



Title VI Compliance Plan

June 2026

Puerto Freeport (el “Puerto”) cumple con las leyes federales de derechos civiles y está comprometido a proporcionar programas y servicios libres de discriminación, de conformidad. El Puerto ofrece servicio razonables gratuito de idiomas, para garantizar el acceso satisfactorio a programas y actividades para personas con dominio limitado del inglés.

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Attachment 1: Title VI Nondiscrimination Statement (English and Spanish)

Attachment 2: Organizational Chart

I. INTRODUCTION

As a recipient of federal financial assistance, Port Freeport is committed to comply with Title VI of the Civil Rights Act of 1964, which provides:

No person in the United States, on the ground of race, color, or national origin, shall be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

Title VI served as the model for subsequent nondiscrimination laws, including the Federal-Aid Highway Act of 1973 (gender), Section 504 of the Rehabilitation Act of 1973 (disability), and Age Discrimination Act of 1975 (age). Port Freeport's nondiscrimination policy statement includes these protected classes to ensure that no person be subjected to any form of discrimination in our programs or activities (Attachment 1)

The U.S. Department of Justice (DOJ), as the federal government's coordinating agency for Title VI, implemented its Title VI program in 28 Code of Federal Regulations (C.F.R.) Part 42 and issued guidance in two main documents: The Title VI Legal Manual and the Complaint Investigation Procedures Handbook.

Title VI authorizes and directs federal agencies to enact "rules, regulations, or orders of general applicability" to achieve the statute's objectives.

Discrimination under Title VI

As a Port Freeport employee, it is everyone's responsibility to prevent, minimize, and eradicate any form of discrimination. There are two types of discrimination prohibited under Title VI and its related statutes: (1) disparate treatment that alleges similarly situated persons are treated differently because of their race, color, national origin, disability, sex, age, or religion (*i.e.*, intentional discrimination); and (2) disparate impact/effects when a facially neutral policy, procedure, or practice results in different or inferior services or benefits to members of a protected group. The focus of disparate impact is on the consequences of a decision, policy, or practice rather than the intent.

Prohibited forms of discrimination may include, but not be limited to, the following:

- The denial of services, financial aid, or other benefits provided under a program;
- Distinctions in the quality, quantity, or manner in which a benefit is provided;
- Segregation or separation of persons in any part of the program;
- Restriction in the enjoyment of any advantages, privileges, or other benefits provided to others;
- Differing standards or requirements for participation;
- Methods of administration that directly or indirectly, or through contractual

relationships would defeat or impair the accomplishment of effective nondiscrimination; or

- Discrimination in any activities or services related to infrastructure or facilities built or repaired in whole or in part with federal funds

Port Freeport's efforts to prevent such discrimination will address, but not be limited to, how a program or activity:

- Impacts the public;
- Provides accessibility;
- Provides equal access to benefits;
- Encourages participation;
- Provides services equitably;
- Initiates contracting and training opportunities;
- Investigates complaints;
- Allocates funding; and
- Prioritizes projects.

Authorities

The authorities applicable to Port Freeport's Title VI/Nondiscrimination Program, include:

- 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 CFR Part 21 (entitled *Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of The Civil Rights Act of 1964*);
- 23 CFR Part 200 (FHWA's Title VI/Nondiscrimination Regulation);
- 28 CFR Part 50.3 (U.S. Department of Justice Guidelines for Enforcement of Title VI of the Civil Rights Act of 1964); and,
- Texas Administrative Code §9.4, Civil Rights - Title VI Compliance (to the extent Port Freeport is a subrecipient of federal funds from the Texas Department of Transportation)

Port Freeport is also committed to complying with all applicable Executive Orders addressing discrimination.

II. POLICY STATEMENT

Title VI of the Civil Rights Act of 1964 prohibits discrimination on federal and federally- assisted projects and programs based on race, color, and national origin. Since 1964, additional statutes have prohibited discrimination based on sex (Federal-aid Highway Act of 1973), age (The Age Discrimination Act of 1975), and disability (Section 504 of the Rehabilitation Act of 1973 and Americans with Disabilities Act of 1990). Additionally, the Civil Rights Restoration Act of 1987 defined the word "program" to make clear that discrimination is prohibited throughout an entire organization if any part of the organization receives federal assistance.

"Port Freeport, as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. §2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Department programs or activities."

The nondiscrimination statement signed by Port Freeport's Executive Director/CEO, Phyllis Saathoff, is included as Attachment 1.

III. ORGANIZATION AND STAFFING

Organization

The Director of Administration/CFO reports directly to the Executive Director/CEO and serves as Port Freeport's Title VI/Nondiscrimination Coordinator. The Director of Administration/CFO is responsible for all aspects of Port Freeport's Title VI/Nondiscrimination Program and has been delegated sufficient authority and responsibility to effectively carry out the duties assigned to this position.

Staffing

Title VI/Nondiscrimination Coordinator

The Director of Administration/CFO works to ensure there is a demonstrated commitment on the part of administration to enforce Title VI and is responsible for overall Title VI program implementation. Specifically, this person has the authority and responsibility to implement the Title VI program by:

- Recommending, developing, disseminating, monitoring, and pursuing procedures and guidelines on the implementation of Title VI;
- Providing leadership, guidance, and technical assistance to program areas having significant impacts on the public and businesses, which are referred to as federal program areas, in carrying out their Title VI responsibilities;
- Reviewing and monitoring the priority program areas activities and programs related to

Title VI and effectuating changes to ensure consistency and program effectiveness;

- Ensuring that all complaints of discrimination or complaints alleging non-compliance with Title VI are processed, investigated, and resolved in a fair and timely manner in accordance with Title VI and federal operating regulations; and
- Advising the Executive Director/CEO concerning significant developments in the implementation of Port Freeport's Title VI/Nondiscrimination Program.
- Developing Title VI training materials and conducting training with Port Freeport staff.

Interdisciplinary Approach

The Director of Administration/CFO works with all Port Freeport departments in ensuring compliance with Title VI/Nondiscrimination requirements. The Director of Administration/CFO's partnership with the departments helps ensure nondiscrimination in the delivery of Port Freeport's programs and activities.

Directors and Managers

Port Freeport leadership is comprised of directors and managers that play an integral role in the organization's mission. Directors and managers are responsible for familiarizing themselves with the requirements detailed in the Title VI/Nondiscrimination Plan and complying with the Title VI program at Port Freeport. The directors and managers assist the Director of Administration/CFO with Title VI compliance by:

- Ensuring the Director of Administration/CFO is notified of any Title VI allegations or complaints;
- Providing the necessary resources to the Director of Administration/CFO to investigate and resolve a Title VI complaint;
- Providing support necessary to implement the Title VI requirements related to their divisions or departments; and
- Ensuring specific activities related to Title VI are surveyed and reported to the Director of Administration/CFO for the reporting process.

Subrecipients

Subrecipients means a non-federal entity that receives a subaward from Port Freeport to carry out a part of a federal program. To the extent required by applicable federal funding sources, Port Freeport shall review and monitor subrecipients of federal funds to ensure compliance with all federal laws, regulations, and requirements.

IV. INTERNAL PROGRAM MONITORING

As part of the Title VI internal monitoring program, the Director of Administration/CFO works in collaboration with other departments to ensure Port Freeport is in compliance with Title VI for federally assisted projects and activities that impact the public.

Program Review Procedures

Internal Title VI reviews will be performed annually in the form of a Title VI questionnaire to be completed by all department heads. The Director of Administration/CFO will administer and review the results. If any deficiencies are identified, the Director of Administration/CFO will work with the department head to build a corrective action plan.

Findings

The findings will be used to determine what areas the Director of Administration/CFO may need to provide additional training or assistance and identify strategic goals for the next fiscal year. All findings will be shared with Port Freeport's Executive Director/CEO.

Follow-up and Monitoring

The Director of Administration/CFO will determine if additional monitoring and training is needed to ensure on-going compliance with Title VI requirements. If action items identified are not completed, then follow-up monitoring will document the non-compliance and the Executive Director/CEO will be notified.

Data Collection/Reporting/Analysis

Port Freeport will collect data annually to assist with monitoring and compliance with Title VI. Information gathered through the data collection will be used to take affirmative measures to ensure nondiscrimination.

V. TITLE VI TRAINING

In keeping with the adopted Port Freeport policy of nondiscrimination, the Director of Administration/CFO will specify and/or conduct a minimum of one internal Title VI training session annually. The Director of Administration/CFO is available to provide assistance to subrecipients to ensure they understand their roles and responsibilities in meeting the Title VI/Nondiscrimination requirements.

VI. COMPLAINT PROCEDURES

Any person who feels that they have been subjected to discrimination on the basis of race, color, national origin, including limited English proficiency, disability, sex, age, or religion in any program or activity administered by Port Freeport has the right to file a complaint with Port Freeport. Complaints must be filed within one hundred eighty (180) days following the date of the alleged discriminatory occurrence and may be made in person, by mail or email. A complaint form can be found online at <https://www.portfreeport.com/governance/accessibility>. This is not intended to deny or limit the right of a complainant to file a complaint with an outside agency or to seek private legal counsel regarding discrimination.

Such written complaints may be submitted by any of the following methods:

1. Mailing or emailing Port Freeport's Title VI Coordinator:

Port Freeport
Director of Administration/CFO
1100 Cherry Street
Freeport, TX 77541

Email: lowe@portfreeport.com

2. Mailing or emailing the following:

U.S. Department of Homeland Security Office
for Civil Rights and Civil Liberties (CRCL)

U.S. Department of Homeland Security
Office for Civil Rights and Civil
Liberties
Compliance Branch, Mail Stop #0190
2707 Martin Luther King, Jr. Ave, SE,
Washington, D.C. 20528
Email: CRCLCompliance@hq.dhs.gov
Fax: 202-401-4708

U.S. Department of Transportation
MARAD's Office of Civil Rights

US Department of Transportation
United States Maritime Administration
Office of Civil Rights
West Building, 2nd Floor MAR-130
1200 New Jersey Avenue, SE
Washington, DC 20590
Email: civilrights.marad@dot.gov

No Retaliation

Federal law prohibits retaliation against any individual because they have filed a discrimination complaint or otherwise participated in a discrimination investigation.

Receipt of Complaints

All Title VI complaints are logged. The Complaint Log will contain the following information for each complaint filed:

- The name and address of the person filing the complaint.
- The date of the complaint.
- The basis of the complaint.
- The status of the complaint.
- The disposition of the complaint.

Port Freeport will retain the Complaint Log and investigation files in accordance with its records retention schedules and all federal guidelines.

Confidentiality

Complaints and investigation files are confidential. Except as otherwise required by law or as otherwise necessary to fulfill the objectives of Title VI. The contents of such files will only be disclosed to appropriate Port Freeport personnel and authorities in accordance with federal and state laws.

How are complaints processed?

The Director of Administration/CFO is charged with the primary responsibility of processing Title VI external discrimination complaints received by Port Freeport. All discrimination complaints received by employees in any department must be referred to the Director of Administration/CFO for review and action.

Upon receipt, the Director of Administration/CFO will immediately log the complaint and open a new file. Upon review of the complaint, any additional information will be gathered from the complainant and/or listed parties, including the respondent. This information will then be added to the file. The Director of Administration/CFO will review the file with the Executive Director/CEO and communicate to the complainant and respondent, then close the file. All decisions issued by Port Freeport are final.

What Are the Outcomes of Filing a Complaint?

Port Freeport's complaint process is an administrative process that does not provide for compensatory or punitive damages. These complaint procedures do not preclude the complainant from filing formal complaints with other state or federal agencies. Upon receipt and review of the complaint, there are four potential outcomes. All complaints are recorded in the Title VI Complaint Log, available for review federal agencies upon written request.

1. **Accept.** If a complaint is filed timely, contains sufficient information to support a claim under the Title VI laws and listed assurances, and concern matters under the jurisdiction of Port Freeport, the complaint may be accepted and a written notice that it has been accepted for investigation will be sent to the complainant.
2. **Preliminary Review.** The Director of Administration/CFO will gather additional information from the complainant and/or respondent prior to deciding whether to accept, dismiss or refer the complaint.
3. **Procedural Dismissal.** If a complaint is not filed timely, is not in writing and signed, or lacks any required information, the complainant and any respondent are sent a written notice that the complaint is dismissed.
4. **Referral/Dismissal.** If the complaint is procedurally sufficient but is not in the jurisdiction of Port Freeport, the complainant and respondent will receive written notice of the complaint being referred to the appropriate federal agency or dismissed. A copy of the referral will be sent to the appropriated federal agency.

Upon receipt of the final decision of a filed complaint, a complainant may:

1. Accept the final decision;
2. Submit the complaint to the appropriate state or federal agency within 180 days (see addresses and contact details above).

Investigative Process for Subrecipient Complaints

Federal agencies may delegate a Title VI complaint filed on a subrecipient to Port Freeport for investigation. Within 60 days of receipt of the complaint, the Director of Administration/CFO will conduct and complete an investigation of the allegation and based on the information obtained, will render a recommendation for action in a report of findings to the federal agency. The federal agency or Port Freeport will issue final decisions in all cases. The complaint will be resolved by informal means whenever possible. Such informal attempts and their results will be summarized in the report of findings.

VII. DISSEMINATION OF TITLE VI INFORMATION AND NOTICE OF TITLE VI RIGHTS

Port Freeport's is committed to providing the public easy access to Title VI policy and information. The port website contains a prominent link to the policy and notice of nondiscrimination as well as a link to the discrimination complaint procedure. The public is invited to share their feedback and concerns to the port through a variety of methods including attending a Port Commission meeting (in-person or virtually), sending an email, calling or visiting Port Freeport.

VIII. PUBLIC PARTICIPATION

The Port Freeport Public Participation Plan (PPP) is a guide for ongoing public participation endeavors. Its purpose is to ensure that Port Freeport utilizes effective means of providing information and receiving public input on port decisions from the public including the low income, minority and limited English proficient (LEP) populations, as required by Title VI of the Civil Rights Act of 1964 and its implementing regulations.

Port Freeport promotes equity and environmental justice to meet the spirit and intent of Title VI of the Civil Rights Act of 1964, The Civil Rights Restoration ACT of 1987, Executive Order 12898 on Environmental Justice; Executive Order 13166 on Limited English Proficiency; the National Environmental Policy Act of 1969 (NEPA); and the Americans with Disabilities Act (ADA). Port plans and projects should reflect public priorities and values through transparency and accountability in Port planning and decision-making with early and continuous public participation.

In addition to language access measures, other major components of the PPP include: public participation design factors; a range of public participation methods to provide information, to invite participation and/or to seek input; examples to demonstrate how population-appropriate outreach methods can be and were identified and utilized; and performance measures and objectives to ensure accountability and a means for improving over time.

The public participation planning process will determine how, when, and how often specific public participation activities should take place, and which specific measures are most appropriate. Port Freeport will make these determinations based on a demographic analysis of the population(s) affected, the type of plan, program, and/or project under consideration, and the resources available. Efforts to involve minority and LEP populations in public participation activities may include both comprehensive measures, such as placing public notices on the Port's website or in public access areas, as well as targeted measures to address linguistic, institutional, cultural, economic, historical, or other barriers that may prevent minority and LEP persons from effectively participating in our decision-making process.

For any questions regarding the Port's Public Participation Plan or any related policies and procedures please contact Port Freeport Director of Administration at 979-233-2667 or by email at lowe@portfreeport.com.

Limited English Proficiency (LEP)

Executive Order 13166, guidance entitled "Improving Access to Services by Persons with Limited English Proficiency" requires federal agencies to assess and address the needs of otherwise eligible persons seeking access to federally conducted programs and activities who, due to LEP, cannot fully and equally participate in or benefit from those programs and activities. LEP individuals are those who do not speak English as their primary language and have a limited ability to read, write, speak, or understand English as a result of their national origin. These individuals may be entitled to language assistance with respect to a particular type of service, benefit, or encounter.

The U.S. DOJ's LEP Guidance advises each federal department or agency to "take reasonable steps to ensure 'meaningful' access to LEP individuals to the information and services they provide." It further explains that the identification of "reasonable steps" to ensure meaningful access will be contingent on a number of factors. Among the four factors to be considered are:

- The number or proportion of LEP persons in the eligible service population;
- The frequency with which LEP individuals come in contact with the program;
- The importance of the service provided by the program;
- The resources available to the organization.

Port Freeport's Language Assistance Plan (LAP) has been developed to assist employees in any department in their efforts to ensure information and services are accessible to LEP individuals by providing guidance on translation, interpretation, and outreach services for LEP individuals seeking access to Port Freeport programs.

IX. REVIEW OF DIRECTIVES

Development and issuance of Title VI policy, procedures, directives, and policy interpretations are functions of the Director of Administration/CFO. Port Freeport will incorporate Title VI requirements into its procedures and manuals. Additionally, by conducting program process reviews, the Director of Administration/CFO ensures that Title VI requirements are met.

X. COMPLIANCE PROCEDURES

Identifying and Eliminating Discrimination

Port Freeport will actively pursue the prevention of Title VI deficiencies and will take the necessary steps to ensure compliance with all administrative program requirements. To further enhance the ability to identify and eliminate patterns of discrimination, the Director of Administration/CFO will ensure that staff, subrecipients, and beneficiaries are educated and informed regarding their Title VI roles and responsibilities.

The Director of Administration/CFO conducts compliance reviews to: 1) ensure compliance with Title VI; 2) provide technical assistance in the implementation of Port Freeport's Title VI/Nondiscrimination Program; and 3) correct deficiencies, when found to exist. When conducting Title VI compliance reviews, any deficiencies will be communicated in writing with the remedial action agreed upon by the Director of Administration/CFO within a period not to exceed 90 days. Efforts to secure voluntary compliance will be undertaken at the outset in every noncompliance situation and will be pursued through each compliance deficiency action. The Director of Administration/CFO will seek the cooperation of Port Freeport staff and subrecipients in correcting deficiencies found during the review. The Director of Administration/CFO will also provide technical assistance, guidance, and assistance in finding methods, strategies, and processes to ensure effective Title VI implementation and compliance. When a subrecipient fails or refuses to comply with the requirements within the time frame allotted, the Director of Administration/CFO will initiate

administrative remedies.

Process to Resolve Deficiencies Identified By Federal Funding Agencies

Effective Title VI compliance requires Port Freeport to take prompt action to achieve voluntary compliance in all instances in which deficiencies are found by any federal funding agencies. Port Freeport will correct any deficiencies found within a reasonable time period, not to exceed 90 days in order to implement Title VI compliance in accordance with required guidelines.

Within 30 days from the receipt of a notice of deficiency, the Director of Administration/CFO will develop a corrective action plan (CAP) to include:

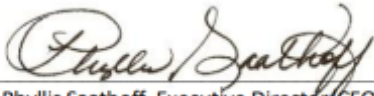
- the identified deficiency;
- applicable laws, rules, regulations;
- actions to be taken by the Director of Administration/CFO to correct the deficiency;
- the timeframe to correct the deficiency;
- the plan for monitoring the progress of the CAP; and
- the timeframe for providing updates to the federal funding agency.

The CAP will be submitted to federal funding agency for approval. Upon approval, the Director of Administration/CFO will implement the CAP and provide periodic updates to federal funding agency. If necessary, the Director of Administration/CFO will update procedures or work with the affected program area to update its procedures to reflect the outcome of the CAP.

Reporting to Federal Funding Agencies

Port Freeport will submit reports to federal funding agencies in accordance with any applicable agreements or laws.

Approved By:



Phyllis Saathoff, Executive Director/CEO
PORT FREEPORT

Attachment 1 - Title VI/Nondiscrimination Statement

Port Freeport, as a recipient of federal financial assistance and under Title VI of the Civil Rights Act of 1964 and related statutes, ensures that no person shall on the grounds of race, religion (where the primary objective of the financial assistance is to provide employment per 42 U.S.C. § 2000d-3), color, national origin, sex, age, or disability be excluded from participation in, be denied the benefits of, or otherwise be subjected to discrimination under any Port Freeport programs or activities.



Phyllis Saathoff, Executive Director/CEO

PORT FREEPORT

April 29, 2024

TITULO VI YE ESTATUTOS RELACIONADOS DECLARACION DE NO
DISCRIMINACION

Port Freeport, como recipiente de Asistencia Financiera Federal y segun el Acta de Derechos Civiles Titulo VI del 1964 Y estatutos relacionados, asegura que ninguna persona sera excluida a causa de raza, religion (donde el objetivo principal es asistencia financiera para proveer empleo segun 42 U.S.C. § 2000d-3), color, origen nacional, sexo, edad o incapacidad de participacion en, o negados los beneficios de, ode otra manera sea sujeto a discriminacion en cualquiera de los programas o actividades del Port Freeport.



Phyllis Saathoff, Executive Director/CEO

PORT FREEPORT

April 29, 2024

PORT FREEPORT ORGANIZATION ALIGNMENT

