

Public Written Testimony of Jared Cassity, Deputy National Safety and Legislative Director, SMART TD Union, Head of SMART TD National Safety Team

U.S. House Transportation and Infrastructure Subcommittee on Rail, Pipeline, and Hazardous Materials

Hearing on America Builds: Examining America's Freight and Passenger Rail Network

January 21, 2025

Chairman Weber, Ranking Member Titus, and Honorable Members of the Subcommittee,

Thank you for the opportunity to testify today on the current state of America's freight and passenger rail network. As Deputy National Safety and Legislative Department Director for SMART TD and head of SMART TD's National Safety Team, which collaborates with the National Transportation Safety Board (NTSB) in investigating rail disasters and incidents, I speak on behalf of the men and women of the rail industry who are committed to ensuring a safe, efficient, and robust transportation system for our nation.

I have had no greater pleasure in my career than the opportunity to represent the single most significant factor of what sets our railroad industry above the rest – and that is the American railroad worker. It is because of their efforts and their dedication that the rail industry has been able to achieve so many improvements over the last couple of decades, but there is still much work that needs to be done.

As we look to the future, the continued investment in passenger rail throughout the United States is not only a critical step forward in addressing transportation needs but also an investment in our economy, our workforce, and our future. Over the past few years, the Bipartisan Infrastructure Law (IIJA) has laid a foundational framework for this transformation by granting five years of advanced appropriations for passenger rail development. This funding has played a pivotal role in accelerating the progress of intercity passenger rail and has brought us closer than ever to realizing the vision of a high-speed rail network that can compete with the best in the world.

Unfortunately, there is no passenger rail line in operation today—anywhere in the world—that came into existence or continues to operate successfully based solely on fare box revenue. These systems are, first and foremost, investments in the infrastructure of nations and in their economic growth. Without the necessary funding to ensure their development, construction, and maintenance, passenger rail will not be able to reach its full potential in the U.S., nor will it be able to sustain current levels of service.

The importance of continued government commitment cannot be overstated. Maintaining, operating, and expanding our passenger rail network is a complex and large-scale endeavor that requires public investment to guarantee success. President Trump has long been recognized as a builder of big things—projects that are ambitious, transformative, and capable of changing the future of our country. Reinvigorating our national passenger rail system and igniting possible high-speed rail partners is a project that is perfectly tailored to his capabilities and expertise. These projects offer an unprecedented opportunity to create jobs, stimulate economic growth, and enhance our nation's competitiveness in the global economy.

We know that investments in rail will generate significant benefits for the American people. First and foremost, it will create a vast number of good-paying union jobs in the building and maintaining of the necessary infrastructure. These jobs will not only help to construct the rail network but will also support the daily operation of an expanded rail industry, bringing economic prosperity to communities across the nation. By connecting more cities, regions, and markets, especially rural, passenger rail has the potential to provide greater accessibility to opportunities, reduce congestion in other forms of transportation, and lower the carbon footprint of travel.

Moreover, adequately funding our passenger rail systems will create a competitive market that will directly challenge the air and auto industries. This competition will drive innovation, lower prices, and improve services for all travelers. Additionally, this expansion will profoundly impact American manufacturing, including the production of rail cars, locomotives, and other critical components, helping revitalize American industry and ensure our nation remains globally competitive.

The expansion of passenger rail across the United States has the potential to usher in a transportation renaissance not seen since the establishment of the Interstate Highway System under President Dwight D. Eisenhower. Just as that investment transformed our nation's mobility; passenger rail can be the catalyst for a new era of economic growth, environmental sustainability, and national connectivity.

At this moment, the rail industry is ready to make this vision a reality. Rail labor is committed to ensuring that the employees and communities involved in this monumental effort are safeguarded throughout the process. We are prepared to work together with all stakeholders to build a safe and sustainable passenger rail network that benefits all Americans.

To achieve the goals of national interconnectivity and economic revitalization, we must ensure long-term, guaranteed funding for the development of high-speed rail and the continued modernization of our passenger rail network. The future of passenger rail in the United States depends on it, and I urge the members of this subcommittee to support a legislative and financial framework that guarantees the success of this transformative initiative.

In addition to the infrastructure needed to make freight and passenger rail a success in this country, I would like to focus on the equally important workforce development component.

One of the most significant opportunities we have to improve the rail systems in this country is the development of a robust, well-trained workforce. However, expanding our rail systems without addressing the holes in the current training programs offered by the rail carriers is a missed opportunity that could increase the risk to workers and the communities we serve.

The railroads have made some significant improvements to their infrastructure, but if we are serious about the future of rail transportation, it is time we commit to ensuring that our workforce is properly trained, supported, and capable of meeting the growing demands of the system and the future.

Currently, the Federal Railroad Administration (FRA) is responsible for approving initial training and ongoing education programs for certified railroad workers. However, little specificity is

required within those programs, which results in a lack of safety standards and deficiencies within the rail network. Additionally, the regulations are written so that rail carriers are free to make significant reductions to their programs without any meaningful consideration or oversight. This has resulted in sub-par training programs prioritizing operational needs over a safe work environment.

This gap in training oversight is a disservice to our members and the American public. Inadequate training programs that focus only on meeting the bare minimum federal standards do not equip railroad workers with the skills necessary to operate safely in a rapidly evolving industry. It is time we recognize that proper safety is rooted in the quality and depth of training, not just ticking boxes to fulfill regulatory requirements.

At the same time, expanding and improving the rail system presents an opportunity to incentivize rail carriers to do the right thing by their workforce. With the federal government investing heavily in the expansion of rail infrastructure, including through the Bipartisan Infrastructure Law and other programs, there is a clear opportunity to require carriers to invest in high-quality training programs for their workers. The federal government has the power to link funding and new market opportunities to the implementation of robust training and safety programs. Given the financial influence that Congress and the Administration hold, there is no reason why the rail industry should not be compelled to improve its training practices, with clear incentives tied to safety outcomes.

The rail labor community has been actively working to fill the gaps left by rail corporations in terms of training. For example, SMART TD recently secured a grant of over \$600,000 from the FRA's Consolidated Rail Infrastructure and Safety Improvements (CRISI) program. Combined with matching funds, this allows us to invest in training programs that supplement deficiencies in the carriers' programs. A critical gap we've identified is the lack of formal training for conductors and engineers who are tasked with overseeing On-the-Job Training (OJT) for new hires. Too often, these seasoned workers are placed in the role of a trainer without receiving any training on how to be effective educators. They are given no checklists of skills to guide their trainees or even a say in whether they want to assume this responsibility. The result is too often poor training provided by reluctant coaches who are not equipped with the tools necessary to develop new railroaders into safety-conscious, skilled workers.

For example, on most Class I carriers, it is not uncommon to see a conductor working on their first day as a promoted conductor (having never worked alone) and being required to train an on-the-job trainee.

SMART TD is working to develop a comprehensive training curriculum for conductors and engineers focused on improving OJT practices and ensuring that new hires receive consistent, high-quality instruction. We are also pursuing the development of online training tools and are actively seeking partnerships with railroads to expand the reach of these training programs. Our hope is to coordinate these federally funded efforts with those of our brothers and sisters in the Railroad Signalmen Union, who have also received a CRISI grant. By pooling our resources, we can maximize the return on investment in safety and training programs and better protect both railroad workers and the communities we serve.

One of the programs SMART-TD is investing in is our workforce development grant, which is intended to spearhead de-escalation training for our members in passenger and commuter rail operations. Again, we can invest in expanding rail service, but if the crews providing that passenger service are not equipped to maintain civility on the trains, it will not be successful in the long term. With transit violence on the rise in recent years, it is of the utmost importance to offer these frontline employees the training necessary to keep themselves and the passengers they will serve safe.

Currently, our Amtrak members do not receive significant de-escalation training. As we push to expand passenger and high-speed rail to the forefront of American everyday life, this cannot be the accepted standard.

This SMART-TD project is an example of federal dollars (in this case, a CRISI grant) being used by labor organizations to bring about mutual benefit for members as well as the general public. It is also an example of a project that would benefit from a long-term commitment of federal support. Safety on our nation's rails and throughout transit is a problem that can no longer be ignored. With federal assistance, our labor organization is perfectly situated to address it effectively through partnering with the federal government.

This brings me to my final point: the critical state of rail safety in the U.S. Each year, there are approximately 1,000 train derailments in this country. That's nearly three derailments every day. Every one of these incidents signifies a breakdown in the system and the potential to cause catastrophic harm to rail workers, the communities we travel through, and the environment. The derailment of a Norfolk Southern train in East Palestine, Ohio, on February 3, 2023, is a tragic example of what can happen when safety is compromised and the consequences of poor safety oversight are ignored. Two years later, the situation has little improved, and the rail industry continues to face the consequences of decades of underinvestment in safety.

Despite the growing body of evidence pointing to systemic safety issues within the rail industry, legislative efforts to address these problems have been stalled. Both the Vance/Brown Rail Safety Act of 2023 and the Rail Safety Enhancement Act of 2024 were introduced in both the House and Senate during the 118th Congress. As we hold this hearing today, neither have been given the opportunity to receive a floor vote in either chamber of Congress. These bills address key concerns, including the need for more substantial safety standards, more thorough safety inspections of locomotives and rail cars, and more accountability for rail companies. These efforts must be given the chance to move forward because the current state of rail safety is simply unacceptable.

The rail industry has become dangerously unchecked, driven by Wall Street metrics at the expense of safety. Trains have grown longer, heavier, and more complex, while rail workers are pushed to move freight faster, with fewer resources and less training. If we continue down this path, the inevitable result will be catastrophic for both our workers and the American economy.

This is especially true considering the ever-expanding reduction in inspections and inspection times, the intermittent use of technology safety devices (like wayside detectors and camera systems), and the unjustified and pervasive desire of railroads to reduce onboard crew size on the majority of this nation's freight trains.

One of the most significant pieces of the puzzle to achieving true safety in the rail industry is the data that isn't collected. Every single day, accidents are prevented in this country because of the presence of a two-person crew, yet no reports or data are collected to measure those successes. If we were to collect them, it would reveal why the advent of the two-person crew has brought about the safest and wealthiest era in railroading history. Data is important, but it does not tell the whole story unless it is pulled from the whole story. To this point, we know that two-person crews present the safest method of freight train operations because the data tell us so, but because there is no meaningful or applicable American data to support a reduction, then the suggestion to make such a reduction can only equate to risk.

Sharp shooting data to fulfill a narrative or business plan is an unfortunate reality in the railroad industry. It is easy to say "data-based decisions," but how does one determine the appropriate data is actually being considered? This is why it is critical that the government maintain transparency and accountability in the waiver and rulemaking process. We cannot accept that technology is safer simply because it is technological, nor should we accept information as fact-based without hearing from the people most affected by these types of program developments and operational changes. The American people depend on us to get it right, and, rightfully, the only way to do so is with all stakeholders having a seat at the table.

I urge this committee and the whole of the 119th Congress to recognize that the safety of rail workers and the communities we serve must be prioritized. The railroads can no longer be allowed to act as their own regulatory authority. It is time to restore oversight, strengthen training, and ensure that the safety of the American people is put ahead of corporate profits.

In conclusion, it is clear that a multifaceted approach is needed to address the rail industry's shortcomings. This includes robust, federally backed workforce development, enforceable safety regulations, and a commitment to building a safe and sustainable world-class passenger rail system for the future.

I am confident that, with the leadership on this committee and President Trump's support, we can make this vision a reality and provide the resources and safeguards necessary to protect our workers and our communities.

Thank you for your time and for considering the critical role of long-term investment in high-speed rail in America's transportation future.

A handwritten signature in black ink, appearing to read "Jared Cassity". The signature is fluid and cursive, with a large initial "J" and "C".

Jared Cassity