

August 24, 2022

VIA EMAIL

Secretary Peter Buttigieg
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Nuria Fernandez, Administrator
Matthew Welbes, Executive Director
Federal Transit Administration
1200 New Jersey Avenue, SE
Washington, DC 20590

Rachael S. Rollins
United States Attorney for the District of Massachusetts
John Joseph Moakley
United States Federal Courthouse
1 Courthouse Way, Suite 9200
Boston, MA 02210

Re: Title VI Compliance Review Requested for Massachusetts Bay Transportation Authority

Dear Secretary Buttigieg, Administrator Fernandez, Director Welbes, and U.S. Attorney Rollins:

Lawyers for Civil Rights (LCR) is writing to respectfully request that the federal government, including the Federal Transit Administration (FTA), conduct an immediate Title VI Compliance Review of the Massachusetts Bay Transportation Authority (MBTA). Unfortunately, MBTA has shown a longstanding disrespect for Title VI and the protections it affords to communities of color. Most recently, MBTA abruptly closed a major subway line – the Orange Line – that serves as a main transportation mode for many communities of color in Boston, apparently without conducting any type of equity analysis as required by federal law.

As you know, as a federally-funded entity, MBTA is prohibited from conduct that has an unjustified impact based on race, color, or national origin. *See* 42 U.S.C. § 2000d. The attached letter, sent from LCR to the Massachusetts Department of Transportation and the MBTA provides further details regarding our concerns about the current Orange Line shutdown. Moreover, the letter outlines how this recent disruption is not the first instance of inequitable conduct by MBTA. Other examples in the recent past include:

- [The cancellation of late night bus service in 2016](#), which unjustifiably burdened people of color and low-income riders.
- Racial profiling of riders of color, [including a client of LCR's who was improperly removed from a Red Line train at South Station](#).
- [The cancellation of commuter trains on the Fairmount Commuter Rail Line](#), which resulted in a disproportionately negative impact on people of color and low-income riders.
- The disproportionate issuance of [fare evasion citations](#) to people of color.
- [The MBTA's May 31, 2020 shut-down of several stations in downtown Boston](#) immediately following a Black Lives Matter protest

It appears the FTA's most recent Title VI Compliance Review of MBTA was conducted in 2011. In light of MBTA's pattern of inequitable conduct over recent years, LCR respectfully requests that the federal government, including the FTA, conduct another Title VI Compliance Review of MBTA. Transportation equity has long been a critical component the civil rights struggle, and LCR commends the leadership of the Department of Transportation and U.S. Attorney's Office and your commitment to safeguarding civil rights.

Thank you for your attention to this important issue. Please do not hesitate to contact us at osellstrom@lawyersforcivilrights.org if you need further information.

Sincerely,

Iván Espinoza-Madrigal, Executive Director
Oren Sellstrom, Litigation Director