



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

JUL 09 2010

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail (b)(6) Privacy, (b)(7)(C) Enf. Privacy

In Reply Refer To:

EPA File No: 11R-10-R6

(b)(6) Privacy, (b)(7)(C) Enf. Privacy

Community Development
Corporation of Freedmen's Town
3621 Hurley Street
Houston, Texas 77093

Re: Referral of Administrative Complaint

Dear (b)(6) Privacy, (b)(7)(C) Enf. Priv

On April 26, 2010, the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) received your administrative complaint dated April 20, 2010, alleging that the Houston Parks and Recreation Department has violated Title VI of the Civil Rights Act of 1964, as amended (Title VI), 42 U.S.C. §§ 2000d *et seq.*, and EPA's nondiscrimination regulations found at 40 C.F.R. Part 7. You allege that the Houston Parks and Recreation Department discriminated against the Historic Black Freedman's Town Neighborhood by excluding the residents from any decision-making capacity regarding the redevelopment of two parks in their community. After careful review, OCR is referring your complaint to the U.S. Department of Interior (DOI) for investigation.

Pursuant to EPA's nondiscrimination regulations, OCR conducts a preliminary review of complaints to determine acceptance, rejection, or referral. 40 C.F.R. § 7.120(d)(1). To be accepted for investigation, a complaint must meet the jurisdictional requirements described in EPA's nondiscrimination regulations. First, it must be in writing. Second, it must describe an alleged discriminatory act that, if true, would violate EPA's nondiscrimination regulations (*i.e.*, an alleged discriminatory act based on race, color, national origin, age, sex, or disability). Third, it must be filed within 180 days of

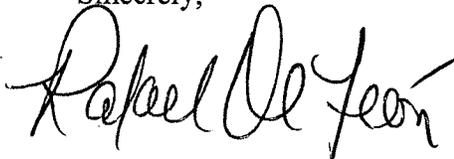
the alleged discriminatory act. Finally, the complaint must be filed against an applicant for, or recipient of, EPA assistance that allegedly committed the discriminatory act.

After careful consideration, OCR has determined that the issues raised in your complaint do not meet EPA's four jurisdictional requirements. Specifically, the City of Houston's Department of Parks and Recreation, is not a recipient of EPA assistance, and thus not subject to Title VI enforcement by the EPA. Therefore, OCR has concluded that it cannot accept the complaint for investigation.

However, because your allegations regarding the City of Houston's parks are within the jurisdiction of the DOI, we are referring the complaint to DOI for their review. OCR will not take any further action on the complaint at this time. You will receive a copy of the letter forwarding your complaint to DOI.

If you have any questions, please contact Brittany Martinez of OCR's External Compliance Program, by telephone at (202) 343-9678, via e-mail at martinez.brittany@epa.gov, or by mail at U.S. EPA, Office of Civil Rights (Mail Code 1201A), 1200 Pennsylvania Avenue, N.W., Washington, DC 20460-1000.

Sincerely,

A handwritten signature in black ink that reads "Rafael DeLeon". The signature is written in a cursive style with a large initial "R".

Rafael DeLeon, Esq.
Acting Director

cc: Joe Turner
Director
Houston Parks and Recreation Department
2999 South Wayside
Houston, Texas 77023

Manuela Roblez, EEO Officer
Region 6

Stephen G. Pressman, Associate General Counsel
Civil Rights and Financial Law Office (MC2399A)