

Written Testimony of

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Congressional Hearing Before

**Committee on Transportation and Infrastructure
Subcommittee on Railroads, Pipelines, and
Hazardous Materials**

In the Matter of

**“High Speed Rail in the United States:
Opportunities and Challenges”**

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Committee on Transportation and Infrastructure

Subcommittee on Railroads, Pipelines, and Hazardous
Materials

“High Speed Rail in the United States: Opportunities and
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Madame Chairwoman Brown, Ranking Member Schuster
and members of the Subcommittee:

My name is Robert A. Scardelletti . . . and I am the International President of the Transportation Communications Union/IAM.

Our union . . . together with the other rail unions . . . represent over 150,000 workers . . . on America's freight . . . passenger . . . and commuter lines.

TCU is the largest union on Amtrak . . . representing six (6) crafts. (Approximately 10,000)

TCU and rail labor have long supported high speed rail in the United States . . . which included the passage

of the Passenger Rail and Investment and Improvement Act of 2008 (PRIIA) . . . and the American Recovery and Reinvestment Act.

This historic commitment to intercity and high speed rail . . . will create and sustain thousands of good jobs.

The passage of PRIIA and the appropriations included in the ARRA . . . was a good start for what can be a great opportunity for high speed rail in our country.

The most significant challenge . . . is to ensure that these initiatives are implemented correctly.

As was seen in the Federal Railroad Administration's High Speed Rail Program . . . many states and other entities are making application for high speed rail funding.

The FRA had over \$50 billion worth of requests . . . from more than 30 states. The FRA will be challenged . . . in how best to award the \$8 billion . . . that has been appropriated.

It is imperative that the FRA vigorously enforces the statutory requirements attached to high speed rail funding . . . particularly those designed to protect the jobs and rights of workers.

Labor protections and requirements to preserve existing collective bargaining agreements . . . must be administered fairly and consistent with the law.

Davis-Bacon prevailing wage requirements . . . must fully apply to all covered construction work. Buy America requirements . . . must be applied and strongly enforced.

Amtrak and its workforce . . . must be fully utilized as the backbone of high speed rail in America.

Amtrak is . . . by law . . . America's national passenger rail carrier and the only current provider of high speed rail . . . through its Acela Express Service in the Northeast Corridor.

Amtrak has an established national network . . . which includes an extensive reservation system . . .

existing rolling stock . . . statutory relationships with the freight railroads for trackage rights . . .

. . . and decades of demonstrated compliance with all federal rail laws including Railroad Retirement . . . the Railway Labor Act . . . and the railroad safety laws.

Amtrak has also partnered with states and local governments . . . to provide passenger rail service for decades.

Amtrak understands . . . and has a track record of adhering to the various grant requirements . . . imposed by the federal government.

Most importantly . . . Amtrak has a dedicated and experienced workforce . . . ticket agents . . . baggage handlers . . . Carmen . . . on-board service workers . . . supervisors . . . machinists . . . sheet metal workers . . . electricians . . . boilermakers . . . signalmen . . . train dispatchers . . . maintenance of way workers . . . firemen and oilers . . . engineers . . . and conductors . . . who are all vital to run a passenger rail system.

With recent passage of multi-year Amtrak reauthorization legislation . . . and the election of a President with a vision for an expanded role for passenger rail service . . . Amtrak employees . . . who are the best trained passenger rail employees in the nation . . . are well positioned . . . to implement the aggressive agenda and meet the challenges presented by the implementation of high speed rail.

Utilizing Amtrak for high speed rail service . . . will best assure stable labor relations.

Collective bargaining has existed with Amtrak . . . since its creation . . . and current labor agreements are in place . . . with all the company's unions.

High speed rail is just that . . . railroad work . . . and the workers engaged in providing high speed rail service . . . must be covered by all of the railroad statutes.

Amtrak should receive credit for doing so . . . and not be placed at a competitive disadvantage. For example . . . Amtrak . . . as a rail carrier . . . has financial

obligations to its employees through the Railroad Retirement Act.

If another entity seeks to provide service . . . but does so with the intention of evading the railroad retirement system . . . that entity could artificially undercut Amtrak on a cost basis. Congress must ensure that potential providers of service . . . are not allowed to evade the requirements . . . so that all applicants will be judged on a level playing field.

All rail labor supports a strong Buy America requirement . . . as contained in both . . . the Amtrak statute . . . and the ARRA.

A strong transportation system is dependent on a strong domestic manufacturing base . . . that can produce raw materials and finished products . . . including train equipment necessary for high speed rail.

Because there has not been a U.S. market for high speed rail . . . almost all of the existing major high speed rail equipment manufacturers are foreign. Buy America

in this context must mean that . . . even if the developer is foreign owned . . . any equipment must be assembled entirely in the United States.

Furthermore . . . Amtrak with its skilled and unionized shopcraft employees . . . should be the first choice to repair and maintain all new high speed equipment.

Foreign companies should not be allowed to avoid the application of railroad statutes . . . such as railroad retirement . . . by tying repair and maintenance of

equipment to its manufacture . . . and then using non-railroad workers for both functions.

New employee protections . . . under the law . . . should be seen as a means of integrating the existing workforce into high speed rail and expanded intercity service. Furthermore . . . existing collective bargaining agreements . . . can assure that new operations have access to experienced and trained workers . . . and in the process . . . minimize labor uncertainty.

In summary . . .

- 1) funding for Amtrak and its current services . . . must not be cut. We call on Congress and the administration . . . to fully fund Amtrak's capital and operating needs . . . at the currently authorized level.
- 2) any new high speed rail programs . . . must be fully funded.

We must be committed to the long haul.

Good labor policy and sound transportation policy . .
. are not inconsistent propositions . . . in fact . . . high
speed rail in this country . . . will only succeed if workers
are brought into the process and treated fairly.

The benefits will be . . . the best high speed rail
system in the world.

Thank you.