

**TPs Prepared for FRA Administrator Amit Bose
BLET Western Regional Meeting
Kansas City, MO
Tuesday, June 4, 2024**

Good morning. Thank you for inviting me.

I enjoyed speaking with Brotherhood of Locomotive Engineers and Trainmen (BLET) members last month at a White House event on May 16.

It is a pleasure to be here with members again today to discuss FRA's top priority: safety. I know this is a priority we share, and I want you to know that as long as I am the Administrator, the safety of workers will remain a high priority at FRA.

You have my full commitment that I will continue to strongly support you and take actions that further enhance safety both for you and the public.

We cannot accept business as usual when it comes to rail safety.

FRA is not satisfied with stagnant safety trends, which, unfortunately, have been the norm over the last decade.

Rail related incidents nationwide continue to impact communities and workers in real and unacceptable ways.

FRA has taken several actions to make rail safer, and we will continue to use our authorities to do even more.

One of FRA's authorities we have been utilizing is our rulemaking authority, issuing multiple Final Rules and Notices of Proposed Rulemaking.

This April, FRA announced a final rule that sets minimum safety requirements for the size of train crews and generally requires a second crewmember.

President Obama started a rulemaking, which was then frozen under the last Administration. But safe crew size was a priority for President Biden, he introduced a new rule, and he got it done.

Secretary Buttigieg and I were proud to announce this rule with nearly a dozen other rail unions at USDOT headquarters.

Last month, FRA announced two final rules requiring railroads to develop certification programs for dispatchers and signal employees.

These federal regulations support rail safety nationwide by ensuring these workers, whose responsibilities are integral to safe railroading, receive the preparation and training they need to meet the demands of their jobs.

FRA has also issued a final rule requiring railroads to provide emergency escape breathing apparatuses to train crews and other employees when transporting certain hazardous materials.

As well as a final rule requiring the installation of locomotive video recording devices on passenger trains, each in the last year.

In June 2022, FRA also issued a Final Rule on Fatigue Risk Management Programs, which had been collecting dust since Congress first mandated the rulemaking in 2008.

While others sat on this important issue, this Administration finalized a regulation requiring Class I's, Amtrak, commuters, and some Class II and III railroads to develop Fatigue Risk Management Programs. Those Programs must be designed to reduce the risk of railroad accidents, injuries, and fatalities where the contributing factor was fatigued employees.

These Programs systematically identify and evaluate fatigue-related hazards on a railroad's system, measures those risks, and then mitigates them.

Importantly, before submitting a Fatigue Risk Management Program to FRA for approval, the final rule requires railroads to consult with workers to identify fatigue hazards and actions to be taken to mitigate or eliminate them.

After all, who knows better than the workers themselves about what causes worker fatigue?

FRA expects consultation on Program plans to genuinely involve good faith and best efforts. At my direction, FRA issued guidance to set expectations on what we mean by that. We expect railroads to look to their directly affected employees as partners throughout the process rather than as reviewers of a finished product.

In other words, we expect your voice and input to be sought and reflected in the plans FRA receives.

Our agency is also being nimble and acting quickly to raise attention to safety concerns through Safety Advisories and Bulletins, issuing eight advisories and nine bulletins in less than a year and a half.

These include FRA calling on freight railroads to prioritize proper train makeup and making clear that railroads need to take proactive measures to ensure the configuration of railcars and the loading of cargo is performed safely and railroad workers are supported and trained fully.

Our Safety Advisory was issued in response to a series of derailments that were found to have been caused by improper train makeup. These included Union Pacific Railroad derailments in Hampton, Iowa; Sibley, Iowa; and Rupert, Idaho; as well as a Norfolk Southern Railway derailment in Albers, Illinois.

FRA has also called attention to the potential complexities associated with operating longer trains, and we have urged railroads to address these complexities to ensure safety. This came after Norfolk Southern derailments in Springfield and Ravenna, Ohio; and a Union Pacific derailment in Rockwell, Iowa.

With train length and the number of long trains increasing, FRA continues to pay close attention to this issue, and we will rigorously examine the safety and quality of life implications of long trains.

Last month, FRA has made available three new research reports examining air brakes on long trains. These reports were recently submitted to the National Academy of Sciences (NAS) to inform an ongoing NAS study mandated by Congress in President Biden's Bipartisan Infrastructure Law to examine the impact of trains longer than 7,500 feet.

For the first time, FRA-led efforts are also underway to gather more information on long trains at the federal level and improve incident data collection on train length.

In addition to safety regulations and advisories, FRA is in the process of conducting safety culture assessments of all six Class I railroads.

We have already completed an assessment of Norfolk Southern's safety culture and safety practices, which we made public in August 2023.

Right now, FRA is in the process of finalizing a report on BNSF's safety culture and expect the report on CSX's safety culture to follow.

As we press forward on rail safety, I welcome BLET's input and collaboration. One place where I know that is happening is through FRA's Railroad Safety Advisory Committee.

FRA established RSAC in 1996 as a committee where representatives of labor, railroads, shippers, passenger rail advocates and others work together to find solutions.

For years the committee served as a useful tool. Though representation was being reduced and the committee was nearly dismantled in the years immediately prior to 2021. Under my watch, we renewed, grew, and revitalized RSAC.

Through RSAC, FRA has decided to resume work on RSAC Task 2014-03, Remote Control Locomotive Operations, and reactivate the Remote-Control Locomotive Working Group.

The Task was accepted by RSAC on December 4, 2015, and four meetings were held before work was paused in March 2017.

FRA will initiate a comprehensive review of current remote-control operations in yards and on the mainline to determine whether the safety of those operations could be improved through regulation or other actions.

Our intention is to hold a kickoff meeting on the topic in late summer or early fall of this year.

I know RSAC is one of several partnerships where BLET is actively involved, and I appreciate your role in partnership programs like SOFA, FAMES, and C3RS.

When it comes to C3RS, USDOT Secretary Pete Buttigieg called on all Class I freight railroads to join this vital and common-sense safety program following the February 2023 Norfolk Southern derailment in East Palestine, Ohio.

FRA is greatly encouraged by the partnership demonstrated by BLET and SMART-TD in working with Norfolk Southern and FRA to reach an agreement on an initial pilot of the C3RS program.

Likewise, we are encouraged by the agreement announced in April by the American Train Dispatchers Association (ATDA), and BNSF Railway announced that they, too, had reached a partnership with FRA to join C3RS.

FRA remains committed to working with Class I freight railroads and their workforces interested in joining C3RS.

In response to the East Palestine derailment, Secretary Buttigieg laid out a three-part push to increase freight rail safety and hold railroads accountable.

In that push, DOT and FRA committed to several important safety actions while calling on railroads and inviting Congress to work with us to do more.

We are delivering on our commitments by:

Issuing final rules like the Train Crew Size Safety Requirements;

Initiating and completing a safety inspection program on routes over which high-hazard flammable trains (HHFTs) and other trains carrying large volumes of hazardous material travel;

Initiating and completing a focused inspection program of legacy tank cars and the entities that have chosen not to upgrade to the safer tank cars (DOT 117);

And, we will continue to deploy the resources from the Bipartisan Infrastructure Law to make rail safer, notably through FRA's CRISI and Railroad Crossing Elimination programs.

Last year, FRA announced more than \$1.4 billion in CRISI grants for 70 projects around the country—projects that will improve the safety, efficiency, or reliability of freight and passenger rail.

FRA also awarded over \$570 million in Railroad Crossing Elimination grants for another 63 projects nationwide to prevent deadly collisions with cars and pedestrians.

President Biden's Bipartisan Infrastructure Law makes funding available to advance traditional and high-speed passenger rail projects as well. Last year, FRA announced \$8.2 billion for ten passenger rail projects through our Fed-State Partnership grant program.

This includes funding to help deliver two high-speed rail projects, including the Brightline West High-Speed Intercity Passenger Rail System Project, which will run between Las Vegas, Nevada, and Rancho Cucamonga, California. The new 218-mile high-speed rail project is expected to serve more than 11 million passengers annually, and it will create 35,000 jobs supporting construction and support 1,000 permanent jobs in operations and maintenance once in service.

Secretary Buttigieg and FRA were in Las Vegas on April 22 to break ground on this transformational project.

FRA also announced \$16.4 billion in funding for 25 passenger projects along the Northeast Corridor. These projects will replace or upgrade major bridges and tunnels, and improve tracks, power systems, signals, stations, and more, which translates to new work opportunities for railroad workers.

In total, FRA has advanced nearly 170 rail projects nationwide, and we have identified 69 corridor selections across 44 states for future development with funding from President Biden's Bipartisan Infrastructure Law.

These grants are investments in our infrastructure, and an investment in America's workforce, both the workers delivering projects and those who keep services running safely and efficiently.

This year, FRA will make billions more in funding available and we will announce even more projects that improve, expand, or create passenger rail service.

The infrastructure law will mean significantly more money will flow from FRA grant programs into even more new projects. And thanks to strong labor protections built into the programs, they will support good-paying jobs.

Your role in new projects as they move forward will prove as important as ever.

You can be assured that you will have FRA's backing as we embark on projects that will generate and support good-paying, union jobs, strengthen the existing workforce, and greatly benefit the daily lives of Americans across the country.

Still, while DOT and FRA are doing all we can, we need railroads and Congress to help us.

Railroads need to embrace safety efforts if we are going to change the status quo.

On April 10, Secretary Buttigieg wrote an op-ed for TIME magazine, continuing to advocate for rail safety and urging railroads to do more to improve it.

The Biden Administration continues calling on the Class I freight railroads to provide workers with what so many of us take for granted: paid sick days.

After much progress, approximately 90% of all Class I freight workers nationwide now have paid sick days.

The Biden Administration has made it a priority to support labor's work by pushing the railroads to do better. I personally have raised this issue with railroad CEOs, and I hope to see additional progress to ensure coverage for the remaining workers.

This Administration issued guidance to make clear that FRA will not simply rubber stamp railroads' waiver requests. The guidance sets expectations to ensure that requests relying on economic or business considerations show that existing levels of safety will be maintained or improved and provide transparency to the process.

This includes encouraging petitioners to consult and coordinate with potentially affected stakeholders – like railroad workers – before filing a request with FRA.

FRA is also paying close attention to the furloughing of workers by some of the Class I freights.

Furloughing workers puts a strain on other workers across a railroad, leading to fatigue and potential errors that could have severe ramifications for both workers and the public.

FRA posts Class I employment data on our website, I communicate my concerns to CEOs when we see disturbing trends, and we are going to keep paying attention to this topic.

As FRA Administrator, I will continue to prioritize your safety and good working conditions.

There is more work to do, and FRA will continue to use every resource we have to advance safety and invest in building the modern and safe rail network workers and riders deserve.

Thank you again for all you do and for inviting me.