

U.S. Blocks \$70 Million for Rail Line in Bay Area

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Excerpt with commentary by Bruce L. Adelson

SAN FRANCISCO — The Federal Transit Administration pulled \$70 million in stimulus money from a planned expansion of the commuter rail service here Tuesday after it found that the local rail agency had not appropriately studied the project's impact on low-income and minority residents.

The money was to have gone toward building a link between the existing Bay Area Rapid Transit rail system and Oakland International Airport.

BART officials had until Tuesday to address potential violations of Title VI of the Civil Rights Act of 1964 caused by the plan, which would have cut through several low-income, predominately minority neighborhoods. They failed to meet the deadline.

According to Bruce Adelson, former U.S. Department of Justice Senior Attorney and nationally recognized expert on Title VI, " This is a perfect example of the federal government's power to enforce Title VI and confirmation of the Obama administration's position on Title VI enforcement. The FTA's termination of \$70 million in funding for the Bay Area Rapid Transit system, in response to a Title VI complaint and unsuccessful discussions between FTA and BART to resolve the complaint, should be a wake-up call to all federal financial assistance recipients about what can happen if Title VI requirements are not addressed. The funding termination also reflects the power of Title VI complaints and what they can accomplish.