



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

MAR 12 2018

1200 New Jersey Avenue, SE.

Washington, DC 20590

In Reply Refer To: HCR-20  
DOT# 2017-0377

**Subject:** Acknowledgment of Complaint DOT# 2017-0377

Dear [REDACTED]

This letter acknowledges that the Federal Highway Administration's (FHWA) Office of Civil Rights is in receipt of your complaint, which alleged violations of Title VI of the Civil Rights Act of 1964 (Title VI) and USDOT's implementation regulations at 49 C.F.R. Part 21 and/or 23 C.F.R. Part 200. To be accepted for investigation, a complaint must meet the jurisdictional requirements described in FHWA's Investigations Manual, which conforms to the U.S. Department of Justice's procedures and standards for investigating complaints of discrimination. First, the complaint must be in writing. Second, the complaint must describe an alleged discriminatory act that, if true, would violate FHWA's nondiscrimination regulations (i.e., an alleged discriminatory act based on race, color, national origin). Third, the complaint must be filed within 180 calendar days of the alleged discriminatory act. Finally, complaints must be filed against a recipient of financial assistance from the FHWA.

After careful consideration, the FHWA has concluded it will dismiss this complaint. Your complaint alleges the Colorado Department of Transportation (CDOT) discriminated against you on the basis of race, because contracting personnel with the CDOT improperly interfered in your employment practices and filed unfounded complaints against your company. These alleged actions regard contracting and employment issues and do not meet the jurisdictional requirements for a Title VI Civil Rights claim with the FHWA.

If you have any questions about this complaint, please contact Kevin Resler at 202-366-2925 or [kevin.resler@dot.gov](mailto:kevin.resler@dot.gov).

Sincerely,

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Associate Administrator for Civil Rights

**cc: John Cater, Division Administrator, FHWA CO Division Office**  
**Alicia Nolan, Assistant Division Administrator, FHWA CO Division Office**  
**Nicole Bumpers, Civil Rights Specialist, FHWA CO Division Office**  
**Nichole, Mcwhorter, Title VI Program Team Leader, FHWA Office of Civil Rights**  
**Kevin Resler, National Title VI Program Coordinator, FHWA Office of Civil Rights**  
**Jim Esselman, Senior Attorney-Advisor, FHWA's Office of Chief Counsel**  
**Yvette Rivera, Associate Director, Equal Employment Opportunity Programs Division,**  
**Departmental Office of Civil Rights**