

**Statement of Joseph C. Szabo,  
Administrator-Designate, Federal Railroad Administration,  
United States Department of Transportation,  
Before the  
Committee on Commerce, Science, and Transportation,  
United States Senate**

**April 21, 2009**

Chairman Rockefeller, Ranking Member Hutchison, and other members of the Committee, thank you for the privilege of appearing before you today. Thank you, Senator Durbin, for your gracious introduction. I am honored to have been nominated by President Obama to serve as the Administrator of the Federal Railroad Administration (FRA), and if I am confirmed, I will do my best to bring my substantial experience, as a railroad operating employee, as a union representative of railroad employees, and as a public servant in my hometown and home state, to Secretary LaHood's management team at the Department of Transportation. Today I would like to let you know what my approach would be to serving as FRA Administrator, if I am confirmed, and then learn from you which issues and matters you believe are most important for our country's freight and passenger rail transportation system.

I am excited about the possibility of serving as FRA's Administrator because of my long, possibly genetic affinity for railroading and my equally deep-seated desire to make government work even better for the many dimensions of the public good. I would like to serve FRA because of what the agency is commissioned to do: to enforce the Federal railroad safety laws and prescribe new regulations that will enhance railroad safety; to implement railroad financial assistance programs to help address the needs of

the freight railroads and stimulate the development of high-speed intercity passenger rail service; to conduct research and development necessary to improve railroad safety; and to consolidate government support of rail transportation activities while ensuring that rail plays a continuing role in meeting the challenges of moving people and goods safely and efficiently. Leading such a broad range of missions would be exhilarating enough, but the prospect of becoming FRA's Administrator is particularly appealing to me given where the agency stands at this juncture in time: today it is FRA's job to carry out not only most of the provisions of two very significant reauthorization statutes enacted last fall, but also to play a central role in managing historic investments provided for in this year's economic recovery legislation. If confirmed, I will make it a priority to implement the many new statutory measures that Secretary LaHood has assigned to FRA.

With regard to the Rail Safety Improvement Act of 2008, which became law in October 2008, it would be a special honor to play a role in its implementation because of my longstanding involvement in rail safety issues both as an operating employee and as a union representative of other employees. Despite both recent and long-term improvements in rail safety, the September 2008 collision between a commuter train and a freight train in Chatsworth, California, underscores the clear need to act aggressively for safety in the rail mode, as well as in the other modes of transportation. As Secretary LaHood told this Committee in his confirmation hearing, "safety . . . has always been and must continue to be the central focus of the Department of Transportation." My understanding is that this new law mandates more than 40 rail safety rulemakings, studies, and model state laws. These statutory mandates include a rulemaking to establish the essential functionalities required for positive train control systems that the Act

requires to be installed on major freight and passenger railroads by 2015. The Act also improves the statutory protections afforded by the hours of service laws and, for the first time, grants the Secretary the authority to set hours of service standards for passenger train crews. If confirmed, I plan to make the implementation of these new safety provisions a priority.

The other legislation enacted last fall that is primarily FRA's to carry out is the Passenger Rail Investment and Improvement Act of 2008. That Act represents the first reauthorization of Amtrak and rail passenger programs since 1997, and the most comprehensive Amtrak legislation in recent decades. The Act authorizes very substantial levels of funding for Amtrak capital investments, operating expenses, and repayment of principal and interest on the railroad's long-term debt. It also authorizes significant new funding programs, including capital investment grants to States to support improved intercity passenger rail service, a congestion relief program, and a high-speed rail corridor development program. Again, if confirmed, I plan to make the successful implementation of these new provisions a priority.

The last set of legislative mandates that are FRA's responsibility to carry out were established by the American Recovery and Reinvestment Act (ARRA) and entail two major types of rail grant programs. One is funded at \$1.3 billion for capital grants to Amtrak, of which \$450 million is for security improvements, including life safety improvements. The other grant program is funded at \$8 billion for capital grants for high-speed rail corridors and intercity passenger rail service, programs authorized in the Passenger Rail Investment and Improvement Act of 2008. President Obama has proposed to reshape the Nation's transportation system by building a world-class network

of high-speed passenger rail corridors to complement our other modes. This new strategy begins with the \$8 billion provided in ARRA and continues with the President's proposed budget for fiscal year 2010, which calls for a \$5-billion, 5-year high-speed rail grant program. I am thrilled at the possibility of leading FRA's implementation of these programs so necessary to the restoration and growth of our economy.

Finally, as we look to the next surface transportation reauthorization, I would, if confirmed, advocate that rail be considered an integral part of a larger solution for reducing highway and airway traffic congestion as well as promoting environmental protection, energy independence, and livable communities. The benefits of moving passengers and freight by rail can support reductions in emissions and greenhouse gases while at the same time providing the much needed capacity enhancements that help to promote improved mobility and economic growth.

Thank you so much for inviting me to speak with you today. I would be happy to respond to any questions you may have.