



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

1200 New Jersey Ave., SE
Washington, D.C. 20590

AUG 10 2016

In Reply Refer To:
HCR-20
DOT# 2016-0080

(b) (6)

Subject: Dismissal of Complaint DOT# 2016-0080

Dear **(b) (6)**

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, originally received by the FHWA on January 5, 2016, alleging that Minnesota Department of Transportation (MnDOT) violated Title VI of the Civil Rights Act of 1964 (Title VI) and the USDOT's implementing regulations in 49 C.F.R. Part 21 and 23 C.F.R. Part 200. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. First, the complaint must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate FHWA's nondiscrimination regulations (i.e., an alleged discriminatory act based on race, color, or national origin). Third, it must be filed within 180 calendar days of the alleged discriminatory act. Finally, complaints must be filed against a recipient of financial assistance from the FHWA. In your complaint, you allege the MnDOT failed to adequately address the public engagement needs of the I35E project area community, which included making instructional Title VI forms available in multiple languages. In addition, you allege deficiencies in the planning and design processes to include/replace bike, pedestrian, and trail connections, as well as deficient interactions with various community groups.

After careful consideration, the FHWA has concluded it will dismiss this complaint. Based on the complaint, you do not have standing to bring a complaint of discrimination under Title VI because your complaint does not allege you have been discriminated against, through MnDOT's policies and actions, based on your race, color, or national origin. The FHWA will continue to monitor and engage with the Minnesota Department of Transportation closely to ensure compliance with Title VI and other federal laws.

Please note that you may file a private suit at any time pursuant to Section 601 of Title VI. If you have any questions about this complaint with FHWA, please contact Kevin Resler at 202-366-2925 or kevin.resler@dot.gov.

Sincerely,

A handwritten signature in black ink, appearing to read 'Irene Rico', written over a horizontal line.

Irene Rico
Acting Associate Administrator
Office of Civil Rights

cc: Arlene Kocher, Division Administrator, FHWA MN Division Office
David Scott, Assistant Division Administrator, FHWA MN Division Office
Mary Walker-Johnson, Civil Rights Specialist, FHWA MN Division Office