



In Reply Refer to: HCR-20
DOT# 2022-0282

July 18, 2022

(b) (6)
[Redacted]
[Redacted]
[Redacted]
[Redacted]
[Redacted]

Subject: Closure of Complaint DOT# 2022-0282

Dear (b) (6)

This letter is to inform you that the Federal Highway Administration (FHWA) Office of Civil Rights has determined that it will close the above complaint, which alleges violations that may be related to Title VI of the Civil Rights Act of 1964, the U.S. Department of Transportation (USDOT) Title VI implementation regulations at 49 C.F.R. Part 21 and/or FHWA's Title VI regulations at 23 C.F.R. Part 200 (hereinafter Title VI). Title VI prohibits discrimination on the basis of race, color, or national origin in programs and activities receiving Federal financial assistance.

To be accepted for investigation, a complaint must meet the jurisdictional requirements provided by 49 C.F.R. § 21.11. First, a complaint must be filed within 180 calendar days of the alleged discriminatory act, unless the time for filing is extended by FHWA. Second, the matters must concern recipients of federal financial assistance for a program or programs authorized under a law administered by FHWA. Finally, 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.

On January 20, 2022, you submitted a letter to FHWA expressing concerns about the I-43 Rehabilitation Program from Brown Street to Capitol Drive in the City of Milwaukee. In your correspondence you state you wanted to make the Office of Civil Rights aware of problems with the project during the pre-decisional planning stage.

After careful consideration, FHWA has determined it will close this matter as it does not have enough information to proceed with its formal Title VI complaint process. Since May 19, 2022, FHWA has attempted to contact you to confirm whether your intent was to proceed with a formal Title VI complaint. To date, FHWA has not received a response. However, your correspondence has been forwarded to the FHWA Wisconsin Division Office for its awareness.

For these reasons, the complaint will be closed with no further action. If you have any questions, please contact Nichole McWhorter at (202) 366-1396.

Sincerely,



Nichole McWhorter
Title VI Team Leader
Office of Civil Rights

cc: Glenn Fulkerson, Division Administrator, FHWA Wisconsin Division Office
Linda Swann, Deputy Division Administrator, FHWA Wisconsin Division Office
Jada Bigham, Civil Rights Specialist, FHWA Wisconsin 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
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