



**U.S. Department of  
Transportation**

Office of the Secretary  
of Transportation

1200 New Jersey Avenue, SE  
Washington, DC 20590

July 13, 2017

The Honorable Pete K. Rahn  
Secretary  
Maryland Department of Transportation  
7201 Corporate Center Drive  
Hanover, MD 21076-0548

**Subject:** Administrative Closure of Complaint DOT# 2016-0059

Dear Secretary Rahn:

This is following up on our March 20, 2017, letter regarding the above-referenced consolidated Title VI complaint against the Maryland Department of Transportation (MDOT), the Maryland Transit Administration, and the Maryland State Highway Administration (collectively, the Respondents), filed with the U.S. Department of Transportation (USDOT) and the Federal Highway Administration (FHWA) Office of Civil Rights on December 21, 2015.

The complaint alleged that the Respondents violated Title VI of the Civil Rights Act of 1964 (Title VI) when the Respondents cancelled the Baltimore Red Line light rail project and redirected the project's state funding to the Highways, Bridges and Roads Initiative, causing a disparate impact against African-American residents in Baltimore. On January 7, 2016, the FHWA accepted the complaint for investigation on behalf of USDOT.

By letter dated January 19, 2017, USDOT informed MDOT that, based on evidence gathered during the course of investigating the complaint, USDOT would conduct a comprehensive compliance review of the Respondents' programs and activities to ensure Title VI compliance through all stages of the Respondents' programs and activities. The USDOT has further determined that the appropriate course of action is to administratively close the complaint, without finding, and proceed with a broader comprehensive compliance review process. This decision is supported by the FHWA and the Federal Transit Administration (FTA) complaints investigation authorities and procedures that allow for the administrative closure of a complaint because of its scope. The administrative closure of the complaint does not bar the Complainants and Respondents from taking steps to informally resolve matters raised in the complaint through alternative dispute resolution.

The USDOT received MDOT's 2017 Title VI Program submission (titled "One MDOT Title VI Program Plan"). As previously discussed, because of the nature of the original complaint and the timing of scheduled reviews, USDOT is broadly assessing MDOT's Title VI compliance through a multi-part comprehensive compliance review process, and will not issue a letter of finding through the complaint investigation process. The USDOT initiated this multi-part

compliance review in early June, leveraging standard USDOT compliance review tools. If any Title VI-related concerns, or identified deficiencies emerge during this comprehensive compliance review of MDOT's programs and activities, the USDOT will contact MDOT to pursue resolution of these concerns.

If you have any questions, please contact Kevin Resler of FHWA at (202) 366-2925, Dawn Sweet of FTA at (202) 366-0529, or Yvette Rivera, Associate Director, of my staff at (202) 366-5131.

Sincerely,

A handwritten signature in black ink, appearing to read "Charles E. James, Sr.", written in a cursive style.

Charles E. James, Sr., Director  
Departmental Office of Civil Rights

Cc: Cheryl A.C. Brown-Whitfield, Assistant Attorney General & Principal Counsel,  
Maryland Department of Transportation  
Gregory Murrill, Division Administrator, FHWA, Maryland Division  
Bill Wade, Assistant Division Administrator, FHWA, Maryland Division  
Francisco Gonzalez, Civil Rights Specialist, FHWA, Maryland Division  
Selene Faer Dalton-Kumins, Acting Associate Administrator, FTA Office of Civil Rights  
Irene Rico, Associate Administrator, FHWA Office of Civil Rights