



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

JUL 12 2011

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

In Reply Refer To: HCR-40
DOT #2010-0079

(b) (6)

Dear (b) (6):

This is in reference to your letter dated June 23, 2011, regarding your complaint of discrimination filed under Title VI of the Civil Rights Act of 1964 (Title VI) and related statute (Title 23, United States Code, Section 324). In your letter you raised concerns with the Letter of Finding issued by the Federal Highway Administration (FHWA) following the investigation of your complaint by the Georgia Department of Transportation (GDOT). Your letter lists five (5) areas of concern which are addressed below:

1. You stated that there was nothing in the DeKalb County complaint that alleges a violation of Title VI.

The information provided by you on the Title VI Complaint Form shows race (African American) and sex (female) discrimination as the bases for your complaint (see #6 on the complaint form). The GDOT accepted your complaint as a Title VI complaint based on that information. The information provided to this office by the GDOT in its investigative report and file was based on a Title VI complaint investigation. There was nothing in the complaint investigation package provided to the FHWA by the GDOT that shows that your complaint was anything other than a Title VI complaint.

2. You stated that the numbers listed in the Letter of Finding are incorrect.

The information regarding your contract dollar amounts was provided by DeKalb County. This office has not received any information that would indicate that the information is incorrect.

3. You attached a copy of your Title VI complaint form and affidavit and stated that your complaint had not been addressed by the FHWA or the GDOT. You further stated that you have listed numerous reasons why DeKalb County needs to be investigated for failure to acknowledge and comply with the Disadvantaged Business Enterprise (DBE) Program.

The complaint you filed with the GDOT was investigated under the theories of discrimination required for a Title VI complaint investigation. Allegations involving compliance with the DBE regulations that are not related to alleged discriminatory actions are processed by a compliance review. Since you have filed a complaint with the GDOT regarding non-compliance in the DBE Program, the GDOT will review those issues under the compliance review format.

4. You stated that you met with representatives from the GDOT and advised them regarding what you wanted the GDOT to do regarding your situation.

The FHWA has been advised that the GDOT is in discussions with you regarding your concerns.

5. You stated that you asked the FHWA representative why your Title VI complaint was not addressed.

The allegations raised in your Title VI complaint were addressed and a Letter of Finding regarding those allegations was issued to you.

6. In your conclusion, you stated that you want the FHWA to void its investigation.

The FHWA's decision regarding your complaint was based on the findings from a Title VI complaint investigation. There is no reason for the FHWA to void an investigation that was conducted based on the allegations raised in the complaint. Therefore, the FHWA will not void its finding in the Title VI complaint you filed with the GDOT against DeKalb County.

You also stated in your conclusion that you want the FHWA to enforce the DBE Program regulations and have GDOT investigate your DBE complaint.

The FHWA is committed to ensuring that the State Transportation Agencies adhere to the regulations established for the DBE Program. The FHWA has been advised that the GDOT has received and is prepared to investigate your alleged violations of the DBE Program regulations.

If you have further questions regarding this matter, please let us know.

Sincerely yours,



Brenda F. Armstead
Director, Investigations and Adjudications

cc: Mr. Michael G. Cooper, Director, Equal Employment Opportunity Office, GDOT
Ms. Carol Barnett, Title VI/Environmental Justice Coordinator, Equal Employment Opportunity Office, GDOT
Mr. Rodney N. Barry, Division Administrator, FHWA (HDA-GA)
Ms. Vanessa Ross, Civil Rights Specialist, FHWA (HDA-GA)