



Transportation Trades Department, AFL-CIO

September 8, 2025

The Honorable Sean Duffy
Secretary
U.S. Department of Transportation
1200 New Jersey Avenue S.E.
Washington, D.C. 20590

RE: Advancing a Surface Transportation Proposal That Focuses on America's Most Fundamental Infrastructure Needs
Docket No. DOT-OST-2025-0468

Secretary Duffy:

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Department of Transportation's (DOT) request for comments regarding the next surface transportation reauthorization bill. TTD represents millions of American workers across 39 affiliated unions. These members hold positions in every mode of transportation, and include airline pilots, freight and passenger railroad workers, public transportation workers, mariners, and many others. TTD supports the vision Secretary Duffy put forth on investing and rebuilding our nation's aging infrastructure and building ambitious projects that last for generations to come.¹ We encourage the DOT to work closely with Congress on the development and implementation of a strong, bipartisan surface transportation reauthorization bill.

The Infrastructure Investment and Jobs Act (IIJA), signed into law on November 15, 2021, ushered in a new era of federal infrastructure investment. With \$1.2 trillion in total funding, including \$550 billion in new investments over five years, the IIJA, also known as the Bipartisan Infrastructure Law (BIL), has been transformative for our nation's transportation systems. To safeguard these economic, safety, and workforce gains, Congress must adopt IIJA-level funding as the new baseline for future surface transportation reauthorizations.

When paired with forward-looking policies that protect workers' rights, increase worker and passenger safety, strengthen domestic manufacturing and cargo supply chains, and prioritize American competitiveness, the reauthorization of IIJA will improve communities across the country. The alternative is an endless cycle of deferred maintenance, poor service, stagnation and falling behind our international competitors.

¹ <https://www.commerce.senate.gov/services/files/DCD2DD73-6654-4D85-A808-382AA7063234>

As the DOT begins preparing a surface reauthorization proposal to Congress, we encourage the Department to seize this opportunity to continue to move our country forward and support transportation workers by adopting in its proposals the following policies.

Highways

TTD has repeatedly cautioned that federal dollars should never carry the downstream effect of undermining American workers in the communities those dollars are meant to serve. Prevailing wage laws and the use of Project Labor Agreements (PLAs) ensure that federally funded infrastructure projects are built safely, on time, and with a highly trained local workforce. As we have in every prior surface transportation reauthorization, TTD urges the DOT to support our call to Congress to require that all federally funded infrastructure projects apply prevailing wage standards and the use of PLAs where applicable.

The upcoming surface transportation reauthorization bill must also address the funding shortfalls caused by outdated and anemic revenue streams to the Highway Trust Fund (HTF). Based on current trends, the Congressional Budget Office projects that in FY 2028, the HTF may not have sufficient funds to fulfill federal obligations to states and local governments for transportation projects. Stabilizing the HTF by enacting user-based revenue sources, including an increase in the gas tax and the exploration of vehicle miles traveled fees, continues to be a major priority for our federation. TTD calls on the DOT to encourage Congress to raise user-based fees to stabilize the HTF for years to come.

Transit

The IIJA dedicated billions to modernizing public transit fleets, expanding routes, and integrating zero-emission technologies. While the IIJA provided nearly \$55 billion in much-needed transit funding, applied more scrutiny and problem-solving to the driver assault epidemic, and allocated millions in grants to train transit workers in zero-emission vehicle operations, many challenges remain. After falling to 20% of pre-pandemic levels during the COVID-19 health and economic crisis, public transit ridership has steadily climbed to 85% of pre-pandemic levels. Despite this positive indication of the traveling public's regard for the value of public transportation services, transit agencies are facing a potentially devastating fiscal cliff. In the upcoming surface transportation reauthorization, Congress and the administration have an important opportunity to improve the stability and safety of public transit systems by pairing substantial funding support—including advance appropriations—with smart policy advancements.

Currently, the primary source of federal grants to public transit agencies is restricted by law only to disburse funds to be used for capital investments, except for very small systems, and requires that agencies match some of that share with their own local dollars. Over the years, localities have diverted revenue towards capital expenditures to maximize federal support and capture the most

value possible for their communities. However, they are now cash-strapped for the resources necessary to maintain current service levels without disruption and to dynamically respond to the operational needs of their systems. Operating support is essential to preserving existing service, scaling new service, and enhancing safety for workers and passengers alike. To maximize the use of all the capital improvements made in recent years, and to increase resources available for transit agencies to devote to various safety improvements, we encourage the administration to join our call to Congress to open the opportunity for federal operations support funding to all systems—thereby allowing them to maintain a secure and stable system that continues to draw new users. To further ensure system stability, the surface transportation reauthorization bill must address the issue of aid to transit agencies in the wake of natural disasters. Transit labor also called on Congress to enact legislation that reforms the FTA’s Emergency Response program to mirror the Federal Highway Administration’s swift and reliable approach by adopting the Transit Emergency Relief Act. We urge the DOT to support these reforms.

As TTD has consistently reported to Congress, public transit workers, including bus operators, subway operators, and commuter rail workers, across America face the threat of physical or verbal violence simply for doing their jobs. Data collected through the National Transit Database indicates an astonishing rise in the number of assault-related injuries on public transit in the U.S., a documented increase of 232% from 2014 through 2024, and a tripling of events resulting in fatality or injury requiring medical transport between 2008 and 2022. We applaud the IJJA’s requirement that transit agencies report all assaults, not just the ones that resulted in a fatality or an ambulance transport, to the National Transit Database. This transparency is key to finding a solution to this tragic and unacceptable epidemic. We also applaud Congress’s work to require Public Transportation Agency Safety Plans - jointly authored by workers and management - through the joint safety committee process, and oppose any efforts to water down this important system. However, much work remains to be done to resolve this crisis. We urge Congress and the DOT to work with public transit workers and their representatives to build stronger transit worker safety protections into the next surface transportation reauthorization. These should include establishing and mandating a minimum vehicle design safety standard for transit buses that would shield operators from assault on transit workers, as defined in 49 U.S. Code § 5302, while maintaining clear visibility. The administration should also aid in the deployment of transit ambassadors—professionals who can serve as the eyes and ears for safety and order on systems across the country and assist with fare collection. Finally, we encourage the DOT to add fostering public safety to the mission statement of the Federal Transit Administration—reflecting its real-world responsibilities and aligning the agency’s regulations and oversight decisions with safety goals.

Building on TTD’s core commitment to strengthening public transportation systems holistically and to upholding the rights and standards of frontline transportation workers, TTD and our transit unions urge the administration to apply measured, healthy skepticism to new initiatives promoting

emerging technologies and new kinds of public transportation service. As Congress considers the opportunities for flexibility that new developments in microtransit, third-party demand response services, and other non-traditional providers offer, we urge you to also consider the associated costs they may entail. Unrestricted public funding for these non-traditional models risks displacing unionized transit workers with low-road independent contractors, eroding longstanding safety and operational standards, and diverting scarce public resources away from scalable and equitable public transportation. The vehicle revenue miles associated with such services should only be eligible for inclusion in the metrics that inform federal formula funding if certain protections are met. First, all trips must begin or end at an existing form of mass public transportation, and must not replace or compete with existing fixed-route bus, ADA paratransit, or school bus services. Second, no current fixed-route public or contracted transit employees may be dismissed or displaced as a result of deploying these non-traditional services. Finally, wage and employment standards for public transportation workers must be maintained across the board. The use of these services should ensure that employees of these non-traditional services are appropriately classified as such, and receive similar wages, benefits, and working conditions to those of existing transit employees performing comparable work. The federal government should never incentivize or be complicit in the exploitative practices of worker misclassification.

In the case of emerging transportation innovations, such as autonomous vehicles (AVs), we urge Congress to consider its responsibility to public safety in a similar manner. The problems posed by AVs extend far beyond the displacement of drivers. Deployments around the country have already offered a dystopian preview: robo-taxis have breached active construction zones, interfered with emergency response perimeters, and struck first responders' vehicles. These incidents affect a broad spectrum of transportation workers—flaggers, line crews, transit operators, emergency medical technicians—whose safety depends on predictable, compliant vehicle behavior in dynamic, often hazardous conditions. It is not enough to passively monitor the emergence of this technology—a level of oversight that the federal government is abjectly failing to provide, despite urgent calls from nearly 30 transportation unions and even the National Transportation Safety Board to take action. What we need is a proactive, worker-centered regulatory framework with standards that NHTSA, FMCSA, and FTA are empowered and appropriately resourced to enforce, and that will require steadfast commitment to safety and to the workers from Congress.

Additionally, transportation labor implores the DOT to support our call to Congress to take action on AVs. Currently, AV companies are working within a sparsely regulated environment that puts too many lives at risk. Congress and the administration must establish a clear, enforceable federal framework that observes some common sense principles: new technologies onboard public transportation equipment must meet existing safety and operational standards that apply to any other vehicle; qualified operators must remain present on all vehicles used for public transportation with the training and ability to intervene in an emergency or technology failure; and federal grant

recipients must be required to submit workforce development plans. We also ask that the voices of frontline workers be represented within the Intelligent Transportation Systems Advisory Committee by adding a dedicated seat for labor organizations.

As Carnegie Mellon's Traffic21 study finds, public transit workers are simply not replaceable, even in the event of the deployment of self-driving transit buses. We encourage the DOT to support our request that Congress invest in transit workforce development alongside its capital and operational investments, given the changing needs of transit agencies resulting from emerging technologies. Establishing a dedicated national center focused on workforce development will ensure that public transportation agencies across urban, suburban, tribal, and rural communities have the tools, training, and support needed to recruit, retain, and train skilled workers. TTD calls on Congress and the administration to formally establish the Transit Workforce Center (TWC) in federal law, ensuring it is sufficiently resourced to address the frontline workforce development needs of the public transportation sector, and by increasing the amount that transit systems must set aside for workforce development training under the Low or No Emission Grant Program from 5% to 10%; and also ensuring that these funds are prohibited from being used to contract out maintenance work.

Rail

The IIJA delivered historic levels of funding for our nation's rail infrastructure, authorizing \$36 billion for rail programs administered by the Federal Railroad Administration and providing \$66 billion in advance appropriations for rail programs such as Amtrak, the Federal-State Partnership for Passenger Rail Program, and the Consolidated Rail Infrastructure and Safety Improvements Program. Advance appropriations provided long-term funding certainty that allowed states, Amtrak, and companies to plan for capital-intensive projects and invest in their workforces. Sustaining the IIJA's funding levels and providing advance appropriations in the next bill will allow us to maintain our momentum towards building a more modern and safer rail network.

Despite the IIJA's significant investments in our rail infrastructure, the industry has squandered its opportunity to take proactive steps to improve safety. Rather than investing in workforce training, equipment, maintenance, and new technologies, the industry has chosen to deploy its immense resources towards stalling progress on bipartisan and bicameral rail safety legislation and rolling back existing federal safety regulations. As then-Senator Vance rightfully declared, "we have allowed the rail industry to socialize the risk of their business while privatizing the rewards." Since the train derailment in East Palestine in February of 2023 that resulted in a fiery explosion of hazardous chemicals, there have been more than 2,700 derailments nationwide.

With the surface transportation reauthorization on the horizon, Congress must enact common-sense safety reforms to get our freight rail system back on track. Last Congress, the Senate Commerce Committee approved the bipartisan Railway Safety Act, co-authored by then-Senator

Vance and backed by President Trump. The House Transportation and Infrastructure Subcommittee on Railroads convened a bipartisan hearing on the Railway Safety Enhancement Act, legislation which incorporated the Senate bill with additional provisions. Rail labor supports using these two bipartisan bills as the foundation for a rail title in the surface reauthorization, with the opportunity to offer amendments to improve the legislation.

Some of the safety measures in these two bipartisan bills include:

- Mandate a minimum of two certified crew members to operate a train.
- Require railroads to use defect detectors to prevent derailments.
- Bar railroads from setting unsafe time limits on railcar, locomotive, or brake inspections.
- Increase penalties on railroads that violate safety to \$10 million.
- Require the Class I railroads to enroll in the Confidential Close Call Reporting System (C3RS) administered by the FRA and NASA, to allow workers to report unsafe events and conditions and enabling railroads to address risks that could lead to derailments and other safety incidents.

Congress and the administration must also prioritize additional rail safety measures in the surface bill, including:

- Establish strong federal regulations over defect detectors such as the frequency of the placement of defect detectors; the installation, maintenance, repair, and testing and prompt communication of pertinent safety alerts to employees.
- Improve safety at unprotected rail crossings by restoring the Section 130 set-aside; this will help more states install protective devices to improve safety at crossings, which are highly effective and cost only a fraction of building grade separations, according to the DOT.
- Require that Qualified Mechanical Inspectors are the sole craft tasked with performing railcar and brake inspections.
- Require that the daily locomotive inspection under §229.21 be done by a Qualified Mechanical Inspector more frequently than the current requirement of once every 33 days.
- Mandate the use of visual track inspections at its current rate of twice a week, alongside the use of Automated Track Inspection up to 4 times a year. ATI can only identify track geometry defects, and is incapable of identifying 17 out of the 23 types of track defects that trained human inspectors can detect.
- Ensure oversight of unproven technologies and automation to protect the safety of passengers, workers, and our rail supply chain. Railroads are increasingly using technologies known to contain errors, and rail labor has previously called for worker protections and safety regulations amid the development of automated rail technologies.
- Protect current periodic inspection requirements for signal and grade crossing systems to ensure they are functioning properly. Railroad signal systems control train movements, and grade crossing equipment warn pedestrians and drivers of approaching trains. These

complicated electronic and computerized systems must be frequently and regularly inspected to ensure they are in working order to protect the public, yet the rail industry is aiming to weaken these testing requirements to slash costs at the expense of safety.

- Require train dispatching systems which control train traffic to be subject to FRA oversight and review, similar to how the FRA reviews and approves technology that prevents train collisions and incidents called Positive Train Control (PTC) systems. Unlike PTC systems, dispatch systems receive no federal oversight, leading to dispatchers discovering concerning safety defects that go unresolved for extended periods of time: near head-on collisions at a major commuter rail, near miss fatalities of roadway workers, and more.

- Preserve the integrity of post-accident scenes. Unlike the National Transportation Safety Board, FRA inspectors do not have the authority to secure accident sites, which leads to the loss of evidence and presents safety risks for FRA inspectors. Granting the FRA the authority to preserve accident sites until inspections are complete will ensure thorough investigations and the personal safety of the investigators.

Worker safety and workforce development:

- Preserve and reaffirm existing worker rights and protections under the Railway Labor Act (RLA) and the Railroad Retirement Act (RRA) for workers in non-operating crafts to help ensure that all workers - operating and non-operating alike - performing railroad work are considered railroad workers under the law.
- Clarify and reaffirm that rail unions may call for a safety stand-down on behalf of its members when conditions are too dangerous for members to work under.
- Extend Hours of Service protections to yardmasters, who control traffic in railyards and keep conductors, engineers, and other workers safe.
- Extend worker protections from outsourcing to Amtrak's onboard service workers.
- Increase hazardous materials training funds for first responders provided by the Assistance for Local Emergency Response Training (ALERT) grant program.
- Retain CRISI grant eligibility for non-profit labor organizations representing a class or craft of employees of rail carriers or rail carrier contractors.
- Require that rail labor is included in the implementation of any federally-funded programs that support the research and development of telematics and sensors and ensure that labor unions are eligible to apply for grants for any federal pilot program on R&D of telematics.
- Protect domestic railroading jobs and prohibit the use of foreign-domiciled crewmembers in the U.S., who are not subject to the same U.S. training and certification requirements or drug and alcohol testing regulations.
- Protect intercity and passenger rail workers from assaults on the job. Assaults against employees are all too common and workers deserve a safe environment. Congress must require mandatory reporting of assaults to a searchable federal database through the

National Transit Database under 49 USC 5335(c)(2), and require employee assault prevention and response plans similar to requirements on airlines to be submitted to the FRA for approval that are enforceable by the FRA as a safety standard. Additionally, the same federal protections for airline crewmembers should be extended to passenger rail workers, so that any assault or intimidation of a passenger crewmember may be charged as a federal offense.

- Modernize FRA inspector pay to improve retention. FRA inspectors are two of only three federal positions whose pay remains tied to an outdated 1970 statute, starting at GS-12 for inspectors and GS-13 for specialists. They earn less than their counterparts in comparable roles such as NTSB investigators, undermining FRA’s ability to attract and retain experienced inspectors. Update pay to GS-13 for inspectors and GS-14 for specialists, improving recruitment and retention.

- Ensure an adequate FRA inspector workforce by codifying 425 total inspectors, the number needed for safe and thorough inspections. FRA currently only employs approximately 360 inspectors who oversee 160,000 miles of track nationwide, with only 48 inspectors dedicated to hazardous materials.

Domestic Manufacturing

TTD strongly supports our nation’s Buy America laws – including the Buy America provisions of the IIJA – which ensure that all federally assisted surface transportation infrastructure projects are constructed using U.S.-produced iron and steel, as well as U.S.-manufactured construction materials and products. By promoting investment in domestic manufacturing, Buy America policies create opportunities for America’s workers and ensure that taxpayer-funded investments align with the highest labor and environmental standards globally. These policies must continue in the next surface reauthorization bill, and we urge the DOT to support American manufacturing workers by opposing proposals that seek to undermine this nation’s Buy America laws.

Given the strong Buy America standards codified in the IIJA, no statutory or legislative changes regarding domestic content requirements are necessary at this time. We believe that Congress has already provided the DOT and other departments with the authorities and tools necessary to close loopholes and address any implementation challenges. We urge the DOT to uphold the Buy America standards set by the IIJA.

Conclusion

Reverting to pre-IIJA funding levels would be disastrous. The American Society of Civil Engineers estimates a potential loss of 344,000 jobs annually across infrastructure-related sectors. Families would face higher vehicle repair costs, longer commutes, and unreliable services—costs projected to total \$53,000 per household over 20 years if investment lags. Meanwhile, delays in permitting and project delivery processes threaten to inflate costs and postpone economic benefits.

It is critical to maintain the baseline investment that delivers functioning highways, dependable transit, and climate-resilient bridges that individuals now rely on.

To preserve and build on this progress, we encourage the DOT to support IIJA funding levels and labor standards as the minimum for future surface transportation reauthorizations, ensuring long-term stability and continued improvements. That means protecting labor standards—prevailing wages, apprenticeships, union access—and updating procurement tools to attract co-investment. It means streamlining permitting so shovel-ready projects break ground faster. These are important steps to ensure communities continue to benefit from what they’ve come to trust—and expect.

We appreciate the opportunity to provide input to the DOT as it works with Congress to develop a comprehensive surface transportation reauthorization. We look forward to continuing to collaborate on these important priorities.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", with a stylized flourish at the end.

Greg Regan
President