UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

EXTERNAL CIVIL RIGHTS COMPLIANCE OFFICE
OFFICE OF GENERAL COUNSEL

April 20, 2018

Return Receipt Requested
Certified Mail #: (b) (6) Privacy

In Reply Refer to:
EPA File No. 01X-18-R9

Mr. Jesse Marquez
Executive Director
Coalition for a Safe Environment
1601 N. Wilmington Blvd, Suite B
Wilmington, CA 90744

Re: Response to Correspondence (EPA File # 01X-18-R9)

Dear Mr. Marquez:

The U.S. Environmental Protection Agency (EPA), External Civil Rights Compliance Office (ECRCO), is in receipt of a copy of your March 12, 2018 letter, which was forwarded to our office by EPA's Region IX Office. In your letter, you request a criminal investigation into alleged actions taken by the Port of Los Angeles, the Los Angeles harbor Department, the Board of Harbor Commissioners and the City of Los Angeles for "violations of Federal and State Laws, Executive Orders, Policies, Procedures, Regulations, practices and Fiduciary Duties." After careful review, we have concluded that your letter does not appear to raise concerns over which ECRCO has jurisdiction. Accordingly, ECRCO will take no further action at this time in response to your letter.

ECRCO is responsible for enforcing several federal civil rights laws which, together, prohibit discrimination on the basis of: race, color, or national origin (including on the basis of limited-English proficiency); sex; disability; and age, by applicants for and recipients of federal financial assistance from EPA. (Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, and the Age Discrimination Act of 1975, respectively.) ECRCO is also responsible for enforcing Section 13 of the Federal Water Pollution Control Act Amendments of 1972 which prohibits discrimination based on sex under programs or activities receiving financial assistance under the Clean Water Act. Anyone who believes that an entity that receives federal financial assistance from EPA has discriminated against someone on the basis of race, color, national origin (including limited-English proficiency), sex, disability or age, may file a complaint.

However, to be accepted for investigation, a complaint must meet the jurisdictional requirements described in the EPA's nondiscrimination regulation. First, the complaint must be in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, it must describe an alleged discriminatory act that, if true, may

violate the EPA's nondiscrimination regulation (i.e., an alleged discriminatory act based on race, color, national origin, sex, age, or disability). *Id.* Third, it must be filed within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2). Finally, the complaint must be filed against an applicant for, or recipient of, EPA financial assistance that allegedly committed the discriminatory act. *See* 40 C.F.R. § 7.15.

If you believe you have a claim of discrimination, under the federal civil rights laws, which meets the jurisdictional requirements discussed above, you may file a complaint directly with ECRCO. Please refer to ECRCO's Case Resolution Manual (CRM), for additional information about ECRCO's complaint process. The CRM may be found at https://www.epa.gov/ocr/case-resolution-manual.

If you have questions about this letter, please contact Debra McGhee, Team Lead, by telephone at (202) 564-4646, via email at mcghee.debra@epa.gov, or by mail at: U.S. EPA, Office of General Counsel (Mail Code 2310A), 1200 Pennsylvania Avenue, N.W., Washington, D.C. 20460.

Sincerely,

Lilian S. Dorka
Director
External Civil Rights Compliance Office
Office of General Counsel

cc: Elise Packard
Associate General Counsel
Civil Rights & Finance Law Office
Office of General Counsel

Deborah Jordan
Acting Deputy Regional Administrator
Deputy Civil Rights Official
U.S. EPA Region 9

Sylvia Quast
Regional Counsel
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