto.

**Coordinador:** Robespierre Howard  
**Teléfono:** 907-269-0852  
**Dirección:** 2200 E. 42nd Ave.  
Anchorage, AK 99508



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

HQ-10028