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IMPROVING THE SAFETY AND RELIABILITY OF THE WASHINGTON METRO

(114–43)

HEARING

BEFORE THE

SUBCOMMITTEE ON
HIGHWAYS AND TRANSIT

OF THE

COMMITTEE ON
TRANSPORTATION AND
INFRASTRUCTURE
HOUSE OF REPRESENTATIVES

ONE HUNDRED FOURTEENTH CONGRESS

SECOND SESSION

MAY 24, 2016

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U.S. House of Representatives

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May 20, 2016

SUMMARY OF SUBJECT MATTER

TO: Members, Subcommittee on Highways and Transit
FROM: Staff, Subcommittee on Highways and Transit
RE: Subcommittee Hearing on "Improving the Safety and Reliability of the Washington Metro"

PURPOSE

The Subcommittee on Highways and Transit will meet on Tuesday, May 24, 2016, at 10:00 a.m. in 2167 Rayburn House Office Building to receive testimony related to how the safety and reliability of the Washington Metro (referred in this document as "Metro" or "Metrorail") can be improved. The Subcommittee will hear from Members of Congress from the Washington, D.C. region, representatives of the Washington Metropolitan Area Transit Authority (WMATA), the Federal Transit Administration (FTA), and a Minority Witness.

BACKGROUND

WMATA is responsible for one of the largest public transportation systems in the United States. Today, Metrorail consists of 118 miles of track and 91 stations in D.C., Maryland, and Virginia.[1] Since the 1960s, the federal government has provided funding to WMATA primarily for capital improvements to Metrorail. In more recent years, the federal government has also provided additional funding for safety improvements. As WMATA's significant safety issues persisted, the federal government's role expanded to also include safety oversight of Metrorail.

WMATA's Safety Record

Even before the system opened its doors, the National Transportation Safety Board (NTSB) found safety concerns for Metro. In 1970, the NTSB identified safety flaws in the design

[1] *Metro Facts 2016*, WMATA, *available at* http://www.wmata.com/about_metro/docs/Metro%20Facts%202016.pdf?.

of the system, including the inadequacy of emergency exits from tunnels.[2] In 1982, a derailment at the Smithsonian Interlocking killed three people and injured 25. The NTSB determined that the probable cause was the failure of "the Operations Control Center (OCC) to stop movement of trains through [the area] while it ascertained the nature and corrected the switch mis alignment...contributing to the accident was WMATA's management's failure to put into place an adequate program of initial and recurrent training for OCC and Metrorail operating personnel and its failure to adopt adequate rules and procedures for safe operation of trains in manual mode."[3]

During the 2000s, NTSB investigated six WMATA incidents,[4] including the 2009 collision of two trains near the Fort Totten Station that killed nine people. One of the probable causes of the 2009 accident was WMATA's failure to ensure that a test, which would have identified a faulty circuit, was used system wide.[5] Additionally, NTSB determined the following contributed to the accident:

> "(1) WMATA's lack of a safety culture, (2) WMATA's failure to effectively maintain and monitor the performance of its automatic train control system, (3) GRS/Alstom Signaling Inc.'s failure to provide a maintenance plan to detect spurious signals that could cause its track circuit modules to malfunction, (4) ineffective safety oversight by the WMATA Board of Directors, (5) the Tri-State Oversight Committee's ineffective oversight and lack of safety oversight authority, and (6) the Federal Transit Administration's lack of statutory authority to provide federal safety oversight."[6]

On January 12, 2015, a yellow line train with about 400 passengers on board encountered heavy smoke in the tunnel between L'Enfant Plaza and the Potomac River Bridge and lost power to the third rail. One passenger died and 91 were injured as they waited to be rescued.[7] The NTSB determined the probable cause to be "the failure of WMATA senior management to proactively assess and mitigate foreseeable safety risks, and the inadequate safety oversight by the Tri-State Oversight Committee and the Federal Transit Administration...contributing to the accident were WMATA's failure to follow established procedures...and the District of Columbia Fire and Emergency Medical Services Department's being unprepared to respond to a mass casualty event on the WMATA underground system."[8] NTSB's findings include

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[2] *Study of Washington Metropolitan Area Transit Authority's Safety Procedures for the Proposed Metro System*, NAT'L SURFACE TRANSP. BD. (Sept. 28, 1970), *available at* http://www.ntsb.gov/safety/safety-studies/Documents/RSS7001.pdf.

[3] *Derailment of Washington Metropolitan Area Transit Authority Train No. 410 at Smithsonian Interlocking*, NAT'L SURFACE TRANSP. BD. (Jan. 13, 1982), *available at* http://www.ntsb.gov/investigations/AccidentReports/Reports/RAR8206.pdf.

[4] *Accident Reports*, NAT'L SURFACE TRANSP. BD., http://www.ntsb.gov/investigations/AccidentReports.aspx (last visited May 18, 2016).

[5] *Collision of Two Washington Metropolitan Area Transit Authority Metrorail Trains Near Fort Totten Station*, NAT'L SURFACE TRANSP. BD. (July 27, 2010), http://www.ntsb.gov/investigations/AccidentReports/Pages/RAR1002.aspx.

[6] *Id.*

[7] *Washington Metropolitan Area Transit Authority (WMATA) L'Enfant Plaza Station Electrical Arcing and Smoke Accident*, NAT'L SURFACE TRANSP. BD. (May 03, 2016), *available at* www.ntsb.gov/news/events/Documents/Abstract_DCA15FR004.pdf.

[8] *Id.*

inadequate maintenance, inspection, training, standard operating procedures and poor guidance from the Operations Control Center.[9]

A list of NTSB investigations (as of April 2016) involving WMATA Metrorail incidents is attached.

Congressional Response to Public Transportation Safety Challenges

In 2012, Congress reformed federal transit safety oversight in Moving Ahead for Progress in the 21st Century Act (MAP-21; P.L. 112-141). MAP-21 grants FTA the authority to establish and enforce a new comprehensive framework to oversee the safety of public transportation throughout the United States. It also updates the State Safety Oversight Agency (SSOA) requirements to ensure that fixed guideway systems are meeting certain safety requirements. FTA issued the final rulemaking on SSOAs earlier this year. States have three years to become compliant. According to FTA, most SSOAs do not yet meet the requirements of the final rulemaking, including WMATA's SSOA, the Tri-State Oversight Committee (TOC).[10] FTA found that the TOC "is incapable of providing adequate safety oversight consistent with the prevention of substantial risk of death or personal injury."[11]

On February 25, 2016, Maryland, Virginia, and Washington, D.C. entered into a Memorandum of Understanding (MOU) for cooperating on the creation of the Metro Safety Commission (MSC), an entity that could meet the federal standards.[12] The MOU outlines the cost sharing arrangement, necessary actions, and timeline for establishing the new SSOA. Under the MOU, the goal is for the three jurisdictions to enact identical enabling legislation by 2017.[13]

In 2015, Congress further strengthened federal transit safety oversight in Fixing America's Surface Transportation Act (FAST Act; P.L. 114-94). The FAST Act grants FTA the authority to: provide temporary federal assumption of SSOA functions; issue nationwide safety directives; prohibit and restrict transit operations; and require the National Public Transportation Safety Plan to include minimum safety standards.

FTA's Response to WMATA's Safety Challenges

In February 2015, FTA initiated a safety management inspection of Metro, resulting in a corrective action plan and subsequent directives.[14] Like the NTSB findings, the corrective

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[9] *Id.*

[10] Lori Aratani, *FTA Audit Urges Quick Action on Independent Metro Oversight Board*, WASH. POST (June 18, 2015), https://www.washingtonpost.com/local/trafficandcommuting/fta-audit-urges-quick-action-on-independent-metro-oversight-board/2015/06/18/c83c1bde-15fa-11e5-9518-f9e0a8959f32_story.html.

[11] Letter from FTA to District of Columbia, Maryland and Virginia on WMATA Oversight (Feb. 08, 2016) (on file at https://cms.fta.dot.gov/sites/fta.dot.gov/files/docs/FTA%20Ltr%20to%20VA%20MD%20DC%20%2802-08-16%29.pdf).

[12] *Memorandum of Understanding for Cooperation in the Establishment of the Metro Safety Commission*, GOV. OF MD. (March 01, 2016), *available at* https://governor.maryland.gov/wp-content/uploads/2016/03/Metro-Safety-Commission-MOU.pdf.

[13] *Id.*

[14] *WMATA Corrective Action Plan (CAP) Tracking Table*, FED. TRANSIT ADMIN.., *available at* https://www.transit.dot.gov/regulations-and-guidance/safety/wmata-cap (last updated April 21, 2016).

actions include addressing training, staffing, communications, maintenance, inspections, and standard operating procedures.

In October 2015, U.S. Department of Transportation Secretary Anthony Foxx directed FTA to assume temporary and direct safety oversight of the Metrorail system. From October 2015 through April 8, 2016, FTA conducted 107 inspections that covered the Rail Operations Control Center (ROCC), vehicle and system maintenance, automatic train control, and traction power. These inspections found 229 defects requiring 66 remedial actions and four safety directives.[15]

On May 7, 2016, following an explosion and smoke incident at the Federal Center Southwest Station, FTA released another safety directive to WMATA, which requires it to "prioritize safety...mitigate fire and smoke risk...improve emergency planning and preparedness...and conduct a safety stand down" to ensure personnel review safety procedures.[16] On May 10, 2016, Secretary Foxx indicated that he may utilize his authority to shut down the Metro, if his concerns regarding safety are not addressed.[17] In a letter dated May 11, 2016, FTA directed WMATA to carry out its track maintenance efforts by prioritizing three specific segments. The activities FTA ordered WMATA to perform include, "cleaning drains...removing mud and debris from tracks and safety walks...replacing insulators and third rail coverboards...and replacing corroded rail and defective tie plates."[18]

WMATA's Response to its Safety Challenges

On March 16, 2016, WMATA General Manager Paul Wiedefeld suspended Metrorail service for a full day in order to allow for track inspections following a smoke incident similar to the one on January 12, 2015.[19] The cost of the shutdown to the system was $2 million in lost revenue and $500,000 in overtime.[20]

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[15] FTA Letter to WMATA: Track Safety Blitz Immediate Actions (April 18, 2016) *available at* https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA%20letter%20to%20Paul%20Wiedefeld%2004%2018%2016.pdf.

[16] *Safety Directive 16-3*, FED. TRANSIT ADMIN. (May 07, 2016), *available at* https://www.transit.dot.gov/sites/fta.dot.gov/files/docs/FTA%20Safety%20Directive%2016-3%20to%20WMATA%20%2805-07-16%29.pdf.

[17] Ashley Halsey and Lori Aratani, *Foxx: We Aren't Afraid to Shut down Metro for Safety*, WASH. POST (May 10, 2016), https://www.washingtonpost.com/news/dr-gridlock/wp/2016/05/10/foxx-we-arent-afraid-to-shut-down-metro-for-safety/.

[18] Letter from Acting FTA Administrator Carolyn Flowers to Mr. Paul Wiedefeld, General Manager and Chief Executive Officer WMATA, on Urgent Metro Repairs Needed Before Start of SafeTrack Program (May 11, 2016) (on file at https://www.scribd.com/doc/312296312/Letter-From-Acting-FTA-Administrator-Carolyn-Flowers-About-Urgent-Metro-Repairs-Needed-Before-Start-of-SafeTrack-Program).

[19] Nicholas Fandos, *Inspections Will Close Washington, D.C., Metro on Wednesday*, N.Y. TIMES (March 16, 2016), http://www.nytimes.com/2016/03/16/us/washington-dc-metro-to-close-all-day-wednesday.html?action=click&contentCollection=U.S.&module=RelatedCoverage&region=EndOfArticle&pgtype=article.

[20] *Fiscal Year 2016 Third Quarter Financial Update*, WMATA, (May 12, 2016), *available at* http://www.wmata.com/about_metro/board_of_directors/board_docs/051216_4AQ3FY2016FinancialUpdateTOPOST.pdf.

WMATA recently debuted a track maintenance "surge," which will require shutting down or single tracking segments of the system to provide more time for backlogged maintenance and track replacement activities.[21] This track maintenance surge is expected to begin in early June and last through March 2017.

WMATA has approved both capital and operating budgets for its coming fiscal year, beginning on July 1, 2017. WMATA's fiscal year 2017 capital budget has been approved at $950 million, which includes $500 million in federal funding, $392 million in state and local funding, and $58 million in long term debt.[22] WMATA will spend almost its entire capital budget on state of good repair needs including $354 million on railcars, $218 on bus and paratransit vehicles, $133 million on stations, $104 million on rail systems, and $82 million on track rehabilitation.[23] Within those categories, WMATA plans to spend $218 million of its capital budget on projects to advance specific NTSB recommendations and FTA corrective actions.[24] FTA has approved all but $20 million of the proposed capital budget projects as safety related expenses. WMATA will fund projects not found to improve safety (station rehabilitation and automated fare collection) with local funding.

WMATA's fiscal year 2017 operating budget is $1.745 billion, which includes $900 million in revenue and $845 million in subsidies from the jurisdictions served by the system.[25] The subsidy amount is determined by a formula that takes into consideration miles of service, numbers of stations, number of passengers, and population served, and offset by the fare revenue generated.[26] Jurisdictions provide their subsidies from various revenue streams including local general funds, Virginia's 2.1 percent regional gas tax, and state assistance received on a reimbursement basis.[27]

WMATA Other Challenges

WMATA's ridership declined by five percent between fiscal years 2009 and 2015.[28] Metrorail's on-time performance fell from almost 91 percent in 2014 to 84 percent in 2015.[29] In the first quarter of calendar year 2016, Metrorail's on-time performance fell to 74 percent.[30]

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[21] Press Release, WMATA, Metro GM Releases Draft 'SafeTrack' Plan to Local Jurisdictions (May 07, 2016) (on file at http://www.wmata.com/about_metro/news/PressReleaseDetail.cfm?ReleaseID=6103).
[22] *Approval of FY2017 Capital Budget and FY2017-2022 Capital Improvement Program,* WMATA (April 14, 2016), *available at* http://www.wmata.com/about_metro/board_of_directors/board_docs/041416_3BFY2017CapitalBudgetandCIP.pdf.
[23] *Id.*
[24] *Id.*
[25] *Approval of FY2017 Operating Budget*, WMATA (March 10, 2016), *available at* https://www.wmata.com/about_metro/board_of_directors/board_docs/031016_2BFY2017OperBudgetandPHStaffReportFORPOSTING.pdf.
[26] *WMATA Subsidy Allocation Methodology*. WMATA, *available at* http://www.wmata.com/about_metro/docs/subsidy_allocation.pdf (last visited May 18, 2016).
[27] *Funding the NVTC Jurisdictions' Obligations to WMATA*, (N. VA. TRANSP. COMM'N (May 05, 2016), *available at* http://www.novatransit.org/uploads/LinkedDocs/2016/NVTC%20Issue%20Brief%20-%20VA%20funding%20of%20WMATA%20final%205-4-16%20V2.pdf.
[28] *Fiscal Year 2017 Budget Ridership and Revenue*, WMATA (Oct. 08, 2015), *available at* http://www.wmata.com/about_metro/board_of_directors/board_docs/100815_4BFY2017BudgetRidershipandRevenue.pdf.

Following an FTA audit in 2014 that uncovered material weaknesses and significant deficiencies within WMATA's financial management systems, FTA has restricted WMATA's ability to draw down on federal transit funding without prior FTA approval.[31] Restricted drawdown requires a manual process to verify all expenses. WMATA is currently working through FTA's Financial Management Oversight Testing and Validation Plan (Plan). As of March 31, 2016, 16 of the 20 action items that are required by the Plan have been submitted on time to FTA. Of the 16 action items submitted to FTA, five have been confirmed closed based on FTA's testing and validation results.[32] Once WMATA has submitted the remaining action items and all of the action items have been tested and validated by FTA, WMATA will no longer be subject to restricted drawdown.

Current Federal Funding

In 2008, Congress provided WMATA with a $150 million annual authorization for the following 10 fiscal years for WMATA's use on capital projects and preventive maintenance (P.L. 110-432). Congress also required WMATA to provide access to cellular service throughout the system. This requirement's deadline has been extended in subsequent appropriations bills.[33] According to FTA documents shared with the Committee, the Washington, D.C. region is estimated to receive $1.87 billion in federal transit formula funding for the five years of the FAST Act. WMATA is the largest recipient of that funding. In March 2016, the U.S. Department of Transportation estimated that WMATA has a balance of $783 million of unexpended federal transit funding from previous authorizations and appropriations.[34] Federal funding is reserved for designated projects and federal acquisition rules prevent the release of that funding until the work is completed, and documentation is submitted to and approved by FTA.

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[29] *2015 Vital Signs Report*, WMATA (Jan. 2016), *available at* http://www.wmata.com/about_metro/docs/VitalSignsReport2015FINAL.pdf.
[30] *Vital Signs January-March 2016*, WMATA (May 2016), *available at* http://www.wmata.com/about_metro/scorecard/documents/Vital-Signs-Rpt_2016-Q1.pdf.
[31] *Washington Metropolitan Area Transit Authority: Steps Taken to Address Financial Management and Safety Recommendations, but Financial Management Internal Controls Need Strengthening*, GOV'T ACCOUNTABILITY OFFICE (July 15, 2015), *available at* http://www.gao.gov/assets/680/671408.pdf.
[32] *Information Item IV-B FMO Update*, WMATA (May 12, 2016), *available at* http://www.wmata.com/about_metro/board_of_directors/board_docs/051216_4BFMOProgressReportMay2016TOPOST.pdf.
[33] Paul Duggan and Faiz Siddiqui, *Metro Nears New Deal for Cell Service Throughout Tunnel System*, THE WASH. POST (Sept. 21, 2015), https://www.washingtonpost.com/local/trafficandcommuting/metro-nears-new-deal-for-cell-service-throughout-tunnel-system/2015/09/21/9653d3da-5d41-11e5-9757-e49273f05f65_story.html.
[34] *The Appendix, Budget of the United States Government, Fiscal Year 2017*, DEP'T OF TRANSP. (April 20, 2016), *available at* https://www.whitehouse.gov/sites/default/files/omb/budget/fy2017/assets/dot.pdf; E-mail from Kate Webb, Fed. Transit Admin., (April 20, 2016) (on file with author).

WITNESS LIST

Panel I

The Honorable Steny Hoyer
Member
U.S. House of Representatives

The Honorable John Delaney
Member
U.S. House of Representatives

The Honorable Gerry Connolly
Member
U.S. House of Representatives

Panel II

Mr. Paul Wiedefeld
General Manager
Washington Metropolitan Area Transit Authority

Ms. Carolyn Flowers
Acting Administrator
Federal Transit Administration

Mr. Tim Lovain
Chair
Transportation Planning Board
Metropolitan Washington Council of Governments

NTSB INVESTIGATIONS INVOLVING WMATA METRORAIL 1982 – 2015

ACCIDENT DATE	DESCRIPTION	FATALITIES	INJURIES	EST. PROPERTY DAMAGE	NUNBER. OF SAFETY RECOMMENDATIONS TO WMATA
1/13/1982	Derailment of Train 410 at Smithsonian Interlocking, Washington, DC	3	25	$1.3 M	33
6/19/1987	Derailment of CSX Corporation freight railcars fouling Metrorail Red Line track near Takoma Park, MD station (incident)	0	0	Not reported	2
9/5/1987	Derailment of CSX Corporation freight railcars fouling Metrorail Red Line track near Fort Totten Station, Washington, DC (incident)	0	0	Not reported	
9/17/1987	Fouling of Metrorail Red Line track near Silver Spring, MD Station due to debris from a CSX Corporation train striking heavy construction equipment on CSX track (incident)	0	0	Not reported	
1/9/1996	Collision of Train T-111 with Standing Train at Shady Grove Station, Gaithersburg, MD	1	0	Between $2.1M and $2.6M	20
11/3/2004	Collision Between Train 703 and Train 105 at the Woodley Park-Zoo/Adams Morgan Station, Washington, DC	0	20	$3.5M	3 (One Urgent)
5/14/2006	Red Line Train Striking WMATA Wayside Worker near Dupont Circle Station, Washington, DC	1	0	Not reported	4
11/30/2006	Yellow Line Train Striking WMATA Wayside Workers near Eisenhower Avenue Station, Alexandria, VA	2	0	Not reported	4 (identical to the 4 Recs. issued after the 5/14/2006 accident)

NTSB INVESTIGATIONS INVOLVING WMATA METRORAIL 1982 – 2015

ACCIDENT DATE	DESCRIPTION	FATALITIES	INJURIES	EST. PROPERTY DAMAGE	NUNBER. OF SAFETY RECOMMENDATIONS TO WMATA
1/7/2007	Derailment of Train 504 near the Mount Vernon Square Station, Washington, DC	0	0	$3.8M	6
6/22/2009	Collision of Train 112 and Train 214 near the Fort Totten Station, Washington, DC	9	52	$12M	16 2 Urgent 1 to WMATA Board
11/29/2009	Collision of Train 902 with standing train at West Falls Church Station, Falls Church, VA	0	2	$9M	0
1/26/2010	WMATA Hi-Rail Maintenance Vehicle Striking WMATA Wayside Workers near Rockville Station, Rockville, MD	2	0	Not reported	0
2/12/2010	Derailment of Train 156 near the Farragut North Station, Washington, DC	0	3	$174,000	0
1/12/2015	Smoke and Electrical Arcing Accident between the L'Enfant Plaza Station and Potomac River Bridge, Washington, DC	1	86	Under investigation	Under investigation

IMPROVING THE SAFETY AND RELIABILITY OF THE WASHINGTON METRO

TUESDAY, MAY 24, 2016

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT,
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE,
Washington, DC.

The subcommittee met, pursuant to notice, at 10:04 a.m. in room 2167, Rayburn House Office Building, Hon. Sam Graves (Chairman of the subcommittee) presiding.

Mr. GRAVES OF MISSOURI. We will go ahead and call the hearing to order, and I want to welcome everybody and all of our witnesses here today.

Today we are going to discuss how the Washington Metro system is going to address its safety and reliability issues. The issue is important to all the Members here because when we have constituents come in we want to make sure that, when they come here to see the Nation's Capital, that they should be able to move around the region safely and very efficiently.

The Federal Government has invested billions of dollars in Metro, and yet the system isn't safe and it is not reliable. Metro has been plagued by longstanding, well-documented safety issues. And unfortunately, investigations from the 1980s, from the 1990s, and today have a common refrain, and that is a lack of communication and safety procedures which have put riders and workers at risk.

The focus of today is how the system is going to change. And I am heartened to hear Metro's new general manager, Paul Wiedefeld, is going to talk about his commitment to improving safety and addressing the maintenance backlog. The committee will be watching to ensure that the talk turns into action.

The Federal Transit Administration, the FTA, is playing an important role as Metro's temporary direct safety oversight entity. The FTA is here today to share with us what it is going to do to promote safety and reliability at the Metro.

Congress can't legislate communication and it can't buy WMATA [Washington Metropolitan Area Transit Authority] a safety culture. WMATA has to take action on the responsibility of providing safe transit in our Nation's Capital and it has to be held accountable to the Federal, State, and local taxpayers that are funding them.

I look forward to a very frank discussion. I am going to yield the rest of my time to Congresswoman Comstock.

Mrs. COMSTOCK. Thank you, Mr. Chairman. I ask unanimous consent to offer an extended opening statement for the record.

But first of all, last Friday, when the Metro's general manager, Paul Wiedefeld, who is with us today, terminated 20 managers, 7 of whom were considered senior, I think we all hoped that this is just the beginning of a new era of accountability and transparency at Metro, and I know our Washington delegation all voiced support for you in this action, as well as a number of your recent actions. We need to find new ways to run this rail.

I join Congressman Delaney on changing the board structure and legislation on that front, and we are pleased to see new board members are focused on being experienced board members with transportation and management experience.

On cost issues, according to FTA and DOT [Department of Transportation] data, Metrorail's costs run 120 percent to 150 percent higher than comparable transit systems. That is why I appreciate that Mr. Wiedefeld said at a recent Loudoun County event that he attended with me that he is not asking for more money at this time, but is very much focused on addressing these issues and how we can restructure Metro and how we can address some of these issues on labor negotiations that are coming up, and how we can find ways to do better.

I am concerned that there is a clause in the current labor agreement which states—and I quote—"The authority shall not contract out or subcontract any work normally performed by the employees within the bargaining unit defined in this agreement which would result in a layoff, transfer, or demotion of these employees." Does this prevent Metro from having the kind of flexibility to realize the cost savings of contracting out track work and having the best people at the best price do this work? I know I have talked with the new general manager and FTA about these issues.

I have also met with businesses who are doing track work who tell us they can do this at lower costs than we are currently paying, and our current costs seem to run well ahead of Davis-Bacon costs.

I also want to see how we are using new technologies that can document the track work being done, technologies that can save money and increase safety and transparency, and are already being used at other rail systems around the country. I hope we can explore that more. And since I am chairman of the Subcommittee on Research and Technology of the Committee on Science, Space, and Technology, we are going to be looking into having hearings on that. So anywhere we can assist you on that, we want to find the best, most cost-efficient systems that save our taxpayers money.

Finally, I want to address the disturbing report we saw in the news last night about a rape that occurred last month on Metro in broad daylight, 10 o'clock in the morning. Clearly, we also have—and I hear this from people all the time—the concerns about basic personal safety. I have had people approach me at my own stations having personal safety issues, and this is something that is, obviously, unacceptable, but also a concern, that this wasn't immediately made known, when this report was made, and how are we doing all of these things. Because I appreciate we have talked about this new era of transparency, as well as the culture of safety that we all need and finding, you know, better ways to save money.

But I do appreciate that you have talked about putting more people on the front lines in the stations, and I think this very trou-

bling incident is one of the many reasons we have to have more people out of the back office and on the front lines, protecting our customers and our constituents.

Again I thank the chairman and our witnesses today. I thank the chairman very much for this important hearing, and for his hard work on this effort. And I look forward to hearing from our witnesses today. Thank you.

Mr. GRAVES OF MISSOURI. Thank you very much. I now turn to Ranking Member Norton for her opening statement.

Ms. NORTON. Thank you very much, Mr. Chairman. I have to begin by saying how much I appreciate this hearing. I think the fact that we are having this hearing today points to how important WMATA is, of course, to its immediate region, but also to the Federal Government itself. We are locked into this together, and into WMATA's problems together, and unwinding them together.

I stress WMATA's uniqueness. No other Metro system across the United States has to respond to three different jurisdictions. That is a built-in structural problem that neither WMATA nor, for that matter, those of us in the Federal Government have been able to help WMATA somehow get over. This is one of the reasons for WMATA's complexities. And those complexities play prominently into the changes that are needed.

For example, just this morning Secretary Foxx announced that he was appointing a high-level official from his office to help hasten the work of the three jurisdictions in setting up their own safety oversight mechanism. The new CEO, Mr. Wiedefeld, has taken steps that have been acknowledged as bold and necessary—despite inconveniencing the public.

But here we have dual issues that collide. We want the public to be safe, and we want the public to be able to get where they are going quickly. And how WMATA solves that during this process when they are overhauling the system, is one of the issues we want to face today. The basic challenge WMATA will meet after this single year of essentially rebuilding much of the system is how to keep it that way. And I will want to hear more this morning about that.

The word "safety culture" is thrown around. What does that mean? It is a really scary word, because it means that something is embedded in how the WMATA operates that somehow has to be dug out. And the culture notion has not been defined.

Congress, of course, passed MAP–21 [Moving Ahead for Progress in the 21st Century Act], giving the Federal Transit Administration safety oversight over public transportation in the United States, and we reinforced that in the FAST [Fixing America's Surface Transportation] Act. Now WMATA safety issues pile onto FTA that it would like to offload. And I think the SafeTrack plan of the general manager will help to do that.

Some of Metro's funds are being held up because, inexcusably, on top of all of its other issues, it mishandled its finances and is therefore having trouble getting its Federal funds. That is something that has to be worked out and worked out very quickly. It looks like WMATA has taken the necessary actions, but that the Federal Transit Administration has not responded appropriately. So if WMATA does something right, we expect the Federal agency to respond in kind.

Mr. Chairman, I am very anxious to hear the testimony. I very much appreciate that the witnesses have prepared thoughtful testimony today. I think you see how much today's hearing means to the region as three Members of the region are here to testify, and I thank them for coming, as well. I yield back, sir.

Mr. GRAVES OF MISSOURI. Thank you very much. I now turn to the chairman of the full committee, Bill Shuster.

Mr. SHUSTER. Thank you, Mr. Chairman. I thank our witnesses being here today. With the panel we have Messrs. Hoyer, Connolly, and Delaney, and then three members of the committee, Mrs. Comstock, Ms. Norton, and Ms. Edwards, we have got the entire House delegation that represents the area, which—we can tell it is an important issue to them, but it is really an important issue to all of us.

Millions of people come to Washington, DC, every year, from around—our fellow citizens to people from around the world. And this transit system really ought to be the crown jewel of the transit systems around the country. And in fact, they get more money per capita than any other system in the country, but they also spend more money than any other system in the country. And we have got to bring those things into alignment. But this needs to be a system that is safe, safety has to be paramount.

And for over 50 years, as mentioned, the Metro system has benefitted by Federal support. So this is really important to the entire Nation, that we get this right. In addition to the monies that the Federal Government gives to the Metro system, also 40 percent of the Metro's rush-hour riders are provided—Federal employees are provided a subsidy to ride that system.

So, again, the safety of the people that we work with every day and depend on to help us operate the Government depend on this system being a safe and reliable system. But despite all that Federal investment, the safety and reliability record has deteriorated. And it is because, I believe, and from what I have talked to other folks, it has not switched its responsibility from building a system to operating and maintaining a system.

What it takes, I believe, is a cultural change at Metro, and I am pleased that the new CEO, I think, is doing just that. What—the Federal Transit Administration has temporarily taken over that authority, and Administrator Flowers is here today to talk about that. That oversight needed to be done because Metro hasn't been able to do it appropriately.

Secretary Foxx has given 1 year to the WMATA, to Virginia, Maryland, and DC to step up to the plate and do what is necessary on this, on the oversight.

And last year, Congress, we passed the FAST Act. And in that we strengthened FTA's safety oversight authority and provides the DC region with 5 years of increased funding. Again, more Federal dollars that the citizens of America are contributing to this system. As I said, this should be the crown jewel of the system and it is not, and we deserve to have that.

Again, the new CEO, Paul Wiedefeld, is here today. And his record as a manager of—making things run in the proper way, he has got the right resume for it, and I think his strong statements

in just his first year really has woken folks up to the need for strong management, for a cultural change at this transit system.

So again, I welcome our—my colleagues here today, look forward to hearing from them and also from Mr. Wiedefeld and Ms. Flowers on this issue.

Mr. SHUSTER. So thank you very much, and yield back.

Mr. GRAVES OF MISSOURI. I now turn to Ranking Member DeFazio.

Mr. DEFAZIO. Thank you, Mr. Chairman. Well, it is sad that we are here today under these circumstances. There are certainly management issues at WMATA, and I will get into that in a moment. But let's get to the bottom line here: Congress has neglected to make sufficient investments in infrastructure.

Everywhere in the country, cities are struggling between the pressure to build out more transit and new options—and that is certainly going on here, in what is arguably potentially the most congested traffic region in the United States of America, and then maintaining their legacy systems. And Congress hasn't been willing to be an equal partner. There is an $84 billion backlog, nationally, to bring transit up to a state of good repair.

Yes, the FAST Act is going to give us a little more money. That is good. But with the amount of money there, we are never going to get a state of good repair, never. We are just about treading water. And right now, DOT says the average annual level required to eliminate the backlog by 2030 is $18.5 billion a year. And, well, we are putting up $10 billion. Uh-oh, that doesn't sound too good, does it?

It is pretty embarrassing when in what is called the capital of the free world, the greatest country on Earth, American exceptionalism, we are killing people on a transit system with a combination of budgetary pressures and management issues.

Now, I think we are going to make real progress on the management issues, and we will hear about that later today. But what about the money? We cannot ignore the need for additional investment.

Now, when the so-called American Recovery Act passed, which I voted against because 4 percent of that 800-some billion dollars went into infrastructure investment—4 percent—cities like Chicago just pulled projects off the shelf. They had the money committed in 30 days. They could have spent 10, 20 times as much money on project sitting on the shelf, waiting to happen, that are critical for the safety and security of their riders and, obviously, the efficiency of the system.

So we cannot ignore the thousand-pound gorilla in the room. We aren't putting up the money we need to be a good partner. We only partner 50 percent, and we don't help with operations. And, you know, we are just walking away from that. So that is why we are here today.

So let's not just say this was a management issue or, oh, gee, they spend more money or, gee, they are less efficient. Yes, those are all issues. But the bottom line is this is not a unique circumstance. This, what is happening here in Washington, DC, is getting attention. But there is—that is happening in every major legacy system across the country today, and it is happening in cit-

ies that want to give their people new transit options and have to choose between running a bus with 1 billion miles on it that is breaking down every day—maybe the brakes don't work so well—and giving people those new options to get them out of congestion.

We shouldn't have to make those choices. Our country, the United States of America, can afford to do both. We can afford to partner and help them rebuild and maintain and build out the new options, but it is going to take a new attitude here in Congress.

I have offered many ways to help increase transit funding and highway funding. They have all been rejected. We weren't even allowed to vote on one single amendment when we did the FAST Act. They were not allowed. Many amendments were offered, including bipartisan amendments, that dealt with funding. Instead, we took money from the TSA [Transportation Safety Administration] to help pay for that bill, and now people are standing in line at the airports. Wow.

We are going to keep shuffling stuff around until nothing works in this country any more.

Thank you, Mr. Chairman. I look forward to the hearing.

Mr. GRAVES OF MISSOURI. Thank you very much. Today we have two panels, and I want to welcome our first panel.

We have got the Honorable Steny Hoyer, who is representing the Fifth District of Maryland; the Honorable Gerry Connolly, who is representing the 11th District of Virginia; and the Honorable John Delaney, who is representing the Sixth District of Maryland.

I would ask unanimous consent that our witnesses' full statements be included in the record.

[No response.]

Mr. GRAVES OF MISSOURI. And, without objection, that is so ordered.

And with that we will start with Mr. Hoyer. Thank you for being here.

TESTIMONY OF HON. STENY H. HOYER, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND; HON. GERALD E. CONNOLLY, A REPRESENTATIVE IN CONGRESS FROM THE COMMONWEALTH OF VIRGINIA; AND HON. JOHN K. DELANEY, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MARYLAND

Mr. HOYER. Thank you very much, Chairman Graves and Ranking Member DeFazio. And I want to associate myself with the remarks from the gentleman from Pennsylvania, Mr. Shuster, the chairman of the committee. Clearly, this was the crown jewel. Clearly, nobody would be calling it the crown jewel today. And clearly, it must be the crown jewel for all the regions the chairman mentioned in terms of—we used to call this and still call it America's subway, because millions and millions of everybody's constituents in this room use this system.

I appreciate the opportunity to share my input with the subcommittee regarding the Washington Metropolitan Area Transit Authority and the need for robust investment and high safety standards.

The safety and reliability of the Metro is of critical importance, not only to Washington, DC, and its surrounding communities. It

is also critical to the smooth functioning of the Federal Government and of our national defense and homeland security.

Both civilian and military rely on the Metro to get to their offices and to their duty stations. My district is home to 62,000 Federal employees, and many who serve in military jobs located here in regional installations. Many of them depend on Metro to get to work each day to serve the American people. Metro is also a crucial tool for the millions of Americans and foreign visitors who come to our Nation's Capital each year. That is the premise which underlines our Federal focus.

I joined the rest of the National Capital region delegation last Wednesday for a meeting with Paul Wiedefeld, Metro's new general manager, of whom many of you have spoken and spoken positively—and I think that—appropriately, as well—to discuss WMATA's new SafeTrack plan, which aims to address maintenance and rehabilitation efforts to improve safety. However, we spoke on a more broad basis than simply the SafeTrack program.

The recent incidents of fire and the daylong shutdown for diagnostic inspections have brought to light a number of very critical repairs that must be done to ensure that riders are always safe when using the Metro system. In some ways, these problems are the result of past failures to invest adequately in long-term maintenance and upgrades.

As the new 7000-series cars are brought into the fleet, we need to make sure that the tracks and tunnels that these new modern cars run on are up to date, as well. Metro safety and reliability is a critical concern for residents of Maryland's Fifth District, which is home to commuters served by all of Metro's lines.

I am disappointed, as I know many are, that Metro needs to implement the SafeTrack plan in the first place. But it is necessary. We shouldn't be in a situation, however, where entire lines may be shut down for maintenance, and where the predictability and reliability of train schedules has been undermined. But I am very impressed with Mr. Wiedefeld's leadership and his determination to take the steps necessary to put Metro back on course to be a system that all in our region and in our country can be proud of.

We have a ways to go before we can get to that point. But it is encouraging that WMATA's leadership is fully committed to putting passenger safety first, and is acting to improve safety in the near and in the long term.

Mr. Chairman, I hope the subcommittee and the full committee will support investments in Metro's safety and service, so that the SafeTrack plan will be as successful as possible as quickly as possible. Congress has a responsibility to make sure that the Metro system, which we call America's subway, can well serve those who serve American citizens, as well.

I want to thank Ranking Member Eleanor Holmes Norton for her untiring advocacy on behalf of Metro and all those who ride it.

And Mr. Chairman, I want to assure you and Mr. Shuster and Ms. Norton and Mr. DeFazio that the Washington metropolitan delegation is united in its determination to ensure, working with you, that America's subway is a subway system second to none. Thank you very much.

Mr. GRAVES OF MISSOURI. Thank you, Congressman Hoyer.

Next is Congressman Connolly.

Mr. CONNOLLY. Chairman Graves, Chairman Shuster, Ranking Members Norton and DeFazio, thank you so much for having us here today. I am delighted to join with my colleagues, Mr. Hoyer and Mr. Delaney.

I serve as the ranking member of the Subcommittee on Government Operations of the Committee on Oversight and Government Reform, which held its own hearings on Metro in the wake of the L'Enfant Plaza tragedy. The challenges facing Metro are significant, and I welcome collaboration between our two committees to ensure robust oversight over Metro's management of Federal dollars and adherence to Federal safety standards.

I spent the last 22 years working on Metro, first as a member of the Fairfax County Board of Supervisors, where as chairman I made appointments to the Metro board and approved the local operating subsidy. For the past 8 years I have worked with you and your colleagues here on this committee to secure the $150 million annual Federal commitment for Metro safety improvements, which is matched dollar for dollar by Virginia, DC, and Maryland. No one is more disheartened than I am with the unacceptable and unsustainable state of affairs at Metro.

I want to start by commending this committee for your efforts, through MAP–21 and then the FAST Act, to create a comprehensive framework of safety standards for Metro and all of the Nation's transit systems. As the NTSB [National Transportation Safety Board] and the FTA have highlighted again and again, Metro's current local safety agency, the Tri-State Oversight Committee, is nothing more than a paper tiger without the proper resources or tools to provide effective oversight.

Our partners in Virginia, Maryland, and DC are working together to stand up a new Metro safety commission next year that will meet and enforce the new Federal standards. Until then, Secretary Foxx, acting under new authorities in the FAST Act, has appointed the FTA as the interim safety oversight agency. While I respectfully disagreed with that action, deferring instead to the NTSB's recommendation to use the FRA's [Federal Railroad Administration's] more robust safety standards, I share the committee's and Secretary's ultimate goal for addressing the shocking lack of safety culture within Metro.

To that end, I welcome an opportunity to work with you to explore further expanding the FTA's authorities to better match not only the oversight, but also the enforcement authorities under the FRA to address the NTSB's urgent safety recommendations. In fact, Metro's new general manager has indicated he is voluntarily directing his team to explore what FRA standards they can apply on their own. Regardless of what style of transit commuters are using, they deserve to know they are being protected by effective and enforceable Federal standards.

What we are witnessing today with Metro is the result of a decades-long march into mediocrity and dysfunction. Riders are now confronted with near-daily service or safety delays, including today, Mr. Chairman. And incidents of arcing or smoke in the tunnels have become all too frequent and, frankly, are scaring riders away. Recent arcing incidents led the general manager to take the un-

precedented step of shuttering the entire National Capital subway system for 24 hours in March. And earlier this month, the two stations serving Capitol Hill were closed during the evening rush hour.

Mr. Wiedefeld recently released an aggressive proposal to single-track and shut down portions of Metro lines for days at a time in order to condense 3 years' worth of deferred maintenance—3 years—into 1 year. This will present significant and sustained challenges to riders in the Federal Government. Federal employees account for 40 percent of all Metro riders. So we have called on OPM [Office of Personnel Management] and all Federal agencies to push telework and flexible work schedules during this time.

Of course, Metro cannot focus only on track and infrastructure repairs. A complete systemwide change in culture is necessary. Safety and personnel actions already taken by Mr. Wiedefeld should serve as a shot across the bow that indifference to safety and customer service will no longer be tolerated.

These are not problems that can be fixed overnight. Metro and its partners face a monumental task, and the Federal Government must be a full-funding partner in this effort. And I welcome the opportunity to work with this committee to explore options for expanding our Federal commitment, to include operating subsidies. The Federal Government is the only compact member that does not pay any share of operating subsidies.

We also must incentivize the National Capital region to finally create a dedicated source of revenue for funding Metro. These are separate but equally important investments critical to Metro's future success.

Metro, Mr. Chairman, has been our single greatest regional achievement, and in many ways our single biggest disappointment. Working together we can restore America's subway to the place of prominence it once held, and setting the standard for other transit systems across the Nation, giving our riders the world-class system they so sorely deserve. Thank you.

Mr. GRAVES OF MISSOURI. Thank you, Mr. Connolly.

Next is Representative John Delaney.

Thanks for being here.

Mr. DELANEY. Thank you. I want to thank the chair and the ranking member and all of my colleagues for giving me this opportunity to discuss Metro with you today. It is, obviously, something that is very important to my constituents, many of which use this system on a daily basis. It is also important, as we know, to everyone who lives in the National Capital region, and to all the visitors of our Nation's Capital.

Clearly, Metro is an organization in crisis with significant deficiencies around safety, around reliability, around customer service, and around financial management. And if you diagnose the problems with Metro, you realize there are several causes.

The first Ranking Member Norton discussed, which is Metro effectively reports to four governing jurisdictions; DC, Maryland, Virginia, and the Federal Government. This four-headed monster makes it very difficult for Metro to get the kind of funding and oversight that would be optimal for an organization of its scale.

Secondly, as Ranking Member DeFazio talked about, by any measure Metro has been underfunded, and it has lacked a reliable source of funding, which has created greater uncertainty, and made the underfunded situation even more pronounced.

And finally, it has clearly been mismanaged, perhaps for several decades. When you look back at management decisions, whether they be strategic or tactical, that, clearly, poor decisions were made. I, like you, want to exclude the current general manager from that criticism because I, like you, share the view that he is off to a very good start and we should be very supportive of him.

But I think there is another issue that needs to be considered when you talk about what is going on with Metro, and this gets to Chairman Shuster's comments about culture, which is Metro has clearly had a deficient culture, as it relates to its priorities. And I think that raises a governance question. In other words, what is happening in terms of the board, the board of directors, in the governance and management of Metro?

As someone who spent my whole career in the private sector chairing two publicly traded companies and also being on the board of very high-performing nonprofits, I think governance really matters because a good board sets the correct mission, sets the correct strategic goals. Their most important responsibility is to recruit management, to hold them accountable; if they are not living up to the goals, make management changes; and to secure the funding that the enterprise needs.

And the way they secure the funding is by making people believe that they are actually running the place right. And I think this is a significant question with Metro. Right now, Metro has a 16-person board. Four of those members are appointed by each relevant jurisdiction. And currently, there are no standards for who those members can be.

Mr. Shuster—or the chairman, I think you said you can't legislate certain things. One thing you can't legislate is good governance. But you can do things to make sure we have the best people possible sitting around the table, making these decisions, instead of maybe just elected officials or instead of just people who were given a board spot because they raised a lot of money for their relevant elected officers.

And so, what I have tried to do is put forth—and Representative Comstock has been supportive of this with me—put forth a framework where the jurisdictions will be required, as part of their appointment process, to certify that the members that they are appointing are experts in either finance, in management, in transit, or in safety. I think this will put people with more qualifications and more experience around the board table at Metro, and I think it will encourage maybe longer term thinking, because my sense is these people will probably have more experience in board governance matters, and they won't think about their own unique interests in the particular jurisdictions they represent, but spend more time thinking about the good of the whole enterprise, which is what a real fiduciary should do.

So I think, to talk about specific things we can do to change the culture, in addition to getting more funding, in addition to supporting the new management changes, I think there are some im-

portant things we can do around governance. And I applaud Secretary Foxx, who is actually taking a step in this direction. He recently changed all of the Federal appointees to the board, and put up four people who clearly have expertise in safety, which is something we support.

But we would also like to see some people sitting around the table who have finance experience, management experience, and real transit experience, so we get some real experts thinking long term for the good of the enterprise, creating the right mission, getting the right management team in place, and holding them accountable. And I think, over time, that can change the culture of Metro.

So I appreciate the opportunity to be here with you.

Mr. GRAVES OF MISSOURI. Thank you very much, all three of you. And with that I will dismiss the first panel and we will bring the second panel up. Thank you very much.

Ms. NORTON. Mr. Chairman, while the second panel is coming up, I would like to ask that the statement of Representative Chris Van Hollen, a Member who represents a jurisdiction in this region, be admitted to the record.

And I would like to ask unanimous consent to correct the record, and to have a chart that shows Federal funding for WMATA, compared to other transit agencies. WMATA receives 19 percent of its budget from Federal contributions; 17 percent is the industry average. On fares, WMATA's fares cover 32.6 percent of its budget, where the industry average is 23.3 percent. And I ask that this chart be entered into the record, as well.

[No response.]

Mr. GRAVES OF MISSOURI. Without objection, so ordered.

[Mr. Van Hollen's prepared statement and the chart offered by Ms. Norton for the record follow:]

Chris Van Hollen (MD-08) Statement on the Subcommittee on Highways and Transit Hearing on "Improving the Safety and Reliability of the Washington Metro"

May 24, 2016

Chairman Graves, Ranking Member Norton, thank you for the opportunity to submit testimony on today's hearing into the safety and reliability of Washington Metro. As you know, WMATA is a critical system not only for my constituents and those of us who represent the DC metropolitan area, but for the operations of the federal government and the thousands of federal employees who rely on it for their commute.

It is that essential role in the operations of our nation's capital that has involved Congress in WMATA from its inception. As the region has grown, the system has grown in importance. Federal employees rely on it. Federal agencies want to be metro accessible. Without it, we have gridlock that both decreases productivity and jeopardizes security.

But this system has fallen into disrepair, threatening both the safety - and the patience - of its riders. With your support and assistance, our regional delegation has worked to fund capital safety improvements and improve oversight capabilities at the Department of Transportation. While some efforts, like the creation of the Metro Safety Commission, are still underway, it is clear that more must be done.

WMATA's General Manager, Paul Wiedefeld, has begun the process of reforming and repairing the system. We all share frustration with the safety failures at WMATA, and the determination to see decisive action to confront those failures and bring accountability to the system to solve them.

Congress has a responsibility to be a partner in this effort because our nation's capital deserves a world-class metro system. Our partnership requires both oversight and financial support that recognizes the government's reliance on safe and efficient transportation to move the federal workforce. I look forward to working with you on this critical effort.

Funding Sources: Comparison of WMATA to Industry Average (2014)

Industry Average[1]

	Fare Revenue	Other Operating	State & Local[2]	Federal	Total
Capital			10,313.0	7,659.8	17,972.8
Operating	15,465.2	1,866.9	26,836.7	4,142.4	48,311.2
TOTAL	**15,465.2**	**1,866.9**	**37,149.7**	**11,802.2**	**66,284.0**

	Fare Revenue	Other Operating	State & Local[2]	Federal	Total
Capital			57.4%	42.6%	100.0%
Operating	32.0%	3.9%	55.5%	8.6%	100.0%
INDUSTRY TOTAL	**23.3%**	**2.8%**	**56.0%**	**17.8%**	**100.0%**

WMATA[3]

	Fare Revenue	Other Operating	State & Local[5]	Federal	Total
Capital			467.5	491.1	958.6
Operating[4]	843.2	48.9	734.9	0.0	1,627.0
TOTAL	**843.2**	**48.9**	**1,202.4**	**491.1**	**2,585.6**

	Fare Revenue	Other Operating	State & Local[5]	Federal	Total
Capital			48.8%	51.2%	100.0%
Operating[4]	51.8%	3.0%	45.2%	0.0%	100.0%
WMATA TOTAL	**32.6%**	**1.9%**	**46.5%**	**19.0%**	**100.0%**

1 - Source: APTA 2015 Public Transportation Fact Book, Table 95

2 - Includes fund sources identified as Directly Generated, Local, or State

3 - Source: WMATA FY2014 Approved Budget Book (Tables 3.5, 3.7, 3.8)

4 - Includes jurisdictional contributions for debt service

5 - Includes land sales, insurance proceeds, and other miscellaneous capital sources (see Table 3.8)

Mr. GRAVES OF MISSOURI. Now I would like to take this opportunity to welcome our second panel.

We have Mr. Paul Wiedefeld, who is the general manager of the Washington Metropolitan Area Transit Authority; Ms. Carolyn Flowers, who is the Acting Administrator, Federal Transit Administration; and the Honorable Tim Lovain, Chair of the National Capital Region Transportation Planning Board of the Metropolitan Washington Council of Governments.

And with that I would ask unanimous consent that our witnesses' full statements be included in the record.

[No response.]

Mr. GRAVES OF MISSOURI. And without objection, that is so ordered. And since the written statements are going to be included in the record, I would request you try to limit your comments to 5 minutes.

And with that, Mr. Wiedefeld, we will start with you.

TESTIMONY OF PAUL J. WIEDEFELD, GENERAL MANAGER AND CHIEF EXECUTIVE OFFICER, WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY; CAROLYN FLOWERS, ACTING ADMINISTRATOR, FEDERAL TRANSIT ADMINISTRATION; AND HON. TIMOTHY LOVAIN, CHAIR, NATIONAL CAPITAL REGION TRANSPORTATION PLANNING BOARD, METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS

Mr. WIEDEFELD. Good morning, Chairman Graves and Ranking Member Norton and members of the subcommittee. Thank you for the opportunity to testify today. I am Paul Wiedefeld, general manager of the Washington Metropolitan Area Transit Authority, also known as Metro.

What I thought I would do is just summarize very quickly what my priorities have been since I joined November 30th for the agency, talk a little bit about what we are up against and what I am trying to do about it, and then just wrap up with some concluding remarks.

In terms of what my priorities are, obviously, safety, service, reliability, and fiscal management. And so, what we are up against, I think it is important just to step back and think about the physical nature of what we are up against before we get into some of the management issues. But I think we have to recognize that this is a two-track railroad system which presents a lot of challenges for maintenance, because you cannot maintain the system without impacting the customers is basically what we have here.

And you add on top of that decades of delayed maintenance and underfunding onto that, that has created a lot of the issues that we are dealing with. On top of that is an aging fleet, the cars, the trains themselves. So that is on the rail side.

I think it is also important to recognize that Metro is more than just rail, it is also a very major bus system. We do almost 600,000 people a day on the bus system alone. And in that case we have a much better fleet, but we do have some basic infrastructure services, as well, that need to be fixed, particularly in garages.

In terms of the agency, what I found is what I have heard echoed here, is both a lack of safety and service culture within the organi-

zation, and it permeates throughout the entire organization, both management and frontline employees.

There has been a lack of accountability on the management, on the frontline people, and also a lack of strong management systems put in place.

There has been a lack of a sustainable and predictable funding source over the decades for this system. We are facing ridership decline. Part of that is self-inflicted by some of the performance levels that we have provided, but also just the change in demographics in the region and the way that we travel.

Our paratransit, MetroAccess, is also increasing in demand. It is one of our most expensive services, and we need to think about how we provide that service, as well, to that part of the community.

Crime, as was mentioned, is a concern for all transit agencies. Unfortunately, we have had some terrible and very visible incidents on our system recently, both on our passengers and on some of our employees. And always in the back and front of my mind is terrorism, and we always have to make sure that we are doing everything on our part to be prepared for anything that may occur there.

So, what are we doing? In March, I released a Customer Accountability Report, where basically there are 60 action items that we have outlined of what we are doing to both increase the overall performance and the customer service portion of what we do. I did release several weeks ago the rail maintenance plan called SafeTrack. Basically, the current approach, in my estimation, is not working. We need a much more holistic and transparent process for how we go about that upgrading of the tracks.

I have been working very closely with our manufacturer of the train sets, which is Kawasaki. We now have 134 property, have 120 in service. That is the 7000 series. We have 748 of those ordered. And as soon as we get those to the point where I am comfortable we are delivering what we paid for, we will start to increase that delivery of those cars.

The bus fleet is maintained well, and will continue in that area. On the MetroAccess we are looking at brokering some outside third-party vendors to provide better service for there.

In terms of safety and service culture, that starts with me basically driving home that that is the most important thing that we do. Recently I have come out with a number of things to reinforce that. Safety trumps all. We now have our track inspectors, and people that have the ability to understand the system can shut down the system at any time if they see something that they want to get out and look at, which was not the case in the past.

We have a new chief safety officer, which I just brought in early this month. We are looking at—the police are doing a Metro—basically constantly where we monitor the system every day, literally minute by minute, to apply our resources. And we are adding new resources there. And of course, we are working with the Joint Terrorism Task Force.

The good news is that the system over the years, 40 years, had driven the economic development and, really, our culture here in this region. And the business community is behind it, elected officials are behind it, and the riders are behind it. My job is to get

it performing better, and then we will deal with other issues from my perspective into the future. But again, my priorities are on the safety, service, and the fiscal management, and that will continue to be my focus in the near term, and we will deal with the larger issues as we go forward.

So with that I will be glad to take any questions.

Mr. GRAVES OF MISSOURI. Thank you very much.

Ms. Flowers?

Ms. FLOWERS. Thank you, Chairman Graves, Ranking Member Norton, Chairman Shuster, members of the subcommittee. Thank you for inviting me to report on the Federal Transit Administration's work to improve safety and reliability at WMATA. Together, safety and reliability comprise the minimum we should expect from public transportation. And yet, on both counts WMATA has fallen short.

In recent years the result has been not only delay and disruption, but also injury and fatality. Our goal at FTA is to make sure that WMATA restores safety and reliability for its riders and its employees. We are conducting on-the-ground inspections, leading accident investigations, and directing safety improvements that WMATA must make. To do this we are exercising the authority Congress provided our agency.

Congress first authorized FTA to oversee the public safety of transportation systems under MAP–21, and the FAST Act strengthened FTA's ability to set national standards and to enforce them. Over the course of the past 4 years we have worked with transit industry stakeholders to develop regulations that would be effective, enforceable, and adaptable, the opposite of one size fits all. Where State safety oversight agencies do not exist, or where they fail, Congress gave FTA the statutory authority to step in. And that is where we are today in the DC metro area.

As Secretary Foxx has made clear, FTA's direct oversight of WMATA is temporary. Virginia, Maryland, and the District of Columbia must set up a new State safety oversight agency that is fully functioning, compliant with Federal requirements, and capable of providing effective oversight.

Nonetheless, since FTA assumed oversight, we have been able to work with WMATA to get results. WMATA has made steady progress in addressing the findings of our initial safety management inspection last year, and they have responded to troubling deficiencies we discovered at the rail operations control center. And as a result of findings from FTA's safety blitz in April that looked at three key areas—red signal overruns, track integrity, and rail vehicle securement—some track was taken out of service immediately to make repairs, and hundreds of defects have been fixed.

In addition to identifying and ordering the correction of safety problems, we have also conducted a review of WMATA's grant applications to ensure that Federal funds are being used to address both FTA and NTSB recommendations. But most troubling, however, is the fact that WMATA has failed to create an enduring culture of safety. And although this problem goes much further back, I would like to talk about a recent example.

On May 5th a third-rail insulator exploded alongside the platform at the Federal Center Southwest station. Although our inves-

tigation of this incident is ongoing, our preliminary information shows that WMATA's response to this event was slow and inadequate. In this event, operational convenience was clearly prioritized above safety. Not only did WMATA fail to notify FTA in a timely manner, but WMATA's own emergency response team waited hours for track access after only a cursory inspection was made and service was initially resumed. It was only later in the day when another fire occurred in the same area that track was taken out of service and the problem was thoroughly addressed.

Such errors in judgment and breaches of safety protocol are simply unacceptable. Safety must come first before service. As a result, we issued a safety directive requiring WMATA to take immediate action to prioritize safety before operations, to mitigate fire and smoke risks, improve emergency planning and preparedness, and conduct a safety standdown. We have verified that WMATA has taken steps to address these immediate actions. And, to his credit, WMATA General Manager Paul Wiedefeld has been responsive to our safety concerns, and has demonstrated a commitment to safety.

But the agency still has a difficult task ahead. Beyond the need for critical investments in infrastructure, every one of their employees must make a personal commitment to safety. At FTA we are working with WMATA and our colleagues from across DOT to help restore Metrorail's safety and reliability. Thank you.

Mr. GRAVES OF MISSOURI. Thank you, Ms. Flowers.

And next we will hear from Mr. Lovain.

Mr. LOVAIN. Mr. Chairman and members of the subcommittee, I am Tim Lovain, Chair of the National Capital Region Transportation Planning Board at the Metropolitan Washington Council of Governments. I also serve as a member of the Alexandria City Council.

The Transportation Planning Board is a federally designated metropolitan planning organization for the National Capital region. It is responsible for a continuing comprehensive and cooperative transportation planning process in this metropolitan area that includes 22 jurisdictions and over 5 million residents.

I would like to thank Chairman Graves and Ranking Member Norton for the opportunity to appear before you today to share my observations on the importance of Metro to this region. I have submitted more detailed testimony, so in my oral remarks I will emphasize three things: first, how critical Metro is to our region's mobility and prosperity; second, its importance to this region's largest employer, the Federal Government; and finally, the efforts underway to help Metro improve its safety and service reliability and be the world-class system the Nation's Capital deserves.

Last year Metrorail provided 710,000 rail trips on an average workday. Two million jobs, more than half of all jobs in the region, are located within a half-mile radius of Metrorail stations and Metro bus stops. Seventy-seven of the ninety-one Metrorail stations are in fifty-nine regional activity centers, our region's priority locations for growth. Eighty-six percent of this region's new office construction is occurring within one-quarter mile of Metrorail stations.

Metro helps to tie our multistate region together. It will also shape future transportation and development patterns, helping our region accommodate an additional 1.5 million people and 1.1 mil-

lion jobs over the next 30 years. Already, one in five Metrorail riders come from zero-car households.

Metro also serves a unique role in helping this region accommodate extraordinary special events. For example, Metro provided 1.1 million rail trips on Inauguration Day in 2009.

Metro especially helps the Federal Government do business. As has been noted, the Federal workforce represents 43 percent of Metro's morning peak period commuters, and about 40 percent of this region's Federal workforce use the Metrorail system.

According to GSA [General Services Administration], 315 buildings with Federal offices or labs, not including the DOD, are within one-half mile of Metro stations, and it is GSA policy to try to locate future Federal office space near Metro.

The Federal Government has recognized Metro's importance to its operations through its financial contributions to the system's initial construction, the Silver Line, and the state-of-good-repair funding under the 2008 PRIIA [Passenger Rail Investment and Improvement Act]. It is very important that this Federal funding program for Metro be retained, as it is critical to undertaking and completing needed safety and state-of-good-repair work.

Metro's importance is magnified by the fact that Washington, DC, is the most important national capital in the world. Our 19 million annual visitors to this region come from around the country and around the world. Their impressions of the DC region and our Nation as a whole are shaped, in part, by their experience of the Metro system. This region deserves a world-class transit system. When Metrorail opened 40 years ago, it quickly gained a reputation as a world-class system, and we need to restore that reputation.

We certainly acknowledge that Metro is facing some significant challenges to ensure levels of safety and service reliability that characterize a world-class system. Improving the safety and reliability of the Washington Metro is the number-one priority in this region. This issue has the full attention and commitment at the State and local government levels within this region, and we are pleased that the Federal Transit Administration has been an active partner.

This work of improving safety and reliability is being tackled on many fronts. On the safety oversight front, FTA is providing the lead, working with the States. On the management front, we are very pleased that Paul Wiedefeld, in his short tenure, has taken bold actions to address these challenges and begin restoring the trust and pride of Metro riders. There is more work to be done, and our region has come together to work on it.

One additional and important resource that is needed to address the safety and reliability challenges, but is beyond Mr. Wiedefeld's power alone to fix, is the need for funding reform. I believe Metro is the only major rail transit system in the country that does not have a dedicated source of funding for its operations and state-of-good-repair needs. I believe that lack of dedicated funding has contributed to Metro's maintenance shortfalls. That is why regional leaders are coordinating through the Council of Governments and the Greater Washington Board of Trade to explore how we can work together at the State and local levels to provide long-term, predictable, sustainable, dedicated funding support to meet Metro's

needs. And we look forward to continued and hopefully increased financial support from the Federal Government, as well.

I am confident that this region and the Federal Government can continue our partnership and rise up to address Metro's challenges. Working together, we can make Metro a regional and national asset for decades to come.

Thank you.

Mr. GRAVES OF MISSOURI. Thank you very much. We will now move in to questions. And my first question is for Mr. Wiedefeld.

NTSB investigations of different WMATA incidences from 1982 all the way up to last year have unfortunately had very similar findings. It has come down to improper training of WMATA employees and inadequate emergency response by the operations control staff, which was pointed out by Ms. Flowers.

Why didn't Metro—and there are two questions here—why didn't Metro provide better training and staffing for emergency preparedness? And the second question is what have you changed at the rail operations control center to make sure that—you know, that this doesn't repeat itself?

Mr. WIEDEFELD. OK. I can't speak to the history of what training they did. I know what we are doing.

One of the things I have done is I did replace the head of the rail operations center in April. So I have a new head there. We have added additional staff there. We have a much more robust training program that came out of some incidents in the past. We have staffed up. We have a fire liaison, for instance, now, 24/7. When I got here it was for 16 hours of the day; we now have him 24 hours, because a lot of the incidents we looked at, incident communication between emergency personnel and someone in the ROCC, in the Rail Operations Control Center.

FTA is monitoring the activities daily, basically at the rail operations centers, to make sure that the proper procedures are being followed. We are doing—basically, we started spot testing of our controllers to make sure that they are part of all exercises. And, in effect, we throw curve balls at them during that—those exercises.

So, it is an effort that we have to continue to work on, but we are moving in that direction.

Mr. GRAVES OF MISSOURI. I have a question for Ms. Flowers, too, which—the committee is concerned, obviously, about WMATA's safety and the reliability, for sure. But we are also concerned about the need for all the transit agencies all across the country, as to their efficiency. And, you know, we want them to be as productive as possible with the Federal resources that they are receiving.

And my question is, what is the FTA doing to ensure that its transit agency recipients are most efficiently using the limited resources, you know, that they are receiving? And are you considering contracting out work via, you know—through competitive bid, whenever that is appropriate?

Ms. Flowers, it is for the FTA.

Ms. FLOWERS. OK. Chairman Graves, we have program management oversight, as well as grant management oversight of our grantees. And we do contract out some of that work, so that we can, on a national basis, monitor our over 800 grantees.

Mr. GRAVES OF MISSOURI. How about the work—so you monitor—or you contract out the work to monitor them?

Ms. FLOWERS. Yes, and we perform tri-annual audits and enhanced audits on areas like procurement and financial management.

Mr. GRAVES OF MISSOURI. How about just when it comes to the work—you know, whether that is maintenance work or other things, too—putting that out for competitive bid? Do you ever encourage that?

Ms. FLOWERS. That is determined at the grantee level, they make decisions on their procurements. But we do ask them to be effective in the use of our funds.

I know that Mrs. Comstock mentioned that for WMATA the option of looking at contracting out would be something that she would encourage. Agencies do contract out to try to ensure that they effectively use our funds.

Mr. GRAVES OF MISSOURI. Thank you. And I have some more questions, but I am going to turn to Ms. Norton for her opening questions.

Ms. NORTON. Thank you very much, Mr. Chairman.

Ms. Flowers, I want to thank all of you at FTA for the new financial discipline you are instilling upon Metro. Quiet as it is kept, Metro's or WMATA's financial recordkeeping has mirrored the much more widely understood and known issues of safety, particularly financial accountability, a system that like safety, has been in disarray. That directly affects safety, of course, because most of the money that WMATA is getting is for safety.

If you look behind some of the criticism WMATA has received, we are told that $783 million of Federal transit funding for WMATA is going unspent. So everyone assumes that WMATA is sitting on money, and that WMATA is really ineffective by not spending money it already has. So how could it want more money?

But if you look behind these numbers, Ms. Flowers, you find that $300 million of it is obligated for safety projects and for new cars, and the remaining amount is waiting reimbursement by FTA.

Now, according to the information we have been given from FTA, in order to bring itself into the compliance that is sorely needed—and again, I thank you for the discipline that apparently is working—WMATA has complied with all 45 recommendations of FTA, submitted the required 65 corrective action plans, is working with FTA on a testing and validation plan, has closed 5 of the required testing and validation items, and has submitted 11 to FTA for review. The remaining four will be done at a later date, and will be submitted on time.

Ms. Flowers, a recent inspector general report of FTA criticized FTA for not having consistent policies when it, in fact, undertakes a very serious matter, which is to withhold Federal funds which, in this case, means that the three jurisdictions have to pay. This report was entitled, "FTA Monitored Grantees' Corrective Actions, But Lacks Policy and Guidance to Oversee Grantees with Restricted Access to Federal Funds." And it found, for example, with respect to WMATA—and here I am quoting—that WMATA was required "to mail hard copies of its invoice packages to the PMOC

contractor in North Carolina to review, which is a more time- and resource-intensive process."

So, my question. Given the need for every penny WMATA can get, my question to you is can you specifically identify at what point WMATA will be able to return to normal restrictions and procedures for accessing Federal funds that the Congress has appropriated to it, rather than drawing down funds by hand, which can take anywhere from 10 days to 2 weeks for the money to get to WMATA for safety and for other matters?

Ms. FLOWERS. We are onsite at WMATA, and we were there yesterday to work on a plan we call a snapshot plan to try to expedite the issues that you are talking about. We have also put into our regional office additional employees to ensure that we can expedite the WMATA drawdowns.

I understand that, you know, the——

Ms. NORTON. Ms. Flowers, if they have complied in this way, what is left to be done? So that we can understand what is outstanding.

Ms. FLOWERS. We are in the final steps of a verification process.

Ms. NORTON. So do you expect within a few months? Do you expect by the end of the year? When do you expect WMATA will be able to access its funds the way—in the normal fashion, rather than by hand?

Ms. FLOWERS. In this last step, if we see that the documentation is verified, we should be able to, I think, have a targeted lifting of restricted drawdown in certain areas. There is some of the older stuff that I believe that will still be there, but we can work with them in terms of addressing targeted and focused areas to lift that drawdown——

Ms. NORTON. But you don't have a timeframe on when you might be able——

Ms. FLOWERS. We——

Ms. NORTON. The burden is now on you. They have done what you have asked them to do.

The reason I am pressing you on this question is if they have done all they had to do, the burden shifts to FTA, then, to say by when do you think WMATA will be accountable enough so that these by-hand drawdowns will no longer be necessary.

Ms. FLOWERS. We are verifying that documentation, and I expect that in the next few weeks we will have completed the snapshot review phase of the verification process.

Ms. NORTON. Thank you very much, Ms. Flowers.

Mrs. COMSTOCK [presiding]. Thank you. I now recognize Chairman Shuster for 5 minutes.

Mr. SHUSTER. Thank you very much. First I want to say that I appreciate the witnesses being here today to testify before this subcommittee. It's a really important issue. I also want to say I think Congressman Delaney's testimony was spot on. I think that one of the things he said is absolutely paramount in all this. That is when, if you want to attract the dollars to a corporation, an organization of any kind, you have to first demonstrate that you deploy those dollars efficiently to get things done.

And I think that's something that before this committee and this Congress says we're going to give more money to Metro, we've got

to see it demonstrated. And I don't think it's been done over the last several years or couple decades, that they have deployed those dollars in the most efficient way. And I think that requires a cultural change at the agency. Which I think that the new CEO, Mr. Wiedefeld, has really set the standard for, he said some tough things. And he needs to do it. He needs to take some tough actions.

My question is to, to managing the employees. And I think if you're going to shake up a culture at an organization—and I spent 20 years of my life in business and had the unfortunate circumstances to have to terminate people. And I, when I thought about this question it brought me back to the first, one of the first hearings I had in this room 15 years ago with the EPA [Environmental Protection Agency] Associate Administrator for HR [Human Resources]. The previous Congress passed a law that said the Federal employees must follow the guidelines Congress sets in legislation.

So my question to the EPA Administrator was, "How many people in the last year"—that was 17,000 at the time, I believe. It was "How many people did you fire?" It took them a couple whispers back and forth to tell me that they fired one person. Now, terminating and firing people is unpleasant. Like I said, I've spent my life—but there are times when that, you have to. People that don't do the job. They're doing stuff that's unsafe, they're negligent, they're illegal. You need to terminate them.

And so I, my question to Mr. Wiedefeld, do you have the tools necessary? And I know you're coming up to a contract negotiation soon. Do you have the tools necessary to, if you have a mechanic—again, I was in the automobile business—if a mechanic was negligent or illegal or unsafe, you try to work with him, but eventually, sometimes unfortunately you have to terminate him. Do you have those tools available to you that you're able to say to people that aren't doing the job, "We've got to let you go"? Or are they locked in and protected, like so many of these Government agencies are, that you just can't do anything about it? And like the example, the EPA is perfect. Seventeen thousand people. They terminated one person. It's just, that's, that doesn't make sense.

Mr. WIEDEFELD. If I could, I'll come at it from two levels. There's the management side and then there's the frontline employees, which gets, I think, your second issue. In terms of the management, about 3 weeks ago I sent a letter out to roughly 650 at-will managers. And those aren't necessarily people sitting behind a desk. But those are your frontline supervisors and superintendents.

I sent out a letter to all of them explaining what my priorities are and what, you know, my management style and what not. But more importantly, I had them sign a piece of paper that recognized that they were "at will." Because I'm not sure all of them even understood that. Shortly after that I held a meeting with all 650 of them. It was the first time in my understanding of the history of the agency where we did that, where basically, again, I explained what we're doing. And that accountability is probably the most important thing they have to do besides safety and customer service.

And then shortly after that, I did terminate a number of managers recently. And I have currently a review of the entire organization in terms of where there's redundancies or just over time, po-

sitions just haven't been dealt with. So that's ongoing. So I've continued to manage that. So that's on the overall management side, where I have a little clear capabilities.

On the front line side, I do have the ability to let people go. We do have processes for that. It depends on what type of discretion. So for instance if a station manager isn't in the right uniform, they get a certain, you know, a certain ding. And you get a few of those, and you can terminate someone on that. To basically any major incident, I can terminate immediately. That does not mean they don't have the right to grieve. And we go through a whole process of that. And it is set up in the contract, as you mentioned. And that eventually can get to an arbiter. And we will pick an arbiter, the union would pick an arbiter, and then we'll both pick another one. And you know, it'll go through that process, which is the normal process. But no, I do have the, I do have the ability to do that, and we do do that on a regular basis, both on labor and management.

Mr. SHUSTER. Well, thank you. And once again, I appreciate hearing that from you. Again, we've got to make sure that safety is paramount. The riders, people that ride this, whether they're from the area, whether they're from other parts of the United States, around the world, they deserve to have a safe system. And if there's somebody that's working for the Metro that isn't, then we need to make sure that safety is paramount, and we can't tolerate people that aren't doing their job. So again, I appreciate it and again wish you well and so far I've been very impressed with your management style so far. And so thank you for being here today.

Mrs. COMSTOCK. And I now recognize Ranking Member DeFazio for 5 minutes.

Mr. DEFAZIO. Thank you, Madam Chair. Administrator Flowers, I realize you're briefly on the job. But you know, in MAP–21, we gave new regulatory authority to FTA over transit safety. And yet some critical aspects of that rule are still lingering somewhere. I don't know where they are. What's your expected timeline to get all those done?

Ms. FLOWERS. Were you asking about FAST Act and MAP–21?

Mr. DEFAZIO. There's things left over from MAP–21——

Ms. FLOWERS. OK.

Mr. DEFAZIO [continuing]. Where we gave you the new regulatory authority, but there are still pending rules.

Ms. FLOWERS. OK.

Mr. DEFAZIO. To fully implement that.

Ms. FLOWERS. We just issued the State Safety Oversight Rule on March 16th. And we have several other rules that are in the review process right now. We have the Public Transportation Safety Program rule that is going through the process of review now at the DOT. And so expect that to be a final rule by midsummer. The National Public Transportation Safety Plan, this comment period ended on April 5th and FTA expects to issue that in early fall. We have the Public Transportation Agency Safety Plan. And that is also going to be out in early fall. And we also have the Safety Certification Training Program, which we expect to come out in midsummer.

Mr. DEFAZIO. OK. Thank you. Well, just if you can stay on top of those and make certain that they continue through the process.

You mentioned the same thing I did in my opening statement about the backlog in deferring maintenance. Obviously a lot of it lies with the larger legacy systems, and WMATA is a legacy system at this point, although we have much older legacy systems. And as I pointed out, it's really not an adequate amount of funds. You've had a chance and begun to look at WMATA, and there's a lot of focus on them. But do you believe that this problem could be more widespread given the deficiency in funding and the accumulated backlog for a state of good repair?

Ms. FLOWERS. Yes, sir. You mentioned there was an $84 billion backlog on a national level. Our estimate is that it's about $86 billion, growing at $2½ billion a year. And as you indicated, WMATA is one of those systems. The legacy systems probably make up 40 percent of that backlog. And so although the Administration has asked for additional funding for infrastructure, we haven't seen that funding come.

And it does create an issue. It makes it a challenge for all transit agencies to look at their priorities. You see that challenge here in DC with WMATA, where they have to make decisions about what they can do with their available funding.

Mr. DEFAZIO. Mm-hmm. Thank you. So, your inspector workforce—you're just standing up, essentially, your first inspector workforce, and their focus right now is WMATA. When do you expect that you'll have adequate staffing to begin to go out and look at other legacy systems?

Ms. FLOWERS. We have a focus right now on WMATA and we have 13 FTEs that are basically focused on WMATA. We have provided technical assistance in other areas where we have found problems. We have been given additional safety authority but not the funding to basically address that authority.

Mr. DEFAZIO. So you have 13 inspectors total?

Ms. FLOWERS. Thirteen staff. There's probably only five inspectors and two investigators.

Mr. DEFAZIO. So we have five inspectors and two investigators for the Federal Transit Administration to oversee all of the transit agencies in the United States of America, is that correct?

Ms. FLOWERS. That's correct.

Mr. DEFAZIO. That's interesting. I wonder how long it would take if they spent 10 minutes at each one, how many years that would be. Yet alone an indepth look. I hope that Congress will soon allocate additional funds for the new obligations we put on your agency. Thank you, Mr. Chairman, Madam Chair.

Mrs. COMSTOCK. Thank you. I now recognize Mr. Mica for 5 minutes.

Mr. MICA. Thank you. And I can tell where to look for some of those dollars. In MAP–21, we passed legislation that was supposed to consolidate or eliminate 50 to 60 programs. When we questioned in the Committee on Oversight and Government Reform, how many people had left, there was nobody. So there are plenty of people and plenty of resources. I suggest you might tell the Secretary to find some of them to go into the important oversight responsibility for the transit systems, Ms. Flowers. Ms. Flowers, now you're—the—with some fanfare, the Secretary's announced a—what's the name of the position that's going to be created?

Ms. FLOWERS. A senior advisor.

Mr. MICA. A senior advisor. And that's just for WMATA, is that right?

Ms. FLOWERS. That's correct.

Mr. MICA. OK. Well, I don't want this to be window dressing. That's probably a good idea. You probably need some technical people to know what's going on and what we're looking for. But in order to make that effective, Mr. Chairman or Madam Chairman, I want you to report to the committee quarterly, OK? And I'll ask the staff for a quarterly report. Maybe we could have one in 3 months, September, end of September. Then one at the end of the year. And actually what you find, to get it back to us. Because I'm going to take some action in the next Congress.

You know, I get enough votes and all that to get back here, and make people's life responsible and accountable. But we need accountability out of you all too. OK? It can't be window dressing. It has to be real. And some of the people are saying we don't give WMATA enough money. Again, my chart we brought out in oversight hearings, again, Mr. Wiedefeld, 60 percent of capital funds come from the Federal Government. It's one of the highest in the Nation. The closest is the chairman's operation, SEPTA [Southeastern Pennsylvania Transportation Authority] gets 39 percent of its money, Philadelphia, operations there. That's correct about that percentage, right Mr. Wiedefeld?

Mr. WIEDEFELD. Yeah.

Mr. MICA. It's pretty high. In our March 18th hearing, and just prior to that, I checked to see the amount of—"we gotta have money, we gotta have money"—we got $783 million the week before in Federal funds sitting at WMATA. Checked it. Do you have—and then the year before, we had $485 million in 2015, sitting there, not used by WMATA. Some of that money does have constraints on it, sir. Is there anything that needs to be changed so that that money can be used to make the improvements for safety that are necessary? Do you have enough flexibility in that? I need to know now, because we're doing appropriations for you. Tell me, yes?

Mr. WIEDEFELD. Yes.

Mr. MICA. You do have the flexibility?

Mr. WIEDEFELD. We have the flexibility.

Mr. MICA. OK. But the money was there. The money was there. OK. When you testified on the 18th, 65 percent of the arcing had been taken care of. Where are we today?

Mr. WIEDEFELD. We basically have a program that——

Mr. MICA. What percentage would you estimate?

Mr. WIEDEFELD. I don't have the, I don't have the estimation.

Mr. MICA. Are we at 70 percent? Have we made progress since March do you think?

Mr. WIEDEFELD. We have made, we have made progress.

Mr. MICA. What's left? Twenty percent, ten percent?

Mr. WIEDEFELD. We have, we have, we have arcing, we have insulators every——

Mr. MICA. I know. I've been out there. I've seen them. I went down to NTSB. I saw the coating. I saw them, some in water. Come on. But what percentage is done? Tell the committee. Get that to the committee. We need to know. That's where we're having prob-

lems right now. And that's not rocket science. How much of that is being done in-house, how much is contracted?

Mr. WIEDEFELD. With the SafeTrack plan, basically, we are using contractors to run——

Mr. MICA. OK. So it's contractors. Most of your repairs, you can probably get done best by contract rather than in-house, right?

Mr. WIEDEFELD. It's a combination of both.

Mr. MICA. OK. OK. But again, we got to address the immediate problems, the arcing. Any safety. Are there any other major safety issues? Signalization? I heard you're doing some ties and things like that. What would you say are the next safety issues, real quick?

Mr. WIEDEFELD. It's a combination of the fasteners, the ties, the power cables, the actual running rail, and the insulation.

Mr. MICA. And would you also submit to the committee a list of prioritization in which, and what percentage you think you can do in-house and out, not out-house, but outside. OK, finally, on that hearing, and you had to face me the first hearing. Sometimes I have a tough demeanor. I said, "You need to fire people." I just saw the tape. I looked—it's part of my Italian background, I get a little emotional. Sir, you fired people. You fired about 20, I heard?

Mr. WIEDEFELD. Yes, sir.

Mr. MICA. OK. I'm going to create a new award. You're going to get the first one. This is a certificate of appreciation. I'll probably make these into gold, into silver and bronze. You're going to get a silver. Because you actually responded since March 18th and took action and fired people. So this is the certificate. A special congressional recognition from me to you. If we could get more people in other agencies too.

Mr. WIEDEFELD. Yes.

Mr. MICA. EPA, and on and on, to take the action you have, we'd have much better Government. Thank you for stepping up to the plate and doing your job responsibly. OK. Finally. If this doesn't work, in January when I come back, I will have a very nice—well, maybe I'll give you a little bit more time, sir. I will have a privatization bill to turn this over to private management if this doesn't work. But I think we're in fairly good hands, and I'm rooting for you.

Mr. WIEDEFELD. Thank you.

Mr. MICA. Thank you, sir. And staff, would you make sure that the gentleman gets this certificate? This is unprecedented in 24 years in Congress. Thank you.

Mrs. COMSTOCK. Thank you. All right. Now, we'll recognize Mr. Sires for 5 minutes.

Mr. SIRES. Thank you, and thank you for holding this hearing, and thank you for being here. I got to Washington—I'm from New Jersey. We're one big transportation hub. I got to Washington 10 years ago. And I was all excited because I really heard this reputation for the Metro system. I went out and got my card, so I could use the Metro system here. But ever since I got here, the reputation and the efficiency of this Metro system has just gotten worse and worse and worse. And it's really, it's a shame, because this is the Nation's Capital. And at a time in America when people are moving into the cities.

At a time when you look at Washington—I'm not going to give you a certificate, you know. At a time when you look around Washington, and they're all cranes. People are moving into the city and you get about 17 million people coming through the city. This city is choking in this traffic. And yet we have this system that was a gem. Now, we have less ridership than before. So the city, it impacts everything around the city. The economy of the city, the people coming to work in the city.

We faced similar problems years ago through New York, and so forth. But I think this really has to be turned around or this city is going to stand still. The only people that will be able to move around here are the people cutting you off with the bicycles. And quite frankly, people deserve better. You know, people deserve a safe system. And as I looked, Mr. Wiedefeld, I don't want America to get the wrong impression because of this hearing and all of this going on here, but I see that you have action items.

The FTA says 700 action items. You say WMATA has submitted 482 actions. Can you tell me what's good about the system? What's left in the system that is good that we can work with and tell America, "Look, this is a system that we can fix. This is, I want you to come to Washington, DC. I want you to use this system. I want you to get off the road"? We need to get people back in the system so the city can move around a little bit better. What's left that's good?

Mr. WIEDEFELD. If I may, we do move 1.3 million passengers a day. So the system does perform very well for the vast majority of people every. When it has a problem, it has a problem. There's no doubt about it. It gets back to the two-track system that I had mentioned earlier. So whenever we have an issue, it impacts everyone very quickly. I won't lie. But that system does perform very well. And when you look at other systems, you know, they all have issues. I went to school in New Jersey. I worked up there for a number of years. I know some issues they've had, they've continued to have. They have major challenges in front of them. San Francisco is facing very significant issues. Atlanta is facing issues. We all have these issues. You know it's a very large infrastructure investment. But day to day, this system works very well.

Mr. SIRES. And also, the concern is the people in America moving back into the cities. So if we don't have a system that is safe, I think we're headed for trouble. And I know we have a responsibility. We have a responsibility to make sure that there's enough funding there for the infrastructure, enough funding for the safety part of it, and quite frankly, I just want America to know that, you know, Washington, you can still come and you still use the system. And we're going to fix it.

Mr. WIEDEFELD. You can. I was with a couple in from Colorado the other day. They didn't know who I was, and they got talking about the Metro and they had a great experience. So I mean, it does, it's, I think that's more common than we think.

Mr. SIRES. I want to thank you for being here and talking about the system. Thank you very much.

Mrs. COMSTOCK. Thank you. And I now recognize Mr. Webster for 5 minutes.

Mr. WEBSTER. Thank you, Madam Chair. I ride the Metro every day, for 5½ years, since I've been in Congress. I go from Pentagon City to L'Enfant to Capitol South. And I, you know, I think there's two things here. And we're talking about more money, maybe saving, hiring people, firing people, doing all that. But all I know is that every day I ride, there's an escalator broken. So I started watching three escalators. There's a bunch of them that I ride on, but this is three.

And I would say that over the past few years, that these three that I've watched have been rebuilt four times. I mean, I'm talking about all new everything. All the treads. All the bearings and all of that. And it just seems to me like there'd be a more efficient way to do that. If we save money then we certainly can do more maintenance in the right place. I would tell you you ought to look, and I don't know if there's any reports or anything about that.

But all I can tell you is, I know, because I've seen it. On the other end, there's one escalator that was, is privately done. And in the 5½ years I've been riding that one, on that same system where you get dropped off, and then this one is done by the people that own the building. It's been broken once in 5½ years.

So I think there's probably—I don't know what you do as far as efficiency and as far as rechecking the people that do your maintenance and so forth. But if the other maintenance—I've never been in a, in a wreck or anything like that, so I don't know anything about the cars. I see them. You know, they may be, you may have extra ones. You may change them out all the time. I don't know that. What I do know is, the escalators are fixed. They're there, and you got to have them repaired time and time again.

And it just seems to me like, and I don't know if it's done by an independent contractor or by your employees or whether it's the, maybe it's the vendor that provides the actual treads and so forth on the escalator. But I would tell you I believe there's lots of savings to be found there, either by getting a different vendor or different employees or different, a different person that actually performs the work, if it's an independent contractor. So that's my two cents. That's only from my experience on it.

I don't live here. I have one real system in my district. It's owned by Disney World. And I've never seen it broken in the 30-some years they've been there. And we have a lot of people that ride that too. We have 66 million people that come by my district every, every year. And they go one place, Walt Disney World. And also Sea World, Universal Studios. But the one rail system there seems to be much more maintained. So I would suggest maybe just talking to those who own or operate rail systems. Maybe there's some savings there too. With that, Madam Chair, I yield back.

Mrs. COMSTOCK. Thank you. And I now recognize Ms. Frankel for 5 minutes.

Ms. FRANKEL. Thank you. And thank you to the witnesses. I know sometimes you probably sit in here thinking that Congress may do a better job at criticizing than fixing. Thank you for your patience and your courtesy. Also, I live near a subway and I rode the Metro. I used to love to ride the Metro. But they've, obviously these stories in the newspapers and on TV have been scary to me. So my first question is, could you quantify, has it been a decline

in the ridership, and does that affect your budget? And the other question I have is also, with these very highly publicized criminal incidences, there was a young man that was stabbed multiple times. There was a woman that was recently sexually assaulted. And I don't mean to insinuate that that was the fault of Metro. What my question would be, is there anything that you can do to make it safer, or are you doing to make it safer, for the riders?

Mr. WIEDEFELD. Excuse me. The ridership levels first. Yes, we have had a drop over the last 5 years. It's a combination I think again, of some of the quality of the service that we've provided. But it is also just the change in demographics. Telecommuting, particularly in this region, is very strong. The growth of Uber. You know, rideshare. All kinds of things I think have impacted that.

And we're not unique in that regard either. There's other properties around the country that have experienced some of that as well. Major properties. In terms of the criminal activity, it is an extremely safe system, from that perspective, numerically. It's very safe. It's five incidents per million, incidents per million riders, which is extremely safe. That means nothing to obviously the person that's the victim. And does not mean much for the perception.

We have applied a number of things in terms of policing. We basically have put more police out there. We're moving people out from behind desks. We're moving people that used to, for instance, use our revenue train, which collect the dollars. We've contracted it out so we have armed officers out there, sworn officers out there. We have a major recruitment underway to beef up that area. In fact today we're meeting with the Metropolitan Washington Council of Governments, in effect, to have an agreement with all the jurisdictions where we could bring in moonlighting officers, sworn officers again, again to beef up the presence on the system. The reality is if you do something in our system we catch you literally within hours if not days. Every one of these incidents, for what it's worth, we are getting these people. These things happen in a matter of seconds. And with a vast open system, it's extremely difficult obviously to be everywhere at every time. But it's clearly a concern for our customers and for us, and we'll continue to work it. We're working with, for instance, the local school system on issues. We follow social media to monitor what's going on out in the community. And again, we apply the resources accordingly, you know, with the limited resources that we do have.

Ms. FRANKEL. One more question. I see you got an award from one of my colleagues for firing. I think a better award would be for training. What are you doing about training so you don't have to fire?

Mr. WIEDEFELD. Yeah. Let me just, if I could, just I know. I get no pleasure. It is a, not a—that is the last thing I want to do is let someone go. You know. I understand the impact it has on their personal life. So that is the, that is the key is to train and bring people along. And again, it's not just management, but it's frontline employees. So that is part of, in my estimation it's part of the change of the culture. That's how you get to the safety culture, the customer service culture. It's not necessarily through discipline. You have to have that tool. But that is the last tool I would use

personally. I think it's the last tool any manager wants to use. But on the other hand you have to use it when you need to do it.

Ms. FRANKEL. Well, but what are you doing to up the training?

Mr. WIEDEFELD. Basically, there's a number of things. On the frontline people, we're focusing on the safety training right now, is one of our biggest things. Just basic. Even how we even ID our people for instance. We don't——

Ms. FRANKEL. Are you—excuse me, are you holding classes, or what are you doing?

Mr. WIEDEFELD. Yes, yes a series of classes. We have outdoor, or outside vendors coming in, creating programs for us. We literally have to do it on an annual basis. We hadn't been doing that. We'd been letting it slip. Making sure that we're doing that. So it's recruiting people that come in that way. It's a combination of all of those.

Ms. FRANKEL. This is required. Required, employees are required to go through the training?

Mr. WIEDEFELD. Yes. Yes. Every new employee spends 4 days in training the minute they walk in the door, just so they understand who we are and what we do.

Ms. FRANKEL. What about continuing?

Mr. WIEDEFELD. And exactly, that's what they have to do. Some of them, literally, to have their identification badge, they have to have the training.

Ms. FRANKEL. OK. Thank you very much. I yield back.

Mrs. COMSTOCK. Thank you. I now recognize Mr. Meadows for 5 minutes.

Mr. MEADOWS. Thank you, Madam Chairman. Let me come back, Mr. Wiedefeld, too, to you. Obviously we've had our dealings before. And I guess my concern is today, we've heard a lot of talk about funding. And the focus is all about funding. And yet I understand that perhaps this is not a funding issue as much as it is a management issue and truly a maintenance issue. Is that correct?

Mr. WIEDEFELD. I think there's an issue with the funding in terms of a dedicated and sustainable funding source. So I think that's, that's not something that necessarily means more dollars. It just means that we do not go through an annual budgeting process where we're competing against——

Mr. MEADOWS. All right. So are you aware that at no time that we can find that the board has come to this committee or the Committee on Oversight and Government Reform to suggest that maintenance was not getting done because they didn't have funding? We can't find that.

Mr. WIEDEFELD. I'm not aware of that.

Mr. MEADOWS. So if you're not aware of that, and this committee is not aware of it and the Committee on Oversight and Government Reform is not aware of it, how can we be focusing all of our attention on funding when your board has never let us know that they're not doing repairs because of funding?

Mr. WIEDEFELD. I just don't know the history of what the board has done with it.

Mr. MEADOWS. All right. Are you aware that there's an average of four times a week, a fire actually occurs on the Metro system, and that makes it—there's a greater probability of somebody seeing

a fire in the Metro of Washington, DC, over the last 5 months than there was in the Great Smoky Mountains National Park that I represent. Do you find that alarming?

Mr. WIEDEFELD. I do. I think it's, again, that's why the SafeTrack plan and all the implications of that is why I put it out there.

Mr. MEADOWS. All right. So if we're looking at this board—and I understand from a board member that you are, the buck stops with you. They're not going to micromanage. You're going to have complete authority to make this system safe, reliable and a service standard that we can all applaud. Is that correct?

Mr. WIEDEFELD. It is.

Mr. MEADOWS. All right. If that does not happen, will you within 7 days let this committee and the Committee on Oversight and Government Reform know that you are being thwarted by the board?

Mr. WIEDEFELD. Again, I think, yes.

Mr. MEADOWS. OK. I guess what I'm saying is, I'm making a request——

Mr. WIEDEFELD. Yes, sir.

Mr. MEADOWS [continuing]. That if there is an interference by the board on any of the service related activity, will you report that to this committee and to the Committee on Oversight and Government Reform?

Mr. WIEDEFELD. Sir, if I may, again, I took this job to tackle these issues. If I am thwarted in any way, then I, that's not the job for me.

Mr. MEADOWS. All right. So let me go back to the board, because a lot has been said about who the board should be, what the makeup should be. And I ran into a gentleman in the hall here a week or two ago and said, "Really, the board should have someone who travels the Metro each and every day as a citizen advocate, so to speak, that is on the board." Do you agree with that?

Mr. WIEDEFELD. I know a number of the board members use the system every day.

Mr. MEADOWS. OK.

Mr. WIEDEFELD. I don't know all of them.

Mr. MEADOWS. But someone who speaks just—that doesn't have any political ties, that actually speaks for the populace, do you think that would not be a bad idea?

Mr. WIEDEFELD. I have that through rider's unions. I have that through a number of resources.

Mr. MEADOWS. OK. All right. So the other thing I would say is, what if we took every one of the board members and required them for 1 week a year to experience what all the commuters get to experience each and every day? Do you think it would change their opinion on some of this?

Mr. WIEDEFELD. I get texts and emails from board members constantly about their experiences.

Mr. MEADOWS. I mean every board member. Because there are some who obviously don't use the Metro and perhaps don't have the same appreciation.

Mr. WIEDEFELD. I think they all do use it. I just don't know, sir.

Mr. MEADOWS. All right. So making that a requirement is not something that you would support?

Mr. WIEDEFELD. I think they use it today.

Mr. MEADOWS. OK. All right. So let me, let me finish with the funding question. We're going to rely on you to make good management decisions and realign this. From a funding standpoint, do you think it is wise to continue to add additional capital improvements and extend the Metro when we don't have a good maintenance operating budget plan in place? Because that's really what we did. We invested billions of dollars in a Metro, like buying a new car, and then we didn't change the oil for 30 years. And so in doing that, do you think it is more prudent to have the maintenance of the existing system as a top priority versus the capital expenditure for expansion, until we get that in place?

Mr. WIEDEFELD. I think that we have the same experience that I think whatever the number is, $86 billion worth of unmet maintenance needs around the country, yet we still need to increase, you know the system, for economic reasons, for safety reasons, all kinds of other reasons. So I think, you know, there's a time for that. My focus is on the maintenance and my focus going forward is after we do this SafeTrack plan, we cannot back away from the ongoing maintenance or we will be right back where we started.

Mr. MEADOWS. All right. I will yield back, Madam Chairman.

Mrs. COMSTOCK. Thank you. And I now recognize Mr. Lipinski for 5 minutes.

Mr. LIPINSKI. Thank you. And I'm going to—before I get into the meat of things, there's a couple of things I want to make sure I get out there. And first of all I'll say that I started a few years ago in here the first Congressional Public Transportation Caucus because of how important it is that we support public transit across the country. Not just my hometown of Chicago but I'm also a Metro rider, when I'm out here. So first thing I wanted to mention, I'm going to have a question for the record about WMATA's recent cancellation of the new electronic payment program, which I know is designed to make the customer experience better.

And too, reportedly it would have saved WMATA $60 million a year. I know there's much invested in this. And we certainly have a few challenges with the current fare collection system. So I just, I'm going to be asking a question for the record on that and what has happened with that. I want to move on. I just wanted to ask a quick question to Ms. Flowers. A recent assault on a DC Metro bus driver became deadly when the bus was hijacked and horrifically killed a pedestrian. And driver assaults are a national issue. The FAST Act asked FTA to issue a Notice of Proposed Rulemaking on driver assaults, which is a growing issue. Is—when will FTA issue its rulemaking?

Ms. FLOWERS. Well, the first thing that we've done is that our Transit Advisory Committee on Safety has done a study on operator assault and given us some best practices and recommendations for preventing and mitigating transit worker assaults. So that's going to be part of the basis for the proposed rule. We're currently gathering information and input from the transit community as well as unions to inform this rulemaking. So we're in the process right now of working on that.

Mr. LIPINSKI. Thank you. I want to probably come back to you later on this after the hearing, but thank you for that. I just want to say, this morning—I'm a Red Line rider. Wake up, hear there are two places they are single tracking. A report of an arcing incident. I said, I'm getting on my bike to ride the 17 miles down to Capitol Hill, because I don't know when I'm going to get in. I think Metro in so many ways is unfortunately an embarrassment in our Nation's Capital. But it needs to work.

So I'm not here to just tear things down. We need this system to work. I think the region needs to come up with a dedicated funding source for Metro. We can't do anything here in Congress about it, but I think that's something the region needs to do. We need, definitely there's a lot of talk about changing of the—we need to change the way people act within the system, the whole culture. And that's difficult to do. I thank you, Mr. Wiedefeld, for what you have, mainly things that you have done so far.

I want to ask, I know the March 16th shutdown caused a significant inconvenience to many of the region's commuters. But 2 months after the shutdown, the FTA released a series of safety directives to Metro. Among them were things that appear to be routine maintenance, including removing debris, replacing insulators and third-rail cover boards. So I'm concerned about Metro's efficiency in conducting inspection and repair. Especially given the SafeTrack plan is about to begin.

I want to be assured that if Metro is going to cause serious disruption to people's daily lives that you will be using the time to accomplish all the required maintenance. So first, were FTA's findings in May a result of the March 16th shutdown, or were those findings the result of previous inspections? Or what, what was, the May FTA findings, where did those come from?

Mr. WIEDEFELD. I think they reflected again the lack of ongoing maintenance and the ability to get out there and do that. And that's why the SafeTrack has the impacts it has. Because physically to get out there and do the level of work we need to do—because it's not just one thing.

Mr. LIPINSKI. But do you know—were the May findings a result of, are those things that were found on the March 16th shutdown, or?

Mr. WIEDEFELD. You know, on the March 16th shutdown, we were looking at the power cables issue. Because that was——

Mr. LIPINSKI. And so you just focused on that one thing?

Mr. WIEDEFELD. We were focused on that because of the L'Enfant accident.

Mr. LIPINSKI. OK. So when Metro has completed the SafeTrack program, will it be in compliance with all Federal safety orders and recommendations?

Mr. WIEDEFELD. It will be. Yes, that's the plan. And the plan, again, it's not really just to meet it, but then we have to go beyond it and we have to maintain it.

Mr. LIPINSKI. OK.

Mr. WIEDEFELD. It's one thing to get out there and do all these repairs, but if we don't keep doing that, then we're going to be right back to where we were.

Mr. LIPINSKI. And one thing, very quickly. I noticed, I live—not only do I take the Red Line, I hear the Red Line going by, unfortunately all the time, where I, you know, sleep. When I'm out here. I heard for months a click-clack of every, every time the, a wheel set went over its track, for months. And then one morning I wake up and they say there's a broken rail just south of the Grosvenor Metro stop. And I said, "I could have told you a long time ago that there was a problem there."

And it seems like there's somehow something wrong in the culture. Someone should have been able, and the operators should have said, "Hey there's something, there's something wrong here." And that's, I think, all part of changing the culture here, where everyone is a part of trying to make this system run well. And that's something that really needs to change. There's a lot of work that needs to be done. We're going to be watching it. But we need to make this system work. Thank you. I yield back.

Mrs. COMSTOCK. Thank you. And I now recognize myself for 5 minutes. I wanted to highlight the, an issue that I raised in my opening statement, and that I think I've talked about with Mr. Wiedefeld and Ms. Flowers. That our average costs at Metro are higher, according to the Federal Transit Administration documents that I'm reading, our operator expenses per vehicle revenue mile are 124 percent of the average. Up to our operating expense per passenger mile is 151 percent.

And I think that works out to hourly rates of a track walker of $36 an hour and with benefits $53 an hour. Track repairs, $32 an hour with benefits up to $48. And that's compared to Davis-Bacon prevailing wage rates, they would be $23 an hour, and with benefits more like $30 an hour. And that leads to my question that I'd asked in the opening, is, can we use outside contractors, and can we change whatever we need to in the labor contract in order to expedite this so we can use outside contractors that are able to provide the same service at a lower cost basically at the Davis-Bacon prevailing wage rates, and get this expedited with that kind of expertise?

Mr. WIEDEFELD. We can, under the current contract, we can't replace workers with contractors. But if we have, and that's what we're doing, in effect we're bringing in workers above and beyond what our current workforce can do, so that's how I can bring in outside contractors.

Mrs. COMSTOCK. But are they getting paid this contractor rate that you have with the existing employees, or can they be brought in and get these, these $30 rates where we have contractors who will come in and work for lower rates during this expedited time when we're trying to save money, get things back online? We can deal with the contract and things later, but I just want to make sure we can take advantage of this opportunity to save some money here and have workers who can help with that.

Mr. WIEDEFELD. I can provide the——

Mrs. COMSTOCK. OK. Because I—we've met with people who would like to help there. So I would like to see if we can expedite that. And then on the technology front, as I mentioned in my opening statement, have—and excuse my language here—but have you, have you seen the Metro blog called "Unsuck Metro"? I hope you're

all familiar with that? I think a lot of—certainly I can tell you a lot of staff on the Hill are familiar with it, and the Federal employees. How are we using technology? And actually, that's a good—I mean I looked at that this morning and throughout the hearing.

One of their major questions they do want to know is about this rape incident, about the crime. So I would like you to address that. But I also wanted to address in terms of technology, why don't we in the interest of transparency, and to enable all of your riders to assist in some of things that Mr. Lipinski talked about, how can we plug into the system and go in and see, here's where all the recent crimes have been, by station? We should be able to have—we have the technology, at very low cost.

I mean, if this blog can do this, certainly we can do it at little to no cost. Other than—I've spoken with the technology companies that are doing this in other metro areas around the country. And this technology enables us to look at the, do safety pictures. You know, while you're out there fixing it, you get a picture. You have the time stamp of the person working on it. So there's a lot of accountability. That can go up online immediately for all of us to see. And all of those hundreds of unmet safety issues right now, can we have them all online today? We can see where they are, at each station. And as they disappear, we can see them disappear. We can see new ones go online. And in your interest of transparency, can you commit to providing that as well as using the technology?

Mr. WIEDEFELD. Yes, I do commit to that. And with the SafeTrack program, that's what we're creating is the ability to effectively monitor what we're doing. That's what CARe is about, the Customer Accountability Report. It's, we put out every month, we update things that we're doing, so people can see where we are on that. But I'll also be very frank. You know, I think, I want to, I want to work with outside vendors and just the community in general to have that knowledge in the technology world. It's awfully hard for us to create that within the structure we have.

It's also something that's not core to our mission. I think we have a lot of smart people in this region, if we could tap in. And you've seen it evolve. And so rather than—and you know, we have to think of ways to team with them, not ways to push them away. So that is something I've made very clear, that I want to bring those people to the table. Because they have the knowledge, they have the skill base. And again, just to open it up. We have nothing to hide. It is what it is. And then we have to start to attack it.

Mrs. COMSTOCK. And I think it's, and I, we talked about this with Ms. Flowers last week, when your staff came in too. And if we just had that ability for the public, when they see something, something like Mr. Lipinski said, that goes into the system and it can be time-stamped. We have the technology. I mean, if somebody had seen that fire that day, taken the picture and sent it in, are your folks tracking that and saying, "OK, this is a picture that just came in from this station. It's time-stamped. It lines up." You don't have to send anyone out to the station, I mean, to verify that. You've got a picture that is time-stamped and does that. And I can give that to you as well as somebody who's paid $50 an hour to do it. So these time lapses that we have shouldn't be occurring, given we have the technology that can—I mean, really, when you look at

the fatality that occurred, most of what we know about it occurred from people using their cell phones and giving us that information. And let's make sure we're using that to maximum effect, and that your staff isn't creating new methods, but is taking advantage of all that.

Mr. WIEDEFELD. I totally agree. But I also, I want our staff to basically do things before it gets to the point where they have to take a photo of it. An example I gave to the managers when I saw them is, at New Carrolton Station, in front of a cabinet that basically is an emergency cabinet for putting equipment onto the tracks to basically rescue people and to do things like that, we had parked or a vendor had parked a very large piece of construction equipment in front of it. That should not happen. I shouldn't need to be taking photos of that. That should just be something—error, employees see. And they say, "That's wrong, fix it." So that's the, that's the cultural change that we have to get to.

Mrs. COMSTOCK. OK. And could we go back to that rape incident, that report.

Mr. WIEDEFELD. Yes.

Mrs. COMSTOCK. Why wasn't that made public at the time?

Mr. WIEDEFELD. Sure.

Mrs. COMSTOCK. Why didn't we know about that?

Mr. WIEDEFELD. Because it was solved in hours. We knew who the person was and they had that person. So they were, they were pursuing that person, and literally in hours we had apprehended that person. We do report out all crime statistics on a regular basis, quarterly at a minimum to the board, where we go through every, every event that we have. So——

Mrs. COMSTOCK. But can that also be reported, to have those crime statistics on the Web site by station or by whatever way, so that we all know that immediately? I appreciate that it was solved quickly. I guess the criminal used a smartcard? Is that——

Mr. WIEDEFELD. Yeah, it's a combination of that and then our TV cameras, and definitely——

Mrs. COMSTOCK. So while that was resolved quickly, the public at large didn't know about it, and that, you know, in reading the blog that's somebody—something that everyone's concerned about. So can we take those crime statistics——

Mr. WIEDEFELD. Sure.

Mrs. COMSTOCK [continuing]. Whether it's, hey there's somebody who's at Capitol South snatching purses—I understand cell phones being stolen are one of the most common things that happen at the stations because people are there looking at them, they aren't paying attention. Someone snatches it, runs out the door. Can we have those kind of incidents per station reported so that people know the stations they're going to, they can look, they can see what is going on there in real time? And just having all that, statistics. Now, I think what will also help you in that way, if we have that available, is all of our transportation resources, universities that are looking at data, you'll give them a vast amount of research data to help you do some work, you know, that you don't have to pay for.

Mr. WIEDEFELD. Yeah, we will provide that type of data. I think we have to put it in context of you know, we're just part of the community. And a lot of these things happen around us. Sometimes

they happen on our property and sometimes they don't. So I think, you know, if someone stealing someone's camera, it happens just as likely outside of our stations as inside of our stations.

Mrs. COMSTOCK. But I just think the information is power for the customers. You know, as you've heard, people are becoming more afraid to use it. I wanted to mention, in addition to our costs being higher, 120 to 150 percent—are you confident you can bring those costs down in the upcoming negotiations?

Mr. WIEDEFELD. We will—we've started negotiations obviously, but we, you know, we've made a commitment to do that at the table. We are focusing on both wage, pension, health benefits and work roles. So we will attack each one of those, but it is a negotiation. And it does go to binding arbitration.

Mrs. COMSTOCK. OK. And I wanted to point out and emphasize that given our costs are 120 to 150 percent higher, it's incredibly distressing that our performance I believe is at 75 percent, our entire performance now, when our transit system is up in the high 90s. So that's the disconnect that people see, and the concern. So thank you. And I know I've run over my time here. I now recognize Ms. Esty for 5 minutes.

Ms. ESTY. Thank you very much. And I want to thank you all for joining us here today. And as somebody who as a high school student was in those Metros when they were being built, with my father, who as part of construction teams building them, I have particular interest in the legacy around how we maintain these systems. So a couple of different questions. First, Mr. Wiedefeld, on the safety culture, who are you looking at? What organizations or what institutions do you think we should be looking at to inculcate the kind of safety culture that needs to be instinct?

Mr. WIEDEFELD. Right.

Ms. ESTY. It needs to be instinct, and I believe it does have to be from the top. There's no such substitute for that.

Mr. WIEDEFELD. OK. I've spent 10 years. I've run into, at BWI airport, and I think that's a great example. And the aviation community in general is. It is just part of who you are, when you think about safety in an airport. And I'm trying to instill that, you know, that same sort of philosophy and just sort of, it is who you are when you work at the transit agency.

Ms. ESTY. I would agree. You know, I think checklists, manifests, are the sort of idea that you just, that it's baked into absolutely every decision that you make. And to empower workers to see that as their responsibility to get there first on following up on what the subcommittee chair Mrs. Comstock said. I think you look at something like Click it, Fix it, that is being done in cities to empower people who are users of the system, not as adversaries but as advocates for making sure that the highest priority situations are dealt with first.

So again, I, having recently been in Silicon Valley, there are a lot of entrepreneurs who are very eager to try to help democracy work well. And I think we need to find some way to tap into their energy and their intellectual capital in a way that helps us launch into the 21st century and not be tied up so much in frankly trying to update our computer systems that are three generations old. So

I think a number of us are eager to try to help make those connections.

For Administrator Flowers, we have an ongoing issue, and it is not unique to transit, about the excitement about developing a big new system, whether it's a bridge or a road or an airport. We never put enough money aside for maintenance. For these heavily used transit systems it's absolutely essential, given what has happened here. Do you have suggestions for how we insist it is actually being spent as we go, that it cannot be postponed? Because we know that is the political imperative, is you'd rather go on and do something new, extend the system, whatever it is. Maintenance is never exciting. It's not sexy. But it is a disaster when the worst happens. Do you have suggestions for us as to how to restructure the deployment of that money or the incentives around it to make sure that it gets spent as it needs to be as we go?

Ms. FLOWERS. One of the criteria that we look at with the financial plans for new capital projects is to ensure that in the financial forecast, maintenance is included. And I think that is going to be critical.

When you're constructing a new system, you have to ensure that there's a way to sustain that system over a long period of time. Those assets are built for 50 to 100 years. And so it is critical that you look at the way a project sponsor plans to sustain a system in the future. So that is part of the plans that we look at when we award funding for new capital projects. Addressing the state-of-good-repair needs of the system is also going to be really critical. And having funding for the state of good repair, to ensure that these systems have enough funds for maintenance, and that the maintenance is not deferred.

Ms. ESTY. Well, I think we need to be working together to ensure that we see that progress through that list, the ticker list. This is the priority project, and this is how far the money gets us. And then you have to come back to us or to the board and say "We are not far enough, it's dangerous, and this is what we've done and this is what we still need to do." Because you know, we—you have to get to the appropriators to make sure the money is there, but we need to see the progress.

And we need the judgment of that on the ground, what is now the critical piece that needs to be addressed and that you're spending it that way. And finally, Mr. Wiedefeld, can you talk a little bit about the reliability and performance measures that you're going to use? What riders of the Metro should expect? What already has been discussed by some of my colleagues, are we're not where we would want to be. And obviously taking things offline is going to exacerbate that. What figures are you using and how are those going to be communicated to the riding public and to us?

Mr. WIEDEFELD. Sure. We do a vital signs report that basically we produce, that you can go online, and monitor what we do. One of the things that we have changed just recently, we used to put on our on-time performance on railcars, based on you know, how we managed it. We moved to a mechanism where basically as you tap in to the time you tap out is the real, from a customer's perspective, that's the real delay. So for instance, that's what we're

starting to put out there, as here's what's really happening in the system. And not some sort of computer-generated, a number.

Ms. ESTY. Thank you. I see my time has expired. Thank you.

Mrs. COMSTOCK. And now I recognize Ms. Norton for 5 minutes.

Ms. NORTON. I thank the chairwoman for taking me out of order. Mr. Wiedefeld, we all recognize that there are no new ready sources of revenue for WMATA. The usual mythical sources of course are mentioned from time to time, from the other side of the room, such as outsourcing. The Federal Government is never mentioned by any of you, but of course it's been alleged that that is what is really called for here.

I do know that in the FAST Act, there was a 25-percent increase for older systems. And that was something that as the ranking member, I fought very hard for. Because there really is a difference between these systems and the newer ones. Yet what cannot be ignored is that Metro has had a 5-percent loss of ridership over the last 5 years. You're probably going to have more with SafeTrack.

But I noted something you said a few months ago, that WMATA was trying to help itself. It was looking for something that business often does. Incentives to reattract riders. Things like, if you went into a station and it was crowded and you just had to leave, you could reenter at some later point. Could you outline what kind, if you are still considering such incentives, particularly after you're going to lose some of your riders anyway? Can you afford to put some of these incentives in place, and if so, what kind of incentives are you looking at now, to help riders return to Metro?

Mr. WIEDEFELD. OK. Yeah, a few things we've done. One is the ability in fact to tap in, tap out, what we call. So if you get into a station and there's something going on, we would charge you to get back out even though you didn't use the system. So we changed that. So basically you get 15 minutes to make up your mind. And if, you know, something doesn't play out the way you wanted to play it, you get back out and you don't have to pay.

I think that's just a good customer service, you know, product that we should, we should have. We've worked with the university system, for instance, for a universal university pass. Where in effect, we're working with American University. Where they, all their students will have unlimited use of the system for a flat fee that they charge at the beginning of the year as part of their tuition or their fees, I guess. And the rationale for that is, basically that's a lot of nonpeak usage.

It also introduces other people that we want to educate about the system and use the system, another way to attract people like that. Again, we're trying to do things from a customer and IT side to give real-time information, again, as I just mentioned, so people can make educated decisions. So it's continuing to do things like that. I've got to balance that clearly on the impact, the potential impact on revenue of that. But on the other hand, you know, we have to, you know, we have to make sure that we're reflecting the times of today and not doing the same stuff we did in 1980, 1990.

Ms. NORTON. So notwithstanding SafeTrack, you're still going to put those incentives out there? In fact perhaps because of SafeTrack, you need those incentives out there?

Mr. WIEDEFELD. Yes, we will.

Ms. NORTON. Thank you very much, Madam Chair.

Mrs. COMSTOCK. Thank you. I'm now going to recognize myself for another 5 minutes also. Going back to some of the labor costs, do you, can you tell us what does, for example, a track inspector position, what do those pay?

Mr. WIEDEFELD. I don't know the track inspectors. I know the operations side. But if I can get you the track information, I just don't have those with me.

Mrs. COMSTOCK. OK. And I, and I know, I know you're new. So I'm not blaming you. We've had some other questions and I haven't been able to get some answers on just some of the labor costs and what we're paying people per hour. And again, as we're talking about how we right-size this and how we get the expenses under control, I think it's very helpful to have that transparent and to know what these jobs pay in comparison to——

Mr. WIEDEFELD. If I could, I mean, I can tell you like on the operations side. Because most of, you know, most of our employees are bus operators, train operators, station managers. So the bus operator starts just about $19 an hour. The highest rate gets about to be $31 an hour. That's about fifth in the country, in terms of what we compare to other properties on the heavy rail side. And we're about, we're basically about fifth, sixth in the, on the bus side, compared to major, major properties.

Mrs. COMSTOCK. OK. And then on the, the 20 people who were fired, I assume that there's some longevity there? So those people are still getting their pensions and getting paid, you know, in the future, so we have legacy costs there. And that was one of the questions I had asked you in terms of, because currently the policy right now is the overtime goes towards their pension. So when you have overtime in the system. So we were trying to find out what level of overtime there was throughout the system. Now, I understand while we're doing this accelerated repair, that there's inevitably going to be some overtime. But that again would be why I would hope we would look to contracting out where we'll not only be able to avoid that overtime, you'll be able to avoid the long-term legacy costs that overtime currently would present, as well as being able to contract out at a lower cost. So again, I'd reemphasize that.

Mr. WIEDEFELD. Yeah. And let me get—I'll get you the facts on that.

Mrs. COMSTOCK. OK. And then in going forward in the labor negotiations, what are we the public and Congress able to see? I know we had talked about this a little bit. In terms of what are we able to see in the transparency in the labor process and what's being negotiated and what. Because you're going to have to negotiate this.

But really since we're partners in this and the whole region is, I think it's important that we, you know, Virginia, Maryland, DC, Congress, all know what the negotiations are and the terms and how we compare to other systems throughout the country. What kind of information can we get on that?

Mr. WIEDEFELD. Well, we will be presenting that to the board. I mean, that is their role. So we'll be presenting all that information to the board. Again, we have an agreement of both sides to do these negotiations. You know, they're negotiations, so we don't

want to do them in public. So that is what we're doing. But we will take it to the board, and that's a very public process.

Mrs. COMSTOCK. OK. But when it's presented to the board, can it also be presented to us in Congress?

Mr. WIEDEFELD. Yes.

Mrs. COMSTOCK. OK. And then, and maybe also to the public. Because again, kind of feeding off of that ability for the public. We have a lot of expertise out there. There's a lot of people who'd like to compete in this space, probably to give us a better product, more technologically accurate. And when they were able to see, in a transparent way, how we operate, I think that will give us, there are more people coming forward to talk to us, to talk to you. So if we can open up that process and just have an open platform in whatever way we need to, to get that information out. Whether it be the maintenance, you know, what we're paying various contracts, paratransit. You've highlighted for us that you're looking at other ways we can save. As well as the technology.

Mr. WIEDEFELD. Right. But again, we have to do that within the Federal, you know, the context of negotiations. That is, you know, in Federal law.

Mrs. COMSTOCK. OK. Ms. Flowers, do you have anything to add on that front, on how we might be able to help you do your job in terms of how you're trying to approach this?

Ms. FLOWERS. We thank you for the support that you have provided to us through the FAST Act as well as MAP–21, in expanding our authority. We have the challenges of the additional authority and like everyone else here at the table, funding for that authority is one of the challenges that we have. So we just look for the support through the appropriation process to provide us with the necessary resources that are needed to do our job.

Mrs. COMSTOCK. OK. And finally, I guess I'm running out of time here, but there's no one else I'm imposing upon except the witnesses. But I wanted to ask about the ROCC. Which, you know, I've been up to visit, and thank you and your staff for bringing us there and continuing to update us on what is going on there. I understand right now, if it's correct, that we have 46 positions are allocated for the controllers there. But there are currently 19 vacancies? Is that still accurate?

Mr. WIEDEFELD. No. I believe, I think the vacancy's down to three. There's people in training though.

Mrs. COMSTOCK. OK.

Mr. WIEDEFELD. So they're not certified yet to be on the floor.

Mrs. COMSTOCK. OK. So we're getting online to——

Mr. WIEDEFELD. Yes, yes.

Mrs. COMSTOCK. And I appreciate that, because you know, as you know, both in formal reports as well as things as informal as you know, I've cited it before and cited it to you all, the Washingtonian magazine article that kind of gave the customer account but also the worker account of that. That was seen as sort of a source of a lot of the problems are—what kind of actions are you able to take so far and do you see taking forward to correct a lot of the problems that were there?

Mr. WIEDEFELD. As I mentioned, in April, I have a new head of the ROCC, who has both experience there and also in other parts

of the agency, so it brings some different skill bases to that. It's a focus of, now my chief safety officer, to go in there and think of other ways that they should be, particularly on drilling and things of that. The FTA's been very supportive of that as well. So that's, you know, again, it's, it's all of the above. It's not just one thing. But clearly management is a big part of it.

Mrs. COMSTOCK. OK. OK. Well, I appreciate all of your time and your attention to this important matter. I think you've heard from all of our colleagues in the region here as well as the chairman here and Members who've been involved in these issues for years. There is a large measure of goodwill and appreciation for what you're doing and the difficulty of the task ahead. And I think it's very important that as long as we are able to stay united on this and work with you on fixing this—you know, we know we will have problems and disagreements, you know, down the road.

But I think as much as we can keep this together and where you can come to us and tell us tools that you do not have, as you run into blockages where you can say, well you know, "We could do this faster and I can keep my year deadline or even shorten the year deadline if I could you know, have this authority from Congress or if we could change this law." If there are legislative fixes that we need or things that you aren't able to do under current rules, please let FTA know, let us know. If you know, if you aren't getting the kind of support from wherever, we need to know.

And I'd also invite the listening public too, and those who go on blogs of whatever name, that you let us know your experience. Take those pictures. I can tell you when I was on the Transportation Committee in the statehouse, people would send me their pictures of road problems, things. I would be able to send them right to VDOT [Virginia Department of Transportation], and when I had a picture, when I had a location, it always got handled much faster. And we have people on these trains every day who are dealing with things.

Take those pictures, send it up, put them on blogs, get that attention. Because then, whether it's the supervisors or anyone else there's nowhere to run to. It's there. We know it. You know, we're working through these problems in a systematic way. So I would ask all of us to be partners in helping you do your job. And thank you. So I ask unanimous consent that the record of today's hearing remain open until such time as our witnesses have provided answers to any questions that may be submitted to them in writing, and unanimous consent that the record remain open for 15 days for additional comments and information submitted by Members or witnesses to be included in the record of today's hearing. And without objection, it is so ordered. And if no other Members have anything to add, this subcommittee stands adjourned.

[Whereupon, at 12:15 p.m., the subcommittee was adjourned.]

Testimony of Paul J. Wiedefeld, General Manager and Chief Executive Officer of the Washington Metropolitan Area Transit Authority

Before a hearing of the Subcommittee on Highways and Transit under the Committee on Transportation and Infrastructure
U.S. House of Representatives
Tuesday, May 24, 2016

Good morning, Chairman Graves, Ranking Member Norton, and Members of the Subcommittees. Thank you for the opportunity to testify today. I am Paul Wiedefeld, General Manager and Chief Executive Officer of the Washington Metropolitan Area Transit Authority, known as Metro.

I joined Metro five short months ago with more than 35 years of public and private sector transportation experience. Prior to joining Metro, I ran Baltimore/Washington International Airport twice, from 2002 to 2005 and again from 2009 to 2015, and in between, I served as head of the Maryland Transit Administration.

On March 6th of this year, after 90 days on the job, I released my initial action plan to improve Metro and begin to restore pride in the National Capital Region's public transit system.

Through conversations with riders, advocates, employees, business and community leaders, elected officials, funding partners and regulators, the message was clear – make Metro safer and more secure, improve service reliability by getting the trains and buses to run on time, and manage effectively and efficiently as stewards of customer fares and public assets.

As indicated by my decision to shut down the Metrorail system for emergency safety work and our SafeTrack plan, Metro and the region have some hard truths to confront.

First, the safety culture at Metro is not integrated with operations, nor well-rooted at all levels. Understandably, high-profile incidents have shaken the public's confidence in the operational safety of the rail system.

Second, while riders tell me they want to feel safe, the top issue they point to again and again is service reliability. Last year, rail on-time performance fell from 92 percent to 85 percent, and the experience for many customers was even worse as rail car mechanical failures have doubled the number of late trains.

And third, we continue the work that has been underway for over two years to improve our fiscal management. While I can say confidently that Metro's financial position today is stable, we need to ensure that the programs and policies that have been put in place continue to be followed by employees across Metro.

The authority-wide action plan I released in March is focused on confronting these three areas of improvement with realistic goals. As part of Metro's commitment to transparency, members of the public can view Metro's progress towards completing our action plan through a new Customer Accountability Report. The report can be found on our website and is being updated regularly so the public can track our progress. On the website you will see 60 specific actions to improve safety, reliability, financial security, and restore the public trust – and we'll continue to add to the list whenever necessary.

These priorities are the first in a portfolio of initiatives that are being undertaken to deliver the basics of better service. Actions will be taken in every department as part of Metro's business plan to make these initiatives successful and to ensure accountability. I look forward to working with Members of this Committee and the public as we work to implement this plan.

Two weeks ago, I announced Metro's SafeTrack plan. Under SafeTrack, Metro will begin a massive effort to address years of deferred maintenance of the rail system, and National Transportation Safety Board and Federal Transit Administration safety recommendations. The plan condenses three years of work into approximately one year. Following the release of a draft plan, we received feedback from the FTA on the priorities in the plan and specific projects they wanted to see completed sooner. I appreciate their collaboration and guidance, and the final plan released last Thursday reflects FTA's input. I am encouraged by the region's response to SafeTrack and appreciate the support of business and community leaders, jurisdictional officials, our Congressional delegation and most

importantly the riders, who have rallied to help us get through this challenging work. I also want to recognize FTA for their collaboration, which is reflected in the final plan.

Under SafeTrack, fifteen "safety surges" are planned that will allow track crews to exponentially increase productivity and achieve safety results for customers faster. These long-duration track outages use either around-the-clock single tracking or line-segment shutdowns that will impact rush hour commutes. Metrorail riders will be encouraged to consider using alternate travel options while safety surge work is in effect on their line.

But the Safety Surges are just one part of SafeTrack. We are also gaining more time to repair the system by instituting a moratorium on early openings and late closings for special events in the region; closing the Metrorail system at midnight seven days a week beginning Friday, June 3; and starting track work earlier on weekday evenings at 8 pm. This will ensure work crews have enough time to complete critical repairs throughout the system.

Some of the elements of SafeTrack include: installation of NTSB-recommended boots and seals on all 3rd rail cables by end of summer, replacement of 12,000 insulators, removal of all 3rd rail expansion joints in the underground system, elimination of all temporary gauge bars that prevent spread of tracks, replacement of approximately 48,000 wooden ties, replacement of 36,000 direct fixation fasteners, clearing of 87,000 linear feet of drains, and extensive tunnel leak mitigation.

All of the work will be independently inspected and verified by our Office of Quality Assurance to ensure that it is completed properly and FTA will be carefully monitoring our work. In fact, we are working closely with the FTA now to review inspection and maintenance practices of our power systems to prevent incidents like we've seen in recent months from continuing to happen.

Given the extensive repair needs throughout the rail system, and with service running 135 hours out of 168 hours in a week, there is simply not enough time to catch up without a plan like this in place. Though it will be inconvenient for our customers and the region, SafeTrack is necessary to restore the system to a state of good health. The plan, combined with a commitment to conduct regular maintenance, will improve safety and reliability.

Metro's old approach to dealing with issues, lurching from crisis to crisis, is not working. SafeTrack is part of my plan going forward to come at these issues more holistically.

In addition, SafeTrack will help WMATA make further progress in response to the FTA's Safety Management Inspection (SMI) and WMATA Safety Oversight, or FWSO. WMATA already has submitted 482 actions in response to 65 percent of the more than 700 action items identified by the FTA. WMATA submitted its plan to address the FTA's "safety inspection blitz" in addition to ongoing field inspections, and triennial audits.

Since the FTA issued the Financial Management Oversight (FMO) report findings on June 10, 2014, WMATA has complied with all 45 recommendations and provided timely submittal of the required 65 CAPs to address the findings. In addition, WMATA has worked cooperatively with FTA on its Testing and Validation Plan, which included 20 action items aligned to removal of ECHO restrictions. As of last month, WMATA closed five of the required testing and validation actions items, has submitted eleven to FTA for review, and the remaining four, which have later due dates, will be submitted on time.

WMATA has implemented numerous process improvements to address many of the system deficiencies identified in the FTA's financial audit. To ensure ongoing compliance with those findings WMATA established an Office of Internal Controls (OICC), which is independent of WMATA's Budget office and is focused on financial management, including compliance with federal grant regulations. With support from that office, WMATA submitted 100 percent of the recommended CAPs on time to FTA; and the office works with other departments throughout the Authority to ensure compliance with FTA rules.

Each capital project invoice at WMATA is now reviewed through an extensive process, which has resulted in a manual grant reimbursement accuracy rate of over 99 percent. The ECHO restriction, which prevents WMATA from automatically drawing down on federal grant funds, has added more than $9 million dollars in additional expenses to the jurisdictions responsible for funding WMATA.

Meanwhile, WMATA is making use of all available federal funds. As of March 31, 2016, the total value of FTA grant funds available to WMATA was $708.3 million. Of this amount, $301.8 million is committed to projects that are underway and are being funded over multiple years. The funds are reserved for the designated projects and only released once work is completed, documentation is submitted and approved by FTA. Designated projects include the purchase of 7000-series rail cars, bus purchases, maintenance and rehabilitation of the Cinder Bed and Andrews bus garages, Blue Line rehabilitation, escalator and elevator maintenance and rehabilitation, track circuit replacement, and rail yard rehabilitation.

The remaining $406.5 million encompasses past capital project expenses that are in the reimbursement process. WMATA has submitted and is awaiting FTA approval of $108.8 million in expenses. The remaining $297.7 million will be requested for reimbursement as soon as WMATA's enhanced process for internal review and documentation is complete, in order to manually submit paperwork under the ECHO restriction.

Finally, following the tragic bombings in Brussels, we have been working very closely with the FBI's Joint Terrorism Task Force and the Transportation Security Administration to share intelligence. The Metro Transit Police Department has increased police presence throughout the system with plain clothes and uniformed officers, and our 27 K-9 units have been deployed throughout the system. I would like to thank the police departments of our local

jurisdictions that have stepped up their patrols in stations located in their jurisdictions.

Like the majority of mass transit systems in the United States, Metrorail is an "open" system, which creates unique challenges and requires security strategies that are complex and multi-layered. The federal government provides significant funding for these efforts – Metro has invested nearly $172 million of federal Homeland Security funding into the system since September 11, 2001. These resources have helped us install thousands of new cameras, and supported our anti-terrorism team, bomb squad and K-9 units.

I will close by thanking Congress, and in particular our Congressional delegation, for support of critical capital funding provided through the Passenger Rail Investment and Improvement Act (PRIAA) and federal formula dollars.

Thank you and I look forward to answering your questions.

July 15, 2016

The Honorable Sam Graves
Chairman, Subcommittee on Highways and Transit
House Committee on Transportation and Infrastructure
2251 Rayburn House Office Building
Washington, DC 20515

The Honorable Eleanor Holmes Norton
Ranking Member, Subcommittee on Highways and Transit
House Committee on Transportation and Infrastructure
2164 Rayburn House Office Building
Washington, DC 20515

RE: WMATA Response to Questions for the Record

Dear Chairman Graves, and Ranking Member Norton:

Thank you for the opportunity to discuss my priorities as General Manager of the Washington Metropolitan Area Transit Authority (WMATA) with the Members of the House Committee on Transportation and Infrastructure at a hearing of the Subcommittee on Highways and Transit on May 24th 2016. I am submitting the following information for the record and in response to your letter of June 15, 2016. I look forward to continuing to work with you to ensure that the nation's capital is served by a safe and reliable transit system.

Questions for the Record (QFR)

Submitted on behalf of Chairman Sam Graves:

1. **You have noted that there are cost efficiencies from shutting down lines for maintenance. What is the cost associated with doing track maintenance as it was done previously – in short amounts of time on evenings and weekends?**

   Prior to the service adjustments made to facilitate the work that the SafeTrack program is addressing, WMATA operated rail service for 135 hours out of 168 per week, leaving very limited windows to complete critical safety and maintenance work. Track work requires staging of equipment and manpower and the time that was used previously severely limited the production time that crews could actually perform maintenance work. SafeTrack will compress three years of track work into approximately one year, creating significantly more production time for crews to perform maintenance and safety repairs. This could result in savings by maximizing productive work time. However, SafeTrack will also result in increased expenditures due to overtime and the hiring of contractors to supplement the WMATA workforce. Therefore, significant cost savings are not expected as a result of the SafeTrack rebuilding program.

2. **News reports have noted that Washington Metropolitan Area Transit Authority (WMATA) spends significant funding on the operations and maintenance of escalators. On average how much is spent annually on operating and**

Washington Metropolitan Area Transit Authority

600 Fifth Street, NW
Washington, DC 20001
202/962-1234

www.wmata.com

A District of Columbia, Maryland and Virginia Transit Partnership

maintaining each escalator? How much could be saved by replacing short escalators with stairs?

The upfront costs associated with demolition, design and construction of stairs to replace short escalators is generally prohibitive in terms of satisfactorily recouping estimated maintenance costs for the project lifespan of the new stairs. For new construction the concept of installing stairs in lieu of short escalators is a viable option that is considered during the preliminary design phase of new projects.

3. **Metrorail ridership has been on a precipitous decline. How is this impacting your revenue? How will you lower your operational costs to accommodate the loss in farebox revenue?**

   Since peaking in 2009, Metrorail ridership has been stagnant or declining due to a number of external and internal factors. The external factors include reductions in federal government employment, changes in trip-making by customers (including increased use of telecommuting and alternative work schedules), variability in the federal transit benefit, and increased competition by new entrants in the market, including Capital Bikeshare and companies such as Uber and Lyft. The internal factors include relatively high fares for Metrorail (especially for longer distance commuters who also pay park-and-ride fees) and customer concerns over safety, reliability, and overall quality of service.

   Through the third quarter of FY2016 (March 30, 2016), Metro's operating revenue was $41 million below budget, down approximately 6 percent. This trend is expected to continue into FY2017 as the critical repairs being undertaken as part of SafeTrack have additional impact on ridership.

   Metro is pursuing a range of options to lower operating costs and increase other revenue sources in response to the drop in fare revenue. In addition to the efficiency initiatives in the CARe program (including outsourcing of parking operations, changes to MetroAccess service delivery, changes to railcar maintenance, and the potential sale of Metro headquarters), GM/CEO Paul Wiedefeld recently announced the elimination of 500 positions as part of a workforce restructuring that will reduce overall operating costs.

Submitted on behalf of Chairman Bill Shuster:

1. **What plans do you have in place that will allow you to make the greatest use of available private sector expertise, where appropriate, to implement your "SafeTrack" initiative and stay on top of the wide range of improvements needed across the Metro system? Do you have the human capital and technical expertise necessary to administer your plan and fulfill your obligations?**

   WMATA contracts out work to be accomplished under SafeTrack. To accomplish the aggressive schedule of SafeTrack we have worked with our current vendors to increase the percentage of work they will accomplish and to ensure, if needed,

additional resources can be utilized. WMATA has the human capital and technical expertise in house or under contract to complete the SafeTrack plan.

Submitted on behalf of Congresswoman Barbara Comstock:

1. **When I asked at the hearing about WMATA's ability to use outside contractors to expedite work and get it done for a lower cost, you pointed out that under the current labor contract WMATA cannot replace workers with contractors, but you are bringing in contractors to accomplish work above and beyond what the current work force can do. I understand that the contract says this about subcontracting: *"The Authority shall not contract out or subcontract any work normally performed by the employees within the bargaining unit defined in this Agreement which would result in a layoff, transfer or demotion of these employees."***

   To clarify, if WMATA were able to identify an opportunity to contract out work that could improve the safety of the system and deliver results quicker and more efficiently, for less money, it couldn't contract out that work if a single bargaining unit employee would be laid off, transferred, or demoted as a result?

   WMATA strives to optimize its workforce to meet the demands of the system in a constrained budget environment. In general contractors, as in the case of SafeTrack, either supplement, complement, or provide specialized expertise beyond that of the WMATA forces. This is done in significant part due to a combination of the technical nature of the work, its volume, and the time frame in which it must be addressed. WMATA will hire contractors when existing WMATA manpower is not adequate or not qualified to meet the demand of the work requirements.

   For example, Metro's paratransit services are contracted out to third party vendors. My CARe plan is also reviewing a number of potential contracting opportunities, including the privatization of our garages.

   - **Do you find this to be a problem?**

     I am committed to restoring the region's pride in the WMATA system by improving safety, reliability, and fiscal management. Ensuring WMATA has the right workforce to rebuild and maintain the system is critical to achieving those goals. During my time as General Manager/CEO of WMATA, I have found the overwhelming majority of WMATA staff to be capable and committed professionals. As we work to improve the WMATA system, I will continue to focus on how WMATA can best align its workforce to achieve our shared goals. To that end, I will make decisions based on the needs of the system and the workforce available to meet those needs.

   - **Is addressing this issue a goal for the upcoming labor negotiations?**

The collective bargaining agreement between WMATA and Local Union 689 of the Amalgamated Transit Union (ATU) AFL-CIO expired on June 30, 2016. WMATA has begun negotiations with ATU Local 689 to renew the agreement. While the negotiations are confidential and I cannot comment on the specifics around them, I have made it clear that there are four priorities for management in the negotiations; wage, health benefits, work rules and pension benefits. As you know, WMATA's compact includes a requirement that the parties utilize binding arbitration in the event we cannot reach agreement during negotiations. It is critically important that all employees share in the collective sacrifices which must be made in order to create a fiscally responsible agency.

- **Do you believe that increasing WMATA's ability to contract out work would lower WMATA's operating costs and improve the financial health of the system?**

  In general, contractor forces, as in the case of SafeTrack, either supplement, complement, or provide specialized expertise beyond that of the WMATA forces. During my time as General Manager/CEO, WMATA has hired contractors for a variety of projects. As I work to improve the safety, reliability, and fiscal management of the WMATA system, I am striving to find efficiencies wherever possible.

2. **After the unprecedented 29-hour shutdown of the entire Metrorail system in March, my staff sent over a thorough list of questions to WMATA requesting basic information on the Rail Operations Control Center (ROCC) and on basic staff salary information. I am resubmitting those questions below and I am also adding questions regarding bus operators.**

   - **What is the retention rate for new trainees over the last five years?**

     Approximately 60%.

   - **What steps are taken currently by WMATA to integrate trainees with the other operators?**

     Rail Controllers are now visiting the "field" to re-familiarize themselves with the stations' layout and geographical outline of the rail system. This also provides an opportunity for field supervisors, controllers, train operators and station managers to interact face to face to foster a better working relationship. Also, Rail Operations Control Center (ROCC) managers are participating in the training of field supervisors and train operators during the Communications Safety Stand Downs that are currently taking place. The Communications Stand Downs are being done to ensure that all train operators, controllers, supervisors and interlocking operators are re-trained on the proper communications protocol.

Schedules are being developed to hold joint meetings with field staff and ROCC Controllers. Also, when the current class of 10 new controllers graduate from training, veteran controllers will be assigned in the field to assist the new graduates in gaining a better understanding and appreciation of the challenges faced by the field staff. Transportation supervisors and interlocking operators (they control train movement in the rail yards) will spend time observing controllers in ROCC as part of the exchange program that is being introduced.

- **What is the average amount of experience among current ROCC controllers (years on the job)?**

  Approximately 3 years.

- **What is the starting base salary for ROCC controllers? What is the average salary for ROCC controllers? What is the highest salary a ROCC controller can make (not including overtime)?**

  Starting base salary for controllers: $71,006.
  Average salary for controllers?

Year	Average Salary
2011	$87,422
2012	$77,839
2013	$82,116
2014	$81,643
2015*	$57,954

*In 2015, 15 additional ROCC controllers were added and their partial year salaries pulled the average annual salary down.

- **Are ROCC controllers eligible for overtime? How many of the ROCC controllers receive overtime pay? How much overtime pay has been expended on ROCC controllers in the last five years? Please demonstrate this figure by year.**

Yes, controllers are eligible for overtime.
Number of controllers receiving overtime and overtime expended in the last 5 years:

Payroll		
Year	# Employees Earning OT	Average OT Earnings Per Employee
2011	34	$19,842
2012	36	$21,880
2013	34	$28,434
2014	48	$16,449
2015	54	$7,355

Payroll		
Year	# Employees Earning OT	Overtime Amount
2011	34	$674,637
2012	36	$787,676
2013	34	$966,769
2014	48	$789,547
2015	54	$397,178

- **What is the average percentage increase in salary for a ROCC controller from year-to-year?**

  Local 2 employees are eligible for a step increase of 2.25 percent and a cost of living adjustment of 2%.

- **What is the average total annual pay for ROCC controllers who receive overtime pay? Considering this figure (average total annual pay of ROCC controllers receiving overtime), what percentage of these controllers' total annual pay is overtime compensation (on average)?**

Payroll		
Year	Average Annual Pay for OT Earners	OT%
2011	$87,973	23%
2012	$84,740	26%
2013	$108,300	26%
2014	$85,000	19%
2015	$70,890	10%

- **What is the highest amount a ROCC controller has earned (salary plus overtime) in each of the last five years?**

Payroll		
Year	Highest Overtime Pay	Highest Total Salary
2011	$58,274	$141,131
2012	$71,666	$154,356
2013	$96,767	$216,483
2014	$78,315	$174,188
2015	$36,140	$124,213

- **In the last five years, how much money was spent on overtime for ROCC controllers? Please break this down annually.**

Payroll		
Year	# Employees Earning OT	Overtime Amount
2011	34	$674,637
2012	36	$787,676
2013	34	$966,769
2014	48	$789,547
2015	54	$397,178
TOTAL		**$3,615,807**

- **How many ROCC controllers have been fired over the last five years? What were the reasons for the dismissal(s)?**

  There were 10 involuntary terminations of ROCC Central Control Supervisors (WMATA job code for ROCC "controllers")

- **What is the starting base salary for train operators? What is the average salary for train operators? What is the highest salary a train operator can make (not including overtime)?**

  Starting base salary of train operators: $39,544.81
  Average Annual Salary for Train Operators in 2015: $65,614
  Highest salary for train operators not including overtime: $70,851.13

- **Are train operators eligible for overtime pay? If so, how many train operators receive overtime pay? How much overtime pay has been expended on train operators in the last five years? Please demonstrate this figure by year.**

  Yes Train Operators are eligible to receive overtime.
  Number of Train Operators receiving overtime and the total overtime expended.

Payroll		
Year	Count of those earning OT	Total Overtime Earnings
2011	619	$9,821,591
2012	664	$10,751,959
2013	685	$9,956,879
2014	690	$9,050,742
2015	748	$10,203,519

- **What is the average percentage increase in salary for a train operator from year-to-year?**

  The average annual percentage increase in salary is composed of two components, step increases and cost of living adjustments. Historically there has been a step increase of ½ percent and a cost of living adjustment of 3%.

- **What is the average total annual pay for train operators who receive overtime pay? Considering this figure (average total annual pay of train operators receiving overtime), what percentage of these operators' total annual pay is overtime compensation (on average)?**

Payroll		
Year	Average Annual Pay for OT Earners	OT%
2011	$74,304	20%
2012	$69,540	22%
2013	$68,300	20%
2014	$70,475	17%
2015	$72,408	18%

- **What is the highest amount a train operator has earned (salary plus overtime, if applicable) in each of the last five years?**

Payroll		
Year	Highest Overtime Earnings	Highest Total Earnings
2011	$72,295	$162,710
2012	$71,167	$156,417
2013	$78,614	$163,470
2014	$63,169	$141,233
2015	$68,265	$145,968

- **In the last five years, how much money was spent on overtime for train operators? Please break this down annually.**

Payroll		
Year	Count of those earning OT	Total Overtime Earnings
2011	619	$9,821,591
2012	664	$10,751,959
2013	685	$9,956,879
2014	690	$9,050,742
2015	748	$10,203,519

- **How many train operators have been fired over the last five years and what were the reasons for dismissal(s)?**

  62 train operators were fired during the last five years.

- **What is the starting base salary for bus operators? What is the average salary for bus operators? What is the highest salary a train operator can make (not including overtime)?**

The starting base rate is $19.01193 per hour or an annual rate of $39,544.82 based on a 40 hour work week [no overtime].
The average annual base rate is $28.247855 per hour or an annual rate of $58,263.51 based on a 40 hour work week [no overtime].
The highest base rate is $34.063044 per hour or an annual rate of $70,851.13 based on a 40 hour work week [no overtime].

- **Are bus operators eligible for overtime pay? If so, how many bus operators receive overtime pay? How much overtime pay has been expended on bus operators in the last five years? Please demonstrate this figure by year.**

  Yes, bus operators are eligible for overtime pay.
  Please see the chart below.
  Please see the chart below.

Cal Year	# with OT	OT $'s
2011	2,752	$24,176,259.13
2012	2,769	$26,981,912.91
2013	2,813	$32,551,829.34
2014	2,970	$29,154,728.49
2015	3,093	$26,126,314.85
Total	14,397	$138,991,044.72

- **What is the average percentage increase in salary for a bus operator from year-to-year?**

2014 Schedule of Wage Increase

Union	Wage Increase	Effective Date
689 ATU ALF-CIO	0.00%	July 1, 2012
	3.00%	July 1, 2013
	4.00%	July 1, 2014
	4.00%	July 1, 2015
922	0.00%	Nov 2012
	3.00%	Nov 2013
	4.00%	Nov 2014
	4.00%	Nov 2015

Note: Increase effective dates (for Bus Operators) are based upon an individual employee's anniversary date.

*Additionally, the Hourly Rate is the same for all Bus Operator employees with same job title and years of service.

- **What is the average total annual pay for bus operators who receive overtime pay? Considering this figure (average total annual pay of train operators receiving overtime), what percentage of these operators' total annual pay is overtime compensation (on average)?**

  Please see the chart below.
  Please see the chart below.

Cal Year	Total Pay	Avg Pay	Avg OT	OT
2011	$164,358,108.36	$59,723.15	$ 8,784.98	14.7%
2012	$169,439,744.25	$61,191.67	$ 9,744.28	15.9%
2013	$178,196,232.75	$63,347.40	$11,571.93	18.3%
2014	$179,648,300.63	$60,487.64	$ 9,816.41	16.2%
2015	$184,355,538.64	$59,604.12	$ 8,446.92	14.2%
Total	$875,997,924.63	$60,845.87	$ 9,654.17	15.9%

- **What is the highest amount a bus operator has earned (salary plus overtime, if applicable) in each of the las five years?**

  Please see the chart below.

Cal Year	Highest Earnings
2011	$156,234.58
2012	$171,632.76
2013	$156,142.92
2014	$153,081.54
2015	$149,870.60

- **In the last five years, how much money was spent on overtime for bus operators? Please break this down annually.**

  Please see the chart below.

Cal Year	OT $'s
2011	$24,176,259.13
2012	$26,981,912.91
2013	$32,551,829.34
2014	$29,154,728.49
2015	$26,126,314.85
Total	$138,991,044.72

- **How many bus operators have been fired over the last five years and what were the reasons for dismissal(s)?**

  There were 616 involuntary terminations of Metrobus Operators in the past five years.

Submitted on behalf of Ranking Member Eleanor Holmes Norton:

1. **What are WMATA's specific plans to ensure that WMATA management and frontline employees embrace safety culture?**

   Implementing a safety culture begins with visible leadership commitment. All employees must understand that safety is a core value and are free to act; whether in reporting a hazard or taking action to prevent an incident. At the same time, the organization must demonstrate a financial investment in safety and fair and consistent discipline regarding safety infractions. The aforementioned steps will not guarantee a positive safety culture, however organizations that have achieved a recognized culture of safety have these elements in common.

   With full support of the Board of Directors, I am actively seeking to demonstrate that safety is a core value at WMATA, as evidenced by the first ever system shutdown during the 2015 blizzard to the SafeTrack rebuilding program, and recent safety directives stating clearly that safety always trumps service. Additionally, I held the first ever required meeting with 650 WMATA managers to personally emphasize my expectations around their role in improving WMATA's safety culture. I also required all supervisors, managers and roadway workers to attend a two hour safety stand down, which took place beginning on May 12, 2016. Training was conducted every two hours starting on May 12 and ending on May 16. To ensure accountability, signed rosters were collected at each training. The Department of Safety and Environmental Management created a curriculum and materials for the safety stand down. In addition to those concrete steps, as General Manager/CEO, I will demonstrate my commitment to safety, and expect all WMATA employees to make the same commitment. I recently hired Patrick (Pat) Lavin as WMATA's new Chief Safety Officer, who is working with management to instill a safety culture throughout WMATA.

2. **In the last decade, six WMATA workers were fatally struck by trains or equipment. Please describe your specific plans to ensure WMATA will reverse this dangerous trend.**

   Six years ago, WMATA rewrote its Roadway Worker Protection Program (RWP) with the assistance of outside subject matter experts from other transit properties, federal expertise from Federal Railroad Administration, WMATA oversight authority at that time – Tri-State Oversight Committee (TOC), American Public Transit Association, among others. The updates strengthened the program and ensured all personnel required to access the WMATA roadway (Metrorail tracks) are adequately certified. WMATA's department of System Safety regularly reviews WMATA procedures and available technologies with the goal of improving safety. WMATA's strives to prevent as many employee injuries as possible and we are always looking to improve RWP. WMATA's Department of Safety is currently conducting a regular periodic review of the RWP program to determine what, if any, additional steps should be taken to improve RWP.

   Along with the inspections that are done as part of FTA's oversight of WMATA, I have created a new Department of Quality Assurance and control which routinely provides inspections to help support worker safety.

3. **Since FTA issued the Financial Management Oversight report in 2014, WMATA has a new staff overseeing budget and financial management. As a result, your latest fiscal year 2015 audit was much improved, but still had a few remaining issues to be resolved. Is WMATA on track for a clean audit in fiscal year 2016?**

   The FY2016 financial statement audit is on schedule for completion by October 31, 2016.

4. **In your testimony you state there are four remaining testing and validation action items related to restricted drawdown. What are these items and when are they due?**

   As previously reported, the FTA's FMO Testing and Validation Plan contained a total of 20 action items and related WMATA deliverables grouped into three categories. As of March 31, 2016, WMATA had responded to 16 of the 20 action items on the Plan – leaving four open items. On May 23, 2016, a letter received from the FTA established a due date for two (of the four open items) which did not previously have an established due date or requirements - as indicated in our March 31st FMO update.

   The chart below provides a brief description of the four open action items and their respective due dates as of June 28, 2016. Only three of the four items (Categories A and B) align to the restoration of WMATA's ECHO privileges:

Testing and Validation Action Item	WMATA Deliverable Due Date	FTA Testing and Validation Plan Category
Ensure expenditures are charged to Federal grants in accordance with approved budgets.	5/23/2016	A
Ensure draw down of FTA funds is only made for the Federal share of expenditures incurred.	5/23/2016	A
Complete the reconciliation of all costs charged to all active grants to the allowable budget categories, or Activity Line Items (ALIs), specified in the Federal awards.	12/31/2016	B
Repay the FTA for overdrawn amounts after completion of reconciliation.	12/31/2016	C

5. **WMATA receives $150 million a year through the Passenger Rail Investment and Improvement Act of 2008, which is matched 1 for 1 with local dollars. What would be the effect of losing that $300 million a year in capital and preventative maintenance?**

Passenger Rail Investment and Improvement Act (PRIIA) funding represents over 30 percent of WMATA's $950 million capital budget for FY2017 and is essential to Metro's rehabilitation and replacement efforts throughout the Metrorail system. Losing PRIIA funding would endanger the completion of the following critical projects that are currently planned to be funded by PRIIA in FY2017:

Track Welding Program	$ 6,500,000
Track Pad/Shock Absorber Rehab	3,835,000
Track Structural Rehabilitate	2,366,000
Third Rail Rehabilitation	6,000,000
Track Rehabilitation	45,947,000
Station/Tunnel Leak Mitigation	7,096,000
1000 Series Rail Car Replacement	104,349,088
Elevator Rehabilitation	8,620,000
Escalator Rehabilitation	7,650,000
Rail Yard Facility Repairs	24,525,645
FCC Radio Frequency Comm	30,095,956
Replace GRS Track Circuits	8,648,000
Onboard Event Recorders 1K/4K	146,806
Program to Monitor Recorders	3,151,398
Critical/Non-Critical Notifications	178,000
Enterprise Learning Mgmt System Eval	1,225,000
Maintenance Mgmt System	2,495,000

Training for AIMS	275,000
Rail & Operations Data Analysis Procedure	2,010,000
Replacement of Pneumatic Control Boxes	1,777,000
Escalator Replacement	27,664,203
Safety Measurement System	2,444,904
TOTAL PRIIA-FUNDED PROJECTS	**$297,000,000**

In addition, losing PRIIA would severely restrict WMATA's ability to undertake critical repairs necessary beyond FY17.

6. **A critical component of safety culture is the ability for frontline workers to report safety issues without fear of retribution. Can you ensure the Committee that WMATA's current close call system is working as intended and retribution for reporting is not an issue?**

   I agree that a critical component of safety culture is the ability for frontline workers to report safety issues without fear of retribution. The Close Call Reporting Program helps to facilitate the reporting of safety issues. WMATA strongly encourages all employees to report safety issues and to take advantage of this program. The Close Call Reporting Program is administered by outside agency, the United States Bureau of Labor Statistics (BLS), not WMATA. The BLS keeps all information confidential and only shares safety issues, not employee names or identifying information, with WMATA. Therefore, I am confident that the program is working as intended.

7. **Another critical component of safety culture is training for frontline supervisors and frontline workers. Do both supervisors and workers have unfettered access to safety trainings? Do both supervisors and workers both have access to de-escalation training?**

   Both supervisors and workers have unfettered access to safety and de-escalation training. Further, WMATA encourages both supervisors and workers to take advantage of these and other training opportunities. Recently, pursuant to FTA Safety Directive 16-3, WMATA conducted a safety stand down and provided mandatory training on the primacy of safety in Metrorail operations.

8. **In the hearing, you testified that WMATA bus and rail operator's hourly wage was about fifth in the Nation compared to other heavy rail transit systems. How does the hourly wage for your train and rail maintenance staff compare to other heavy rail systems?**

   The data necessary to answer this question is not available at this time.

9. **What percentage of track work did private contractors perform in 2015, and what percentage of track work under "SafeTrack" will be performed by private contractors?**

In FY2015, private contractors performed 16% of track work and during SafeTrack 25% of the work will be performed by third parties.

Submitted on behalf of Congressman Dan Lipinski:

1. **Along with my colleague from Virginia, Congresswoman Comstock, I serve as co-chair of the House Public Transportation Caucus. There is no doubt that safety is critical. As a Metro rider when the House is in session, I share that concern. But safety should be a baseline expectation, and not just a goal. I also serve as the Ranking Member of the House Subcommittee on Research & Technology, and I've seen what innovation can do to help improve the lives of Americans. I'm afraid that innovation in transit has fallen short in many cases and WMATA is no different. Last year, I met with then-Chairman of WMATA, Mort Downey, who indicated WMATA's intention to be a leader in transit innovation, especially with the fare modernization program (and most specifically with the New Electronics Payment Program). In addition to providing mobile payment options for transit riders – similar to what we are doing in Chicago – it would also provide financial efficiencies saving tens of millions of dollars per year. It was in the budget, it was in the plan, and it was going to get done. It's disappointing to now hear that it's not in the budget, it's not in the plan, and it's not going to get done. The pilot phase was deemed successful and numerous peer agencies in North America and internationally have implemented similar technology for their riders and for the savings, such as in London and Toronto. What does WMATA plan to do to ensure innovation is a key priority across the board, and more specifically what are your plans for modernizing the fare payment program?**

   WMATA is committed to providing customers with the most convenient payment options possible. That is why, after deciding not to proceed with the New Electronic Payment Program (NEPP), I have directed WMATA staff to begin implementing upgrades to the current system that will modernize and improve the fare payment process for our customers.

   Beginning in 2011, WMATA worked with regional entities to improve the regional fare collection system. A plan was developed based on the expectation that customers would soon greatly expand their use of phones, watches and credit cards with embedded chips to make their fare payment. The requirements of a new system included the need for customers to have new options and locations to load their fare payment instruments.

   With these and other technical requirements, WMATA in 2014, awarded a contract to Accenture for the New Electronic Payment Program (NEPP). The first phase of the contract was to complete pilot testing on buses, in the rail system and at WMATA parking facilities.

The pilot tests validated that new payment systems (credit cards with chips, watches, phones, etc.) can be used in an advanced system for payment. However, the current usage of such technologies is estimated to be 1% or less, lower than expected. In addition, we were unable to determine a successful transition plan for the rail system that did not limit the number of available gates to our customers as the transition from the current to new system took place. The lack of vendor card payment programs would require WMATA to exchange millions of SmarTrip cards with a new card and, similarly, we were not able to determine acceptable details of that exchange process. The transition to a new program would require the development of an off board loading process that could meet the concerns of the unbanked and WMATA continues to have concerns about how to adequately address this issue. Finally, at the completion of the pilot, the cost for the program had increased beyond the budgeted $184 million.

In April 2016, WMATA cancelled the contract and is proceeding to a State of Good Repair (SOGR) effort on the current system. The SOGR effort will:

I. Ensure that fare box technology needs are being met and that the current technology is upgraded and replaced as needed for the bus fleets of the region,
II. Ensure that fare gates, fare machines, and supporting infrastructure are maintained, upgraded where needed to improve and maintain reliability,
III. Add enhancements to the fare machines to simplify and speed customer transactions,
IV. Analyze and recommend technology changes to prepare WMATA and the region for enhancements that can be added to the current system.

Funding for this effort is included in the proposed six year Capital Improvement Plan (CIP). Additionally, the proposed CIP has $150M allocated to fare collection, which includes funding for jurisdictional costs, which were not included originally. This approach addresses WMATA and the jurisdictions' fare collection system requirements for up to 10 years.

Under this approach, customers will receive better service and will not be inconvenience by another major project. This approach allows WMATA to focus attention on its greatest areas of need-- safety and reliability.

I look forward to continuing to work with you and the Members of the House Committee on Transportation and Infrastructure to restore the Metrorail system. If you have additional questions, please contact WMATA's Congressional Relations Officer, Scott Goldstein, at sgoldstein@wmata.com or 202-962-1333.

Sincerely,

OFF, AWAY

FOR: Paul J. Wiedefeld
General Manager and
Chief Executive Officer

STATEMENT OF CAROLYN FLOWERS,
ACTING ADMINISTRATOR,
FEDERAL TRANSIT ADMINISTRATION,
U.S. DEPARTMENT OF TRANSPORTATION

BEFORE THE U.S. HOUSE OF REPRESENTATIVES
COMMITTEE ON TRANSPORTATION & INFRASTRUCTURE,
SUBCOMMITTEE ON HIGHWAYS & TRANSIT

Improving the Safety and Reliability of the Washington Metro

May 24, 2016

Chairman Graves, Ranking Member Norton, Members of the Subcommittee, and Members of the WMATA regional delegation, thank you for inviting me to appear before you today to report on the safety and reliability of the Washington Metropolitan Area Transit Authority (WMATA) from the perspective of the Federal Transit Administration (FTA).

Safety is the United States Department of Transportation's (DOT) first priority, and at FTA, the safety of public transportation passengers and workers is, and will remain, our highest priority. Transit is a safe mode of transportation, certainly much safer than a private automobile. However, serious incidents, crashes and safety lapses at WMATA Metrorail in recent years, with an alarming spike in recent months, have highlighted the need for the system to make changes and improvements to ensure the safety of riders and employees.

In 2015, Congress strengthened FTA's authority to provide safety oversight with the Fixing America's Surface Transportation (FAST) Act, by explicitly authorizing the FTA to temporarily and expediently assume the role of a state safety oversight agency (SSOA) where the existing agency is not functioning properly, and clarifying FTA's ability to direct safety actions, withhold FTA financial assistance or direct the use of federal funding for safety purposes. With the FAST Act, Congress has tasked FTA with taking over safety oversight from an SSOA in limited circumstances – where immediate action is needed – and has provided enforcement tools for FTA to use in those circumstances. For the long term, safety oversight is vested in state oversight agencies that can oversee the many unique rail transit operations within their jurisdictions.

With WMATA, FTA is fulfilling the short-term, immediate need for strong oversight with its temporary role as a state safety oversight agency, while at the same time requiring the development of an effective permanent safety oversight agency.

FTA's Grantee Oversight of WMATA

Nationwide, the transit industry faces an $86 billion backlog in deferred maintenance needs, and with current investment levels, the backlog is estimated to grow at $2.5 billion every year. More than $50 billion of the backlog can be attributed to the large, older systems in our nation's largest metropolitan centers, including the District of Columbia and its surrounding areas. This transportation infrastructure backlog can only be reduced with increased investment at all levels of government.

Years of deferred repairs and under investment in maintenance have led public transit systems, like WMATA, to have infrastructure that is in deteriorated condition. With a system not in a state of good repair, transit service becomes unreliable due to breakdowns and emergency repairs, on top of the need to catch up on extensive repair work. In addition, WMATA's focus on providing expanded service has limited the amount of track access that maintenance crews have had to work on the system.

As part of the Passenger Rail Investment and Improvement Act of 2008 (PRIIA), the federal government contributes $150 million per year to WMATA, matched by $150 million from the jurisdictions served by WMATA. This investment is for the capital and preventive maintenance needs of WMATA, and in recent years, Congress has required – and FTA has ensured – that the dollars are spent on improving infrastructure, safety and reliability. With additional formula funds and grant awards, WMATA receives more than $450 million from the federal government each year.

In February 2016, WMATA submitted its Capital Investment Plan to FTA for the Fiscal Year (FY) 2017 beginning July 1, 2016. FTA conducted a thorough review of proposed and pending WMATA grant applications to ensure that $450 million in federal monies are directed to projects that support corrective actions arising from the FTA 2015 Safety Management Inspection of WMATA, safety recommendations to WMATA from the National Transportation Safety Board (NTSB), and other key infrastructure improvements. For the most part, FTA has concurred with proposed projects that included actions to address WMATA's urgent safety needs. FTA denied WMATA's proposals to use federal funds on two non-safety related projects for cosmetic cleaning of stations and for upgrades to the fare collection system, and is instead requiring that the funding be held in reserve for use on safety investment needs.

FTA's Safety Oversight of WMATA

Over the last decade, WMATA has experienced several serious rail accidents resulting in the injury and death of WMATA passengers and workers. Among these accidents are the deadly June 2009 Fort Totten collision, resulting in the death of eight passengers and a transit operator and injury to 52 others, and the January 2015 L'Enfant Plaza smoke incident, which resulted in one passenger fatality and more than 90 injuries. WMATA has also lost eight workers in six collisions with trains and equipment on the rail transit right-of-way. Most recently, WMATA experienced 20 safety incidents (14 fire and smoke incidents) in a 20 day period in April and early May 2016. While there have fortunately not been major injuries or deaths, these recent events have confirmed that immediate attention is required to identify and mitigate risks associated with the problematic infrastructure and safety culture of the WMATA system.

FTA exercised its safety authority in 2015 by conducting a Safety Management Inspection (SMI), which identified numerous organizational deficiencies and operational concerns that significantly limit WMATA's ability to recognize and resolve safety issues for both Metrorail and Metrobus. In their report on WMATA's January 2015 smoke incident in the L'Enfant Tunnel, the National Transportation Safety Board (NTSB) agreed with many of FTA's findings regarding Metrorail. In key areas, FTA found that WMATA did not effectively create a culture of safety, and failed to focus its resources on safety-critical operations and maintenance activities. In particular, FTA found serious safety lapses in WMATA's Rail Operations Control

Center (ROCC). The SMI report resulted in 54 safety findings, 44 for Metrorail and 10 for Metrobus.

On June 17, 2015, FTA issued Safety Directive 15-1 to WMATA identifying 91 required corrective actions (78 for Metrorail and 13 for Metrobus) to address each of the safety findings, and requested the WMATA Board to determine what changes to its Fiscal Years 2016 & 2017 budgets were necessary to effectively implement the corrective actions. WMATA has successfully closed out eight of the 91 corrective actions, and made submittals to FTA for another 11 corrective actions, which are under review and verification. WMATA provides FTA with weekly updates on its progress with the remaining actions.

FTA has also taken lead responsibility for safety oversight of the WMATA rail system, including all outstanding safety corrective action items from the previous SSOA, the Tri-State Oversight Committee (TOC) - an additional 217 corrective actions previously required by TOC, that are still unfulfilled by WMATA. On December 15, 2015, FTA issued Safety Directive 16-2 to WMATA to address the disposition of these outstanding TOC corrective actions and anticipates to soon formally accept WMATA's Corrective Action Plan for these items.

On May 5, 2016, a third rail insulator explosion occurred at Federal Center Southwest. During this incident, WMATA failed to follow notification protocol to the FTA safety oversight team. Additional missteps occurred when the WMATA Emergency Response Team was able to conduct only a cursory inspection of the track before service resumed. It was not until another fire incident occurred later on the same day that the track was taken out of service by WMATA General Manager (GM) Paul Wiedefeld. Such errors in judgment and breaches of safety protocols are simply unacceptable. WMATA must prioritize safety over service, and commit to providing customers and workers with the assurance that their safety is first and foremost.

Following this incident, FTA directed WMATA, on May 7 in Safety Directive 16-3, to conduct a safety stand-down, a practice that takes time out to refocus an organization on prioritizing safety every day, and reviewing and recommitting to established safety procedures and protocols. Safety Directive 16-3 also required WMATA to update and practice emergency procedures with staff, mitigate risk of smoke and fire events, and make decisions based on safety rather than operational demands.

In addition to the significant amount of current resources that FTA is devoting to WMATA oversight, the DOT as a whole has contributed to the effort as well. Staff from the Federal Aviation Administration, Federal Motor Carrier Safety Administration, Federal Railroad Administration, and National Highway Traffic Safety Administration, have all participated in the effort, providing additional safety expertise and resources to the FTA team.

On April 28, 2016, Secretary Foxx, employing another new authority from the FAST Act granted by this Congress, appointed three new federal members to the WMATA Board of Directors, all of whom have a strong background in safety, and experience in the transportation industry. These selections reaffirm the Department's serious commitment to safety improvement at WMATA.

Inspections & Investigations

FTA is conducting on-the-ground inspections of WMATA, both announced and un-announced, leading accident investigations as warranted, and working to close out 149 open accident investigation reports, many of them taken over from TOC, as well as those begun since FTA assumed safety oversight responsibilities. As of May 16, 2016, FTA has conducted 170 inspections since November 2015, with 45 percent being unannounced.

During inspections, FTA inspectors and investigators look at track conditions, rules compliance and communications in the ROCC, traction power system components and maintenance, automatic train control, vehicle and system maintenance, operations and safety protocols, track access procedures, and red signal overruns. FTA's inspectors also verify WMATA's performance of specific maintenance activities, such as track inspection, tie and fastener replacement, and insulator replacement, as they occur, to provide another mechanism to ensure follow through on identifying, and then correcting issues as they arise.

As a result of FTA inspections identifying severe problems in the ROCC, WMATA has established a new procedure for Shift Transfer Briefings, which requires verification that ROCC Controllers conduct adequate briefings between shifts through formal review and sign-off off by the Assistant Superintendent. Also, in response to the SMI, a new policy prohibiting personal cell phone use and electronic devices in the ROCC has been developed, and FTA continues to verify its implementation. FTA required and observed the completion of annual qualification testing for all ROCC Controllers, which occurred for the first time since 2012. FTA also is closely monitoring the progress of the 10 new ROCC Controllers, hired as a result of the FTA's SMI. Their training and qualification should be completed in August. Finally, though more challenging, FTA continues to observe, oversee, and provide feedback on, the development of new procedures, tools, resources and training to enhance the performance of ROCC Controllers and their skills in managing emergencies and unusual conditions.

In response to an SMI finding, WMATA identified almost 2,000 employees with expired Right of Way Work Protection (RWP) training cards, and WMATA has already put the majority of them through the full RWP training program for their level, and all training is scheduled for completion by June. FTA consistently checks and verifies implementation of WMATA's RWP program as part of its inspections.

During the Safety Blitz inspections that were conducted April 4, 2016 through April 13, 2016, looking at red signal overruns, track integrity, and rail vehicle securement, FTA identified 229 defects requiring 66 remedial actions. FTA identified 3 locations with safety defects that required WMATA to take the track out of service for immediate repairs, and 7 locations that required speed restriction due to potential for derailment.

Since April 27, 2016, the FTA WMATA team has conducted 17 inspections and extensive track walks on the west side of the Red Line. During these inspections, FTA identified 199 defects which require 129 remedial actions. On May 11, FTA issued a letter to WMATA regarding the urgent repairs required prior to start-up of the WMATA SafeTrack Plan. The letter identifies three specific segments of Metrorail, including this section of the Red Line, as requiring immediate maintenance repair.

An important piece of the mitigation plan addressing the results of these inspections will be GM Wiedefeld's Safe Track plan, scheduled to begin next month, which, at FTA's direction, now includes safety-critical repairs to the system core. These targeted repairs should improve the state of WMATA's infrastructure. However, WMATA must identify and implement routine maintenance practices going forward to maintain the important work they are about to undertake. WMATA must also impart and insist on a robust safety culture at all levels of the organization to prioritize safety in all decision making.

Creating a Capable State Safety Oversight Agency for WMATA

As Secretary Foxx has made clear, FTA's direct safety oversight role is temporary and will continue only until Virginia, Maryland and the District of Columbia set up a new State Safety Oversight Agency that is fully functioning, and compliant with Federal requirements.

On February 8, 2016, FTA informed the District of Columbia, Virginia, and Maryland that they must receive FTA certification of a new SSO program – which includes creation of a new SSOA compliant with Federal requirements – within one year from the issuance of the letter (no later than February 9, 2017). Pursuant to 49 U.S.C. § 5329(e)(8)(C), failure to do so could result in FTA withholding Section 5307 formula funds and/or taking other necessary and appropriate action. If FTA exercises this enforcement authority, up to $15 million could be withheld in federal transit funding meant not only for the Nation's capital region, but also for communities like Charlottesville, Richmond, Virginia Beach, Cumberland, Fredrick, and Waldorf.

More than six years ago, in April 2010, the three jurisdictions recognized the need to replace their Tri-State Oversight Committee, saying it did not effectively respond to critical Metrorail safety oversight issues. Maryland, Virginia, and DC entered into a Memorandum of Understanding (MOU) on February 25, 2016, which re-stated their commitment to establishing the Metro Safety Commission (MSC), but the jurisdictions need to take action on legislation to create the MSC, and FTA stands ready to provide any necessary technical assistance. FTA has received a commitment from District of Columbia officials that they will introduce legislation with the City Council in 2016. As Secretary Foxx has made clear, Maryland and Virginia should follow suit at their earliest ability.

Until a new SSOA is capable of carrying out its responsibilities, FTA will continue to provide safety oversight, conduct inspections, monitor WMATA operations, and perform other activities to ensure the safety of WMATA's riders and workers. When a new SSOA has been created, funded, and staffed, DOT and FTA will work with the new organization's leadership and the three jurisdictions to ensure a successful safety oversight transition.

Conclusion

While FTA neither runs nor operates the WMATA Metrorail system, we are providing robust direct safety oversight to guide and examine WMATA's work towards improving its infrastructure, safety culture and operations. In a short time, FTA has provided more thorough safety oversight over WMATA than it has ever received. We continue to closely monitor that its federal funds are tied to safety priorities and improving a state of good repair for WMATA

facilities and equipment.

The Metrorail system delivers tremendous benefits to the Washington, D.C. region and is central to its continued success. All users of Metrorail deserve a reliable and safe system. FTA is ensuring that WMATA makes necessary safety improvements. WMATA needs to ensure it is properly managing and resourcing its corrective safety actions and building internal safety capacity and culture, and we are encouraged that GM Paul Wiedefeld has proven a cooperative partner thus far.

Thank you for the opportunity to discuss FTA's direct and robust safety oversight of WMATA's rail transit system. We look forward to working with you to support the benefits of public transportation, here in the Washington, D.C. region and across the country. I am glad to answer any questions you may have.

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Hearing on "Improving the Safety and Reliability of the Washington Metro"
Subcommittee on Highways and Transit
Tuesday, May 24, 2016 at 10:00 a.m.
2167 Rayburn House Office Building
Washington, D.C.

Questions for the Record (QFR)

Submitted on behalf of Chairman Sam Graves:

1. **What can the Federal Transit Administration (FTA) be doing to better ensure that scarce federal resources are being spent as efficiently as possible?**

Given the limited amount of federal transit funding available, the Federal Transit Administration (FTA) has a number of mechanisms in place to support the efficient use of federal funds.

Efficiency begins with planning. In urbanized areas, a designated metropolitan planning organization (MPO) is responsible for developing, in cooperation with state officials and affected transit operators, a long range (20 year) transportation plan, as well as a project-specific, shorter-term, four year, fiscally-constrained transportation improvement program (TIP) for their particular areas. Each state and territory is also responsible for formulating a statewide TIP (STIP), which includes projects in the MPO-level TIPs as well as projects in rural areas. All projects proposed for FTA funding must be included in the TIP and 20 year plan; only projects in the STIP can receive FTA funding.

To further improve efficiency, both MAP-21 and the FAST Act updated the planning and project development process by requiring MPOs and States to develop transportation plans and TIPs through a performance-driven, outcome-based approach to planning, including the establishment of performance targets. FTA has also worked with the Federal Highway Administration on new rules to improve Statewide and Metropolitan planning. A Final Rule on Statewide and Non-Metropolitan Transportation Planning and Metropolitan Planning, which was developed over many years in consultation with the transportation community and other key stakeholders, and will align planning with recent federal legislation, was issued on May 27, 2016. In addition, a Metropolitan Planning Organization Coordination Notice of Proposed Rulemaking (NPRM) to promote more effective regional planning was issued on June 24, 2016, and public comments on this NPRM are due by August 27, 2016. The FAST Act also expanded the scope of the planning process to include resiliency and reliability.

Managing capital assets is also key to the efficient use of federal resources. MAP-21 added a requirement for FTA (49 USC § 5326) to develop a rule to establish a strategic and systematic process for public transportation agencies to operate, maintain, and improve capital assets through their entire life cycle. In

September 2015, FTA issued the Transit Asset Management (TAM) Notice of Proposed Rulemaking (NPRM) that will require FTA funding recipients to develop TAM plans that include, at a minimum, capital asset inventories and condition assessments, decision support tools, and investment prioritization. FTA will issue a final rule by the end of July 2016. Once issued and in effect, projects cannot be funded in the State of Good Repair program (49 USC § 5337) unless included in the agency's TAM plan.

For competitive programs, such as the Capital Investment Grant (CIG) Program or the Bus and Bus Facility program, FTA undertakes a number of measures to ensure federal funds are used as efficiently as possible. For the CIG program, project sponsors must complete a rigorous project evaluation process to demonstrate the benefits of the projects. For other competitive programs, FTA takes into account project benefits, the demonstration of need, and the applicants' technical, legal and financial capacity, and ability to implement the project before making investment decisions.

Once grants are awarded, FTA undertakes rigorous oversight programs, such as the Triennial Review program and the State Management Review, to ensure federal funds are used in accordance with federal requirements.

FTA will continue to work with grantees to wisely invest federal transportation dollars in transit projects that will improve reliability, and expand travel options.

2. **According to 2014 National Transit Database information, how much operating funding does WMATA spend per unlinked trip? How much operating funding per unlinked trips does New York Metropolitan Transit Authority or Chicago Transit Authority spend?**

Based on Fiscal Year 2014 National Transit Database (NTD) data, WMATA spent an average of $3.53 in total operating expenses per heavy rail unlinked passenger trip. In the same year, the Metropolitan Transportation Authority (MTA) in New York spent an average of $1.83 in total operating expenses per heavy rail unlinked passenger trip and the Chicago Transit Authority (CTA) spent an average of $2.29 in total operating expenses per heavy rail unlinked passenger trip.

While cost per trip is one useful way to look at operating efficiency, there are a number of factors that impact the cost per trip that are unrelated to operating efficiency, such as rider density. For example, New York is the largest urbanized area with 18.3 million people and as such, New York is able to achieve high ridership numbers that minimize the cost per trip. In comparison, Chicago is the 3rd largest urbanized area with 8.6 million people, while Washington is only the 8th largest urbanized area with 4.6 million people.

3. **How much federal formula transit funding and additional Passenger Rail Investment and Improvement Act funding does FTA estimate that the Washington, D.C. area will receive in fiscal year 2017? What other urbanized areas receive similar levels of total federal funding?**

   Based on FAST Act authorized formulas and funding levels, FTA estimates that the Washington, DC urbanized area will receive approximately $367 million in federal formula transit funding in FY 2017 and $150 million in PRIIA funding in FY 2017 for a total of approximately $517 million. Other urbanized areas that will receive similar levels of total funding include: the Chicago, IL urbanized area is estimated to receive approximately $529 million; the Los Angeles, CA urbanized area is estimated to receive approximately $449 million.

4. **According to the National Transit Database, WMATA serves the eighth largest urbanized area. The seventh and ninth largest urbanized areas are Houston and Atlanta, respectively. How does federal funding expended for 2014 compare for the transit agencies that are operating in these similarly sized urbanized areas?**

   In 2014, transit agencies operating in the Washington, D.C. region urbanized area reported expending $358 million in Federal funds. By contrast, transit agencies operating in the Houston, TX urbanized area reported expending $182 million in Federal funds, and transit agencies operating in the Atlanta, GA urbanized area reported expending $180 million in Federal funds.

   However, it should be noted that federal funding is commensurate with amount of transit service provided in the urbanized area, based on the size of the urbanized area, as well as population and population density.

5. **During FTA's safety blitz, you targeted worker safety failures such as red signal overruns. Are these types of safety infractions common across the transit industry? How do other transit systems address these types of unsafe actions?**

   - Red signal overruns have been a growing concern for the WMATA system since WMATA switched largely to "manual" operations following the Fort Totten collision in 2009. WMATA's system is designed for "automatic" operations, and some of the maneuvers that train operators must perform on the WMATA system, as well as some of the signal configurations and locations along the alignment, require greater skill to maneuver and master in "manual" mode. Later this summer, FTA intends to issue a report presenting the agency's analysis from its April 2016 safety blitz regarding the contributing factors to red signal overruns that have occurred at WMATA since January 1, 2012, along with its findings and required actions for needed improvements to WMATA's training and transportation programs.

   - Red signal overruns do occur at other rail transit agencies and railroads that, like WMATA, do not operate in "automatic" mode or under positive train control.

There are several methods that rail transit agencies and railroads use to strengthen the skills of train operators and reduce the likelihood of these events:

- Familiarization training, to ensure that train operators know and can call out the locations of signals, interlockings, and pocket tracks, as well as speed restrictions and locations with limited visibility along their routes;
- Computer-based and/or field testing of train operators regarding their knowledge of route-specific configurations and alignments, including signals;
- Mentoring programs that pair veteran operators with new train operators to familiarize them with their routes;
- Radio protocols that emphasize word-for-word read-backs on approach to signals with unusual train movements;
- Implementation of an active program for supervisory personnel to observe and test compliance with operating rules; and
- Employee reporting systems to encourage operators to report errors and instances where they almost ran red signals or committed other safety violations.

- In order to obtain more information on the extent of red signal overruns among rail transit systems nationwide, the FTA recently issued Safety Advisory 16-1: Stop Signal Overruns, in which the FTA directed State Safety Oversight (SSO) agencies across the nation, by July 2016, to collect and submit to FTA data on:
  - The number of red signal overruns that occurred during calendar year 2015;
  - Definitions of a red signal overrun and red stop signal or aspect at the rail transit systems in their jurisdictions; and
  - A description of the processes used to detect and report overruns.

6. In 2012, Congress directed FTA to establish a rule for Transit Asset Management, which will help transit agencies understand and prioritize their capital and preventative maintenance needs. The rule is still not final. When will the rule be finalized, and why has it taken so long?

FTA anticipates publishing the Final Rule for Transit Asset Management (TAM) by the end of July 2016.

To ensure that all stakeholders had the opportunity to inform FTA's decision-making at the outset of the rulemaking process, FTA enhanced its usual process of stakeholder outreach. In December 2012, FTA conducted an Online Dialogue on the new MAP-21 transit asset management provisions, in which more than 700 registered online users submitted 146 different comments and cast more than 1,500 votes on those comments. In September 2013, FTA issued an Advanced Notice of Proposed Rulemaking (ANPRM) for transit asset management and safety to get additional feedback, and also to highlight the inherent connections between FTA's new safety authorities and the new transit asset management

provisions. The ANPRM generated over 2,500 pages of comments from 146 different respondents.

Although these additional outreach steps added time to the rulemaking process, they provided invaluable input from the public on how these new transit asset management provisions might impact the real world operations of transit agencies, and by extension, the people who ride them. In particular, stakeholders voiced the importance of implementing the transit asset management provision in a way that was scalable, so as to be relevant to both a big city subway system and to a small Tribal Transit operator on an Indian reservation in a rural area.

In September 2015, FTA issued the Notice of Proposed Rulemaking (NPRM). The comment period on the NPRM closed on November 30, 2015. Final review of the rule is underway, and we anticipate the Final Rule will be issued later this year.

Submitted on behalf of Congresswoman Barbara Comstock:

1. **My constituents and I were deeply disturbed to see the video of a large fireball exploding off the tracks at Federal Center SW moments after a train left the station on May 5, 2016.**

   - **To comply with FTA safety oversight WMATA is required to inform FTA of incidents like this within two hours, correct?**
   - **Did WMATA notify FTA within this deadline?**
   - **Was WMATA's response to this incident satisfactory from your standpoint?**
   - **Are you satisfied with WMATA's response to your concerns?**
   - **Are there additional steps that need to be taken by WMATA?**

FTA shares your concern regarding this incident. As you know, the FTA issued Safety Directive 16-3 on May 7, 2016, which set requirements for WMATA to take actions in four key areas: prioritizing safety before operational convenience; mitigating the risk of smoke and fire; enhancing emergency planning and preparedness; and conducting a safety stand-down.

To respond to each of your questions:

- As part of FTA's Oversight and Surveillance Plan for WMATA, WMATA is required to notify the FTA within 2 hours of all incidents, including fire, arcing insulators, burning and smoking cables, and burning and smoking trains.
- WMATA did not notify the FTA of the Federal Center SW fire within 2 hours.
- WMATA's response to this incident was inadequate, which contributed to the issuance of Safety Directive 16-3.
- WMATA leadership acknowledged the errors in managing this incident, and has responded effectively to comply with the required actions laid out in FTA's Safety Directive 16-3:
  - FTA required that WMATA prioritize safety over operations, and specifically called for a safety stand-down to ensure that every employee at all levels within the organization -- including management, supervisors, roadway

workers, and controllers -- are trained on core protocols and procedures (of WMATA and the FTA) for safe operations. FTA attended and observed several safety stand-down sessions to confirm that WMATA covered the approved presentations and effectively reviewed all necessary information.

- FTA required that WMATA improve emergency planning and preparedness, and WMATA has taken steps to clarify and prioritize its new emergency training program for frontline personnel, and its new procedures and tools for managing the tunnel ventilation system. WMATA also provided special training sessions for the Rail Operations Control Center personnel regarding its critical responsibility to prioritize safety over service, and also to refresh skills on operating fire/life systems, including tunnel ventilation systems and public communication systems. In addition, WMATA executed a full-scale emergency response drill on June 26, 2016, which FTA observed.
- FTA required WMATA to take steps to mitigate fire and smoke risk. In response, WMATA is more regularly tracking power issues during regular and peak service, is working to address areas of significant water intrusion in tunnels, and in the core areas, WMATA has put speed restrictions on trains in to help reduce/stabilize power load management.

- While FTA is satisfied with the response to Safety Directive 16-3 at this time, and WMATA has effectively undertaken specifically required actions, much of the work associated with this directive is ongoing. In addition to specific work to address systemic issues that contribute to smoke and fire events, FTA continues to work with WMATA to improve the agency's safety culture, including their safety systems and emergency preparedness.

Submitted on behalf of Ranking Member Eleanor Holmes Norton:

1. **Since the passage of MAP-21 four years ago, FTA has been tasked with establishing a new regulatory role over transit safety. In reviewing FTA efforts to date, several key rulemakings remain unfinished, and each rulemaking will need to provide a phase-in for transit agency compliance. What is the target date for a final rule for each outstanding rulemaking related to safety?**

Since the enactment of MAP-21, FTA has worked diligently to develop rules to implement the Public Transportation Safety Program.

- In October 2013, FTA issued an advance notice of proposed rulemaking (ANPRM) that sought public comment on FTA's initial proposals to implement both the Public Transportation Safety Program authorized at 49 U.S.C. § 5329 and the Transit Asset Management provisions authorized at 49 U.S.C. § 5326.

- In calendar year 2015, FTA published six safety-related proposed rules and a proposed National Public Transportation Safety Plan.

- On March 16, 2016, FTA published a final rule for State Safety Oversight (SSO).

- FTA anticipates issuing the following remaining MAP-21 safety-related final rules and a National Safety Plan by the end of 2016, including:

    1. Bus Testing Final Rule
    2. Transit Asset Management Final Rule
    3. Public Transportation Safety Program Guidance
    4. Public Transportation Agency Safety Plan Final Rule
    5. National Public Transportation Safety Plan Final Rule
    6. Safety Certification Training Program Final Rule
- The completion of FTA's safety rules are a priority for the Department of Transportation, and the Administration.

2. **I understand why FTA placed WMATA on restrictive drawdown and I supported that decision. It was prudent fiscal management of taxpayer dollars. Since that time WMATA has made significant improvement to its financial management. Have the recent WMATA manual reimbursement requests generally met the requirements for reimbursement at the time of submission?**

    Yes, WMATA is meeting the requirements for reimbursement approval for their manual submissions. However, that rate of approval is a product of vigorous manual controls, validation, and coordination. Although FTA is encouraged by WMATA's progress, FTA and WMATA must complete the jointly developed Testing and Validation Plan before the restriction can be removed. Upon completion of the plan, FTA will be able to measure the improvements to WMATA's financial systems in order to accurately assess removing WMATA's restriction on drawdowns.

3. **I understand that WMATA still has four testing and validation actions to complete. At the conclusion of those actions, will WMATA be able to get timely reimbursements?**

    WMATA is currently receiving timely reimbursements for its drawdown submissions.

    FTA's Testing and Validation Plan, instituted in September 2015, prioritized the action items most critical to assuring FTA of systematic fixes to WMATA's financial controls. The plan provides WMATA with an opportunity to be removed from restricted drawdown, and reflects joint discussions with WMATA regarding the action items, initial testing, and deliverable due dates.

    The Testing and Validation Plan was organized into three groups of action items:
    - Group A (10 items): Requirements for removal of restrictions for all grants awarded after July 1, 2015;

- Group B (3 items): Additional requirements for removal of restrictions for grants awarded prior to July 1, 2015; and
- Group C (7 items): Additional items to be addressed as part of the Financial Management Oversight (FMO) review closeout.

To-date, WMATA has closed 3 items from Group A, 1 from Group B, and 1 from Group C. Although FTA has received information from WMATA on additional items, this is an iterative process, as FTA must validate these submissions and often requires additional information from WMATA.

Once the remaining items from Group A and Group B are closed, FTA can remove the restriction for grants for the respective grant award dates. The closure of Group C Action items is not tied to the drawdown restriction, but FTA will continue to monitor these as part of the FMO review closeout process.

4. **At the hearing, some Members contended that WMATA's costs are higher than comparable transit systems. Can FTA provide the Committee with a list of the heavy rail transit systems with the highest operating costs by annual vehicle miles, highest vehicle revenue hours, and per capita? Can FTA also provide the Committee with the advantages and disadvantages of each measure?**

FTA has provided the requested operating costs by annual vehicle miles, vehicle revenue hours and per capita in the first tab of the attached spreadsheet. This information includes total operating costs and service information reported to the National Transit Database (NTD) by each of the 15 heavy rail agencies in FY14. In this table, total operating costs are comprised of vehicle operating costs for heavy rail, maintenance costs for heavy rail, and general administration costs that have been allocated to the heavy rail mode by the transit system.

There are a number of advantages and disadvantages of normalizing costs by vehicle miles, vehicle revenue hours and per capita. The use of any of these measures will influence the context in which the results should be interpreted.

Operating costs per vehicle revenue mile and per total vehicle miles are both heavily influenced by system design. For example, the fewer stations per mile a system has, the fewer times a train needs to stop in order to deliver each vehicle revenue mile of transit service. Fewer stops mean higher speeds, and higher speeds mean lower costs per vehicle mile or vehicle revenue mile.

If one is seeking to do peer comparisons on the relative operating cost efficiency of transit systems, normalizing costs by vehicle revenue hours is a common industry standard. This metric is less susceptible to influence by system design (such as number of stations) and is more likely to reflect differences in operating decisions and cost structure.

Finally, total operating costs per capita is not generally considered a standard measure of cost efficiency within the transit industry. Operating costs per capita are calculated using the population of each agency's primary urbanized area (UZA) as defined by the U.S. Census Bureau in 2010. However, many heavy rail systems predominately serve the urban core, but the UZA population includes areas well beyond these boundaries. Additionally, total heavy rail operating costs per capita generally reflects the relative investment an area has made in their heavy rail network. Those areas with the largest heavy rail systems will generally have the largest total heavy rail operating costs per capita.

Ultimately, no single metric can tell the entire story of whether an individual transit system is well run, or whether its costs are reasonable. Any metric must be understood within the context of the external influences upon it.

5. **At the hearing, some Members argued that WMATA received more money per capita than any other system in the country. Can FTA provide the Committee a list of heavy rail transit systems with the highest federal contributions per capita and a list of heavy rail transit systems expenditures per capita? Is per capita the best way to measure this metric? Do these measures capture the nuance that each of these transit systems operate different modes beyond heavy rail? Can FTA provide the Committee with the same data as above but on a total vehicle revenue miles basis?**

FTA has provided total heavy rail expenditures as a 5 year average from 2010-2014 on the second tab of the attached spreadsheet. Capital expenditures may vary significantly from one year to the next, so providing a 5 year average of capital expenditures provides a more stable basis for analysis. The data provided in the attached sheet only includes expenditures for heavy rail; it does not include expenses for other modes of service provided by an agency. When averaged over the 5 year period, from 2010-2014, WMATA had the 3rd highest total expenditures per capita (capital and operating) for heavy rail among the 15 heavy rail systems at $261.36 per capita.

As noted in the previous response, total heavy rail expenditures per capita is highly correlated with total transit service provided per capita. Total expenditures per capita is not an industry standard metric for cost effectiveness, as those urbanized areas with the most transit service will typically have the most transit expenditures per capita.

FTA has also provided total expenditures (operating and capital) per vehicle mile for the same five year time period, in the second tab of the attached spreadsheet. During this time period, WMATA had the 9th highest average total cost per vehicle mile ($16.90) among the nation's 15 heavy rail systems.

6. **At the hearing, some Members implied that WMATA received more federal funds for capital costs than other transit systems. Can FTA provide the Committee a list of heavy rail transit systems by total federal capital contributions and a list of heavy**

rail transit systems by their federal capital contributions as a percentage of their capital budget? Do these measures capture the nuance that each of these transit systems operate different modes beyond heavy rail?

FTA does not collect capital funding by mode. This data is only collected at the agency level, so available capital funding data are influenced by the different modes that each system operates. Collecting this information by mode would be an additional reporting burden on the industry and increase the cost of reporting for agencies.

Submitted on behalf of Congressman Dan Lipinski and Ranking Member Eleanor Holmes Norton:

1. **The FAST Act directed FTA to issue a Notice of Proposed Rulemaking on driver assaults, a growing issue for all transit agencies. What is the target date by which FTA will issue this rulemaking?**

FTA intends to meet the statutory requirement included in the FAST Act to issue a Notice of Proposed Rulemaking (NPRM) on transit operator assaults within 90 days of the issuance of an FTA Report to Congress, due in December 2016, on Public Transportation Safety Standards.

FTA is currently conducting a National Online Dialogue on preventing and mitigating transit worker assaults; this forum began on June 13 and will continue through August 31, 2016. The online dialogue will provide public transportation stakeholders and others an opportunity to help identify risks and impediments to a safe workplace, and propose possible solutions to these assaults. FTA will use the information gathered from the dialogue in the development of the proposed rule.

Prior to enactment of the FAST Act, FTA recognized that transit worker assaults required attention, and the U.S. Transportation Secretary's Transit Advisory Committee for Safety (TRACS) issued a report on this subject in 2015, which includes best practices for transit agencies to prevent assaults.

[Editor's note: The spreadsheets referenced in the responses to questions on pages 8 and 9 are online at the Government Publishing Office's Federal Digital System at: https://www.gpo.gov/fdsys/pkg/CPRT-114HPRT21142/pdf/CPRT-114HPRT21142.pdf. The "first tab of the spreadsheet" is page 1 of the online spreadsheet; the "second tab of the spreadsheet" is pages 2 and 3 of the online spreadsheet.]

Testimony of
The Honorable Timothy Lovain
Chairman
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments

Before the Subcommittee on Highways and Transit
Committee on Transportation and Infrastructure
U.S. House of Representatives

May 24, 2016

Mr. Chairman and Members of the Committee, I am Timothy Lovain, Chairman of the National Capital Region Transportation Planning Board (TPB) at the Metropolitan Washington Council of Governments (COG). I also serve as a Councilmember of the City of Alexandria, Virginia.

The Transportation Planning Board is the federally designated metropolitan planning organization for the National Capital Region. It is responsible for developing and carrying out a continuing, comprehensive, and cooperative transportation planning process in the metropolitan area. The TPB is housed and staffed by the Council of Governments, a nonprofit association of 22 local governments representing the District of Columbia, suburban Maryland, and Northern Virginia and more than five million residents.

I would like to thank Chairman Graves and Ranking Member Norton for the opportunity to appear before the subcommittee today to share my observations on the importance of the Metrorail system to the National Capital Region on so many fronts.

Earlier this year we celebrated Metrorail's 40 years of service to the nation's capital. During this period, the rail system has helped tie our multi-state region together. It has had a significant impact on our region's mobility and economy and has supported the development of dozens of vibrant, transit-oriented communities.

Equally important, it has provided invaluable service to the federal government and to people visiting the nation's capital. It is in this context that I provide my testimony on behalf of the National Capital Region Transportation Planning Board and Metropolitan Washington Council of Governments to this Subcommittee on Highways and Transit.

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Today, I will highlight some of the ways that Metro is central to our region's mobility and prosperity, and its importance to the region's largest employer, the federal government. I will also discuss the significance of Metro as the transit system of the nation's capital.

Washington D.C. is the most important world capital and its metropolitan region deserves a world-class rail system. Metrorail opened 40 years ago this year and quickly gained a reputation as a world-class system—a reputation it enjoyed for many years until recently. The 19 million annual visitors to this capital region come not just from across the country but across the world. Their impressions of the capital region, and our nation as a whole, are shaped in part by their experience of the Metro system.

The federal government has recognized Metro's important role from the beginning. Federal funding accounted for $6.4 billion—more than two-thirds—of the system's initial construction. Federal funding continued the 40 year federal-state-local partnership supporting Metro with a major contribution to the recent expansion of the rail system (the Silver Line extension) to Dulles International Airport.

The federal government again reaffirmed its commitment to maintaining Metro as a world-class system by committing to provide matching funds to keep the system in a state of good repair through the 2008 Passenger Rail Investment and Improvement Act (PRIIA) Act. Continuation of this funding for another decade is critical as Metro works to improve the safety and reliability of the system. The region remains committed to match the federal funds in this regard thanks to the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

The importance of Metrorail to the National Capital Region cannot be overstated. It is vital to the region's economy. It serves people from across the country. It transports a significant part of the federal workforce and provides numerous other benefits.

As of fiscal year 2015, Metrorail logged about 710,000 rail trips on an average workday. In addition, 59 Metrorail stations are located within the region's Activity Centers, the region's priority locations for growth.

And Metro will shape future transportation and development patterns, helping our region accommodate an additional 1.5 million people and 1.1 million jobs that the Council of Governments has forecast for the next three decades. For example, one in five Metrorail riders come from zero car households.

Metro also serves a key role in helping the region accommodate special events. For example, Metro provided 1.1 million rail trips on Inauguration Day in 2009.

In addition to mobility, Metro is a major asset to the region's economy. In the 2011 study *Making the Case for Transit*, the Washington Metropolitan Area Transit Authority (WMATA) quantified some of the system's key benefits, such as providing access to jobs and increasing property values. For example, the study found that two million jobs, more than half of all jobs in the region, are located within a half-mile radius of all Metrorail stations and Metrobus stops.

Property values within a half-mile of Metrorail stations represent more than a quarter of local jurisdictions' property tax base, but only four percent of their land. This valuable land generates more than $3 billion annually in property tax revenues.

More recent statistics from WMATA show that 86 percent of the region's new office construction is occurring within one-quarter mile of Metrorail stations and 93 percent of this construction is within a half-mile.

These numbers reveal how the region's economy has become closely intertwined with Metro. They also remind us that ensuring a safe, reliable system is essential if the region hopes to attract and retain businesses and workers in the future.

Finally, it is important to note that more than any other transit system, Metro helps the federal government do business. Recent data indicate that the federal workforce represents 43 percent of Metro's morning peak period commuters and about 40 percent of the federal workforce in the region use the Metrorail system for their commuting or business-related travel.

According to the U.S. General Services Administration, 315 buildings with federal offices or labs, excluding military and defense buildings, are within a half mile of Metrorail stations. The Metrorail

system also plays a critical homeland security role by enabling the evacuation of more than 120,000 people per hour.

As has been said by many regional leaders, all of us – the local, state and federal government, businesses, and citizens of the District of Columbia, Maryland, and Virginia - own Metro. We all invest in the system because we all benefit from it.

I'd add that the success of all other strategies and future investments to improve transportation in our region relies on an existing system that functions properly and is safe.

We certainly acknowledge that Metro is facing some significant challenges in terms of ensuring the levels of safety and service reliability that characterizes a world-class system. There are many reasons that we are faced with this challenge today, including governance, safety oversight, and funding.

The region, with assistance from the federal government, has recently taken some significant action on these fronts. The WMATA Board has reaffirmed its commitment to address the challenges Metro is facing, such as hiring General Manager and Chief Executive Officer Paul Wiedefeld. Mr. Wiedefeld has a record of successful management of transportation systems. In his short tenure, he has taken bold actions to address safety and service reliability challenges and begin restoring the trust and pride of its riders.

The Federal Transit Administration has taken unprecedented and direct leadership in conducting the safety oversight of Metrorail. The Governors of Maryland and Virginia and the Mayor of the District of Columbia together with their legislative representatives are working collectively to establish a Metrorail Safety Commission that will take full advantage of the investigation, inspection, and enforcement authority the Congress has provided to safety oversight agencies.

Over the past four decades, local, state, and federal officials have made a major investment in Metro and have reaped many benefits. Now as the system faces serious challenges, our region's success will depend on our working together to support Metro and ensure safe and reliable service.

State and local governments fund half of Metro's $1.8 billion operating budget, while fare revenues make up the other half. State and local governments also provide the majority of the system's capita budget. The 2008 Passenger Rail Investment and Improvement Act (PRIIA) Act put in place a ten-year, $3 billion funding agreement of which half of the funds are federal dollars.

Despite all of these contributions, Metro's needs are greater than the funding currently available. I believe that within the United States, Metro is the only rail system in its class that does not have a dedicated source of funding for its operations and state of good repair needs.

That's why the region is coordinating through the Council of Governments and our business community partner, the Greater Washington Board of Trade, to explore how it can collectively work at the state and local levels to provide long-term, predictable, and sustainable dedicated funding support to meet Metro's needs. And we look forward to continued and increased financial support from the federal government as well.

I am confident that the region and the federal government can continue our partnership and rise up to address Metro's challenges. For Metro to be a regional and national asset for future decades, we must ensure a safe and reliable system and help restore the system's world-class reputation.

Responses to Questions for the Record
From
The Honorable Timothy Lovain
Chairman
National Capital Region Transportation Planning Board
Metropolitan Washington Council of Governments

Following the Testimony Before the Subcommittee on Highways and Transit
Under the Committee on Transportation and Infrastructure
U.S. House of Representatives on May 24, 2016

July 13, 2016

Questions on behalf of Chairman Sam Graves:

1. **State and local governments from the Washington, D.C. region have supported expansion of the Metro system – from the Silver Line to a proposed station at Potomac Yard. What are the state and local governments doing to ensure that WMATA can handle the additional ridership and operation expenses that would come with expansion?**

   Response: WMATA is a member of the National Capital Region Transportation Planning Board (TPB) and so are all of the jurisdictions served by WMATA. From the many discussions the board has conducted on various WMATA-related topics, I have learned that the WMATA member jurisdictions are engaged with the WMATA Board and its staff on a number of fronts to ensure that the anticipated increase in ridership and the additional operational expenses needed for the expanded Metro rail system are met. I understand that these activities include the annual assessment of funding needs for operations, station area access improvements, and capital improvements within the stations. At the Transportation Planning Board, WMATA and its member jurisdictions worked diligently and cooperatively to examine the funding needed to maintain the WMATA system (Bus, Rail and Paratransit) at a state of good repair for the 2015-2040 period and were able to identify funding that was reasonably expected to be available. This analysis accounted for ridership increases forecast for all three service offerings of WMATA. I also understand from reports to the TPB by WMATA representatives that the WMATA Board works with its members to develop a multi-year Capital

Improvement Plan and a Capital Funding Agreement with its members to ensure the agency will be able to plan and implement the enhancements needed to safely accommodate the forecast increase in ridership.

2. **Since 2010, the failures of the Tri-State Oversight Committee have been well documented. However, neither Virginia nor Maryland legislatures have enacted the necessary enabling legislation for the Metropolitan Safety Commission. What are the local leaders doing to urge the Virginia General Assembly to establish a safety oversight agency that meets federal requirements?**

   Response: The leaders of the region's local governments are fully and directly engaged in assisting Virginia, Maryland and the District of Columbia in expeditiously reconstituting the Tri-State Oversight Committee into the Metropolitan Safety Commission. All of the WMATA member jurisdictions are members of the Metropolitan Washington Council of Governments (COG) whose membership also includes legislative representatives from the District of Columbia, Maryland, and Virginia. At the request of the Governors of Maryland and Virginia and the Mayor of the District of Columbia, COG has accepted the position of being the Designated Recipient for the U.S. Department of Transportation's State Safety Oversight Program. In this role, COG receives federal funding made available to establish the Metropolitan Safety Commission (MSC) and provides decision support and administrative oversight of the efforts to establish the MSC. COG has also established a working group of select legislators from the District of Columbia, Maryland and Virginia and representatives of the Administrations in those three jurisdictions to regularly meet, discuss and coordinate the planned legislative actions within the three legislatures. Finally, membership of the National Capital Region Transportation Planning Board (TPB) includes WMATA member jurisdictions, WMATA and legislators from the District of Columbia, Maryland and Virginia. Furthermore, the TPB, which is staffed by COG's Transportation Planning Department, provides opportunity for regular engagement between local leaders and state legislators on the work currently underway among the three jurisdictions to establish the MSC.

Questions on behalf of Ranking Member Eleanor Holmes Norton:

1. **As chair of a Transportation Planning Board for a region with two states, the District of Columbia, and the federal government, what unique challenges do you face compared to other planning boards? Do you think WMATA faces these same challenges?**

   Response: The Transportation Planning Board (TPB) is the federally designated Metropolitan Planning Organization for the National Capital Region. As noted, the planning area for the TPB includes the entire District of Columbia, and parts of Maryland and Virginia. The 43 members of the TPB represent 21 Counties and Cities, three different Departments of Transportation, legislators from the District of Columbia, Maryland, and Virginia, members of the FHWA, FTA, WMATA, National Park's Service and National Capital Planning Commission among others. This broad array of members represents not just the geographic breadth of the region but also the diversity of issues, needs, policies, and priorities of the member jurisdictions, not to mention the different governing structures of the various administrative and legislative bodies. While this diversity is one of the strengths of the National Capital Region, it also requires regional bodies such as the TPB to strive harder to find consensus on solutions to the region's issues. Such consensus among multiple stakeholders with varied perspectives and preferences is critical to addressing the needs of the region. Building consensus takes time and requires an open-minded collaborative approach in crafting solutions to regional challenges. The TPB's operating philosophy in the face of such diversity has been to encourage its members to "Think Regionally and Act Locally."

   WMATA similarly serves the entire District of Columbia, and parts of Maryland and Virginia. Additionally, the federal government—with its hundreds of thousands of employees and many hundreds of thousands in contract employees located in all three jurisdictions—is one of the major customers and stakeholders of WMATA's services. As

such, the diversity of the transit agency's service area and the complexity of its operating, governance and funding environment is very similar to that faced by TPB.

It should also be noted that while the TPB is the region's Metropolitan Planning Organization, it is not directly responsible for the operations and maintenance of any transportation infrastructure or service as WMATA is. With operational responsibilities over multiple jurisdictions covering a large geographic area and with a variety of funding sources, the task of developing effective solutions to the various issues that would garner consensus and secure decision and funding support from its diverse stakeholders is all the more challenging for WMATA

2. **Given your testimony on the multitude of metrics that show the federal workforce is heavily dependent on WMATA to get to their jobs, do you think it's essential to have federal stakeholders on WMATA's board and federal dollars on the table?**
   Response: As noted in my testimony, the importance of the Metrorail system to the National Capital Region on so many fronts cannot be overstated. To echo comments from my fellow area officials at the Council of Governments and Transportation Planning Board, Metro cannot fail. Metro rail has helped tie our multi-state region together. It has had a significant impact on our region's mobility, economy, land use, and in cultivating dozens of vibrant, transit-oriented communities.

   It is important to note that more than any other transit system, Metro helps the federal government do business. Recent data indicate that slightly more than one third of average weekday Metro rail riders are federal employees and also that about 40 percent of the federal workforce in the region use the Metrorail system for their commuting or business related travel. Additionally, there are hundreds of thousands of private sector employees who support the various federal agencies located throughout the region who use the Metro system. The Metrorail system also plays a critical homeland security role by enabling the evacuation of more than 120,000 people per hour. With such a direct

impact to federal employees, contractors, and clients, I believe that federal government representation on WMATA's board is valuable and essential.

Equally important is federal funding for the Metro system. As noted earlier, a majority of federal employees depend on the Metro system for their commutes to and from work. Additionally, as a world capital this region receives about 19 million annual visitors from not just across the country but from across the world. Many of these visitors depend on the Metrorail system and their impressions of the capital region are shaped in part by their experience of the Metro system. The federal government has recognized the important role that Metro plays right from the beginning when its funding accounted for $6.4 billion—more than two-thirds—of the system's initial construction. Federal funding has also contributed to the recent expansion of the rail system with the Silver Line extension. The federal government again reaffirmed its commitment to maintain the Metro as a world class system by committing to provide matching funds to keep the system in a state of good repair through the 2008 Passenger Rail Investment and Improvement Act (PRIIA). Continuation of this funding is critical to Metro's ability to undertake the many actions it needs to take to improve the safety and reliability of the system. I believe that the region remains committed to match the federal funds in this regard thanks to the Governors of Maryland and Virginia and the Mayor of the District of Columbia.

Despite all of these contributions, Metro's needs are greater than the funding currently available. Now, as the system faces serious challenges, our region's success will depend on our working together to support Metro and ensure safe and reliable service. Federal funds make up less than 20 percent of WMATA's annual budget. While the region is also working to explore how it can increase funding at the state and local levels, we look forward to continued and increased financial support from the federal government as well.

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