

Create Control - Data Entry

Control Number:

Alternate Number:

Citizen Information

Citizen/Originator:

Constituent:

Committee:

Sub-Committee:

Control Information

Status:

Letter Date:

Received Date:

Contact Type:

Priority Code:

Addressee:

Addressee Org:

File Code:

Signature:

CC:

Signature Date:

Primary Subject:

Secondary Subject:

Instructions:

Instruction Notes:

General Notes:

*: Required field

(+): Lookup field, press space bar for complete list



U.S. Department of Justice
Civil Rights Division

Federal Coordination and Compliance Section-NWB
950 Pennsylvania Avenue, NW
Washington, DC 20530

(b) (5) Privacy, (b) (7)(C) Enforcement

Ms. Vicki Simons
Director
Office of Civil Rights
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
Mail Stop 1201A
Washington, D.C. 20004

AUG 25 2014

Dear Ms. Simons:

Enclosed for your review is a letter received by the Federal Coordination and Compliance Section of the Civil Rights Division of the U.S. Department of Justice. The matter does not appear to be within the jurisdiction of our office.

However, the issues raised may fall within the jurisdiction of your agency and, therefore, we are referring it to you for appropriate disposition. The writer has been notified of the referral.

Thank you for your assistance in this matter.

Sincerely,

Deeana Jang
Chief
Federal Coordination and Compliance Section
Civil Rights Division

Enclosure

RECEIVED
SEP - 9 2014

file
8/3/14

U.S. Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section - NWB
950 Pennsylvania Ave, NW
Washington, DC 20530

COMPLAINT FORM

The purpose of this form is to assist you in filing a complaint with the Federal Coordination and Compliance Section. You are not required to use this form; a letter with the same information is sufficient. However, the information requested in the items marked with a star (*) must be provided, whether or not this form is used.

1.* State your name and address.

(b) (6) Privacy, (b) (7)(C)
Enforcement Privacy

2.* Person(s) discriminated against, if different from above:

(b) (6) Privacy, (b) (7)(C) Enforcement
Privacy

Work or Cell: N/A

Please explain your relationship to this person(s). Sister address in the U.S.A

3.* Agency and department or program that discriminated:

Name: Lyondell Chemical Company (Mark Waite Legal department)
Address: 1221 Mc Kinney Suite 700
Houston Texas 77010 P.O Box 3646 (77253-3646) U.S.A Zip (77253-3646) U.S.A
Telephone: Home: () Work or Cell: ()

4A.* Non-employment: Does your complaint concern discrimination in the delivery of services or in other discriminatory actions of the department or agency in its treatment of you or others? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.

____ Race/Ethnicity: _____
± National origin: _____
____ Sex: _____
____ Religion: _____
____ Age: _____
± Disability: _____

4B.* Employment: Does your complaint concern discrimination in employment by the department or agency? If so, please indicate below the base(s) on which you believe these discriminatory actions were taken.

____ Race/Ethnicity: _____
____ National origin: _____
____ Sex: _____
____ Religion: _____
____ Age: _____
____ Disability: _____

5. What is the most convenient time and place for us to contact you about this complaint?

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

6. If we will not be able to reach you directly, you may wish to give us the name and phone number of a person who can tell us how to reach you and/or provide information about your complaint:

Name: _____
Telephone: Home: (____) _____ Work or Cell: (____) _____

7. If you have an attorney representing you concerning the matters raised in this complaint, please provide the following:

Name: _____
Address: _____
_____ Zip _____
Telephone: Home: (____) _____ Work or Cell: (____) _____

8.* To your best recollection, on what date(s) did the alleged discrimination take place?

Earliest date of discrimination:

Most recent date of discrimination: June 7 2013 Letter from Mr Waite Lyondell Legal Dept.

Under common law an employee is a person who works under the contract of employment and so has a contract of service with the employer. Therefore all the rights an obligation under common law should apply to him. This means the so-called contract and casual worker supplied by the agency to the user company remains an employee of the agency and must enjoy a normal employee/employer relationship with employer with all the associated rights.

Documentation can be accomplished by recording information pertinent to field activities, sample analysis and site conditions when propylene oxide spill in 2002 site condition including decontamination in one or several ways including logging on computers.

Logbooks

Field Data Records

Graph

Photograph of Pipeline (Propylene Oxide)

Chain of custody forms

Analytical Records

These documents should be controlled to ensure that they are all accounted for when a project is complete or a accidental spill occurs in the Lyondell Channelview Plant for Corporate use and for legal department on employee or sub.contractor injuries. The task of documents control at Lyondell are to be assigned to one individual on site the South Plant or the closed Propylene Plants in specific. Mark Waite does not investigate any accident at the plant or does not account for the responsibility of the accident.

Collecting all document on the closed propylene plant was a task and involves special attention the Legal Attorney at Lyondell has (1) "improperly," (2) "withheld," (3) "plant records." allege any improper withholding of plant records fails upon which relief could be granted to victims.

[T]he fact that responsive documents once existed does not mean that they remain in the [Lyondell] custody today or that the [Legal Departments] duty for third party to retain the records."); (declaring that the Lyondell Basell independently impose a retention obligation on the Propylene Plants" and that "[e]ven if the Lyondell Channelview failed to keep documents that it should have kept, that failure would create neither responsibility or to reconstruct those documents nor liability for the lapse since 2002 Todd Johnson explained"),

Lyondell Channelview

Field personnel have information on the propylene spill in 2002 I investigated with Mr Todd Johnson onsite activities that Mr Johnson was aware of from employee at Lyondell in 2002.

Employee Education and product use feedback educate and train employee based on job function when Lyondell Channelview told me to talk to the Legal Department which job function is different from proper handling of recycling, use of disposal of products and known product spills.

Lyondell Legal Department needs to implement a system that encourages employee feedback on accident reported and sicklist and exactly what happened at the propylene oxide spill in 2002 where are the documents for new uses, identify the misuse of documents or adverse effects of propylene oxide to health problems the stewardship was not public till 2007 the toxicology is not accurate like the National Cancer Institute.

Lyondell to disseminate such information on propylene oxide plants

Clean Air Act

The Clean Air Act required the EPA to set national ambient air quality standards for pollutants determined to be injurious to health or welfare. Propylene oxide is listed as a potential human health hazard under Section 111. Specific control technologies are defined for such hazardous chemicals (40 CFR 60.489). Amendments to the Clean Air Act enacted in 1990 required EPA to establish technology standards applicable to the sources of listed pollutants. Listing under Title III, Section 112 requires automatic spill reporting under CERCLA (see below), 42 U.S.C. 9601(14)). Propylene oxide is one of the listed pollutants. Hazardous Organic NESHAP (HON) Synthetic Organic Chemicals (40 CFR 63.100-106) Under a final rule effective 4/22/94, propylene oxide is listed as a "Group I" chemical (Table 1). Existing sources of chemicals in Group I must be in compliance with equipment leak rules (40 CFR 63.160-183) as of 4/24/95. Propylene oxide also is listed as an organic hazardous air pollutant (Table 2) emitted from synthetic organic chemical manufacturing industry (SOCMI) processes. Emissions are regulated by 40 CFR 63.100-.182 (subparts F, G, and H). Clean Air Act Section 112(r) Risk Management Program for Accidental Release Prevention (40 CFR 68.130). Propylene oxide is one of the chemicals regulated under this program with a threshold quantity of 10,000 lbs. Propylene oxide also is on the EHS list if the vapor pressure is 10 mmHg or greater.

National Fire Protection Association (NFPA) Hazard Rating

The NFPA ratings assign a numeric value to specific aspects of each hazard. For propylene oxide, these ratings are as follows: Health: 2. Material hazardous to health, but areas may be entered freely with full-faced mask self-contained breathing apparatus which provides eye protection. Flammability: 4. Very flammable gases or very volatile liquids. Shut off flow and keep cooling water streams on exposed tanks or containers. Reactivity: 2. Materials which (in themselves) are normally unstable and readily undergo violent chemical change but do not detonate. Includes materials which can undergo chemical change with rapid release of energy at normal temperatures and pressures or which can undergo violent chemical change at elevated temperatures and pressures. Also includes those materials which may react violently with water or which may form potentially explosive mixtures with water. In advanced or massive fires, fire fighting should be done from a safe distance or from a protected location.

Additional information on the NFPA hazard rating system can be obtained from the National Fire Protection Association, Batterymarch Park, Quincy, MA. 02269; phone 800/344-3555.

9. Complaints of discrimination must generally be filed within 180 days of the alleged discrimination. If the most recent date of discrimination, listed above, is more than 180 days ago, you may request a waiver of the filing requirement. If you wish to request a waiver, please explain why you waited until now to file your complaint.

Submitted by: (b) (6) Privacy

Victim: The author

Subject : Request for remedies due diligence on examination of the petition if possible the contract with Century Asphalt at the Propylene Oxide Plants in 2002. Mr Waite will not explain what happened in Channelview Lyondell Plant has written a plain piece of paper saying no more that Lyondell is not providing any remedies and denies any propylene oxide accident or explosion in bad faith of the legal department of Lyondell. Mr Waite has changed all remedies that in good faith I started with Todd Johnson in 2010 he explained that Channelview Plants are part of Lyondell Basell and is not responsible for any accident. If I needed FOIA documents is only for government to release where the propylene oxide is buried in the 2002 EPA request due process of accident I have written to EPA need specific information and if the **DHS FOIA Request** would have any characterization of the earth quake **underground explosion** the biological and chemical release he told I could only file for FOIA to obtain government document then he told me not to call his office no more **denies talking about the propylene plants** and he would send me a MSDS on Propylene Oxide which under the right to know act from a Multinational Company. I intend to pursue with sending him the location of the bridge all the material used at the bridge on construction recarpeting of the entrance and engineer used on the project the specification of Cemex Portland Concrete, and Asphalt. Mandating the information or report made from Lyondell Plant (Century Asphalt Plant Closed Hwy 146) Lyondell Entrance South (Propylene Plants) Century Asphalt Baytown- Lyondell Basell 2502 Sheldon Road Channelview, Texas 77530 I also spoke to the Safety at Angel Brothers Enterprise Ltd P.O Box 570 Baytown Tx 77522 and Mr Johnson at Lyondell who was cooperative and told me that my report that I sent was over 100 pages explaining my job duties , the plant design , the reactive accident he explained I was exposed to Propylene Oxide and find the MSDS which is known carcinogen.

10.* Please explain as clearly as possible what happened, why you believe it happened, and how you were discriminated against. Indicate who was involved. Be sure to include how other persons were treated differently from you. (Please use additional sheets if necessary and attach a copy of written materials pertaining to your case.)

One case report of chronic exposure was reported in (Lyondell et al. 2002). A 23-year-old male worker was accidentally exposed to propylene oxide vapor for 45 duration of incident min while trapped in a dump truck thru a spill. The exposure was from pipeline concentration was exceedingly high, , from 30,000 tank of the measurement. Shortly after exposure, he developed eye and lung irritation, hemorrhages,, burning behind the sternum, and restlessness. Headache, general weakness, and diarrhea followed 1.5 h later, and within 2 h he was cyanotic and had collapsed. His pulse and blood pressure returned to normal 2 years later, and he was at Neurophysiatriac and General hospitas never recovered his health condition after 6 years experienced blindness, diabetes, heart attacks and lung hemorrhages,.

The contractor exposure of 45 people a strong two hour exposure to worker. I was in the truck I was trapped the Air conditioning and injectors were on fire and the oil pan of the Brown Kenworth coated with V.O.C intense heat from Asphalt the tires, engine, engine oil pan were cooled with large quantities of water to prevent vapor pressure build up which could result in a engine spark that caught fire while trapped inside the truck to failure and/or weakening the injectors on coated engine structure with V.O.C that led to air conditioning that several gallons measurement on the V.O.C in the truck, filled the truck with V.O.C entered my lungs that enabled me from escape and had to be pulled out from the truck after I was pulled from the Dyke were the pipeline was located.

The facility Lyondell Chemical Plant and the contractor involved in the construction of the bridge is similar to traditional concrete bridge building .i.e, build the support towers (columns). build the temporary falsework, build the deck, perform finish work around the bridge. The deck is often build in both directions away from the structure serves as the (launching point where I was being obstructed by the flag man which led to transmission problems on gears and led to the major

industrial accident) the point of the flag man being on the columns when the truck is on the bridge with a guard rail that is not visible to the driver that led the truck to the dyke to a large pipeline or feedline to plant (I was loaded and the asphalt and chemical reacted into a fire that was put out by a water truck.

Component to major Accident (Bridge)

Loaded there were concrete workers finishing on bridge maintenance and the bridge had galvanizing rods that flatten my tire and nails on board for concrete pours.

Truck Drivers Haul Trucks

Drives a Dump truck to delivery points usually with tractor engine double axel or triple axel hauls rap, asphalt hot-mix. Follows safety rules and operates truck carefully to prevent damage to truck and other uses strenuous physical efforts in operating hand, wheel, clutch or hydraulic lift and tailgate upon unloading asphalt. Operates Dump Truck in all types of whether and is exposed to the possibility of serious accidents.

I was trapped in the feedline and the pressure inclosed inside the truck the Propylene Oxide I was pulled out then physically taken out from the truck and large quantity of water was poured on me to clear my hair, clothes, boots, eyes, ears and arms from the V.O.C the reactive accident with construction workers pulling out the dyke caused uncontrolled chemical reactions and health consequences that should have been documented on the injury list and names of worker upon release of the accident that was over 5 hours long until the pipeline was closed with construction tools. Petrochemical poisoning causes health effects and/or known carcinogen Propylene Oxide.

11. The laws we enforce prohibit recipients of Department of Justice funds from intimidating or retaliating against anyone because he or she has either taken action or participated in action to secure rights protected by these laws. If you believe that you have been retaliated against (separate from the discrimination alleged in #10), please explain the circumstances below. Be sure to explain what actions you took which you believe were the basis for the alleged retaliation.

12. Please list below any persons (witnesses, fellow employees, supervisors, or others), if known, whom we may contact for additional information to support or clarify your complaint.
Name Address Area Code/Telephone

(b) (6) Privacy

Safety (b) (6) Privacy

Century Asphalt Parent Company Angel Brother's Enterprise Ltd P.O Box 520 Baytown Texas 77522

13. Do you have any other information that you think is relevant to our investigation of your allegations?

Contractor Carlos Garza Trucking 4506 Sterlingwoodway Houston, Texas 77059

Plaintiff

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy



The case as a toxic tort case involving the gross contamination on ruptured pipe
Plaintiff is now suffering multitude of health complaint including cancers,neurological disorders,tumor s as a result of occupational exposure.

Pressure to settle case regardless of the underlying merits an other illnesses.

Lyondell Basell plaintiff suing the owners for personal injury allegedly due to exposure around bridge maintenance.

As a plaintiff provided the information to Lyondell (refused to provide any fabricate information in the discovery of injuries or the pipelines that caused the injuries.

There has not been trial court (Lyondell) that their special council selected for trial.The defendents (Lyondell Basell) basic information on internet,bankruptcy court in U.S will not provide in multinational companies financial information) the plaintiff has provided information to the Channelview Office some medical basic information about plaintiff.

I have provided Lawyers,FGR of El Salvador, interrogatory information that identifies medical injuries,forensics linking the injuries to exposure to a defendant products, which is bankruptcy the case had been pending at Lyondell the defendant motion to compel production of information.Mature Toxic Tort I have each and every doctor,physician,psychiatrist,psychologist,counselor, or other medical practitioner who has attributed to plaintiff injuries an merit of case on the defendants product.**Mark Waite Legal Department of Lyondell an misconduct from discretion an claiming there was no explosion or reported accidents at the Propylene Oxide Plants.** Propylene Oxide is the name and identity of Lyondell product to which alledged injury is attributed.In Harris County jurisdiction an El Salvador Jurisdiction on the basis of evidence with scientific contortion an will provide merits in the case.I provided the exposure of Multinational & Century Asphalt that I was exposed on contracts probative evidence of a causal connections between propylene oxide products and plaintiff's injuries .

(b) (6) Privacy

Safety (b) (6)

Century Asphalt Parent Company Angel Brother's Enterprise Ltd P.O Box 520 Baytown Texas 77522

Under common law an employee is a person who works under the contract of employment and so has a contract of service with the employer. Therefore all the rights an obligation under common law should apply to him. This means the so-called contract and casual worker supplied by the agency to the user company remains an employee of the agency and must enjoy a normal employee/employer relationship with employer with all the associated rights.

JMT Enterprise Inc contractor to Angel Brothers

15238 Mincing Lane

Channelview, Texas 77530 281-457-5127

(b) (6) Privacy

Workers in Lyondell plant accident with Cardenas Trucking

(b) (6) Privacy other Truck Drivers

Concerning freedom of association the National Labor Relations Act (NLRA)

provides that employees have the right to form or join unions of their own choice and bargain collectively with their employers.⁴² The National Labour Relations Board (NLRB) is the body that determines the appropriate unit for collective bargaining

Contract and part-time work is increasingly becoming the norm of a global economy as companies undergo restructuring, privatisation, concentration on core activities and modifications in work organisation and technology. These factors certainly affect traditional employment relations and the exercise of freedom of association and collective bargaining rights inherent in them.

Flexible work patterns are now becoming dominant in advanced countries and this makes it more difficult to organise workers for collective representation. Sub-contracting arrangements are causing the employment relationship increasingly

to resemble a commercial relationship, making it difficult to identify the real employer for the purposes of collective bargaining.

Industry are at the receiving end of employers and therefore lack adequate protection by labour and employment laws that protect full-time employees.²⁹ According to Emsellem and Ruckelshaus,³⁰ “they do not receive minimum wage and overtime as required by the Fair Labor Standards Act (FLSA), and they are denied the right to organise and bargain collectively under the National Labour Relations Act

14. What remedy are you seeking for the alleged discrimination?

United States, the Texas Supreme Court look to the provisions of the ICCPR, on which the plaintiffs relied, to determine whether it conferred equal treaty rights between El Salvador and the United States. The court interpreted article 14(1) of the ICCPR as “requir[ing] all signatory countries to confer the right of equality before the courts to citizens of all other signatories.”²²⁶ The court quoted from a comment by the Human Rights Committee, explaining that the ICCPR “not only guarantees foreign citizens equal treatment in the signatories’ courts,

Employer Lyondell Chemical Company Contractor
Address One Houston Center Suite 700
1221 Mc Kinney St Houston Texas 77252

Supervisor Carlos Garza
Date of Injury November 24-30 2002

Reactive Accident Site (Bridge Maintenance)

Job Site Of injury Lyondell Channelview Texas
Company Contractor Century Asphalt/Cardenas Trucking

Address 2502 Sheldon State Tx
Address Hwy 146 State Tx

Texas Workforce Commision Labor Laws 101 east 15th Street Austin, Texas 78779

Angel Brothers Enterprises LTD 5210 West Road / P.O Box 570 Baytown, Texas 77522

Carlos Garza Trucking 4506 Sterlingwoodway Houston, Texas 77059

Work Yard 14045 Muskateen Houston Texas

Duties

Construction New Construction of Propylene Plant

Job duties Repaving entrance to Propylene Plant hauling Rap to dump sites

Job duties/job titles and products/chemicals used at this job site .Transportation of hot Mix from Century Asphalt Plant on Hwy 146 to Lyondell Channelview,unloading asphalt,hauling Rap off the site (Lyondell).

Pipeline Rupture of Propylene Oxide that is 91% benzene a carcinogen

Summary of Product/Chemicals Used at Job site

Product Chemicals
TBA,Tertiary Butyl alcohol,
Liquefied Petroleum Gases
Methyl-Ethylene Oxide
Propylene

Product Chemicals
Benzene
P.O Plants
Light Olefins
Propylene Glycol

Product Chemicals
Propylene
Propylene Oxide
Polypropylene
Propylene Glycol ether

Lyondell does not brief the incident that happened on November 23 2002 the issue however and contentions not briefed on multiple chemical sensitivity to propylene oxide (iron metals) exposure and vinylbenzene. Evaluated differentiation from Angel Brothers an agency that Lyondell contracted to pave around the entrance of it's Propylene Oxide victim was told.

PROPYLENE OXIDE

Propylene oxide [75-56-9] (methyloxirane, 1,2-epoxypropane) is a significant organic chemical product used primarily as a reaction intermediate for production of polyether polyols, propylene glycol, alkanolamines (qv), glycol ethers, and many other useful products (see GLYCOLS). Propylene oxide was first prepared in 1861 by Oser and first polymerized by Levene and Walti in 1927 (1). Propylene oxide is manufactured by two basic processes: the traditional chlorohydrin process (see CHLOROHYDRINS) and the hydroperoxide process with either *ter*-butanol (see BUTYL ALCOHOLS) or styrene (qv) as a co-product.

Reactivity and Incompatibilities

Propylene reacts vigorously with oxidizing materials. It reacts violently with oxides of nitrogen (nitrogen dioxide, N02; nitrous oxide, N20; and dinitrogen tetoxide, N204). Propylene is also incompatible or reacts violently with a number of other substances and conditions. A partial list of examples is provided below:

- Propylene at 955 bar and 327° C was being subjected to further rapid compression. At 4.86 Kbar, an explosive decomposition occurred, causing a pressure surge to 10 Kbar or above. (Bretherick's 5th)
- Propylene explodes on contact with trifluoromethyl hypoflourite. (Hazardous Chemicals Desk Reference, R. J. Lewis, 3rd)
- Propylene reacts violently with NO2, N2O4, and N2O and can form explosive products. (Sax, 10th ed., 2000; B.B.Brandt, et al, Khim. Prom. SSSR 3:204-210 (1961))
- Explosions have been reported when liquid propylene contacts water at 315-348° K. (W. M. Perteous and R. C. Reid, Chem. Eng. Prog. 72, 93 (1976))
- Explosive polymerization of propylene is initiated by the combination of lithium nitrate and sulfur dioxide. (Bretherick's 5th)

15. Have you (or the person discriminated against) filed the same or any other complaints with other offices of the Department of Justice (including the Office of Justice Programs, Federal Bureau of Investigation, etc.)?

Yes ___ No ±

If so, do you remember the Complaint Number?

_____ Against what agency and department or program was it filed?

Address: _____

_____ Zip _____

Telephone No: (____) _____

Date of Filing: _____ DOJ Agency: _____

Briefly, what was the complaint about?

What was the result?

16. Have you filed or do you intend to file a charge or complaint concerning the matters raised in this complaint with any of the following?

- U.S. Equal Employment Opportunity Commission
 Federal or State Court
 Your State or local Human Relations/Rights Commission
 Grievance or complaint office

17. If you have already filed a charge or complaint with an agency indicated in #16, above, please provide the following information (attach additional pages if necessary):

El Salvador vs Lyondell Ref 60-UMA-08

Edificio Primavera Final Cuarta Calle Poniente y Diecinueve Avenida Sur Entreda Principal de Residencial Primavera Santa Tecla

Exhaustion

United States, the Texas Supreme Court look to the provisions of the ICCPR, on which the plaintiffs relied, to determine whether it conferred equal treaty rights between El Salvador and the United States. The court interpreted article 14(1) of the ICCPR as "requir[ing] all signatory countries to confer the right of equality before the courts to citizens of all other signatories." The court quoted from a comment by the Human Rights Committee, explaining that the ICCPR "not only guarantees foreign citizens equal treatment in the signatories' courts,

18. While it is not necessary for you to know about aid that the agency or institution you are filing against receives from the Federal government, if you know of any Department of Justice funds or assistance received by the program or department in which the alleged discrimination occurred, please provide that information below.

19.* We cannot accept a complaint if it has not been signed. Please sign and date this Complaint Form below.

(b) (6) Privacy, (b) (7)(C) Enforcement
Privacy
(Signature) _____

July 25, 2013
(Date)

Please feel free to add additional sheets to explain the present situation to us.

We will need your consent to disclose your name, if necessary, in the course of any investigation. Therefore, we will need a signed Consent Form from you. (If you are filing this complaint for a person whom you allege has been discriminated against, we will in most instances need a signed Consent Form from that person.) See the "Notice about Investigatory

Uses of Personal Information" for information about the Consent Form. Please mail the completed, signed Discrimination Complaint Form and the signed Consent Form (please make one copy of each for your records) to:

**United States Department of Justice
Civil Rights Division
Federal Coordination and Compliance Section - NWB
950 Pennsylvania Avenue, NW**

Washington, D.C. 20530

Toll-free Voice and TDD: (888) 848-5306

Voice: (202) 307-2222

TDD: (202) 307-2678

20. How did you learn that you could file this complaint?

FBI Contact Houston 1 Justice Park Drive

Houston, TX 77092 Phone: (713) 693-5000 Fax: (713) 936-8900E-mail: Houston.Texas@ic.fbi.gov

21. If your complaint has already been assigned a DOJ complaint number, please list it here:

Note: If a currently valid OMB control number is not displayed on the first page, you are not required to fill out this complaint form unless the Department of Justice has begun an administrative investigation into this complaint.

U.S. Department of Justice

Civil Rights Division

**NOTICE ABOUT INVESTIGATORY USES
OF PERSONAL INFORMATION**

NOTICE OF COMPLAINANT AND INTERVIEWEE RIGHTS AND PRIVILEGES

Complainants and individuals who cooperate in an investigation, proceeding or hearing conducted by DOJ are afforded certain rights and protections. This brief description will provide you with an overview of these rights and protections.

- A recipient may not force its employees to be represented by the recipient's counsel nor may it intimidate, threaten, coerce or discriminate against any employee who refuses to reveal to the recipient the content of an interview. An employee does, however, have the right to representation during an interview with DOJ. The representative may be the recipient's counsel, the employee's private counsel, or anyone else the interviewee authorizes to be present.

The laws and regulations which govern DOJ's compliance and enforcement authority provide that no recipient or other person shall intimidate, threaten, coerce or discriminate against any individual because he/she has made a complaint, testified, assisted or participated in any manner in an investigation, proceeding, or hearing conducted under DOJ's jurisdiction, or has asserted rights protected by statutes DOJ enforces.

- Information obtained from the complainant or other individual which is maintained in DOJ's investigative files may be exempt from disclosure under the Privacy Act or under the Freedom of Information Act if release of such information would constitute an unwarranted invasion of personal privacy •

There are two laws governing personal information submitted to any Federal agency, including the Department of Justice (DOJ): The Privacy Act of 1974 (5 U.S.C. § 552a), and the Freedom of Information Act (5 U. S. C. § 552).

THE PRIVACY ACT protects individuals from misuse of personal information held by the Federal Government. The law applies to records that are kept and that can be located by the individual's name or social security number or other personal identification system. Persons who submit information to the government should know that:

- DOJ is required to investigate complaints of discrimination on the basis of race, color, national origin, sex, disability, age, and, in some instances, religion against recipients of Federal financial assistance. DOJ also is authorized to conduct reviews of federally funded recipients to assess their compliance with civil rights laws.

- Information that DOJ collects is analyzed by authorized personnel within the agency. This information may include personnel records or other personal information. DOJ staff may need to reveal certain information to persons outside the agency in the course of verifying facts or gathering new facts to develop a basis for making a civil rights compliance determination. Such details could include the physical condition or age of a complainant. DOJ also may be required to reveal certain information to any individual who requests it under the provisions of the Freedom of Information Act. (See below)

- Personal information will be used only for the specific purpose for which it was submitted, that is, for authorized civil rights compliance and enforcement activities. Except in the instances defined in DOJ's regulation at 28 C.F.R. Part 16, DOJ will not release the information to any other agency or individual unless the person who supplied the information submits a written consent. One of these exceptions is when release is required under the Freedom of Information Act. (See below)

- No law requires a complainant to give personal information to DOJ, and no sanctions will be imposed on complainants or other individuals who deny DOJ's request. However, if DOJ fails to obtain information needed to investigate allegations of discrimination, it may be necessary to close the investigation.

- The Privacy Act permits certain types of systems of records to be exempt from some of its requirements, including the access provisions. It is the policy of DOJ to exercise authority to exempt systems of records only in compelling cases. DOJ may deny a complainant access to the files compiled during the agency investigation of his or her civil rights complaint against a recipient of Federal financial assistance. Complaint files are exempt in order to aid negotiations between recipients and DOJ in resolving civil rights issues and to encourage recipients to furnish information essential to the investigation.

- DOJ does not reveal the names or other identifying information about an individual unless it is necessary for the completion of an investigation or for enforcement activities against a recipient that violates the laws, or unless such information is required to be disclosed under FOIA or the Privacy Act. DOJ will keep the identity of complainants confidential except to the extent necessary to carry out the purposes of the civil rights laws, or unless disclosure is required under FOIA, the Privacy Act, or otherwise required by law.

THE FREEDOM OF INFORMATION ACT gives the public access to certain files and records of the Federal Government. Individuals can obtain items from many categories of records of the Government - not just materials that apply to them personally. DOJ must honor requests under the Freedom of Information Act, with some exceptions. DOJ generally is not required to release documents during an investigation or enforcement proceedings if the release could have an adverse effect on the ability of the agency to do its job. Also, any Federal agency may refuse a request for records compiled for law enforcement purposes if their release could be an "unwarranted invasion of privacy" of an individual. Requests for other records, such as personnel and medical files, may be denied where the disclosure would be a

"clearly unwarranted invasion of privacy." U.S. Department of Justice

Civil Rights Division

Coordination and Review Section

COMPLAINANT CONSENT/RELEASE FORM

Your Name: (b) (6) Privacy

Address: (b) (6) Privacy, (b) (7)(C) Enforcement Privacy

Complaint number(s): (if known) _____

Please read the information below, check the appropriate box, and sign this form.

I have read the Notice of Investigatory Uses of Personal Information by the Department of Justice. (DOJ). As a complainant, I understand that in the course of an investigation it may become necessary for DOJ to reveal my identity to persons at the organization or institution under investigation. I am also aware of the obligations of DOJ to honor requests under the freedom of Information Act. I understand that it may be necessary for DOJ to disclose information, including personally identifying details, which it has gathered as a part of its investigation of my complaint. In addition, I understand that as a complainant I am protected by DOJ's regulations from intimidation or retaliation for having taken action or participated in action to secure rights protected by nondiscrimination statutes enforced by DOJ.

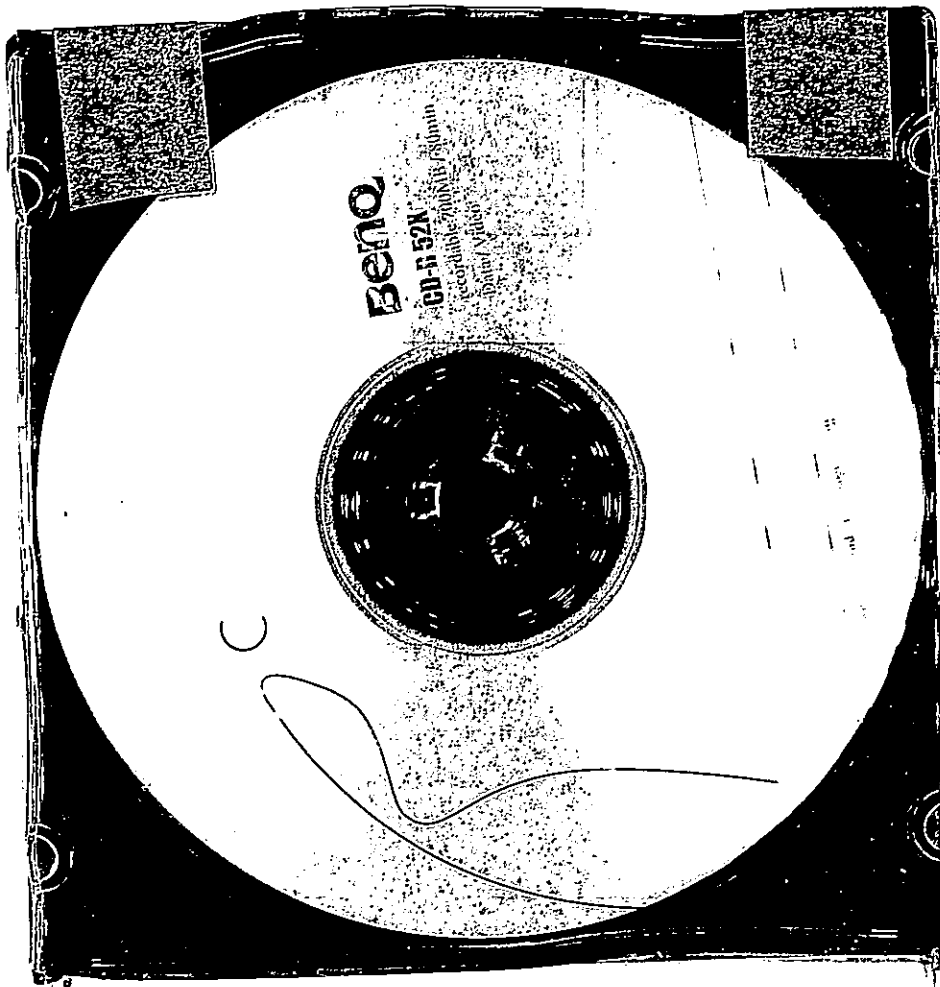
CONSENT/RELEASE

D' CONSENT - I have read and understand the above information and authorize DOJ to reveal my identity to persons at the organization or institution under investigation. I hereby authorize the Department of Justice (DOJ) to receive material and information about me pertinent to the investigation of my complaint. This release includes, but is not limited to, personal records and medical records. I understand that the material and information will be used for authorized civil rights compliance and enforcement activities. I further understand that I am not required to authorize this release, and do so voluntarily.

D CONSENT DENIED - I have read and understand the above information and do not want DOJ to reveal my identity to the organization or institution under investigation, or to review, receive copies of, or discuss material and information about me, pertinent to the Investigation of my complaint. I understand this is likely to impede the investigation of my complaint and may result in the closure of the investigation.

(b) (6) Privacy, (b) (7)(C) Enforcement Privacy

July 25, 2013
(Date)



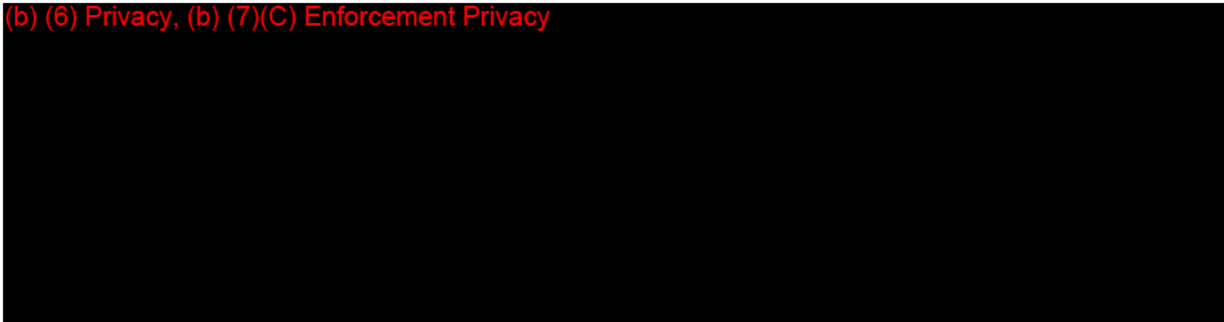
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(b) (6) Privacy, (b) (7)(C) Enforcement Privacy



San Salvador, El Salvador Centro America

DUI #03763888-4

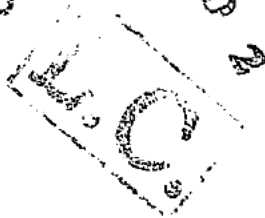
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United States Department of Justice
Civil Rights Division

Federal Coordination and Compliance Section - N
950 Pennsylvania Avenue, NW
Washington D.C 20530

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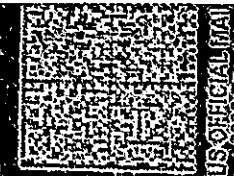
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0-13069 DE: S.R.C



Washington, D.C. 20530

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Ms. Vicki Simons
Director
Office of Civil Rights
U.S. Environmental Protection Agency
1200 Pennsylvania Avenue, NW
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