



OFFICE OF EXTERNAL CIVIL RIGHTS COMPLIANCE

WASHINGTON, D.C. 20460

October 20, 2023

In Reply Refer To:

EPA Complaint No. 01R-24-R9

Sheryl Spiller, Director
LA County DPSS
1819 Charlie Sifford Drive
Los Angeles, CA 90047
sspiller@dpss.lacounty.gov

Re: Rejection and Referral of Administrative Complaint

Dear Director Sheryl Spiller:

This letter is to notify you that the Environmental Protection Agency (EPA), Office of Environmental Justice and External Civil Rights, Office of External Civil Rights Compliance (OECRC) is rejecting a complaint filed against the Los Angeles County Department of Public Social Services (DPSS). The complaint alleges that DPSS discriminated against complainant on the basis of race because complainant is Black.

OECRC is responsible for processing complaints alleging that applicants for or recipients of EPA financial assistance have discriminated against persons, including on the basis of race, color or national origin, in violation of Title VI and other federal nondiscrimination laws and EPA's nondiscrimination regulation found at 40 C.F.R. Parts 5 and 7. Pursuant to EPA's nondiscrimination regulation, OECRC conducts a preliminary review of administrative complaints to determine acceptance, rejection, or referral to the appropriate Federal agency. *See* 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 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 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.

In an effort to determine jurisdiction, OECRC reviewed the complaint and the documents complainant provided. After careful consideration, OECRC has determined that it cannot accept the complaint for

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investigation, because DPSS is not a recipient of EPA financial assistance. Accordingly, this matter is closed as of the date of this letter.

However, OECRC's preliminary examination reveals that DPSS may be a recipient of financial assistance from the U.S. Department of Health and Human Services (DHHS). Therefore, OECRC is referring this complaint to DHHS for appropriate action. Please contact:

Mr. Samuel Bagenstos
General Counsel (OGC)
Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue, S.W.
Washington, D.C. 20201
samuel.bagenstos@hhs.gov

Mr. Bagenstos is also being copied on this letter.

EPA's regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have either taken action or participated in an action to secure rights protected by the civil rights requirements that we enforce. See 40 C.F.R. § 7.100. Any individual alleging such harassment or intimidation may file a complaint with ECRCO.

If you have any questions, please contact me by telephone at (202) 809-3297 or by email at hoang.anhthu@epa.gov.

Sincerely,

Anhthu Hoang
Acting Director
Office of External Civil Rights Compliance
Office of Environmental Justice &
External Civil Rights

cc: Ariadne Goerke
Deputy Associate General Counsel
Civil Rights & Finance Law Office

Sheryl Spiller, Director

Cheree Peterson
Deputy Regional Administrator
Deputy Civil Rights Official
US EPA Region 9

Sylvia Quast
Regional Counsel

Samuel Bagenstos
General Counsel (OGC)
Department of Health and Human Services