



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

1200 New Jersey Ave., S.E.
Washington, DC 20590

August 4, 2022

In Reply Refer To: HCR-20
DOT# 2022-0214

(b) (6)

Subject: Complaint DOT# 2022-0214

Dear (b) (6)

This letter is in reference to the complaint of discrimination, dated January 26, 2022, which was filed with the Federal Highway Administration (FHWA) Office of Civil Rights. The complaint alleges California Department of Transportation's contractor, (b) (6) violated Title VI of the Civil Rights Act of 1964 by not awarding (b) (6) the subcontract because the owner is Black.

After a thorough review of your complaint, the FHWA has determined that it does not have jurisdiction. The issues you raised regarding contract awards may be within the jurisdiction of the FHWA Disadvantaged Business. Therefore, this complaint was forwarded to David Chandler, DBE Program Analyst, for appropriate action.

Please be advised that the FHWA's Office of Civil Rights has a responsibility to investigate individual complaints of discrimination involving violations under its jurisdiction of Title VI of the Civil Rights Act of 1964. Title VI prohibits discrimination based on race, color, and national origin under any program or activity receiving Federal financial assistance. The complaint must describe an alleged discriminatory act or acts that, if true, would fall under FHWA's jurisdiction and potentially violate FHWA's Title VI regulations.

If this office can be of assistance to you in any matter within the FHWA's enforcement responsibility, please contact us at (202) 366-0693.

Sincerely,

Nichole McWhorter

Nichole McWhorter
Title VI Program Team Leader
FHWA Office of Civil Rights

cc: Vincent Mammano, Division Administrator, FHWA California Division Office
Monica Gourdine, Associate Division Administrator, FHWA California Division Office
Michael Caliendo, Civil Rights Program Manager, FHWA California Division Office
Scott Carson, Civil Rights Specialist, FHWA California Division Office
Jim Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel
Irene Rico, Associate Administrator, FHWA Civil Rights Office
Irene Marion, Director, Departmental Office of Civil Rights
Yvette Rivera, Associate Director, Equity and Access Division, Departmental Office of Civil Rights
Barbara Dougherty, Deputy Director, Departmental Office of Civil Rights
Sara Kluberdanz, Acting Associate Director, Equity and Access Division, Departmental Office of Civil Rights