

REMARKS FOR  
JOSEPH SZABO  
ADMINISTRATOR  
FEDERAL RAILROAD ADMINISTRATION  
BEFORE THE  
INTERNATIONAL BROTHERHOOD OF  
ELECTRICAL WORKERS  
RAILROAD CONFERENCE  
CHICAGO, IL  
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- Thank you, Bill, for your kind introduction.
- As you know, I spent my entire career with the railroads and labor, and I'm extremely proud to be the first FRA Administrator to come from labor. For the first time, you have a real friend at FRA.
- This is my first speech before a labor group since I became FRA Administrator, and I have to tell you, it feels great to be here. I feel right at home not only because I personally know a good deal of you here, or that we share the same philosophy and concerns about railroad safety. But also because we all can see the great number of jobs on the horizon as a result of the Recovery Act.
- I'll talk more about the Administration's investment into Amtrak and high-speed rail later, but let me first address FRA's first order of business, safety.
- Overall, I can report that employee-on-duty accidents are down slightly this year, but I wish I could say the same for fatalities, which remain too high at 11 deaths.
- FRA is very concerned about this increase, and we're working with the railroads, labor and OSHA to bring the number of fatalities down.
- And, we continue to have discussions with the railroads on reporting, harassment and intimidation. The practices of the past 100 years have to end. Employees should not feel their job is at risk if they are injured at work.
- We're trying to build a culture of safety in the railroad industry, and if you or a co-worker are ever threatened to not report an injury, let us know immediately. We will investigate.

- To that end, OSHA has strengthened its whistleblower protection rules, we're revising our reporting regulations, we've provided added support to protect your rights to medical assistance without interference, and we have launched an ambitious Risk Reduction program.
- The Risk Reduction Program is something we're excited about. The train accident rate has remained flat over the past ten years and we have to adopt new approaches to safety if we are to reach our goal of zero. So, we created the Risk Reduction Program to develop innovative methods, processes, and technologies to address the contributing risk factors that result in train accidents and employee injuries.
- The Risk Reduction Program is an FRA-led, industry-wide initiative to reduce accidents and injuries, and build strong safety cultures by developing innovative methods, processes, and technologies to identify and correct individual and systemic contributing factors using "upstream" predictive data.
- The Rail Safety Improvement Act requires Class 1 and passenger railroads to have three elements of risk reduction. They are an overall risk reduction strategy, fatigue management plans and a technology deployment plan.
- RRP will incorporate precursor data management and confidential reporting systems to better identify and proactively correct individual and systemic factors that contribute to accidents. It is proactive – rather than reactive – because it encourages prevention of accidents.
- Its essential ingredients include developing knowledge of precursors to actual accidents, confidential reporting, effective problem analysis, and corrective actions.

- We already off to a good start in the Confidential Close Call Reporting System, which gives employees the ability to voluntarily and anonymously report "close call" incidents that could have resulted in an accident but did not. The airline and mining industries have had similar programs for years, and it's time railroad management and labor get on the same page to figure out the root causes of accidents and injuries in a neutral and anonymous forum.
- Close Call agreements have been signed by labor and Union Pacific, Canadian Pacific, and Amtrak and New Jersey Transit on certain sections of their routes. The data gathered will provide an indispensable opportunity to analyze 'close-call' events to help identify and correct potential safety problems across the industry. The cumulative results of 'close call' reports are being studied to determine areas of potential risk and to develop solutions to prevent and minimize their occurrence in the future. Any reports that require immediate action are being handled promptly.
- The key element to Close Call is the ability for an employee to anonymously call an 800 number and report a close call without fear of retribution or sanction from the railroad or FRA. Confidentiality is the keystone to this program's success, and it's something we take very seriously.
- In addition to Close Call, FRA envisions a wide variety of projects that could fit under the RRP umbrella. Some examples include peer observation programs, management development systems, and the Collision Hazard Analysis currently in place on some commuter railroads. In addition, use of the Track Quality Index for predictive maintenance or capital investment and use of wayside equipment monitors and sensors. In fact, any innovative use of predictive data could be seen as a potential pilot.

- And, it will be necessary for railroads to develop and strengthen their safety cultures so that the risk-based approach to safety eventually becomes second nature. Yes, that means we need your involvement to make this work.
- But not all safety improvements will come from Risk Reduction. The Rail Safety Improvement Act of 2008 will help on the regulatory side. Congress threw a lot at us in the Safety Act, but there are some very welcome changes. Most importantly, reforms in the hours of service regulations.
- Since the hours of service laws were first established, Congress held these rules close to itself with little updating, while it let the airline and trucking industry's hours of service rules be governed by federal regulators.
- The Safety Act limits the number of hours worked and limits limbo time for train crews as well as adding contract signal maintainers to covered service. FRA has limited control over hours of service, and we recently issued an Interim Statement of Agency Policy and Interpretation, marking the first time FRA has been able to integrate modern fatigue management processes into the railroad industry.
- Other requirements in the Safety Act will create a safer operating environment for workers, passengers and the public. Some of these include:
  - Bridge safety regulations
  - Conductor certification
  - Rail integrity, concrete ties, inspection territories, and practices
  - Hazardous materials personal equipment
  - Dark territory technology
  - Alcohol and controlled substance testing for Maintenance-of-Way employees
  - Stress plans for employees after a critical incident

- Grade crossing inventory mandatory
  - Development of state action plans, and
  - Sight distance model state law
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- In addition to the Safety Act, there are several other areas of safety I want to update you on:
    - Work continues on PTC implementation, and we expect to make the 2010 deadline. PTC is an eligible expense in the Recovery Act, which will help in its implementation.
    - We continue to encourage the use of ECP brake technology, which has been successfully used by BNSF and Norfolk Southern under a FRA waiver.
    - And, we're developing medical standards derived from NTSB concerns over sleep disorders and medical drug use.
    - Along that same vein, I want to mention Operation RedBlock, a peer prevention program instituted by CSX that augments FRA's drug and alcohol policies. FRA has asked the major railroads to implement similar programs, and we have committed to railroad management, labor organizations, and the individual employee to promote and assist with adopting and implementing such nonregulatory programs.
    - FRA asks for your support in doing the same. Actively involving employees in creating a sober and non-impaired workforce is a proven, productive tool that is a "safety win-win" for all.
    - And while we all want to create a safer workplace, we also want to create more jobs and opportunities, which President Obama has done through the Recovery Act.

- It has already given \$1.3 billion to Amtrak for infrastructure repair, and coming soon is \$8 billion as the down payment to create high-speed rail networks, and the president has proposed an additional \$1 billion per year in annual appropriations for high-speed rail...and Davis-Bacon and existing labor agreements have been preserved through all of this.
- As never before, FRA is in the spotlight, and we know the pressure is on to get this done correctly right out of the box.
- And not only is FRA in the spotlight, the whole rail transportation industry has received an unprecedented amount of attention which in the coming years will only grow as high-speed rail corridors utilizing intermodal urban stations connect cities and people across America, signaling a new chapter in American public transportation.
- This is a large part of what I call the Rail Renaissance in America, which will see an integration of our national freight network with a fully developed high-speed passenger network.
- We are all fortunate to be at the right place at the right time with the unique opportunity to make this Rail Renaissance last for generations, which certainly makes this a historic time for all of us.
- Historic not only in terms that we are taking a major step forward in the development of high-speed rail and the jobs it will create, but historic in the sense that President Obama has taken such a keen interest in creating a system that will revolutionize the way we travel in America.
- You all know what past Presidents have tried to do...or maybe I should say didn't do...with Amtrak and commuter rail.

- There is no doubt that in President Obama, IBEW has an engaged ally with a vision for the real potential of passenger rail.
- For the first time, we're going to integrate passenger rail corridors of 100 to 600 miles with the rest of our transportation network -- and bring rail into the 21<sup>st</sup> century.
- Moving ahead, we will build these corridors on a regional basis, so that one day, millions of Americans will have seamless access to airports, light rail stations, and busy urban centers, creating livable cities and inspiring new development.
- Plus, we will continue to upgrade the reliability, frequency and service on existing intercity routes. The first installment for this effort already came in the form of \$1.3 billion in Recovery Act funds to Amtrak...and there will be more to come.
- I ask you to work with us to make sure Congress continues this type of funding, and that passenger rail is included in our plans for creating jobs and making our communities more livable and sustainable.
- We know American workers have the knowledge, expertise, resources and wherewithal to accomplish this grand vision.
- Just look at our interstate highway system.
- Our interstate highway system has long been the envy of the world. But when it comes to modern high-speed rail – we've had to look elsewhere for success.



- It's time to turn that around and rebalance our entire transportation network
- It's time to give more Americans the chance to enjoy the convenience and connections provided by high-speed and inter-city passenger rail.
- These systems reduce highway and airport congestion, save energy, and help to revitalize urban areas.
- When I was in Europe recently with Secretary LaHood, I saw this impact by riding the high-speed TGV rail system in France and the AVE system in Spain.
- I was inspired and encouraged by what I saw in both countries.
- For example, Spain opened its first high-speed rail line in 1992. And now they've got 2,300 miles planned or in operation, stretching from the southern coast up to Barcelona in the northeast.
- The economic and environmental benefits are very real.
- Forty percent of the Spanish population now lives within 30 miles of a high-speed rail station.
- Simply by virtue of being on the rail line, cities off the beaten track have become high-profile destinations.
- And the Madrid-to-Barcelona spur alone keeps 250,000 tons of CO<sub>2</sub> out of the atmosphere each year.

- These are the public benefits of high-speed rail, but right now here in the U.S., everyone involved with rail wants to know more details about our selection process, plans, and who will be granted funds.
- Let me reiterate the President's statement that projects will be selected based on merit.
- On Friday, preapplications were due from the states. And I trust they will follow the President's and FRA's strategic goals of:
  - Ensuring safe and efficient transportation choices.
  - Building a foundation for economic competitiveness.
  - Promoting energy efficiency and environmental quality.
  - Supporting interconnected, livable communities.
  - Creating public and customer benefits.
  - And, mitigate risks in order to achieve project success.
- I know IBEW had a great representation at our seven stakeholder outreach workshops, so many of you heard these themes many times over.
- In all, more than 1,100 people attended these workshops. Everywhere we went, elected and state DOT officials, railroad employees, labor unions, planners, environmental advocates, consultants and engineering firms came to learn and share ideas about how to make high-speed and intercity rail service a success.
- From the FRA, they learned more from us about what we're looking for, such as:
  - the need for strong partnerships...

- strong technical, financial and management capabilities...
  - political and community support...
  - And, realistic expectations that can result in a successful launch of high-speed rail.
- Conversely, we learned a great deal about our stakeholder's concerns, such as:
    - the need for public outreach and education...
    - sustainable state and federal funding...
    - a resolution to liability issues...
    - coordination with freight railroads
    - national equipment, operations and safety standards...
    - interoperability of Positive Train Control...
    - and, supporting goals for livable and interconnected communities
  - I believe these workshops made clear our mutual responsibilities, and as we begin to allocate the first of the \$8 billion from the Recovery Act, we must keep in mind that it is just the first down payment in achieving these goals.
  - And if the first of these projects are not successful, the future of the entire program is at risk.

- This is why we have a merit-based system for choosing projects. We need projects that will advance the development of high-speed rail, not projects that play political or regional favorites.
- In order to make this work – and address our transportation challenges – we’ve got to look beyond our geographic and political boundaries.
- That’s why I hope you leave here today with a real sense of mission – and a willingness to collaborate with all the partners involved in your region.
- Finally, I want to leave with you something from President Obama which strikes at the heart of our collective efforts.
- To quote the President: “Imagine boarding a train in the center of a city. No racing to an airport and across a terminal, no delays, no sitting on the tarmac, no lost luggage, no taking off your shoes. Imagine whisking through towns at speeds over 100 miles an hour, walking only a few steps to public transportation, and ending up just blocks from your destination. Imagine what a great project that would be to rebuild America.”
- Let’s work together to rebuild America. Thank you.