



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

JUN 06 2008

OFFICE OF
CIVIL RIGHTS

Return Receipt Requested

Certified Mail #7004-1160-0002-3622-6482

In Reply Refer to:

EPA File No. 01D-08-R5

[REDACTED]
[REDACTED]
[REDACTED]

Re: Referral of Administrative Complaint

Dear [REDACTED]:

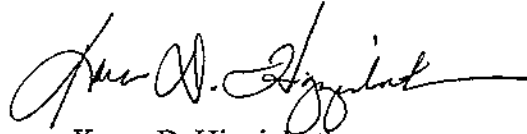
This letter concerns your administrative complaint received by the U.S. Department of Justice (DOJ) on November 19, 2007. DOJ referred the complaint to the U.S. Environmental Protection Agency (EPA) Office of Civil Rights (OCR) in a letter dated January 8, 2008. The complaint alleges discrimination against a person with a disability by the City of Belleville and the County of St. Clair, Illinois. The DOJ referral letter asked EPA to determine whether authority existed for EPA to investigate the complaint under Section 504 of the Rehabilitation Act of 1973 (Section 504) and/or under Title II of the Americans with Disabilities Act (ADA). If EPA did not have appropriate authority, DOJ instructed EPA to return the complaint to them. After careful review, EPA does not appear to have the jurisdiction to investigate your complaint.

Section 504 prohibits discrimination against individuals with disabilities by recipients of federal assistance. EPA's implementing regulations (40 C.F.R. Part 7) prohibit discrimination against individuals on the basis of a disability under programs or activities that receive EPA assistance. OCR reviewed your complaint to determine whether it met EPA's jurisdictional criteria. EPA does not provide assistance to either of the recipients named in your complaint (*i.e.*, the City of Belleville, IL and the County of St. Clair, IL), therefore, EPA does not have jurisdiction to investigate this complaint.

Finally, EPA does not have authority to investigate discrimination complaints under Title II of the ADA. Eight federal agencies are designated to investigate disability-related discrimination complaints filed under Title II of the ADA. EPA is not one of those agencies. A listing of the agencies can be found at <http://www.usdoj.gov/crt/ada/investag.htm>.

Your complaint was returned to DOJ on March 24, 2008. EPA has officially closed your case. Please contact Loren Hall of my staff if you have questions at (202) 343-9675, or via email at hall.loren@epa.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Karen D. Higginbotham", with a long horizontal flourish extending to the right.

Karen D. Higginbotham
Director

cc: Alan Walts, Title VI Coordinator
EPA Region 5

Stephen G. Pressman, Associate General Counsel
Civil Rights and Finance Law Office (MC 2399A)