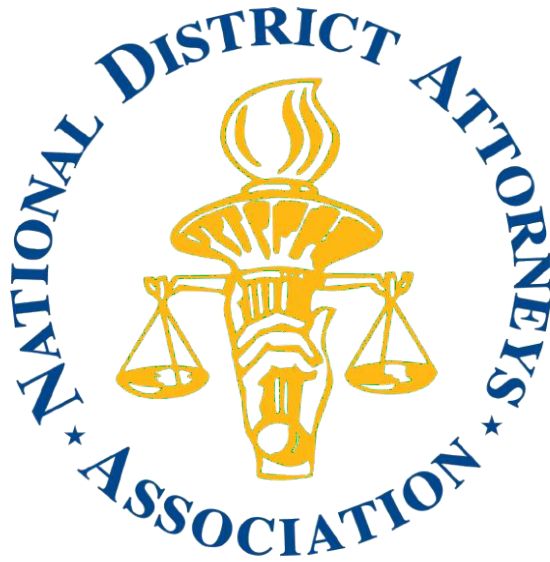




# **FY 2027 Title VI Program Compliance Plan**

**NATIONAL DISTRICT ATTORNEYS ASSOCIATION  
1400 Crystal Drive, #300  
Arlington, VA 22202**

# **TITLE VI PROGRAM COMPLIANCE PLAN**

Plan Start Date: October 1, 2026

Plan End Date: September 30, 2027

Executive Director: Nelson O. Bunn, Jr  
Executive Director  
(703) 519-1666

EEO/Title VI Officer: Nelson O. Bunn, Jr  
Executive Director  
(703) 519-1666  
[nbunn@ndaajustice.org](mailto:nbunn@ndaajustice.org)

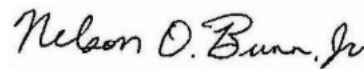
# **NATIONAL DISTRICT ATTORNEYS ASSOCIATION**

## **Title VI Program Compliance Plan Statement of Policy**

September 11, 2026

The National District Attorneys Association (NDAA) is committed to compliance with Title VI of the Civil Rights Act of 1964 and related Nondiscrimination authorities, to include 49 CFR Part 21 and 49 CFR Part 303, as identified in the signed Title VI Program Assurance. NDAA is committed to the effective implementation of the Title VI Program and assures that no person shall on the grounds of race, color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any NDAA program, activity, or service.

To carry out NDAA's commitment to equality of opportunity and non-discrimination, I, Nelson O. Bunn, Jr. have been designated as the organization's EEO Officer and Title VI Compliance Officer. It is the responsibility of the EEO/Title VI Compliance Officer to develop and maintain the necessary programs, records, and reports in coordination with affected personnel to comply with Title VI and related Nondiscrimination authorities and with the goals and objectives of our Title VI Program Compliance Plan.



Nelson O. Bunn, Jr.

Executive Director

**ASSURANCE DOCUMENT**  
**(Attached to the end of this document)**

## DESCRIPTION OF FEDERAL-AID PROGRAM

The National District Attorneys Association's National Traffic Law Center (NTLC) operates with a mission to support prosecutors, law enforcement, court personnel and other traffic safety professionals to effectively handle traffic -related cases across the nation, including issues pertaining to commercial drivers' licenses. In this regard, NTLC has created a Commercial Driver's License Program (CDLP) with funding from the United States Department of Transportation Federal Motor Carrier Safety Administration (FMCSA). The National District Attorneys Association (NDAA) and NTLC support and promote the Federal Motor Carrier Safety Administrations' Single License Requirement under 49 CFR Section 383.21, commonly referred to as "One Driver, One License, One Record" to ensure that all commercial drivers are properly licensed and that dangerous drivers are held accountable for their actions. NDAA has submitted a grant application in response to the 2025 Commercial Driver's License Program Implementation (CDLPI) financial assistance program Notice of Funding Opportunity (NOFO).

The NTLC's CDL Program has one primary objective:

1. To strengthen the National Commercial Driver's License (CDL) program by increasing the awareness of prosecutors, and other CDL stakeholders about the "One Driver, One License, One Record" concept through training and the provision of technical assistance and resources regarding:
  - the Prohibition on Masking convictions (49 CFR 384.226),
  - the significance of the term Conviction (49 CFR 383.5) under FMCSRs,
  - the implications of Disqualification (49 CFR 383.51) for CDL holders, and
  - felony convictions of CDL/CDLP are provided to SDLAs (49 CFR 383.51)

As a national provider of prosecutor specific training, NTLC has maintained a CDL Program (CDLP) with funding from FMCSA since 2009. We have continually achieved our objectives and have developed new and innovative programs and materials to educate and train those who interact with CDL holders, including prosecutors, law enforcement officers, courts and state driver's license agencies. The NTLC has created numerous written materials for distribution, including the following monographs: *Commercial Drivers' Licenses: A Prosecutor's Guide to the Basics of Commercial Motor Vehicle Licensing and Violations (Second edition)*, *Large Truck Crash Reconstruction for Prosecutors* and, *Distracted Driving CDL Enforcement for Prosecutors and Law Enforcement*. Each monograph was written with the assistance of prosecutors, law enforcement and other experts in their respective fields. In addition, NTLC has produced a *CDL Quick Reference Guide* and a *Masking Quick Reference Guide*.

NDAA's website is accessible by all members of the public. CDLP members and other CDL partners also contribute CDL based articles to the NTLC's *Between the Lines* newsletter on a quarterly basis. CDLP members also present numerous times each year at the request of partner groups or organizations on CDL related issues. Those partners include Traffic Safety Resource Prosecutors, members of the judiciary and judicial organizations, law enforcement and other traffic safety stakeholders.

Since 2017, the NTLC has hosted a 2.5-day CDL training each year titled "Commercial Driver's License Violations: Enforcement, Prosecution & Reporting" for prosecutors, law enforcement and other traffic safety professionals. Included in this training is guidance for each partner to better execute its role in maintaining the principle of "One Driver, One License, One Record." Presenters have included prosecutors, law enforcement, judges, FMCSA, and members of the National Center for State Courts. By conducting this training each year, NTLC can better assess the issues each partner group is encountering and how best to address and correct these problems going forward. An evaluation is required from each participant to help guide NTLC in the development of new training sessions and materials. NTLC hosted its most recent CDL training in June 2026 in Orlando, Florida.

In August 2026, the NTLC hosted a one-day training titled "Mastering Masking: Legal and Ethical Consequences of Plea Negotiations Involving Commercial Drivers' Licenses" (Mastering Masking) in Columbus, Ohio. This course was specifically designed to assist those responsible for adjudicating CDL offenses in recognizing and preventing potential masking violations when reviewing CDL violations and crimes committed by CDL holders, regardless of the vehicle they were operating at the time of the offense. An evaluation was required of all participants at the conclusion of the course.

## NOTIFICATION TO BENEFICIARIES/PARTICIPANTS

The National District Attorneys Association (NDAA) is committed to fulfilling the requirements of 49 CFR Part 21 and 49 CFR Part 303 and to operating its programs and services without regard to race, color, national origin, sex, age, or disability in accordance with Title VI of the Civil Rights Act of 1964 and all related non-discrimination authorities as identified in the Title VI Program Assurance.

Any person or entity who believes that she/he has been aggrieved may file a complaint with NDAA. Persons desiring additional information regarding NDAA's non-discrimination policies may submit a written request to [nbunn@ndaajustice.org](mailto:nbunn@ndaajustice.org).

Any person who believes he/she has been treated in a discriminatory manner with respect to the administration of an NDAA program may address their concerns to the individual named below.

This notice can be found and reviewed at NDAA headquarters, as well as on our website at [Title VI Notice to the Public - National District Attorneys Association](#).

Nelson O. Bunn, Jr.  
National District Attorneys Association  
1400 Crystal Drive, #300  
Arlington, VA 22202  
703-519-1666

## **SUB-RECIPIENT COMPLIANCE REPORTS**

FMCSA grant awards to NDAA do not include sub-award tasks. If NDAA were to engage in a discussion regarding a sub-award, NDAA will immediately contact FMCSA to determine and work through the Title VI Program requirements to be included in the sub-award request and/or implementation.

## **TITLE VI PROGRAM COMPLIANCE TRAINING**

NDAA continues to conduct training on the Title VI Program for all personnel involved in administering and carrying out the activities of the program. The next training will be conducted no later than September 30 of this year and thereafter on an as-needed basis but no less than every 18 months.

Training will be conducted by the Title VI project director and/or Title VI program compliance officer. The training may be delivered on-line and/or through a live presentation or via virtual platform using power point slides and will include use of NDAA's Title VI Program Policy Statement.

## **ACCESS TO RECORDS**

NDAA will maintain all records pertaining to Title VI Program initiatives in a manner that facilitates ease of access, security and that meets all compliance requirements. Records may be obtained by FMCSA by contacting the National Traffic Law Center, Director, Erin Inman directly by email at [erinman@ndaajustice.org](mailto:erinman@ndaajustice.org).

## **COMPLAINT DISPOSITION PROCESS**

Complaints or concerns may be submitted in writing (via U.S mail or e-mail) or by telephone to the Title VI Compliance Officer. The Compliance Officer is required to inform the Board President, Executive Director and the FMCSA National Title VI Project Manager that a complaint or concern has been raised pursuant to this plan. Written complaints should be submitted on the Title VI Complaint Form (Addendum A). The complainant can secure the form by calling (703) 519-1666.

Anyone filing a complaint pursuant to this policy should be acting in good faith and have reasonable grounds for believing the information disclosed indicates a violation. The Title VI Compliance Officer will then investigate each matter so reported and within 30 days make a determination if a violation has occurred. The complainant will be notified in writing of this determination within seven days of the determination.

In such an investigation, the Compliance Officer may enlist employees of NDAA and/or outside legal, accounting, or other experts, as appropriate, to conduct the investigation. In conducting any investigation all reasonable efforts, consistent with the need to conduct an adequate investigation, will be used to protect the confidentiality and anonymity of the complainant. NDAA is, however, required to maintain a log of complaints that incorporates basic information as required by FMCSA. This log can be examined by FMCSA at any time upon request.

The results of the investigation will be reported to the NDAA Board President and the NDAA Executive Director. Corrective and disciplinary actions, if appropriate, will be enforced. These may include, alone or in combination, a warning or letter of reprimand, demotion, loss of pay, suspension without pay or termination of employment.

## **STATUS OF CORRECTIVE ACTIONS**

NDAA has not experienced a federally conducted Title VI Program Compliance Review to date. No corrective action is pending at this time.

## **COMMUNITY PARTICIPATION PROCESS**

This section does not apply to the National District Attorneys Association.

## **CMV INSPECTION SELECTION & UNBIASED ENFORCEMENT POLICIES**

This section does not apply to the National District Attorneys Association as the NDAA does not conduct enforcement activities.

## **The United States Department of Transportation**

### **Standard Title VI/Non-Discrimination Assurances**

#### **DOT Order No. 1050.2A**

The **National District Attorneys Association (NDAA)** (herein referred to as the “Recipient”), **HEREBY AGREES THAT**, as a condition to receiving any Federal financial assistance from the United States Department of Transportation (DOT), through the **Federal Motor Carrier Safety Administration (FMCSA)**, 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);
- Federal-Aid Highway Act of 1973, (23 U.S.C. § 324 *et seq.*), (prohibits discrimination on the basis of sex);
- Title IX of the Education Amendments of 1972, as amended, (20 U.S.C. § 1681 *et seq.*), (prohibits discrimination on the basis of sex in education programs or activities);
- Section 504 of the Rehabilitation Act of 1973, (29 U.S.C. § 794 *et seq.*), as amended, (prohibits discrimination on the basis of disability);
- The Age Discrimination Act of 1975, as amended, (42 U.S.C. § 6101 *et seq.*), (prohibits discrimination on the basis of age);
- Americans with Disabilities Act of 1990, as amended, (42 U.S.C. § 12101 *et seq.*), (prohibits discrimination on the basis of disability);
- 49 C.F.R. Part 21, including any amendments thereto (entitled *Nondiscrimination In Federally-Assisted Programs Of The Department Of Transportation—Effectuation Of Title VI Of The Civil Rights Act Of 1964*);
- 49 C.F.R. Part 27 (entitled *Nondiscrimination On The Basis Of Disability In Programs Or Activities Receiving Federal Financial Assistance*);
- 49 C.F.R. Part 28 (entitled *Enforcement Of Nondiscrimination On The Basis Of Handicap In Programs Or Activities Conducted By The Department Of Transportation*);
- 49 C.F.R. Part 37 (entitled *Transportation Services For Individuals With Disabilities (ADA)*);
- 49 C.F.R. Part 303 (FMCSA’s Title VI/Nondiscrimination Regulation);
- 28 C.F.R. Part 35 (entitled *Discrimination On The Basis Of Disability In State And Local Government Services*);
- 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);

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, national origin, sex, age, or disability, 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 FMCSA.”*

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.

## **Specific Assurances**

More specifically, and without limiting the above general Assurances, the Recipient agrees with and gives the following Assurances with respect to its Federally assisted **FMCSA Program**:

1. The Recipient agrees that each “activity,” “facility,” or “program,” as defined in 49 C.F.R. Part 21.23 (b) and 21.23 (e), including any amendments thereto, 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 the FMCSA Program and, in adapted form, in all proposals for negotiated agreements regardless of funding source:

*“NDAA, 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, all contractors will be afforded full opportunity to submit bids in response to this invitation and will not be discriminated against on the grounds of the owner’s race, color, national origin, sex, age, or disability, in consideration for an award.”;*

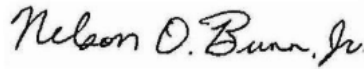
3. The Recipient will insert the clauses of Appendix A and E of this Assurance in every contract or agreement subject to the Acts and the Regulations;
4. The Recipient will insert the clauses of Appendix B of this Assurance, as a covenant running with the land, in any deed from the United States effecting 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.

By signing this ASSURANCE, **NDAA** 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 **FMCSA** 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 **FMCSA**. You must keep records, reports, and submit the material for review upon request to **FMCSA**, 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.

**NDAA** 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 Department of Transportation under the **FMCSA Program**. This ASSURANCE is binding on **Virginia**, other recipients, sub-recipients, sub-grantees, contractors, subcontractors and their subcontractors', transferees, successors in interest, and any other participants in the **FMCSA Program**. The person (s) signing below is authorized to sign this ASSURANCE on behalf of the Recipient.

\_\_\_\_\_**National District Attorneys Association**\_\_\_\_\_  
(Name of Recipient)



by\_\_\_\_\_  
(Signature of Authorized Official)

DATED\_\_\_\_September 11, 2026\_\_\_\_\_

## 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 Nondiscrimination in Federally-assisted programs of the U.S. Department of Transportation, Federal Motor Carrier Safety Administration (FMCSA), as they may be amended from time to time, which are herein incorporated by reference and made a part of this contract.
2. **Nondiscrimination:** The contractor, with regard to the work performed by it during the contract, will not discriminate on the grounds of race, color, national origin, sex, age, or disability, in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor will not participate directly or indirectly in the discrimination prohibited by the Acts and the Regulations as set forth in Appendix E, including employment practices when the contract covers any activity, project, or program set forth in Appendix B of 49 C.F.R. Part 21, including any amendments thereto.
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, national origin, sex, age, or disability.
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 FMCSA 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 FMCSA, 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 FMCSA 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 FMCSA 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.

## CLAUSES FOR DEEDS TRANSFERRING UNITED STATES PROPERTY

### APPENDIX B

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 Department of Transportation as authorized by law and upon the condition that **NDAA** 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 **Federal Motor Carrier Safety Administration (FMCSA) Program**, and the policies and procedures prescribed by the **FMCSA** of the Department of Transportation in accordance and in compliance with all requirements imposed by Title 49, Code of Federal Regulations, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, including any amendments thereto, 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 **NDAA** all the right, title and interest of the 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 **NDAA** 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 **NDAA**, its successors and assigns.

The **NDAA**, 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, national origin, sex, age, or disability, 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 **NDAA** 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, Department of Transportation, subtitle A, Office of the Secretary, part 21, Non-discrimination in Federally-assisted programs of the Department of Transportation, including any amendments thereto, 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 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 effectuate the purpose of Title VI.)

September 11, 2026

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

### **APPENDIX C**

The following clauses will be included in deeds, licenses, leases, permits, or similar instruments entered into by **NDAA** 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 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, national origin, sex, age, or disability, 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, **NDAA** 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 **NDAA** 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 **NDAA** and its assigns.\*

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

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

### **APPENDIX D**

The following clauses will be included in deeds, licenses, permits, or similar instruments/ agreements entered into by **NDAA** 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, national origin, sex, age, or disability, 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, national origin, sex, age, or disability, 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, **NDAA** 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, **NDAA** will there upon revert to and vest in and become the absolute property of **NDAA** and its assigns.\*

(\*Reverter clause and related language to be used only when it is determined that such a clause is necessary to effectuate 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:

- Title VI of the Civil Rights Act of 1964 (78 Stat. 252, 42 U.S.C. § 2000d *et seq.*), (prohibits discrimination on the basis of race, color, national origin), as implemented by 49 C.F.R. Part 21.1 *et seq.*, including any amendments thereto, and 49 C.F.R. part 303;
- 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, as amended (29 U.S.C. § 794 *et seq.*) (prohibits discrimination on the basis of disability); and 49 C.F.R. 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 (Pub. L. 97-248 (1982)), as amended (prohibits discrimination based on race, creed, color, national origin, or sex);
- The Civil Rights Restoration Act of 1987 (102 Stat. 28) (“....which restore[d] the broad scope of coverage and to clarify the application of title IX of the Education Amendments of 1972, section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and title VI of the Civil Rights Act of 1964.”);
- 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 Justice regulations at 28 C.F.R. parts 35 and 36, and 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);
- 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.*).