



A bold voice for transportation workers

**WRITTEN STATEMENT OF
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MATERIALS ON**

“AMTRAK NOW AND INTO THE FUTURE”

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On behalf of the Transportation Trades Department, AFL-CIO (TTD) and our 33 affiliated unions, I want to first thank Chairman Lipinski and Ranking Member Crawford for inviting me to testify before you today.

As this committee begins to consider Amtrak reauthorization, and the intercity passenger rail networks of the future, we are proud to present a unique perspective from the Amtrak workforce. In addition to the TTD affiliated unions also testifying today, our unions represent workers across nearly every position in the passenger rail network – these are the workers who operate trains, maintain and repair equipment, oversee safe operations along routes, provide high quality customer service both on and off-board, and construct facilities. They are the workers who ensure that the 32 million trips taken on Amtrak every year, across more than 20,000 miles of track, and in nearly every state in this country, are met with the highest level of service and safety possible.

There is no one who knows Amtrak like these workers, and you will not find a greater advocate for robust passenger rail service in this country than transportation labor. Historically, we have been the loudest voice pushing for more funding for Amtrak, better and more service options, and modernizing its infrastructure and equipment. We understand the economic value that Amtrak brings to the communities it serves and to the nation as a whole, and we know the vital role that Amtrak plays in our vast, multi-modal transportation network.

This country deserves a passenger rail system that rivals any in the world. Polls have repeatedly shown that Americans want more rail service and are willing to pay for it, and we firmly believe that the quality of service that our workers provide is the reason why we see such strong levels of support. Amtrak’s workforce stands ready to do our part, but we should be clear: we cannot do it alone. Congress must show the leadership this moment deserves by investing resources

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necessary to deliver world-class intercity passenger rail, adopting policies that will support and preserve good jobs building and operating this network and rejecting short-sighted plans to slash or degrade service which will do little more than drive customers away.

Federal Investment is Vital to Amtrak's Future

Amtrak's reauthorization is an important opportunity for Congress to ensure that intercity passenger rail supports good jobs, provides customers with an outstanding product, and connects communities through a national and inter-connected network. Unfortunately, Amtrak's current leadership too often appears more interested in outsourcing work to the lowest bidder while walking away from its commitment to long-distance service in a misguided attempt to appeal to austerity-driven political forces. Fortunately, Congress has the ability to craft policies that reject these efforts.

We do agree with Amtrak's leadership that the status quo is not the path forward. For too long, Amtrak has been forced to make due with a subsistence budget that cripples its ability to make forward thinking investments and long-term capital improvements. While the FAST Act was a step in the right direction, this Congress must build on that progress by providing funding levels that unlock Amtrak's potential – as this hearing asks – both now and in the future.

Today, Amtrak's network is overwhelmed by “now” needs -- the railroad's state of good repair backlog is estimated at \$33.3 billion, with \$28.1 billion of that on the Northeast Corridor. These numbers are not intangible, every unspent dollar corresponds to decaying infrastructure and facilities in your districts and in the districts your constituents travel through.

The Baltimore and Potomac Tunnel is glaring example. This nearly 150-year-old tunnel serves Amtrak, commuter and freight rail operations; however drastic speed restrictions due to its deteriorating condition and insufficient capacity have turned the tunnel into a 1.4-mile bottleneck in the heart of the Northeast Corridor. The Federal Railroad Administration has identified the tunnel as structurally deficient and in need of replacement or rebuilding. Until that day, it will continue to badly snarl the heavy traffic that its builders never imagined when it was erected – in 1873.

Similarly, TTD has on many occasions – including before this Committee – called for action on the Gateway Program and Hudson Tunnel Project. While the tunnel is a comparatively youthful 109 years old, the unrealized impacts of the project represent billions of dollars in economic benefits both to the Northeast Corridor and to the country at large, including a staggering \$3.87 in benefit per every \$1 spent. Failure to move forward on this critical project is unacceptable, yet a steady stream of finger pointing and political bickering has allowed the project to languish.

While these NEC projects are badly needed, it would be a mistake to assume that money invested in Amtrak solely benefits those who ride trains in the Corridor. Amtrak's extensive network of long-distance and state supported routes each have their own needs and maintenance backlogs. A serious approach to adequate authorizing levels ensures that riders and communities across the United States are the beneficiaries of Congress' decisions.

Failing to adequately invest in Amtrak's future also dilutes the benefit of its current investments. Amtrak's ongoing procurement of Avelia Liberty trainsets, capable of travelling 200 MPH and made domestically by IAM employees in Hornell, NY, should be a boon to service on the NEC. When these high-speed trains encounter ancient infrastructure like the B&P, however, they are subject to speed restrictions of 30 MPH or less. Put simply, we are squandering the benefits promised to Amtrak's riders. It is up to Congress to fund Amtrak at levels that will allow for real service improvements, increased accessibility, and a better passenger experience.

Strong Labor Protections Ensure Middle Class Jobs

What can never be lost in the discussion of Amtrak's future is that its success is predicated on the hard work of its dedicated, skilled and experienced workforce. Our unions stand ready to move forward with Amtrak, but their members cannot be left behind. Labor protections that have long ensured that rail jobs support middle class families must be at the heart of any reauthorization considered by Congress. Rail-specific statutes, including the Railway Labor Act, Railroad Retirement Act and Railroad Unemployment Insurance Act provide employees with the right to collectively bargain, and coverage under retirement, occupational disability, and unemployment benefits specific to this industry. Employees currently covered under these laws must continue to receive coverage.

As Congress explores new ways to expand rail service to more Americans, it may also consider new ways to fund intercity passenger rail, or to permit existing funding streams to be blended across modal agencies and accounts. Congress must not allow novel funding strategies to deny an employee appropriate protections and duly earned benefits. Inadvertently stripping these rights from workers would be a mistake.

We also call for action to expand safety nets for employees who lose their job through no fault of their own. These changes should seek to mitigate adverse impacts to employees based on Amtrak's procurements and deployment of new equipment, as well as the effects of federal funding and grant making decisions. Protections like these are hardly unprecedented. Decades-old labor safeguards that already exist at Amtrak can be expanded to better suit the modern workforce, and statutory protections that are commonplace in other modes of transportation may be appropriately adapted to also cover these employees.

These actions are particularly needed when Amtrak is taking every available opportunity to slash its dedicated workforce in favor of non-union, low-wage contractors. As TCU will discuss, Amtrak recently shuttered its Riverside, CA call center, offering some of its 500 employees the untenable decision of moving across the country to another facility or losing their livelihood. Amtrak claimed that this was in response to decreased call volumes. However, no sooner did it close Riverside than it contracted hundreds of non-union workers at a call center in Florida to perform the same job. Reports of similar efforts to contract out well-paying jobs to low-wage, no-benefit contractors are becoming commonplace throughout the company. Amtrak has even gone as far as to argue for a misapplication of statutory requirements on contracting to permit it to violate collective bargaining agreements at will, and replace furloughed employees with non-union contractors.

TTD also strongly opposes proposals to turn over Amtrak operations to entities who promise cost savings on the backs of workers and quality service. In the FAST Act, Congress authorized the Amtrak Competitiveness Pilot Program, which allowed for limited privatized service on certain routes. Interested for-profit companies blatantly admitted that their concepts relied on reduced service, cutting employee benefits, and receiving unheard of exemptions from federal law. On prospective bidder, Iowa Pacific, wrote that “Labor’s hardline position would effectively derail this program” and that traditional worker protections were nothing more than “provisions crafted for a totally different situation”. Labor’s “hardline position” was simply that a private carrier cannot shirk long-time statutory mandates that currently apply to Amtrak workers in order to save money. This position was also enshrined in the language that implemented the program. When the FRA declined to permit private operators to ignore federal law at their own discretion, none of these entities submitted a bid.

We also urge Congress to require that the Amtrak Board of Directors have a permanent seat for member representing labor. Amtrak often makes decisions without adequate input from its workforce, resulting in determinations and initiatives that do not reflect the needs of the railroad or of its customers. There is no clearer demonstration of this than current slate of nominees to serve on the Board – two of whom are former members of Congress who have taken votes to defund the system entirely. Congress can rectify this disconnect with a modification of the Board makeup.

These positions are based on a deeply held belief that a strong union workforce promotes a better Amtrak that provides a high standard of service, incentivizes ridership and strengthens the company in the decades to come. Unfortunately, we are deeply concerned that this is not the Amtrak’s vision for the future.

Congress Must Guarantee a Truly National Network

The company has made no secret of its desire to eliminate the long-distance routes that make up the National Network and provide important transportation service for millions of Americans in rural states. We reject the characterization of the National Network as a vestigial component of Amtrak that can or should be jettisoned to satisfy a balance sheet. Amtrak’s long-distance routes are critical to the communities they serve, and create thousands of good jobs. Arguments in favor of cutting these routes neglect the fact that many long-distance riders use this service to connect to other Amtrak service, like the Northeast Corridor or other regional trains. Cutting these passengers off by shrinking Amtrak’s reach only reduces its customer base and overall ridership. Amtrak must continue to operate as a true nationwide intercity passenger rail carrier, and commit to preserving and improving its long-distance service.

Further, long-distance routes need not be sacrificed to implement other positive changes on the network. When Mr. Anderson testified before the full Committee in February, he stated that “The demand is clearly there for additional short-corridor service throughout the U.S., which includes both additional frequencies for existing routes and establishing new routes between city pairs”. We are highly supportive of Amtrak pursuing new business opportunities, including the creation of new routes and increased services over the routes experiencing the highest ridership. Strategies that increase ridership and make Amtrak a more appealing transportation option create

jobs for our member unions and support the sector. However, we reject the premise that this must be a zero-sum calculation wherein new improvements can only occur through the elimination of existing service.

Efforts by Amtrak and Congress to degrade the customer service experience on Amtrak, and use that as justification for eliminating routes and services is similarly a losing proposal. The FAST Act included language that directed Amtrak to eliminate the operating losses on its onboard food and beverage service. This shortsighted and burdensome approach degrades the passenger experience, making Amtrak less appealing to current and future customers. Financial benefits gained are outstripped by the financial costs of dissatisfied customers and lower ridership. To date, the provision has not led to meaningful savings, but it has led to management decisions that downgrade the quality of offerings on-board, or in some cases, remove traditional food service entirely. This has frustrated long-time customers and damaged Amtrak's public image. Congress must remove this provision in the next reauthorization.

Similarly, we call on Congress to take action to ensure that station agents appropriately staff rural stations. Amtrak's decision to remove these workers from 15 stations, and therefore the ability of riders to purchase a ticket directly from an Amtrak employee, is deeply unpopular with customers. We note that both chambers have adopted report language in their respective FY '20 appropriations bills directing Amtrak to reverse its position and to improve its relationship with local partners. Enshrining this position into law would ensure Amtrak does not meddle with this critical customer-facing function.

Policies for a Safer Future

TTD calls for the inclusion of provisions that will enhance the safety of Amtrak and passenger rail more broadly. Specifically, Congress should consider the creation and deployment of a Confidential Close Call Reporting System (C3RS) on Amtrak. C3RS is a voluntary reporting program that allows employees to report close calls without fear of discipline and railroads to do the same without incurring penalties from the FRA. FRA began piloting the C3RS program in 2007, and within eight years participating railroads and railroad workers had submitted over 5,000 reports of close call incidents. Since then, the program has expanded substantially to additional railroads, TTD rail unions report that the program is invaluable in improving safety culture in a collaborative fashion, and that its expansion to Amtrak can have positive benefits for safety at the company.

Finally, Congress should take action to protect workers from violent assault. Assaults against employees are all too common, including the 2017 shooting of an Amtrak conductor onboard a train. Both Amtrak and commuter railroads should be required to develop plans that seek to prevent violence preemptively, deescalate an in-progress event, and help employees manage the aftermath of an assault. Passenger rail employees deserve a safe workplace, and the development of these plans would be a step in the right direction.

We urge this Committee to pursue a reauthorization of Amtrak that creates a service that works better for its customers, its employees, and communities that depend on safe and efficient passenger rail. At the same time, Congress must reject efforts to eliminate transportation options

for riders across the country, degrade customer service, or pursue misguided outsourcing or privatizing schemes that undermine rail service and good jobs in this sector.

TTD and our affiliated rail unions look forward to working with you to strengthen Amtrak and passenger rail throughout the country. Thank you for providing us the opportunity to testify before you.