



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

1200 New Jersey Avenue, SE

Washington, DC 20590

In Reply Refer to: HCR-20
DOT# 2020-0027

JAN 21 2020

Subject: Dismissal of Complaint DOT# 2020-0027

Dear [REDACTED],

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, as well as the legal standards discussed in the U.S. Department of Justice Title VI Legal Manual. 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 the Texas Department of Transportation (TxDOT) violated Title VI by intentionally discriminating against you and your firm, [REDACTED]. Specifically, you allege that a TxDOT employee harassed [REDACTED] employees on several occasions in October 2019. You further allege this TxDOT employee contacted another company to harm [REDACTED]'s reputation.

After careful consideration, FHWA will dismiss this complaint because the matter is currently under investigation by the TxDOT Human Resources Division. FHWA notes that nothing in this letter precludes you or another complainant from filing a Title VI complaint related to this matter upon the conclusion of TxDOT's investigation.

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: Al Alonzi, Division Administrator, FHWA Texas Division Office
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