

The Honorable Anthony Foxx December 19, 2015
Secretary of the U. S. Department of Transportation
Office of the Secretary
1200 New Jersey Avenue, SE
Washington, DC 20590

Therese McMillan Acting Administrator
Federal Transit Administration Office of Civil Rights
Complaint Team East Building, 5th Floor – TCR
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Gina McCarthy Administrator
U.S. Environmental Protection Agency
Office of the Administrator Mail Code 1101A
1200 Pennsylvania Avenue, N.W.
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RE: Cancellation of Baltimore Red Line Project – Administrative Complaint

Dear Secretary Foxx, Administrator McCarthy, Acting Administrator McMillan:

We, the undersigned write to bring to your attention a matter of serious civic and ethical importance. This letter serves as an administrative complaint with the Federal Transit Administration (FTA) regarding the cancellation of the Baltimore Red Line light rail project. We are Baltimore residents, signatories of the Red Line Community Compact, and community economic development advocates. On June 25, 2015, Maryland Governor Lawrence Joseph “Larry” Hogan announced the cancellation of the Red Line project. We believe that his decision constitutes a violation of Title VI of the Civil Rights Act of 1964, (the Act) on the grounds that it denies the benefits of federal transit funding to Baltimore city residents, who are predominantly black. This grievous decision disproportionately and adversely affects the 622,793 residents of Baltimore city, the majority of whom are African American (63.1%) and Hispanic (4.7) % (US Census Bureau, 2014 estimates). The Civil Rights Act of 1964 requires FTA to pursue the investigation of complaints on the basis of intentional discrimination or on the basis of disparate impact discrimination, where a policy, practice or action has the effect of disproportionately excluding or adversely affecting minority beneficiaries or other protected individuals. (FTA Circular 4702.1B)

Recipients as Respondents

FTA Circular 4702.1B (October 1, 2012) "Title VI Requirements and Guidelines for Federal Transit Administration" provides recipients of FTA financial assistance and the FTA itself, with guidance and instructions necessary to comply with U.S. Department of Transportation (DOT) Title VI regulations (49 CFR part 21). As defined in the Circular, "recipient" means any public or private entity that receives federal financial assistance from FTA, whether directly from FTA or indirectly through a primary recipient. This term includes sub-recipients, direct recipients, designated recipients, and primary recipients. The State of Maryland, and more specifically, the Maryland Transit Administration (MTA), and the Maryland Department of Transportation (MDOT) under the leadership of the state's chief executive, Governor Hogan, is a recipient of such funds, establishing the state's and the Governor's obligations to abide conscientiously by the letter and the spirit of the Civil Rights Act of 1964 or suffer its sanctions. So obligated as recipients they are thereby Respondents for purposes of our complaint. Invocation of Environmental Justice Principles Furthermore, in seeking a comprehensive examination and confirmation by FTA of the veracity of our allegations regarding Governor Hogan's arbitrary and discriminatory action, we also invoke the application of the environmental justice principles referenced in Executive Order (EO) 12898, "Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," (February 11, 1994), its accompanying Presidential Memorandum, and the US Department of Transportation (DOT) Order 5610.2(a), "Actions to Address Environmental Justice in Minority Populations and Low-Income Populations," (May 10, 2012).

It is our understanding that the memorandum, orders, and policies accompanying EO 12898 identified Title VI of the Civil Rights Act of 1964 as one of several federal laws that direct all federal agencies to prevent minority and low-income communities from being subjected to disproportionately adverse effects – not only from environmental and human health impacts.

Equal emphasis is to be placed on the economic and social consequences of the agencies' and their recipients' actions affecting minority and low-income communities. (FTA C 4702.1B Chap. I 6-10)

Title VI of the Civil Rights Act of 1964, DOT Title VI regulations and guidance policies, and FTA requirements of recipients, jointly stipulate the integration of environmental justice principles.

Therefore, environmental justice principles are to be used to reinforce and expand the disparate impact analysis methodologies required under Title VI (FTA C 4702.1B). Hence, our complaint is also lodged with the U. S. Environmental Protection Agency.

Environmental justice is a component of Title VI enforcement which includes three fundamental principles:

- To avoid, minimize, or mitigate disproportionately high and/or adverse human health or environmental effects, including social and economic, on minority populations and low income populations.
- To ensure the full and fair participation by all potentially affected communities in the transportation decision-making process. 3
- To prevent the denial of, reduction in, or significant delay in the receipt of benefits by minority and low-income populations. (FTA C 4703.1 Chap. I p.2)

There can be no equivocation that in his cancellation of the Red Line project, Governor Hogan

has addressed the environmental justice principles with brazen contempt – for the principles themselves and for the communities best served by their embrace. On behalf of the Respondents, (MDOT, MTA et al.), he has not mitigated the disproportionately adverse effects on minority and low-income communities, ensured full and fair affected-community participation in the decision-making process, nor prevented the denial of the Red Line’s benefits to minority and low-income populations. We believe that in this regard, your investigation’s findings must concur.

Lack of Substantial Legitimate Justification

Not only do we insist that Governor Hogan’s grievous proclamation has a discriminatory and adverse impact upon minorities, it is also arbitrary and without a substantial legitimate justification, another element of Governor Hogan’s and the state’s decision that is prohibited by the Act.

Respondents’ failure or refusal to provide an explanation for the Red Line cancellation demonstrates a lack of substantial legitimate justification. More specifically, the Governor, MDOT, and MTA failed to make a timely, substantive response to a Maryland Public Information Act request seeking documents, e-mails, reports, surveys, investigative findings supporting the decision to cancel the Red Line project.

Respondents as recipients had the responsibility to conduct a detailed equity analysis before taking the decision to cancel the Red Line in order to determine if the impacts on protected individuals, groups, and communities were permissible or if they were indeed discriminatory due to disparate impact. (2012 CIRCULAR FTA C 4702.1B, at IV-7) (MTA 2014-2017 Title VI Implementation Plan, at 74-75)

On July 7, 2015, two non-profit groups, the 1000 Friends of Maryland and the Citizen’s Planning & Housing Association (CPHA) jointly filed a Public Information Act (PIA) request with the Maryland Department of Transportation, asking for documentation recording or identifying any analysis by the Hogan administration to rationalize cancellation of the Red Line. Based on the information provided by the MDOT in belated response to the PIA request, we can only conclude that no meaningful or even casual analysis of the Red Line project was ever performed, despite public promises by Transportation Secretary Rahn. In addition, according to

Dru Schmidt-Perkins of the 1000 Friends of Maryland, the administration took 49 days to respond to the request, despite the fact that state law requires a response within 30 days. Furthermore, she reported that no documentation or the substance of any communications between the Governor and the Secretary of Transportation justifying the Red Line cancellation prior to its announcement were ever provided. (MDOT Documents Fail to Show Review Before

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Red Line Decision <http://friendsofmd.org/index.php/press-and-publications/pressreleases/129-press-release-august-31-2015>)

The Respondents' failure to comply with the PIA statute not only defied the provisions of the law guaranteeing the public's access to the information and reasoning underpinning critical governmental decisions, but it exposed the arbitrary nature of the pronouncement. The Red Line cancellation decision of June 25, 2015, lacked proof of the requisite consideration of the anticipated benefits of the Red Line or of the relative burdens of its termination on affected communities. It was instead purposely dismissive of the destructively adverse consequences to be experienced by Baltimore's African-American communities.

"The lack of evidence of any substantive review of the Red Line proves that this project was canceled to fund the building of questionable new rural highways. Over \$1.3 billion dollars of state funding was taken from urgent and long-planned transit needs in the most populated parts of the state and sent to build roads on farm and forest land in other parts of the state, providing very limited transportation benefits," said Dru Schmidt-Perkins, President of 1000 Friends of Maryland. (MDOT Documents Fail to Show Review Before Red Line Decision

<http://friendsofmd.org/index.php/press-and-publications/press-releases/129-press-releaseaugust-31-2015>)

The history of Baltimore, timing of the decision, and context of other decisions made, when taken together create the perception that legally abhorrent discrimination was intentional. But whether intentional or not, the result of the cancellation is harmful particularly to African Americans who live in Baltimore city. Therefore, we respectfully request that you investigate this matter and where warranted, propose and participate in the implementation of those measures that will rectify any transgressions of the Act and related policies and regulations that

may be discovered or confirmed.

Even as we complain about the Governor's decision to cancel the Red Line project, we are cognizant of the cruel, punitive irony of his action. Within months prior to his announcement of the project's cancellation, the Governor had offered his considerable authorities to assist Baltimore's elected representatives, public officials, community leaders, and residents in addressing the effects of Baltimore's history of increasing race-based social and economic disparities – that culminated in the dramatic community conflagrations of April and May of this past spring. Having witnessed first-hand the explosive costs of social and economic disparities, privations, and neglect, the Governor, in a press conference, and without prior substantive consultation with members and leaders of the most directly and adversely affected communities in Baltimore, destroyed one of the city's greatest opportunities it has ever had to lift itself out of a well-documented decline.

Baltimore Historical Context

In April 1968, in the aftermath of Dr. Martin Luther King, Jr.'s assassination, a 4-day riot consumed Baltimore, leaving whole precincts smoldering. The subsequent, general response

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was driven by fear; tens of thousands moved away, businesses shuttered or abandoned the city entirely. Few decided to remain and rebuild; and very few addressed the causes that triggered the events. The state's response – then and most recently - was to contain the unrest.

However, many decisions made in the aftermath actually resulted in a seeming political and economic strangulation isolating the city and cutting it off from resources needed for repair and restoration. Crippling zoning changes were made, and a number of mechanisms--some legal and others not--facilitated middle and working-class flight to surrounding suburbs, and massive disinvestment throughout the city, but particularly in predominantly black areas on the west side that had been "red lined" for decades. Already down on its luck as a result of deindustrialization, Baltimore was left crippled.

Fifty years later, in April 2015, the city seemed poised for recovery. Its population had stabilized, it had won recognition as a top destination for college educated millennials, and residential and commercial development had resumed. Yet, the city was once again rocked by

unrest. Peaceful protests, motivated by the death of Freddy Gray as a result of injuries sustained while in police custody, were followed by violent disorder. Once it began, the explosive social disarray, witnessed worldwide, was fueled by the widely experienced sense of persistent social and economic injustice in marginalized, segregated, impoverished African American communities.

The Governor's decision to cancel the Red Line was issued just 60 days after what became known locally as the "uprising," when Baltimore was still reeling, appeared to many as a gesture of contempt. At the moment when our city most needed courageous leadership and strategic support, what it got instead from the state's highest authority was a kick in the teeth. The perception among many African Americans in Baltimore is that the Governor values incarceration of black people over their education, and prioritizes highways for white rural and suburban people over investing in access to opportunity for the black and brown people of Baltimore city.

Red Line Project Development

Plans to build the Red Line began with the 2002 Baltimore Rail Plan. Envisioned as a 14-mile light rail, it would have created a modern, connected transit network, linking the city's east and west sides for the first time since the streetcar network was abandoned.

During the decade that followed, city and state transportation agencies, engineering and design firms, community development corporations, nonprofits, foundations, business groups and everyday citizens worked together to lay the groundwork for the project. The MTA took the innovative approach of actively building community support, which was the opposite of what the agency did when it built the city's first light rail line in the 1980s. A Red Line Community Compact was established. This document, signed by dozens of individuals and organizations, articulated the commitments and promises that the state and city made to Baltimore's residents. The Compact was resolved to ensure that the benefits of the Red Line accrued to all.

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The FTA describes the Red Line project and its purpose as follows:

Project Description: The Maryland Transit Administration (MTA) proposes to build the Baltimore Red Line, a LRT line between Woodlawn in suburban Baltimore County

through Downtown Baltimore, and terminating in Bayview in east Baltimore City. The Red Line would operate parallel to, or on or under Interstate Highway 70 and US Route 40 on the west, several arterial streets in Downtown Baltimore, and the Norfolk Southern railroad right-of-way on the east end of the route. Most of the alignment is proposed to be a dedicated transit-way in the median of existing streets, with approximately four miles of tunnel through downtown and one mile of tunnel under Cooks Lane toward the western end of the route. The project includes 14 at-grade stations and five underground stations; five park-and-ride facilities with 2,900 spaces; 28 light rail vehicles; and a rail car storage and heavy maintenance facility. Service would be provided twenty hours per day every seven-to- ten minutes during peak periods and every ten- to-15 minutes during off-peak periods.

Project Purpose: Currently there is no direct, expeditious east-west transit route in the corridor. Arterial streets are congested in this cross-town corridor during rush hours, causing slow bus operations. Traffic speeds on downtown segments of the corridor range from six to 12 miles per hour, and these are expected to worsen by up to 10 percent by 2030. The Red Line will offer speedy, convenient, and dependable transit service through downtown on an exclusive running way with easy transfer connections to other elements of the Baltimore transit network. In addition, the project will serve major employment locations including the U.S. Social Security Administration and the Centers for Medicare and Medicaid Services in Woodlawn; the Johns Hopkins Bayview Medical Center Campus; the Baltimore central business district; the Baltimore Inner Harbor mixed use commercial and entertainment destination, including major league baseball and football stadiums; the Fells Point and Canton residential neighborhoods which are currently experiencing major infill redevelopment; and the mature residential neighborhoods of West Baltimore, Edmondson Village, Rosemont, Harlem Park, Highlandtown, and others. The Red Line will connect with existing north-south transit services across Downtown Baltimore including the Maryland Area Regional Commuter rail system, the Baltimore heavy rail Metro system, the existing Central LRT line, and the MTA bus system.

http://www.fta.dot.gov/documents/MD_Baltimore_Red_Line_Profile_FY14.pdf)

During the planning and development phases, the Red Line project met every federal milestone for New Starts funding. The state of Maryland, and the city of Baltimore did their part to advance the project as well, contributing funding, adjusting rights of way, etc. Extensive environmental and engineering studies were conducted all along the project corridor. A Health Impact Assessment was completed, demonstrating that the project would deliver significant benefits to health, well-being and the environment, particularly in neighborhoods suffering

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from historic disinvestment. In 2013, Maryland's General Assembly approved transportation funding legislation that would enable construction of the Red Line. In 2014, the FTA gave the project preliminary approval for more than \$900 million dollars of New Starts funding.

Baltimore's Mayor Stephanie Rawlings-Blake approved plans to generate the city's required financial contribution.

African American and Hispanic Communities Along the Red Line Are Transit-Dependent

According to the US Census Bureau, census block groups within walking distance of the Red Line in West Baltimore have 22% unemployment rates and 41% of these residents live in households without access to a car.

Maryland Transit Administration's annual ridership data reflect the dependence of African American and Hispanic communities on public mass transit.

https://mta.maryland.gov/sites/default/files/Media_Guide_2010.pdf

Of the four (4) most frequently used transit modes, local bus, metro subway, light rail, and MARC train, African American and Hispanic riders account for 69,977,663 or 69.7% of the four modes' 100,337,811 annual ridership. White riders by contrast, account for 15.1% of the total. Of the three (3) modes, local bus, metro subway, and light rail, African American and Hispanic riders are 66,599,741 or 72.3% of the 92,124,842 annual riders using these three modes whose average annual income falls between \$20,000 and \$50,000 per year while white riders account for 12.9% of riders using these modes with average annual incomes within this income bracket.

According to Baltimore's Neighborhood Indicators Alliance, in fifteen (15) of the twenty-two (22) community statistical areas (CSAs) along the Red Line corridor, over 30% of households do

not have vehicles as alternatives to public mass transit (from 34.5% in Southeastern to 69.8% in Oldtown/Middle East). In nine (9) of these fifteen (15) CSAs, at least 20% of the employed residents require more than forty-five (45) minutes to get to their places of employment (from 22.7% in Allendale/Irvington/S. Hilton to 34.1% in Sandtown-Winchester/Harlem Park). Of the fifteen (15) CSAs along the Red Line corridor in which over 30% of households do not have vehicles, African Americans and Hispanics average over 70% of the communities' residents. Credible data collection supports the conclusion that major decisions impacting the availability of and improvement of access to the benefits of public mass transit in the Red Line corridor, e.g. travel time to job centers, shopping, and recreation will affect African American and Hispanic riders more dramatically and with greater compounded impact than any other racial and ethnic groups along the corridor and in the city of Baltimore. We anticipate that your investigation of our complaint will vindicate our allegation that the loss of public mass transit benefits to transit-dependent African American and Hispanic communities as occurs with the cancellation of the Red Line project by the Respondents, will have a statistically and disproportionately adverse impact on these same communities.

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Anticipated benefits of the Red Line project

☐ After construction, more than 83,000 additional residents in the Baltimore region will have access to frequent, high-quality transit, a 62 percent increase over today.

(Transportation for America (TFA) May, 2015)

☐ During construction, the Red Line alone would generate nearly 10,000 jobs, increasing household earnings by nearly \$540 million. Construction activity and related earnings would in turn induce another 5,200 jobs. (TFA)

☐ Including multiplier effects, the construction of the Red Line will generate \$2.1 billion in economic activity in Baltimore City and create or support a total of 15,006 jobs earning \$775.2 million in salaries and wages over the overall construction period;

(<http://www.jacob-france-institute.org/documents/Red-Line-12-09.pdf>)

☐ With the addition of the Red Line, nearly 250,000 jobs will be accessible via rail transit in the Baltimore region where today fewer than 1 in 3 jobs is accessible by transit within

90 minutes. (TFA)

☐ The Red Line was also envisioned by many as a long-overdue compensatory project for the residents and communities along the rail route that were directly impacted by the disastrous “Highway to Nowhere.” The incomplete I-70 project was abandoned after permanently displacing over 1,500 West Baltimore residents from a multi-block swath of right-of-way cut through homes and properties leaving a 1.8-mile highway stub. Lost were at least 971 homes and 62 businesses. In the process, it ravaged far more property than was burned in Baltimore's uprising of 1968. The affected communities remain emotionally, socially, and economically traumatized. The “Highway to Nowhere” continues to demonstrate the cost of disproportionate and adverse impacts based on race and color. The Red Line was to be a “game-changer.”

When Governor Hogan took office, he inherited a project that had been in development for over a decade; the heavy lifting was over. Nothing was required of him, except to allow the project to continue on its successful course. However, he had campaigned on a promise to cancel the Red Line, which animated his predominantly white, conservative, rural and suburban political base. Rather than build on a vision for the greater good of all Marylanders, he used the Red Line as a dog whistle, a code to represent the long maligned and disparaged “black city”.

White resentment and fear of Baltimore has been effectively used to mobilize opinion for more than a century. By pitting the interests of Baltimore against the interests of a predominantly white, conservative base, and framing transit investment in Baltimore as a zero sum game, Mr. Hogan drew on a well-established strategy. His use of a racially coded campaign messages

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provides demonstrable evidence of intent to adversely, negatively impact minority communities.

In the November, 2014 gubernatorial elections, Baltimoreans voted over three-to-one for Governor Hogan's chief opponent (106,213 – 30,845). With his decision to cancel the Baltimore Red Line, he feared no political backlash from his constituent base. Baltimore is not his base. The Governor did not allow the project to continue on its successful course. Instead, he chose to throw away the hard work of hundreds of engineers, architects, designers, urban planners,

developers, small businesses and hopeful citizens, to throw away over \$288 million of taxpayer dollars already spent on the project - including African American taxpayer dollars, for no reason other than to appease his resentful, vindictive constituency.

Disparate Impact

It should be noted that while the entire city is harmed by the loss of this project, one area is particularly harmed: the west side, which is predominantly black. The residents of west Baltimore have been strong advocates for the project, and have expressed deep disappointment in the loss.

Specifically, the Hogan administration has also taken the following decisions that lead to disparate adverse impacts on the African American residents of Baltimore:

☒ On May 13th, the Governor approved \$30 million in funding to construct a youth jail in Baltimore

☒ Cut tolls on suburban highways leading to beach resorts predominantly frequented by white suburbanites. These cuts in tolls on suburban highways occur simultaneously to the increase in fares on local buses, light rail, commuter lines, and mobility services that will be borne disproportionately by Baltimore residents in communities with low car ownership – especially communities in West Baltimore

☒ Cuts to education funding for Baltimore public schools

☒ Scheduling no needed roads projects for Baltimore City while spending \$90 million to expand a rural road in Garret County (Route 219) that connects one unpopulated village to another - benefiting only asphalt companies and a few north-south travelers who will traverse Maryland even faster

Taken together, these decisions have resulted in the prioritization of jails over schools, and highways for suburban and rural white areas over mass transit for urban, African American areas. At the very moment when Baltimore city needed—and had cried out for—supportive leadership from the state, what it received instead was tighter strangulation.

The disparate impact on African Americans in Baltimore can be quantified based on estimates made of the Red Line's anticipated economic, social and environmental benefits. The cancellation of the project has economic, social and health impacts that disproportionately

harmed African Americans.

☒ Loss of an estimated 10,000 jobs, when Baltimore has the highest unemployment rate in the state. Baltimore had an unemployment rate in 2013 of 37% for young African American men compared to 10% for young white men (US Census Bureau). Shutting down the Baltimore Red Line project effectively denied thousands of black and Hispanic residents access to these jobs.

☒ Loss of economic investment that will be felt for decades, if not generations, to come.

☒ Denial of access to employment and educational opportunity, which expanded transit access offers. Gov. Larry Hogan announced he would withhold over \$11 million from students here in Baltimore City by refusing to release Geographic Cost of Education Index (GCEI) funding. The governor often brags that he has allocated more money for education than any other governor in Maryland history. This claim needs context: The total funding for education has increased (as it does almost yearly at this point), but most calculations have the governor spending less per pupil in the state than was spent last school year. However, in Baltimore City, with this decision to cut GCEI funding, schools will see an overall reduction in state aid in both per pupil funding and in net overall funding. From any perspective, Mr. Hogan is cutting aid to Baltimore at a time when it is most critical.

☒ Further degradation of air quality - Baltimore already has worst air quality in the state and highest rate of pediatric asthma, which is caused by air pollution. Air quality will only grow worse because of the lack of alternatives to car travel, and the lack of investment in suitable, efficient transit modes.

☒ Diversion of state transportation funding previously allocated to Baltimore to predominantly white suburban and rural areas for highway and road building.

☒ Lowering tolls on bridges that serve predominantly white residents of the state.

☒ Title VI disparate impact analyses are by definition comparative studies in which effects of recipients' actions on protected classes are compared to effects on nonprotected classes. The cancellation by the Respondents of the Red Line project that

would have delivered dramatic improvements in the mobility, employability, and economic viability of African American and Hispanic residents and communities along the Red Line corridor is to be compared to the effect on rural, largely white communities of the loss of the Red Line and the transfer of the project's state funding to highways, bridges, and roads. To date, there is no evidence that

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Maryland's Governor, the Secretary of Transportation or any of the relevant transportation agencies conducted Title VI disparate impact analyses prior to scuttling the Red Line as required by FTA and MTA's own written policies.

Absence of Prior Consultation with Affected Communities

One of the most telling barometers of the discriminatory intentions of Governor Hogan and the state is found in his cancellation of the Red Line project and is also a signal that the likelihood that a disparate impact on minority and low-income communities would be a certainty was his failure to consult prior to the pronouncement with the members and leaders of the communities that would suffer disproportionately the cancellation's adverse impacts.

Public involvement, public participation, public engagement in transportation project decisionmaking are not merely pro forma, routine requirements for the actions, policies, and programs of FTA recipients. Public access to and involvement in the deliberative process preceding major service changes or critical transit program decisions is a staple element of FTA's Title VI review of recipient policy. (FTA C 4207.1b III-8)

In our majority as Complainants, we are signatories of the Red Line Community Compact. Not one of us has been involved in any deliberations or discussions with the Governor or his staff leading to the cancellation of the Red Line project prior to its announcement June, 25, 2015.

In addition to the lack of consultation with the signatories of the Red Line Community Compact, members of the Red Line Citizens' Advisory Council, established by the Maryland General Assembly (HB 1309/SB873), Station Area Advisory Committees, and other community volunteers who met in small groups, visited "transit peer cities," and donated hundreds of hours over a decade of deliberation and fact-finding, were also treated abusively by Governor Hogan in his summary dismissal of their dedication to a more prosperous and equitable

economic and social future for the city they love.

Yet, the public participation requirements of 49 U.S.C. sections 5307 (b) (requires programs or projects to be developed with public participation) and 5307(c)(1)(I) (requires a locally developed process to provide early and continuous opportunities for public comment before the determination of key decisions) (FTA Circular 4702.1B III-8 “Promoting Inclusive Public Participation”) have been ignored by Respondents.

As participants, signatories of the Red Line Community Compact, we have been active in the “locally developed process to provide early and continuous” public comment prior to key FTA recipient transportation project decisions. We are therefore, directly and personally aggrieved by Governor Hogan’s decision.

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Conclusion

Following decades of disinvestment and decay, the Red Line offered Baltimore an exit from the depths of de-development and decline. Its cancellation forecloses the promises of social development, economic investment, and environmental improvement that we have long needed.

The cancellation of the Red Line project by the Respondents and return of over \$900 million federal dollars cripples Baltimore’s recovery in the wake of the recent uprisings and sabotages efforts to pursue equitable development that would benefit all residents of the city. The cancellation undermines Baltimore’s future because so much of the city’s potential economic development was tied to the project’s success. The burden of the loss of the Red Line project will be borne disproportionately by beleaguered African-American, Hispanic and low-income communities in a beleaguered city. Title VI of the Civil Rights of 1964 and its related and derivative laws, policies, and regulations as they apply to DOT, EPA, and FTA must be exhausted in finding lawful relief including resumption of the Red Line project. That is the gravamen of our complaint.

Thank you for your consideration and your long-standing support of the Red Line communities,

Raynard (Ray) E. Baylor _____

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(* denotes Red Line Community Compact signatory)