

NOTICE OF INVESTIGATORY USES OF PERSONAL INFORMATION BY THE OREGON DEPARTMENT OF TRANSPORTATION

Complainants and individuals who cooperate in an investigation of complaints of discrimination proceeding conducted by Oregon Department of Transportation (ODOT) are afforded certain rights and protections. This brief description will provide you with an overview of these rights and protections.

ODOT is required to investigate complaints of discrimination on the basis of race, color, national origin, sex, disability, and age, against ODOT transportation sub-recipients that receive federal financial assistance. ODOT is ALSO authorized to conduct reviews of federally funded sub-recipients to assess their compliance with civil rights laws.

ODOT'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, or proceeding conducted by ODOT consistent with 49 CFR 21.11(e) under its authority granted in 23 CFR 200.9(b)(3)

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

Information that ODOT collects as a result of a discrimination complaint is analyzed by authorized personnel within the agency. This information may include personal information. Authorized ODOT 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.

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 federal regulation at 28 CFR 16, ODOT, as an agent of FHWA, or under the Oregon Public Records Act, ORS 192.410 to 192.505, (OPRA) will not release the information to any other agency or individual unless the person who supplied the information submits a written consent. These exceptions include when release is required under the Freedom of Information Act (FOIA) and under the (OPRA).

ODOT 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, the Privacy Act, or OPRA. ODOT will not disclose the identity of complainants 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, the OPRA, or otherwise required by law. Information obtained from the complainant or other individuals maintained in ODOT's investigative files may be exempt from disclosure under the Privacy Act, under the FOIA, or under the OPRA if release of such information would constitute an unwarranted invasion of personal privacy.

CONSENT/RELEASE

Your Name: _____

Address: _____

Please check one box below:

CONSENT –I have read and understand the above information and authorize the Oregon Department of Transportation (ODOT) to reveal my identity to persons at the organization or institution under investigation. I hereby authorize ODOT to receive material and information about me pertinent to the investigation of my complaint. 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.

CONSENT DENIED – I have read and understand the above information and do not want ODOT 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.

Signature

Date