



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

1200 New Jersey Avenue, SE.

Washington, DC 20590

AUG 28 2018

In Reply Refer To: HCR-20  
DOT# 2018-0166

**Subject:** Dismissal of Complaint DOT# 2018-0166

Dear [REDACTED]

This letter acknowledges the Federal Highway Administration's (FHWA) Office of Civil Rights received your complaint against the City of Erie, (City) Pennsylvania filed on behalf of Eastside residents of Erie, (Eastside Community Residents), alleging the City violated Title VI of the Civil Rights Act of 1964 (Title VI) and its implementing regulations, including Title VI regulations administered by the United States Department of Transportation (49 C.F.R. Part 21) and the Federal Highway Administration (23 C.F.R. Part 200). Your complaint was received in this office on April 6<sup>th</sup>, 2018.

In your complaint, you alleged that the Eastside residents of Erie, Pennsylvania will be disparately, adversely impacted by the demolition of the McBride Viaduct.

After careful consideration, the FHWA has concluded that it must dismiss this complaint because the matter is pending in a court with superior jurisdiction.

If you have any questions, please contact Kevin Resler at (202) 366-2925.

Sincerely,

Nichole McWhorter  
Title VI Team Leader  
Office of Civil Rights

Cc: Alicia Nolan, Division Administrator, FHWA PA Division Office  
Moises Marrero, Assistant Division Administrator, FHWA PA Division Office  
Khan Mitchell, Civil Rights Program Specialist, FHWA PA Division Office  
James Esselman, Senior Attorney-Advisor, FHWA Office of Chief Counsel  
Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division  
Kevin Resler, National Title VI Program Coordinator, FHWA Office of Civil Rights