



U.S. Department
of Transportation
Federal Highway
Administration

1200 New Jersey Avenue, SE.
Washington, DC 20590

FEB 22 2016

In Reply Refer To: HCR-20
DOT# 2016-0104

(b) (6)

Subject: DOT# 2016-0104

Dear (b) (6)

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, forwarded by the Arizona Department of Transportation (ADOT), alleging violations of Title VI of the Civil Rights Act of 1964 (Title VI) and USDOT's implementation regulations at 49 CFR Part 21 and/or 23 CFR 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, national origin, sex, age, or disability). 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 Arizona Department of Transportation and ADOT's contractor, (b) (6) discriminated against you during the right-of-way relocation process for your family. Your complaint was filed timely.

After careful consideration, the FHWA has concluded that it cannot accept this complaint for investigation due to lack of jurisdiction. This complaint will be dismissed by FHWA for lack of jurisdiction, and the complaint will be closed with no further action taken by FHWA.

Please note that you may file a private suit at any time pursuant to section 601 of Title VI. If you have any questions, please contact Kevin Resler at (202) 366-2925.

Sincerely,

Nichole McWhorter
Division Manager
Coordination and Compliance Division



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Cc: Karla Petty, Division Administrator, FHWA - Arizona Division
Randy Everett, Assistant Division Manager, FHWA - Arizona Division
Lisa Neie, Civil Rights Specialist, FHWA - Arizona Division Office