



U.S. Department
of Transportation

Federal Transit
Administration

The Administrator

1200 New Jersey Avenue, SE
Washington, D.C. 20590

March 8, 2011

Dear Colleague:

I write to remind you of the importance of complying fully with all our Nation's civil rights laws and regulations. Such compliance is central to the Federal Transit Administration's (FTA) mission, and a condition for receiving Federal funds. In particular, all FTA federal aid recipients are required to comply with Title VI of the Civil Rights Act of 1964 (Title VI), which prohibits federally-funded programs and services from discriminating on the basis of race, color, or national origin. Indeed, compliance with Title VI is especially important when launching service or fare changes that may be necessitated by financial difficulties.

Every three years, FTA recipients—including, but not limited to, State departments of transportation, public transportation agencies, and metropolitan planning organizations—must submit a Title VI program report to FTA demonstrating compliance.

FTA recipients serving populations of 200,000 or more should refer to Chapter V of Circular 4702.1A, "Program-Specific Requirements and Guidelines for Recipients Serving Large Urbanized Areas." These directives include, most notably, the requirements for properly assessing the impacts of service and fare changes. Specifically, public transportation agencies serving large urbanized areas are required to conduct a service and fare equity analysis at the planning and programming stages to determine whether service and/or fare changes have a discriminatory impact. Service change analysis is required both for service reductions and service improvements.

Please do not confuse the requirements of Title VI with the requirements of the U.S. Department of Transportation (DOT) Order on Environmental Justice (EJ), based on Executive Order 12898, "Federal Actions to Address Environmental Justice in Minority and Low-Income Populations" (February 11, 1994), which is implemented primarily through our mutual compliance with the National Environmental Policy Act. In brief, the Departmental Order on EJ requires FTA and sponsors of projects being studied under Environmental Assessments or Environmental Impact Statements to analyze whether the construction of those projects would result in disproportionately high and adverse environmental effects on minority and low-income populations. An environmental justice analysis is not a substitute for a Title VI service equity analysis triggered by a major enhancement project; rather, the environmental justice analysis and the Title VI analysis complement one another.

In order to help facilitate our review of FTA recipients' Title VI status, please contact your Regional Civil Rights Officer (RCRO) and inform them whether you are contemplating a major service change or fare increase during the current fiscal year (2011) or in the upcoming fiscal year (2012). If you are considering such a service change/fare increase, please inform your RCRO if you have performed, are performing or are planning to perform a service and fare equity analysis required by FTA's Circular; and please submit that service and fare equity analysis to the Regional Officer.

In order to assist you in understanding your agency's obligations under Title VI of the Civil Rights Act and FTA's Title VI Circular 4702.1A (*Title VI and Title VI-Dependent Guidelines to Federal Transit Recipients*) FTA's Office of Civil Rights has added a PowerPoint training module to FTA's Title VI webpage to assist you in understanding your Title VI requirements for a service and fare equity analysis. If you represent an agency subject to this requirement, your Regional Administrator will contact you with additional information regarding what should be included in the service and/or fare equity analysis submission.

Also, FTA will hold a civil rights workshop in the coming months. Join the Title VI e-mail listserv to be notified about upcoming civil rights workshops, trainings, and webinars. FTA's Title VI Circular 4702.1A can be found at FTA's Office of Civil Rights webpage: http://www.fta.dot.gov/civilrights/civil_rights_5088.html. Guidance on conducting service and fare equity analyses is found in Chapter V.

If you have questions, please contact your Regional Civil Rights Officer. Thank you for your continued support in assisting FTA to implement and enforce the requirements of Title VI.

Sincerely yours,

A handwritten signature in blue ink, appearing to read "P. Rogoff", is written over a light blue circular stamp.

Peter Rogoff