

# Congress of the United States

## House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

MAJORITY (202) 225-5074

MINORITY (202) 225-5051

<http://oversight.house.gov>

October 26, 2016

Mr. Paul J. Wiedefeld  
General Manager  
Washington Metropolitan Area Transit Authority  
600 5th Street NW  
Washington, D.C. 20001

Dear Mr. Wiedefeld:

On October 11, 2016, the Washington Metropolitan Area Transit Authority (WMATA) presented its Board of Directors with a report examining options for addressing an anticipated \$275 million budget shortfall for the upcoming fiscal year.<sup>1</sup> The Board received several options for addressing the anticipated shortfall, including fare increases, the closure of 20 Metro stations during off-peak hours, and additional service reductions<sup>2</sup> beyond the current suspension of late night service under its SafeTrack Plan.<sup>3</sup>

Members of WMATA's Board of Directors and community stakeholders have expressed various concerns about the effect of the proposed service reductions<sup>4</sup> and questioned whether they are necessary in the first place.<sup>5</sup> Mayor Muriel Bowser stated that in WMATA's proposal for late-night service cuts, "[t]here has been no articulation of a need, a plan, or how the plan is designed to solve the problem."<sup>6</sup>

On October 11, 2016, the Council of the District of Columbia unanimously approved a resolution calling upon WMATA to restore late-night rail service.<sup>7</sup> The Board and stakeholders have also expressed concerns regarding WMATA's proposed station closures, and the potential to disproportionately affect socioeconomically-disadvantaged and minority communities.<sup>8</sup>

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<sup>1</sup> Martine Powers and Lori Aratani, *Metro Hints at Fare Hikes and Service Cuts to Balance \$275 Million Budget Shortfall*, WASH. POST, Oct. 11, 2016.

<sup>2</sup> Washington Metropolitan Area Transit Authority, FY2018 Operating Budget Prep Session (Oct. 13, 2016).

<sup>3</sup> Martine Powers, *Metro Unveils Options For Cutting Late-Night Service. You Probably Won't Like Them*, WASH. POST, Sept. 7, 2016.

<sup>4</sup> Martine Powers, *The 20 Stations Metro Could Close During Off-Peak Hours to Save Money Are Mostly in Communities of Color*, WASH. POST, Oct. 17, 2016.

<sup>5</sup> Martine Powers, *Is SafeTrack Really Helping? Two Days of Messy Metro Commutes Prompt Questions From Board Members*, WASH. POST, Oct. 13, 2016.

<sup>6</sup> Martine Powers, *D.C. Mayor Muriel Bowser to Metro: 'No Articulation of a Need for Late-Night Service Cuts*, WASH. POST, Oct 20, 2016.

<sup>7</sup> Faiz Siddiqui, *D.C. Council Calls on Metro to Restore Late-Night Service*, WASH. POST, Oct. 11, 2016.

<sup>8</sup> Martine Powers, *The 20 Stations Metro Could Close During Off-Peak Hours to Save Money Are Mostly in Communities of Color*, WASH. POST, Oct. 17, 2016.

To help the Committee better understand WMATA's proposed changes to Metro operations, please provide the following information, documents and communications as soon as possible, but no later than 5:00 p.m. on November 9, 2016:

1. All documents and communications referring or relating to potential means for addressing the anticipated Fiscal Year 2018 budget shortfall;
2. All documents and communications since November 30, 2015, referring or relating to potential fare increases, including, but not limited to, proposed fare rates, the impact on the budget shortfall, and impact on ridership rates;
3. All documents and communications since November 30, 2015, referring or relating to potential closures of Metrorail stations or suspensions of service, including, but not limited to, the potential impact on the budget shortfall, and analysis of the impact on communities in the immediate area surrounding a proposed station closure;
4. All documents and communications since November 30, 2015, referring or relating to potential reductions in service hours of the Metrorail system, including, but not limited to, analysis of impact on ridership rates, justification for why such reduction in service is necessary, and impact of each proposed service reduction on budget shortfalls;
5. All documents and communications since November 30, 2015, referring or relating to specific work performed during the additional hours of closure implemented as part of SafeTrack plan, including, but not limited to justifications, post-work review, and other materials demonstrating whether the inconvenience caused to the riders, and the negative publicity yielded a net benefit to WMATA; and
6. Documents sufficient to show the time, location, and purpose of maintenance and repair work performed on the Metrorail system outside of service hours since the beginning of the SafeTrack program.

The Committee on Oversight and Government Reform is the principal oversight committee of the House of Representatives. Pursuant to House Rule X, the Committee has authority to investigate "any matter" at "any time."

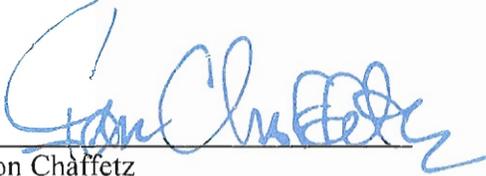
When producing documents to the Committee please deliver production sets to the Majority staff in Room 2157 Rayburn House Office Building and the Minority staff in Room 2471 Rayburn House Office Building. The Committee prefers, if possible, to receive all documents in electronic format. An attachment to this letter provides additional information about responding to the Committee's request.

Mr. Paul J. Wiedefeld

October 26, 2016

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Please contact Ari Wisch of the Committee's Majority staff at (202) 225-5074 with any questions about this request. Thank you for your attention to this matter.



Jason Chaffetz  
Chairman

Sincerely,



John L. Mica  
Chairman  
Subcommittee on Transportation  
and Public Assets



Mark Meadows  
Chairman  
Subcommittee on Government Operations

Enclosure

cc: The Honorable Elijah E. Cummings, Ranking Member

The Honorable Tammy Duckworth, Ranking Member  
Subcommittee on Transportation and Public Assets

The Honorable Gerald E. Connolly, Ranking Member  
Subcommittee on Government Operations

## Responding to Committee Document Requests

1. In complying with this request, you are required to produce all responsive documents that are in your possession, custody, or control, whether held by you or your past or present agents, employees, and representatives acting on your behalf. You should also produce documents that you have a legal right to obtain, that you have a right to copy or to which you have access, as well as documents that you have placed in the temporary possession, custody, or control of any third party. Requested records, documents, data or information should not be destroyed, modified, removed, transferred or otherwise made inaccessible to the Committee.
2. In the event that any entity, organization or individual denoted in this request has been, or is also known by any other name than that herein denoted, the request shall be read also to include that alternative identification.
3. The Committee's preference is to receive documents in electronic form (i.e., CD, memory stick, or thumb drive) in lieu of paper productions.
4. Documents produced in electronic format should also be organized, identified, and indexed electronically.
5. Electronic document productions should be prepared according to the following standards:
  - (a) The production should consist of single page Tagged Image File ("TIF"), files accompanied by a Concordance-format load file, an Opticon reference file, and a file defining the fields and character lengths of the load file.
  - (b) Document numbers in the load file should match document Bates numbers and TIF file names.
  - (c) If the production is completed through a series of multiple partial productions, field names and file order in all load files should match.
  - (d) All electronic documents produced to the Committee should include the following fields of metadata specific to each document:  
  
BEGDOC, ENDDOC, TEXT, BEGATTACH, ENDATTACH,  
PAGECOUNT, CUSTODIAN, RECORDTYPE, DATE, TIME, SENTDATE,  
SENTTIME, BEGINDATE, BEGINTIME, ENDDATE, ENDTIME, AUTHOR, FROM,  
CC, TO, BCC, SUBJECT, TITLE, FILENAME, FILEEXT, FILESIZE,  
DATECREATED, TIMECREATED, DATELASTMOD, TIMELASTMOD,  
INTMSGID, INTMSGHEADER, NATIVELINK, INTFILPATH, EXCEPTION,  
BEGATTACH.
6. Documents produced to the Committee should include an index describing the contents of the production. To the extent more than one CD, hard drive, memory stick, thumb drive, box or folder is produced, each CD, hard drive, memory stick, thumb drive, box or folder should contain an index describing its contents.

7. Documents produced in response to this request shall be produced together with copies of file labels, dividers or identifying markers with which they were associated when the request was served.
8. When you produce documents, you should identify the paragraph in the Committee's schedule to which the documents respond.
9. It shall not be a basis for refusal to produce documents that any other person or entity also possesses non-identical or identical copies of the same documents.
10. If any of the requested information is only reasonably available in machine-readable form (such as on a computer server, hard drive, or computer backup tape), you should consult with the Committee staff to determine the appropriate format in which to produce the information.
11. If compliance with the request cannot be made in full by the specified return date, compliance shall be made to the extent possible by that date. An explanation of why full compliance is not possible shall be provided along with any partial production.
12. In the event that a document is withheld on the basis of privilege, provide a privilege log containing the following information concerning any such document: (a) the privilege asserted; (b) the type of document; (c) the general subject matter; (d) the date, author and addressee; and (e) the relationship of the author and addressee to each other.
13. If any document responsive to this request was, but no longer is, in your possession, custody, or control, identify the document (stating its date, author, subject and recipients) and explain the circumstances under which the document ceased to be in your possession, custody, or control.
14. If a date or other descriptive detail set forth in this request referring to a document is inaccurate, but the actual date or other descriptive detail is known to you or is otherwise apparent from the context of the request, you are required to produce all documents which would be responsive as if the date or other descriptive detail were correct.
15. Unless otherwise specified, the time period covered by this request is from January 1, 2009 to the present.
16. This request is continuing in nature and applies to any newly-discovered information. Any record, document, compilation of data or information, not produced because it has not been located or discovered by the return date, shall be produced immediately upon subsequent location or discovery.
17. All documents shall be Bates-stamped sequentially and produced sequentially.
18. Two sets of documents shall be delivered, one set to the Majority Staff and one set to the Minority Staff. When documents are produced to the Committee, production sets shall be delivered to the Majority Staff in Room 2157 of the Rayburn House Office Building and the Minority Staff in Room 2471 of the Rayburn House Office Building.

19. Upon completion of the document production, you should submit a written certification, signed by you or your counsel, stating that: (1) a diligent search has been completed of all documents in your possession, custody, or control which reasonably could contain responsive documents; and (2) all documents located during the search that are responsive have been produced to the Committee.

### **Definitions**

1. The term “document” means any written, recorded, or graphic matter of any nature whatsoever, regardless of how recorded, and whether original or copy, including, but not limited to, the following: memoranda, reports, expense reports, books, manuals, instructions, financial reports, working papers, records, notes, letters, notices, confirmations, telegrams, receipts, appraisals, pamphlets, magazines, newspapers, prospectuses, inter-office and intra-office communications, electronic mail (e-mail), contracts, cables, notations of any type of conversation, telephone call, meeting or other communication, bulletins, printed matter, computer printouts, teletypes, invoices, transcripts, diaries, analyses, returns, summaries, minutes, bills, accounts, estimates, projections, comparisons, messages, correspondence, press releases, circulars, financial statements, reviews, opinions, offers, studies and investigations, questionnaires and surveys, and work sheets (and all drafts, preliminary versions, alterations, modifications, revisions, changes, and amendments of any of the foregoing, as well as any attachments or appendices thereto), and graphic or oral records or representations of any kind (including without limitation, photographs, charts, graphs, microfiche, microfilm, videotape, recordings and motion pictures), and electronic, mechanical, and electric records or representations of any kind (including, without limitation, tapes, cassettes, disks, and recordings) and other written, printed, typed, or other graphic or recorded matter of any kind or nature, however produced or reproduced, and whether preserved in writing, film, tape, disk, videotape or otherwise. A document bearing any notation not a part of the original text is to be considered a separate document. A draft or non-identical copy is a separate document within the meaning of this term.
2. The term “communication” means each manner or means of disclosure or exchange of information, regardless of means utilized, whether oral, electronic, by document or otherwise, and whether in a meeting, by telephone, facsimile, email (desktop or mobile device), text message, instant message, MMS or SMS message, regular mail, telexes, releases, or otherwise.
3. The terms “and” and “or” shall be construed broadly and either conjunctively or disjunctively to bring within the scope of this request any information which might otherwise be construed to be outside its scope. The singular includes plural number, and vice versa. The masculine includes the feminine and neuter genders.
4. The terms “person” or “persons” mean natural persons, firms, partnerships, associations, corporations, subsidiaries, divisions, departments, joint ventures, proprietorships, syndicates, or other legal, business or government entities, and all subsidiaries, affiliates, divisions, departments, branches, or other units thereof.

5. The term “identify,” when used in a question about individuals, means to provide the following information: (a) the individual's complete name and title; and (b) the individual's business address and phone number.
6. The term “referring or relating,” with respect to any given subject, means anything that constitutes, contains, embodies, reflects, identifies, states, refers to, deals with or is pertinent to that subject in any manner whatsoever.
7. The term “employee” means agent, borrowed employee, casual employee, consultant, contractor, de facto employee, independent contractor, joint adventurer, loaned employee, part-time employee, permanent employee, provisional employee, subcontractor, or any other type of service provider.