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In Reply Refer to: HCR-20  
DOT# 2020-0172

May 26, 2020

[REDACTED]

**Subject:** Dismissal of Complaint DOT# 2020-0172

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. 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 [REDACTED] discriminated against your company, [REDACTED], when it released [REDACTED] from the design team on the US 12/Nine Mile to Frenchtown Vic – Build New Highway project. After careful consideration, FHWA has determined the allegations and facts in your complaint do not meet the minimum jurisdictional criteria under Title VI. Your complaint reflects a contract dispute with a private company and does not allege a violation of Title VI by a recipient of FHWA financial assistance. 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: Daniel Mathis, Division Administrator, FHWA Washington Division Office  
Melinda Roberson, Assistant Division Administrator, FHWA Washington Division Office  
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