



OFFICE OF CIVIL RIGHTS AND ADJUDICATION

WASHINGTON, D.C. 20460

November 20, 2025

Rick Cotton, Executive Director
Port Authority of New York and New Jersey
4 World Trade Center
New York, NY 10007
via email: rcotton@panynj.gov

Re: Rejection and Referral of EPA Complaint No. 03RS-25-R2:

Dear Executive Director Cotton:

As you are aware, the U.S. Environmental Protection Agency (EPA), Office of Civil Rights and Adjudication (OCRA), External Civil Rights Division (ECRD) received the above-referenced complaint involving the Port Authority of New York and New Jersey (Port Authority).

The complaint raises allegations of discrimination by Port Authority on the basis of race, color, and sex. This letter serves to notify you that ECRD is referring the complaint to the U.S. Department of Transportation (DOT), Departmental Office of Civil Rights (DOCR).

On September 24, 2025, ECRD held a Request for Clarification call with the Complainant to gather information regarding specific allegations in the complaint and to assess jurisdiction. Following the call, ECRD also sent follow-up correspondence offering the Complainant an opportunity to provide additional information or documentation relevant to the complaint, with a deadline of October 6, 2025. ECRD did not receive any further information.

Pursuant to EPA's nondiscrimination regulation, ECRD must conduct a preliminary review of administrative complaints to determine whether to accept, reject, or refer it to an 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 complainant must submit a complaint in writing. *See* 40 C.F.R. § 7.120(b)(1). Second, the entity that the complainant identifies as allegedly engaging in discrimination must be an applicant for, or recipient of, EPA financial assistance. *See* 40 C.F.R. § 7.15.

Third, the complainant must describe an alleged discriminatory act or failure to act that, if true, may violate EPA's nondiscrimination regulation. *See* 40 C.F.R. § 7.120(b)(1). An alleged discriminatory act is one based on race, color, national origin, sex, age, or disability. Fourth, a

complainant must file the complaint within 180 days of the alleged discriminatory act. *See* 40 C.F.R. § 7.120(b)(2).

In general, ECRD will accept, reject or refer a complaint after considering the jurisdictional requirements described above. However, if ECRD obtains information leading ECRD to conclude that an investigation is unjustified for prudential reasons, ECRD may reject a complaint.

After careful consideration, ECRD has determined that referral to the DOT's DOCR is appropriate for this complaint based on their subject matter expertise in relation to Title VI matters concerning transportation infrastructure. It is ECRD's understanding that the DOCR has also received this complaint and it is pending their review. Accordingly, ECRD is closing this complaint as of the date of this letter.

Finally, EPA's nondiscrimination regulation prohibits applicants, recipients, and other persons from intimidating, threatening, coercing, or engaging in other discriminatory conduct against anyone because they have acted or participated in an action to secure rights protected by the civil rights requirements EPA enforces. *See* 40 C.F.R. § 7.100. Any individual that opines a recipient has engaged in such misconduct can file a complaint with EPA.

If you have any questions, please contact Case Manager Charity Johnson at johnson.charity@epa.gov.

Sincerely,

A handwritten signature in black ink that reads "Juan Carlos Hunt". The signature is written in a cursive, flowing style.

JuanCarlos M. Hunt, Director
Office of Civil Rights & Adjudication
U.S. Environmental Protection Agency

cc: Alyssa Arcaya, Deputy Regional Administrator/Deputy Civil Rights Official
Paul Simon, Regional Counsel
U.S. EPA Region 2