

Congress of the United States
Washington, DC 20510

August 5, 2010

The Honorable Peter Benjamin
Board of Directors
Washington Metropolitan Area Transit Authority
600 5th Street, N.W.
Washington, DC 20001

Dear Chairman Benjamin:

Last week, the National Transportation Safety Board (NTSB) briefed us on its report of Metro's June 22, 2009 deadly crash. The NTSB found the unthinkable -- that this horrible crash could have been prevented if the Metro Board, management and workforce had a safety culture. Time for action is now. We request that you tell us exactly how Metro plans to respond to NTSB's report.

First, we want to know how you plan to implement a SAFETY CULTURE at Metro. We find some comfort in knowing that the NTSB believes Metro is safer today than it was last year. However, the NTSB made it very clear that much more needs to be done at Metro, starting at the top, to improve safety and operational reliability for both riders and workers.

Second, we want to know how you plan to implement the NTSB's recommendations that cost a minimum amount of money:

1. Elevate the safety oversight role of the WMATA Board of Directors by (1) developing a policy statement to explicitly and publicly assume the responsibility for continual oversight of system safety, (2) implementing processes to exercise oversight of system safety, including appropriate proactive performance metrics, and (3) evaluating actions taken in response to National Transportation Safety Board and Federal Transit Administration recommendations, as well as the status of open corrective action plans and the results of audits conducted by the Tri-State Oversight Committee.

Third, we want to know how you plan to implement the recommendations that have a cost. We also want your estimated budget for these items:

1. Remove all 1000-series railcars as soon as possible and replace them with cars that have crashworthiness collision protection at least comparable to the 6000-series railcars.
2. Because of the susceptibility to pulse-type parasitic oscillation that can cause a loss of train detection by the Generation 2 GRS audio frequency track circuit modules, establish a program to permanently remove from service all of these modules within the Metrorail system.
3. Conduct a comprehensive safety analysis of the Metrorail automatic train control system to evaluate all foreseeable failures of this system that could result in a loss of train separation, and work with your train control equipment manufacturers to address in that analysis all potential failure modes that could cause a loss of train detection, including parasitic oscillation, cable faults and placement, and corrugated rail.
4. Based on the findings of the safety analysis recommended in the previous recommendation, incorporate the design, operational, and maintenance controls necessary to address potential failures in the automatic train control system.
5. Implement cable insulation resistance testing as part of Metrorail's periodic maintenance program.
6. Work with the Tri-State Oversight Committee to satisfactorily address the recommendations contained in the Federal Transit Administration's March 4, 2010, final report of its audit of the Tri-State Oversight Committee and WMATA.
7. Ensure that the lead married-pair car set of each train is equipped with an operating onboard event recorder.
8. Develop and implement a program to monitor the performance of onboard event recorders and ensure they are functioning properly.

As you know, we have met our federal obligation to Metro again this year. The second installment of dedicated federal funding in the amount of \$150 million is in both the Senate and House annual transportation spending bills. We will work to protect this funding through the remainder of the legislative process. We also are working very hard to pass comprehensive transit safety legislation before the end of this year.

2. Establish periodic inspection and maintenance procedures to examine all audio frequency track circuit modules within the Metrorail system to identify and remove from service any modules that exhibit pulse-type parasitic oscillation.
3. Review the process by which Metrorail technical bulletins and other safety information are provided to employees and revise that process as necessary to ensure that (1) employees have received the information intended for them, (2) employees understand the actions to be taken in response to the information, and (3) employees take the appropriate actions.
4. Completely remove the unnecessary Metrorail wayside maintenance communication system to eliminate its potential for interfering with the proper functioning of the train control system.
5. Require that your safety department; representatives of the operations, maintenance, and engineering departments; and representatives of labor organizations regularly review recorded operational data from Metrorail train onboard recorders and the Advanced Information Management system to identify safety issues and trends and share the results across all divisions of your organization.
6. Develop and implement a non-punitive safety reporting program to collect reports from employees in all divisions within your organization, and ensure that the safety department; representatives of the operations, maintenance, and engineering departments; and representatives of labor organizations regularly review these reports and share the results of those reviews across all divisions of your organization.
7. Review the Hazard Identification and Resolution Matrix process in your system safety program plan to ensure that safety-critical systems such as the automatic train control system and its subsystem components are assigned appropriate levels of risk in light of the issues identified in this accident.
8. Develop a formal process by which the General Manager and managers responsible for WMATA operations, maintenance, and engineering will periodically review, in collaboration with the chief safety officer, all safety audits and open corrective action plans, and modify policy, identify and commit resources, and initiate any other action necessary to ensure that the plans are adequately addressed and closed within the required time frame.

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It's now time for you to do your job. We appreciate your prompt reply to our requests. We also look forward to meeting with you this fall to receive an update on the progress being made at Metro.

Thank you for your attention to this urgent matter.

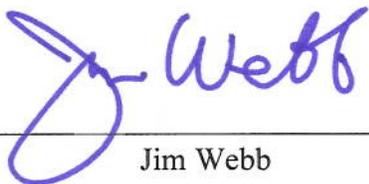
Sincerely,



Barbara A. Mikulski
United States Senator



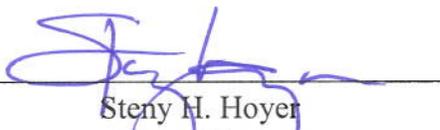
Benjamin L. Cardin
United States Senator



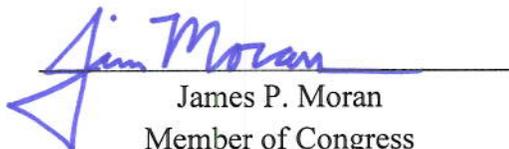
Jim Webb
United States Senator



Mark R. Warner
United States Senator



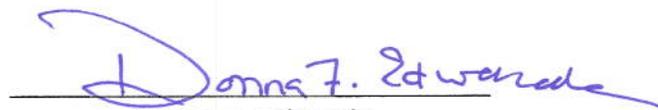
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