

March 3, 2006

Dear Representative:

I am writing to express transportation labor's strong support for the Rail Worker Emergency Training Act of 2005 (H.R. 4372), introduced by Rep. Steve Lynch. This bill, which requires comprehensive security training for all rail workers, is critically important to improving the security of our nation's freight and passenger rail systems and I urge your co-sponsorship.

In a letter previously sent to your office, the Association of American Railroads (AAR) urged Members not to cosponsor this bill because it would "require all rail carriers to provide extensive emergency training to a broad universe of employees." Adequate, meaningful training for all employees is exactly what is needed to help secure an otherwise vulnerable sector of our transportation system as clearly demonstrated by the mass transit attacks in Madrid and London. We are troubled, though quite frankly not surprised, that the railroad industry is once again opposing real security training and standing in the way of securing our nation's rail system.

Front-line employees serve as one of the best resources to spot and report security risks and to avert terrorist attacks, but this resource remains untapped unless they are appropriately prepared. Rail carriers have argued for years that employee training programs are in place, but our members tell us that security training is far from comprehensive, far from uniform, and far from mandatory. Employees continue to report deficiencies. Some have not received any training, others have simply been offered a deficient 14-minute video or been told to read a flyer.

If some training is offered, it is almost always a one-time event, rather than recurring on an annual basis to refresh workers' knowledge. Most workers agree that their work places remain at risk, with unrestricted access to rail yards and equipment. Leaving the components of a training program up to the discretion of the railroads, without federal guidelines, produces these types of inconsistent and potentially dangerous results.

Without a worker training mandate, there is little incentive for railroads to spend money for initial and recurring training. If training is not required there can be no enforcement, making it virtually impossible for regulators and Congress to verify what is happening on the ground. In fact, the current lack of worker training was highlighted among the voids in our nation's surface transportation security in the *State of Homeland Security 2006* report card issued this week by House Homeland Security Committee Democrats.

If rail carriers are in fact providing the depth and breadth of training that AAR claims, then the industry should have no problem supporting the Lynch bill. In fact, H.R. 4372 specifically requires the Department of Homeland Security (DHS) to consult with "appropriate rail entities" – presumably to involve carriers and employee representatives in crafting the guidelines.

Transportation Trades Department, AFL-CIO

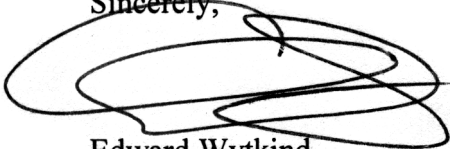
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Edward Wytkind, President • Michael A. Ingrao, Secretary-Treasurer

Realizing that a training mandate was necessary to ensure the secure shipment of hazardous materials, the Department of Transportation (DOT) issued regulations in 2003 that hazmat employees undergo basic security awareness training to learn how to identify security threats. A subset of those workers must also be briefed on the railroads' security plans and receive more in-depth security training. While these regulations are an important first step, only rail workers who are involved with transporting hazmat will benefit from this training.

However, this rule leaves gaps in training coverage, even among hazmat workers. Beyond the concerns over enforcement of these regulations by DOT, entire crafts of rail workers are exempted from security training. For example, railroad signal workers are exempted from training even though they are now considered hazmat employees. These are the same workers who fought for over 10 years to receive basic safety training to learn what to do in the event of a hazmat spill. Congress finally acknowledged this need and mandated safety training for these workers in the hazmat title of SAFETEA-LU, despite vigorous opposition from the AAR. These workers, and other non-hazmat employees, should not have to wait another decade – or until a tragedy occurs – to be assured security training.

We urge Congress to enact comprehensive security training requirements for rail workers, such as those outlined in H.R. 4372, as soon as possible. Ensuring security on our nation's rail system is too critical to tolerate the rail industry's heavy-handed pleas for inaction.

Sincerely,

A handwritten signature in black ink, appearing to read 'Edward Wytkind', written over a large, irregular scribble.

Edward Wytkind
President