

**Remarks by  
Federal Railroad Administration Administrator  
Sarah E. Feinberg  
AS DELIVERED  
Railroad Safety Advisory Committee (RSAC)  
Washington, D.C.  
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Thank you.

For the record, I told Bob to open up with a joke. But he didn't have to say anything nice about me. He should just get the room warmed up, but he said nice things about me instead.

Thank you so much, Bob.

As always, it's a pleasure to be here with all of you today.

Hard to believe, that this is my fourth RSAC. I know that doesn't compare to the number of RSACs that many of you have been present for, but it does make me realize how quickly time flies.

I recently went back and looked at what I said to all of you in my first speech to RSAC – all the way back in May of 2015.

And that day, one of the things that I said was, “we must do all that we can, together and now, to move quickly to ensure that safety is both strengthened and expanded.”

So as I was thinking about what I wanted to say to all of you this morning, one of the things I was thinking about was, “How are we doing on that goal?”

How are we doing on that specific goal that I laid out more than a year ago? How are we doing on strengthening, and expanding, safety?

I think it’s only fair to say we’ve made significant progress, but that we’ve also got a long way to go.

On crude oil, I’d argue we’ve both strengthened and expanded safety in just this short year and a half.

We completed a final rulemaking that raised the bar on safety, requiring stronger tank cars, and better braking systems.

At the same time, we launched our CORTEX blitz inspections that we believe have led railroads to pay closer attention to their own track inspections.

We’ve seen these inspection blitzes improve railroads’ performance over time. We’re finding fewer and fewer defects and violations as the CORTEX inspection program continues, making it more likely that problems with track have been found and fixed by RRs themselves, before we arrive and before that kind of problem can lead to a derailment.

We’ve also made progress on strengthening and expanding safety at grade crossings, though not nearly as much as I would like.

Our fatality numbers in 2015 were down from the grim numbers of 2014, but we don't yet know if we will sustain that progress through 2016.

And I can tell you, that there have already been far too many incidents at crossings this year already – incidents which have killed children, and parents, and sometimes entire families.

Many of these recent incidents don't fit the typical scenario of someone trying to "beat the train," which is what so many of us are used to. Instead, these incidents have involved families, parents of young children doing the kinds of everyday activities that each of us goes about without giving a second thought. Things like going to church on a Sunday morning, or driving a carpool full of children.

And while we're still investigating these specific incidents, and we have not yet landed on a cause, it appears likely that these are situations where the driver lost situational awareness, or there weren't sufficient protections in place to protect the vehicle, or provide adequate warning to the driver.

You've heard me talk about this problem time and time again. Because of course these incidents are preventable, and they are killing more than two hundred people every year, including children.

At the FRA we remain committed to doing everything we can possibly do to solve this problem, but to solve this problem we need everyone working together, and doing more.

We need Congress to continue putting more money into safety improvements and education efforts.

We need states to take a careful look at their crossings and use our data as a guide on where to upgrade, or even eliminate, crossings. And to think creatively – like the state of NY is doing everyday– to take more actions at their most dangerous crossings.

We need law enforcement to continue their increased presence at many crossings, serving as a warning to drivers.

We need tech companies to prioritize integrating our grade crossing data into their mapping applications – this is a simple integration of data, and it's one that will save many lives, and it is a request that we made of these companies more than a year ago.

And, we need railroads to do more.

It's not enough for everyone to step up to the plate, but for railroads not to take more actions themselves.

We expect railroads to be more aggressive in pursuing technologies that will prevent crossing accidents, and we need your support for pilot programs that cities and states are exploring.

The bottom line is: We all have to do more than what we've done in the past.

And, FRA will continue to do more, as well. We will continue using every tool in our toolbox to help make rail crossings safer.

You will see us be more aggressive in our crossing investigations, and more aggressive in our hiring of grade crossing inspectors and managers.

When we talk about preventing incidents and saving lives, in addition to grade crossing incidents, few other issues hold as much promise as Positive Train Control.

And we have strengthened and expanded safety with PTC.

Many railroads have now made implementing PTC a priority, and they are seeing successes.

Accidents have been prevented already.

Brakes are being applied, when they need to be applied.

And we're improving all the time on brake applications that are unnecessary.

This proves that it can be done, and when railroads prioritize PTC, it does get done.

For those railroads that have made less progress, I ask you to continue your work, and continue to remain focused on 2018.

I know that especially for the commuter railroads, cost continues to be a concern.

I want to take this opportunity to remind you that thanks to action by the Congress last year, there is \$199 million dollars in grant money available to commuter railroads to help with the cost of implementing PTC. The deadline to apply for these funds is September 28. I urge you to get applications in, if you haven't already done so, and to call on the FRA if you have questions or need assistance.

I will speak for the FRA, and I will say we continue to make the plea to Congress and the White House to continue to ask for additional funding for PTC.

Those are probably our main highlights of the progress we've made over the last year and a half, and they're significant ... crude transport, stronger tank cars, a better braking system, improved safety at grade crossings and progress on PTC.

But of course there is more work to be done.

Many of you know the safety issue that we remain particularly focused on at this point in the administration.

In particular: Crew size and staffing. Locomotive cameras and recording devices.

And there's one significant issue that I want to spend time on this morning – which is drug and substance abuse.

As all of you know, this is an issue that we've been concerned about for some time since this spring, when we got our first wakeup call at the FRA that we may have a substance abuse issue in our industry.

Since that time, I've reached out to all of you to engage in a conversation about this issue.

I have spoken with most of you individually, and with many of you on several occasions now.

We've discussed in depth the kind of data that we're seeing, the uptick in post-accident positive tests, the significant rise in positives in our random testing pool.

We've discussed my own concern – and based on my conversations with each of you, it's a concern that all of you share as well – which is that we are seeing a trend that is going in the wrong direction, and we must address it immediately.

As we've discussed, this shouldn't come as a surprise to anyone.

We know that the country is struggling with an opioid epidemic – and there is no reason why our industry would be immune from an epidemic that's affecting the entire country.

All of you know the anecdotes and the stories that we're so worried about - because we've discussed them, and because in some cases, they are your colleagues who are most affected.

Workers overdosed, found in bathrooms and in parking lots.

Accidents in rail yards resulting in preventable injuries or deaths – with post-accident toxicology screens coming back positive.

Large number of potential workers dropping out of an application pool just prior to a pre-employment drug test.

FRA's position about substance abuse among rail employees and workers is very clear: the FRA will have no patience whatsoever for post-accident positive test results—railroads, and railroad employees, have the safety of the public in their hands

Whether they're operating passenger trains through the busiest rail corridors in the country or operating freight trains through communities large and small, the public must be able to trust that the persons operating that train, dispatching that train, working on these railroad tracks and on those signals, is not under the influence of drugs or alcohol.

Workers who are struggling with addiction need, and deserve, our help, and they should receive it.

One way to do that is to make sure your employees are aware of the Employee Assistance program. Your EAP is the most effective tool you have to get employees with substance abuse issues help.

Statistically, we have found that you should have two to three times the number of EAP referrals than you do in positive test results among employees. I encourage each of you to look at

your EAP referral numbers and find ways to maximize the effectiveness of your program.

Aside from concerns for the health of your employees, there are obvious safety concerns. Workers who are intoxicated or under the influence on the job are a danger to themselves, other workers, passengers, and anyone else who may be in their path. Getting these workers help and back on the job clean and sober will improve their quality of life and the safety of our rail system.

The good news is that our industry is already aggressive on drug testing. We have good data that allowed us to spot this issue early while we can still be beat it back. The FRA will support you in any way that we can in efforts to be more aggressive than what we already require.

We want to work with the industry to get ahead of this issue before it becomes more serious.

I sincerely want to thank everyone in this room for your willingness to work with us, even during times of disagreement, even as new issues arise, all the time, to make America's rail system safer. The spirit of cooperation that exists in this room and in our industry is why we've made so much progress in the past, and why I know that it will continue.

There are a lot of unknowns right now: who will win the White House, who will control the Senate, who will be sitting in my chair next year. But one thing that I know for sure is that rail will continue to be the center of this nation's prosperity.

As I mentioned last time I was here, it will play an even bigger role in the future. And that is why the work we have accomplished together, and the work that remains, is so important today.

Thank you for your work. I look forward to working with you today and going forward.