



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

1200 New Jersey Avenue, SE.
Washington, DC 20590

APR 11 2017

In Reply Refer To: HCR-20
DOT# 2017-0019

(b) (6)

Subject: Dismissal of Complaint DOT#2017-0019

Dear (b) (6)

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, which alleged violations of Title VI of the Civil Rights Act of 1964 (Title VI) and USDOT's implementation regulations at 49 C.F.R. Part 21 and/or 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, 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. Your complaint alleges the Oklahoma Department of Transportation (ODOT) discriminated against Native Americans in its distribution of technical assistance for the condemnation process and other related right-of-way and project development processes. In addition, you alleged the ODOT failed to advertise the federal Disadvantaged Business Enterprise Program on Native American land.

After careful consideration, the FHWA has concluded it will administratively dismiss this complaint. You and your representative have been non responsive to requests for more information. For this reason, the complaint will be dismissed by FHWA. This complaint will be closed with no further action taken by FHWA.

If you have any questions about this complaint, please contact Kevin Resler at 202-366-2925 or kevin.resler@dot.gov.

Sincerely,



Irene Rico
Associate Administrator for Civil Rights

cc: Basharat Siddiqi, Division Administrator, FHWA Oklahoma Division Office
Louisa Ward, Assistant Division Administrator, FHWA Oklahoma Division Office
Steve Duskin, Civil Rights Specialist, FHWA Oklahoma Division Office
Lisa MacPhee, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Yvette Rivera, Associate Director, Office of the Secretary of Transportation, Equal
Employment Opportunity Programs Division