

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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Government Operations Ranking Member Gerald E. Connolly (VA-11th)

Joint Hearing of the Oversight Subcommittees on Transportation and Public Assets and Government Operations: D.C. Metro: Update

The federal government is an active partner in providing oversight and financial support to Metro, and we have two federal appointees who serve on its Board of Directors, including the current chairman. More than 40% of rush-hour riders are federal employees, and more than half of all Metro stations are located on federal property. Metro also transports the 12 million tourists, our constituents, who visit the nation's capital each year, earning its reputation as "America's Subway," so I welcome our committee playing a constructive role in helping to ensure the system is operating safely and efficiently.

Today's hearing will continue to focus on the aftermath of the January 12, 2015, arcing incident at L'Enfant Plaza, which resulted in the tragic death of Alexandria resident, Carol Glover, and in which 80 other passengers were injured largely due to smoke inhalation. We owe it to the family of Ms. Glover, and all Metro riders, to do everything in our power to uncover the root cause of why that accident happened, and also to apply lessons learned throughout the transit agency – from the frontline track maintenance workers to the general manager – so that we can begin to restore public confidence, which understandably has been shaken in the wake of this tragedy coupled with ongoing service delays and recent acts of violence on Metro property.

We are not the only ones examining the situation at Metro. A series of critical reports have been issued since our last hearing. Three federal agencies and an industry association are conducting their own independent assessments of Metro, and today we will learn more about Metro's own internal reviews from its inspector general. These reports, and the recommendations issued to Metro, should inform our own oversight and provide a roadmap for Metro to pursue as it strives to not only maintain, but also improve an aging transit system that is showing wear and tear brought on by time, millions of annual riders, and, frankly, lack of sufficient investment and attention to upkeep, and a failure to develop a culture of safety.

Allow me to briefly summarize some of the developments since our last hearing:

The National Transportation Safety Board continues its investigation into the Jan. 12 incident, and has issued a series of four "urgent recommendations" calling on Metro to 1) assess and verify that its tunnel ventilation system is in good repair, 2) implement detailed, written ventilation procedures for its Rail Operations Control Center, 3) base such procedures on the

most effective strategies for fan operation to reduce rider exposure to smoke during emergency situations, and 4) implement a program to ensure all power cable connectors are installed with proper “sealing sleeves.” I continue to be disappointed that such recommendations were even necessary. For example, Metro needs to explain what action, if any, it took following an advisory issued by the FTA in 2007 after a derailment in Chicago urging all transit agencies to examine their tunnel ventilation systems and emergency evacuation procedures. And it is particularly frustrating to learn that Metro had deviated from its own design standards on insulating these cable connectors, which the NTSB continues to investigate as a possible cause of the Jan. 12 arcing incident.

Last month, the NTSB held a two-day investigative hearing, which included an assessment of Metro’s organizational and safety cultures and steps necessary to strengthen the Tri-State Oversight Committee under new federal guidelines adopted by Congress in the Moving Ahead for Progress in the 21st Century Act (or MAP-21). I look forward to learning more about the NTSB’s work from its vice chairman during today’s hearing. I also would like to hear from Metro’s Interim GM, Mr. Requa, on the steps Metro has taken to address the NTSB recommendations and the progress being made to implement the 14 “early-actions” he announced following the Jan. 12 incident.

The FTA this spring also conducted a Safety Management Inspection of Metro and issued its findings in early June – which follows a separate Financial Management Oversight Review last year. That safety report includes 44 findings with respect to Metrorail and 10 for Metrobus with a total of 91 recommended corrective actions. FTA cites serious safety lapses in the Metro’s Operations Control Center related to staff training and certification and a lack of quality control in terms of training and performance inspection. This speaks directly to the lack of an adequate safety culture and leadership within Metro, which I will address in more detail below.

Let me note that the FTA did acknowledge Metro’s ongoing funding challenges as a primary factor in some of its previous recommendations not yet being completed. This is particularly timely following the House’s ill-advised action to reduce the federal funding commitment to Metro by a third, or \$50 million, which threatens to unravel the local-state-federal partnership created seven years ago to help finance critical safety upgrades, like the replacement of the oldest rail cars in the fleet. Under that agreement, established by Congress in the Passenger Rail Investment and Improvement Act of 2008, a \$150 million annual commitment from the federal government is matched dollar-for-dollar with \$50 million each from Virginia, Maryland, and D.C. Hopefully, this hearing will help inform some of our colleagues as to the urgent need to restore that funding in the final appropriations bill for next year.

Just last week the Government Accountability Office (GAO) issued an assessment on the steps Metro has taken thus far to address these various financial and safety recommendations. With respect to financial management, GAO found Metro has responded to the 38 recommendations issued by FTA in last year’s Financial Management Oversight Review, noting that the FTA will need additional time to verify some of the corrective actions before removing the restrictions placed on Metro’s ability to draw-down federal grant. The GAO again cited concerns raised by previous reports that Metro needs to improve its internal financial

management controls, and I hope to hear progress on that front today from Metro's chief financial officer.

On safety, the GAO also said Metro has been generally timely in responding to NTSB recommendations dating back to 2008. Much like the FTA's recent assessment, the GAO report also cites a lack of adequate funding as a primary factor for some NTSB recommendations not yet being completed, such as the replacement of the oldest rail cars following the 2009 Red Line tragedy, onboard event recorders, and warning devices for track workers. Simply throwing money at a problem is no solution, but in this case, Metro has been starved of a dedicated, reliable source of funding for decades, and a long-term solution to that challenge will be necessary to make these safety improvements and to put Metro in a stronger position for the future.

Finally, a fourth review is being conducted by the American Public Transit Association looking at Metro's safety operations with recommendations due very soon.

Mr. Chairman, the litany of safety and management concerns raised by these oversight agencies, not to mention this committee, make it even clearer that Metro needs to get new leadership in place post haste. While I commend Mr. Requa for his efforts in six months of acting leadership, I was encouraged to see the Metro Board's recent action "re-energizing" its search for a new and permanent General Manager and CEO. The need for strong leadership focused on safety was emphasized by the president of New York's Metro-North Railroad during last month's NTSB hearing, and I would note that last week U.S. Transportation Secretary Foxx expressed the urgency of this situation to the governors of Virginia and Maryland and the D.C. mayor.

We are facing a perfect storm of problems – an aging Metro system, a panoply of maintenance issues that impact rider safety and confidence, weak financial management over internal controls, and lack of a dedicated source of funding for the system. The hiring of a new general manager won't solve Metro's many challenges overnight, but it will be an important step forward to resolving the issues raised by this committee, the NTSB, FTA, GAO, the National Capital Region Congressional delegation, and our local and state leaders. It's time to get Metro back on track, and I look forward to hearing from today's panel about how Congress can continue to be a strong partner in that effort.

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