



In Reply Refer to: HCR-20  
DOT# 2021-0075

September 1, 2021

(b) (6)

**Subject:** Dismissal of Complaint #2021-0075

Dear (b) (6),

This letter is to inform you that the Federal Highway Administration (FHWA) Office of Civil Rights has determined that it will dismiss 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, complaints 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.

You allege that the Town of Trenton, North Carolina (Town) discriminated against African-American residents by its failure to maintain roads near predominantly African-American neighborhoods. You likewise allege the Town failed to install curbs, curb cuts, and gutters near predominantly African-American neighborhoods.

After careful consideration, FHWA has determined the allegations and facts in your complaint do not meet the minimum criteria under which FHWA could establish a case of disparate impact or intentional discrimination under Title VI. The available information shows that FHWA lacks jurisdiction over your complaint because the Town is not a recipient of federal assistance from the FHWA or any other operating administration of the U.S. Department of Transportation. For these reasons, the complaint will be dismissed by FHWA and closed with no further action.

If you have any questions, please contact Nichole McWhorter at (202) 366-1396.

Sincerely,

*Nichole McWhorter*

Nichole McWhorter  
Title VI Team Leader  
Office of Civil Rights

cc: John F. Sullivan, Division Administrator, FHWA North Carolina Division Office  
Edward T. Parker, Deputy Division Administrator, FHWA North Carolina Division Office  
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