

## **Metro Rail**

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### **Op-Ed Articles by Rep. Waxman**

#### **The Subway Congressman September 23-29, 2005**

##### **L.A. Weekly**

*L.A. Weekly* has a well-deserved reputation for superior journalism, so it's in that spirit that I am responding to "The Subway Mayor: How a bus-only politician – and a car-obsessed city – are learning to love the underground" [August 19-25]. Since questions about motives were raised, I want to make sure that the historical facts on this matter are as clear and accurate as possible.

Prior to 1985, I was a strong supporter of the Metro Rail system. I consistently supported congressional funding and never raised questions about the subway's route or expressed any opposition to the Wilshire segment. To the contrary, I supported the stops on Wilshire and was never part of any effort to keep the subway out of my district.

The first time I got involved with routing decisions followed the methane-gas explosion on March 24, 1985, at the Ross Dress-for-Less store. The explosion and subsequent fires raised serious safety questions that I believed we had a responsibility to examine. A City Task Force assigned to study this issue didn't just designate parts of Wilshire Avenue as a "methane zone," as your article suggests. The report it released on June 12, 1985, actually designated a significant area as a "potential-risk zone" and a smaller area, which the subway was scheduled to run directly through, as a "high-potential-risk zone."

After I asked Metro officials questions about the safety of tunneling through a high-potential-risk zone, I became concerned that their reassurances were reflexive and not the product of careful study. On June 14, 1985, as chair of the House Subcommittee on Health and the Environment, I convened a hearing in Los Angeles to investigate safety issues. The subcommittee heard testimony from respected experts and, after careful evaluation, I concluded that safeguards weren't in place to ensure that tunneling or the operation of the subway system in a high-potential-risk zone would be safe.

The article confuses the facts on what happened next in the House of Representatives, but this is a matter of public record, not subjective interpretation, so there ought to be no confusion.

When legislation authorizing funding for the Metro Rail project was considered in the House of Representatives on September 11, 1985, I had intended to offer an amendment that would have withheld all funding for the project. After further consideration and discussions with Representative Julian Dixon, I agreed to a compromise that would allow the project to go forward but prohibit tunneling in the methane-gas risk zones, require the city to appoint a panel of independent experts to review the safety of building the subway's first 4.4-mile segment, and require a study of the entire subway system. That compromise was enacted into law.

On January 3, 1986, the safety panel established by the legislation released a report identifying 13 major safety issues Metro Rail authorities had failed to consider. On August 7, 1986, I offered an amendment that would have stopped construction and required the city to take a new look at the entire project. Representative Bobbi Fiedler was a co-sponsor of the amendment, and I was grateful for her invaluable leadership in getting 120 Republicans to support the amendment, which was critical for its passage in a bipartisan 210-201 vote. As soon as we won, the bill was pulled from the floor and a re-vote was scheduled a week later. The Waxman-Fiedler amendment was defeated in the re-vote by 231-153. If Rep. Fiedler was betrayed by anyone, it was by many of her Republican colleagues who changed their

votes from yes to no.

In 1993, I was asked if I would reconsider my position on this matter. I told Metro officials I was willing to do so if new information existed that indicated tunneling and subway operations would be safe. After initial staff discussions about a new study, the MTA wrote and informed me it did not want to pursue the review.

Earlier this year, I was approached again on this issue and reiterated that I would reconsider my position if new information existed. Since then, Metro officials and I have been working constructively together to initiate a new safety analysis. A panel of experts is expected to be named shortly and to begin its review next month.

It's fair for your writer to reach a different judgment than I did regarding the safety issues. It's not fair, however, to attribute motives I never had and use them to caricature decisions I made. Until 1985, I had joined with my Los Angeles colleagues to make Metro Rail a federal priority and to obtain as much funding for the project as possible. My position changed after the methane-gas explosion. My change in position was based on safety concerns. It's all a matter of record.

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