



NATIONAL ASSOCIATION OF RAILROAD PASSENGERS

Vol. 22, No. 7 @  July, 1988

John R. Martin, Pres.; Eugene Skoropowski, Vice Pres.; Robert Glover, Sec.; Joseph Horning Jr., Treas.; Ross Capon, Exec. Dir.; Barry Williams, Asst. Dir.; Jane Colgrove, Membership Dir.; Harriet Parcels, Transp. Assoc.

National Association of Railroad Passengers News (ISSN 0739-3490), is published monthly except November by NARP, 236 Massachusetts Ave., NE, Suite 603, Washington, DC 20002. 202/546-1550. Membership dues are \$15/year (\$7.50 under 21 or over 65) of which \$4 is for a subscription to NARP News. Second-class postage paid at Washington, DC.

Postmaster: send address changes to National Association of Railroad Passengers, 236 Massachusetts Ave., NE, Suite 603, Washington, DC 20002.

(This has news through July 15. No. 6 was mailed July 12.)

RETURN REQUESTED

Pro-Train Presidential Candidate

NARP Presses Rail's Importance In AASHTO's 2020 Process

"The kind of surface transportation system America will have in the year 2020 will depend largely on decisions made during the next 2 years."

—Leno Menghini, President, American Assn. of State Highway & Transportation Officials; Superintendent, Wyoming Highway Dept.

NARP continues to work for a more balanced approach to transportation in the Transportation 2020 Program of the American Association of State Highway & Transportation Officials (AASHTO) (June '87, Feb. '88 News). 2020 has the ambitious task of developing a consensus among public officials, the business community, and citizen groups regarding how U.S. transportation will be funded after completion of the Interstate System in 1991.

Over a 9-month period, there were 65 state forums—at least 1 in almost every state. (Pennsylvania submitted information from 8 hearings on transportation needs held in early 1987.) Highway Users Federation (HUF) staff prepared a draft report summarizing the hearings, "As the Public Sees It," and, in late April, circulated it for review to the 100+ organizations—including NARP—comprising the Advisory Committee on Highway Policy (ACHP).

In comments prepared by Harriet Parcels and in 2 letters to AASHTO Executive Director Francis Francois, NARP strongly objected to the imbalanced, highway-dominated focus of the draft. Our June 28 letter, sent to HUF President Lester Lamm and to AASHTO, was co-signed by representatives of Amtrak, Bicycle Federation of America, Citizens for Better Transit (Portland, OR), Coalition for Scenic Beauty, High Speed Rail Assn., League of American Wheelmen, and Sierra Club, all of whom had actively participated in the state hearings.

The letter stated in part: "A process we understood would openly examine the future needs and direction of America's ground transportation system seems determined *a priori* to focus almost exclusively on automobiles and trucks and hence to prescribe highways as America's best, and virtually only, transportation solution, with other modes playing a minor supplemental role in America's future transportation network. Such an approach . . . ignores [both] the testimony

(continued on page 4)

The big news for NARP members this election year is the prospect that—for the first time since our association's founding in 1967—we will have a major-party presidential candidate who has said and done so many things exactly in line with our goals.

Massachusetts Gov. Michael S. Dukakis (D) has presided over an impressive array of rail passenger improvements during his 10 years as governor (1974-78, 1982-present). Now, he pledges to support rail improvements nationwide if elected president.

Columnist David Cawthorne wrote in the June 27 issue of *Traffic World*, "It seems certain that probable Democratic nominee Michael Dukakis will win the rail fan's vote hands down. Dukakis has promised to pursue development of high-speed rail service along several rail corridors, including Chicago-Detroit, Los Angeles-San Diego, Miami-West Palm Beach, and Washington-Boston."

NARP is non-partisan and does not endorse candidates for office. We await the reply of Vice President George Bush, the expected Republican nominee, to our inquiries. Perhaps understandably, he said nothing publicly about Amtrak and transit during the primaries; we hope this will change soon.

We are also painfully aware of the entrenched power of the highway lobby, especially in state government (see story at left). No matter who the next president is, NARP members must continue to push for transit and Amtrak support at the state and local levels and in Congress. Otherwise, we'll be disappointed even if the next president says what we want to hear in the campaign and tries conscientiously to act on those promises once in the White House. The "power balance" between the White House and the rest of government will not change just because someone who agrees with us becomes president.

Indeed, the kind of support Dukakis says he would give Amtrak may be needed just to *maintain* Amtrak's present funding levels in the face of continued efforts to reduce the budget deficit and the ability of highway and aviation interests to resist efforts to redirect "their" funds towards environmentally-sound rail projects.

Nevertheless, rail passenger supporters of all political stripes can take pleasure in the extent to which Gov. Dukakis has brought the spotlight to our cause—even with his commuting habits. He often rides Boston's Green Line trolley cars

between his home and State House office and has boasted that he is the nation's only governor who commutes by rail.

On Apr. 24, two days before the Pennsylvania Primary, Dukakis chartered an Amtrak train and made a 234-mile whistlestop trip from Pittsburgh to Altoona and back. At the Altoona Amtrak station, Dukakis said, "A great nation cannot be a great nation without a first class, first rate rail transportation system. I oppose spending \$36 billion on 2 supercarrier task forces that we don't need and we can't afford. That's \$36 billion that would buy a lot of mass transit and an awful lot of high-speed rail."

In speaking to an Amtrak official on the same trip, Dukakis called himself "a passionate supporter of Amtrak."

The March 1988 issue of *Modern Railroads* carried these comments from Dukakis: "As president, I would restore federal support to our national rail system and, in particular, make full development of Amtrak a top national transportation priority."

"Of 500 communities served by Amtrak, 177 have no air service and 96 no bus service. Amtrak's 5 billion passenger-miles provides benefits to all—through energy conservation, reduced air pollution and congestion . . .

"As president, I will reverse the current penny-wise, pound-foolish federal policy and commit to development of quality national rail service. I will stop presidential efforts to kill our national rail system and Amtrak. I will pursue the development of high-speed rail on the busiest corridors."

In an interview in the May 22 edition of the *Hoboken (NJ) Reporter*, Dukakis said: "We've got to invest in public transportation in this country, and here again, we've got a Highway Trust Fund that's piling up surpluses. Why not allocate some portion of that for public transportation?"

". . . [I]f anyone ever needed a reason for investing in high-speed rail transportation in the Northeast Corridor, look at the airports. Look at what's going on, look at the highways. We've got rail lines which carry thousands and thousands of people. New York-Washington [rail] service has improved considerably and they're down now to 2:30 to 2:45 which beats the [air] shuttle. Boston-New York is still waiting. We could have 2:45-to-3:00 service between Boston and New York—downtown to downtown—which would effectively take thousands of people out of the airport and open that up for us and get thousands more out of their cars. That would be a money-maker for Amtrak. . . .

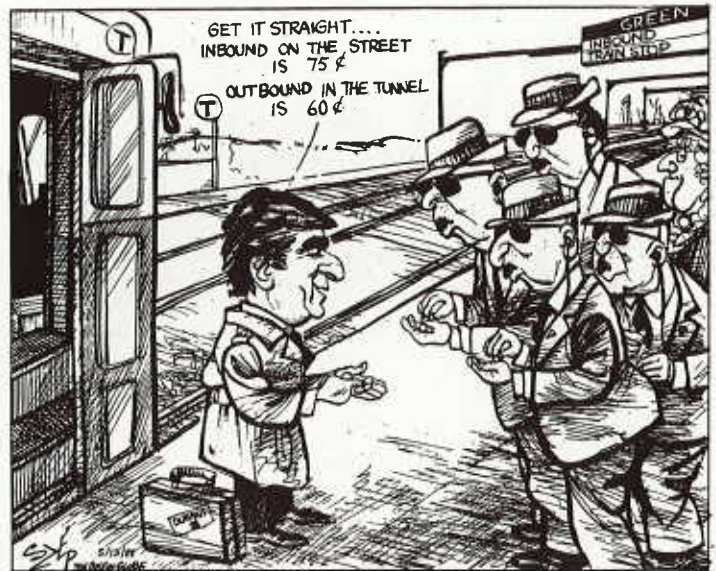
"The administration is trying to kill Amtrak. I don't know where they think the 20 million people who currently ride Amtrak are going to go. If they're going to airports or on the highways, they're just going to make it worse."

Dukakis is perhaps best known to NARP members for his work within the Coalition of Northeastern Governors to upgrade the Boston-New York segment of Amtrak's Northeast Corridor (Oct. '86, Dec. '87 News) as an alternative to construction of a second major Boston airport.

Dukakis has brought about a number of rail passenger improvements in the Commonwealth of Massachusetts; he plans many more—though we regret that he has not supported inclusion of a North-South Station railroad connection in the costly Central Artery freeway project (Apr. '88

CAPON CONTRIBUTES ON BOOK

Now in bookstores: *Winning America: Ideas and Leadership for the 1990s* (editors: Marcus Raskin, Chester Hartman) from South End Press and Institute for Policy Studies, with comprehensive transportation chapter that NARP's Ross Capon wrote by invitation. We may sell reprints of the chapter; watch NARP News.



Secret Service agents to start guarding Dukakis

—Paul Szep/Boston Globe

News) and, to improve access to Boston's Logan Airport, he favors not a rail transit line but a new under-harbor freeway.

The commuter rail pluses—accomplished and planned—are impressive. Commuter railroad ridership rose 106% from 7.1 million in 1973 to 14.6 million in 1987 (a 21% increase just from 1986 to 1987!); MBTA and Boston & Maine Railroad in 1984 received a federal award for efficiency. (June '87 News)

Extensions are planned for 5 existing commuter lines, and plans are well advanced for restoring the 3 "Old Colony" lines to southeastern suburbs that have been mostly dormant since 1958. (Apr. '88 News) Dukakis last October, when aboard the turbo-train, said the "worst decision we ever made in Metropolitan Boston was to abandon the Old Colony. We're going to spend millions to get it back."

In Portland (OR) May 19, 1987, Dukakis told reporters the light rail line there "is such a clear example of how investing in transit helps to make cities healthy again that it seems to me this ought to be our policy in this country. It is certainly going to be my policy if I'm elected president." ■



—Associated Press

Democratic presidential candidate Michael Dukakis and wife, Kitty, stand on the back of their Amtrak coach during a whistle-stop tour of western Pennsylvania Apr. 24. The Massachusetts governor stressed economic development, promising new life for the steel industry and the railroads.

Amtrak and Airlines: Equally Safe

Notwithstanding an "anti-rail" publicity blitz by Citizen Action and some affiliates, notably Illinois Public Action Council (IPAC), Amtrak and planes have virtually identical safety records; the most dangerous journey is the one that includes the longest automobile ride.

For the decade ending in 1987 (fiscal years for Amtrak; calendar years for airlines), Amtrak had 5.83 passenger fatalities per 10 billion passenger-miles (PM's), airlines 5.86. [Amtrak: 46.3 billion PM's and 27 fatalities; Airlines: 2,421.7 billion PM's and 1,419 fatalities.]

Since Amtrak's 1987 "Colonial" wreck caused over half of Amtrak passenger fatalities for the decade, it is not surprising that 1977-86 figures make Amtrak look even better: 2.6 fatalities per 10 billion PM's vs. the airlines' 6.9.

Individual accidents can skew the statistics for any given year. Thus, to make our comparisons as objective as possible, NARP uses 10-year periods; others can use carefully chosen shorter time-periods to "prove" anything.

Enter IPAC, which wants to convince the public that trains are unsafe. IPAC's apparent motive: to build opposition to railroads' efforts to repeal the Federal Employers' Liability Act (FELA), a costly fault-based compensation system applying only to railroads.

An Oct. '87 IPAC report picked 1982-84, relatively good years for airlines and bad for Amtrak, and concluded: "Contrary to public perception, a passenger on a train is more likely to be killed in an accident than a passenger on a commercial airliner."

A Jan. '88 report used 1987, the year of the "Colonial." A Jan. 19 Citizen Action release screamed: "Even though 1987 was one of the worst years on record for airline safety . . . in 1987 a passenger on an inter-city train was 4 times more likely to be killed than a passenger on a scheduled commercial airline."

When indicting the railroad industry for a high number of total fatalities, IPAC includes grade-crossing fatalities in its statistics, although, as a Sep. 24 *Tampa Tribune* editorial noted, 40% of grade crossing accidents happen when warning lights and safety gates are present and working and "an astonishing 27% are caused . . . by drivers who simply crash into the sides of the trains."

IPAC's media coverage varied. AP, to its credit, ignored the report, but a UPI story published Oct. 27 devoted the first 7 paragraphs to IPAC and only 2 to an FRA rebuttal. *USA Today's* Oct. 28 story was headlined "Study calls trains riskier than planes," but accompanying graphs showed "airline and rail passenger deaths pale in comparison with traffic fatalities."

ABC Radio Commentator Paul Harvey's Oct. 27 coverage was based solely on IPAC data. However, his Nov. 7 broadcast (and a column published in the Dec. 16 *Manchester, NH, Union Leader* and elsewhere), was drawn almost entirely from NARP's Oct. 27 letter to him. He began, "Recently the Illinois Public Action Council sought and got nationwide mention and attention for some very misleading statements."

In Feb., NARP wrote letters to *The Philadelphia Inquirer* and *The Journal of Commerce* responding to IPAC-inspired news articles on rail safety; the NARP letters were published.

In connection with a June 22 hearing on Amtrak's proposal to handle Amtrak employee injury claims under various state

WHAT IS FELA?

The Federal Employers' Liability Act is an 80-year-old fault-based system for resolving employee injury claims. Amtrak Pres. W. Graham Claytor Jr. says the system undermines corporate efforts to enhance safety and inequitably compensates some injured workers while denying any benefits to others (those juries find to be at fault). He says use of state worker compensation programs would, after a few years, save Amtrak \$16-20 million a year.

Federal Railroad Administrator John H. Riley sees no connection between safety and choice of injury compensation system but says FELA costs railroads "hundreds of millions of dollars" a year and FELA's competitive impact is worsening. (FELA applies only to railroads, not to competing forms of transportation.)

IPAC says "FELA is the most important single factor contributing to safety in American railroading." Chairman Howard Metzenbaum (D-OH) of the Senate Labor & Human Resources Committee's Subcommittee on Labor testified that FELA is "good legislation as is. If it ain't broken, don't fix it."

United Transportation Union Pres. Fred Hardin also testified for FELA. He said it is fair to safe workers and an employer should not be liable if a worker's injury is his/her own fault.

workers' compensation systems for a 3-year test period, NARP wrote to J. James Exon (D-NE), chairman of the Senate Commerce Subcommittee on Surface Transportation, expressing concern "with the extent to which [Citizen Action and IPAC] have misrepresented comparative passenger-safety records of Amtrak and the airlines."

During the hearing, Sen. Bob Kasten Jr. (R-WI)—a supporter of the Amtrak proposal—read a few sentences from the NARP letter and asked for its inclusion in the hearing record. Kasten and Sen. Larry Pressler (R-SD) criticized the same groups, having been the target of press conferences in their respective states at which the groups criticized the senators for questioning FELA.

Pressler said he was called anti-safety just for saying he might support Kasten's Amtrak proposal, but the attacks did not have their intended effect: "My involvement had been benign until [the attacks]. Then I decided to get active [against FELA]." Pressler noted that a Rapid City reporter discovered that law firms specializing in FELA cases paid IPAC \$50,000 to produce the Oct. '87 study.

Addressing Geoffrey N. Zeh, a rail labor official who also testified on behalf of the "Coalition of Safe and Responsible Railroads" which listed IPAC as a member, Pressler said: "If this is the type of tactic you have to resort to to promote your cause, you have a real problem."

["Citizen Action" may sound nonpartisan but recently ran ads in Washington seeking students to work to "help elect a Democrat to the White House." The Federal Elections Commission fined IPAC "for making illegal corporate contributions to congressional candidates in 1984. Robert Creamer [IPAC's executive director] signed a conciliation statement with the FEC and agreed in Sep. 1986 to pay a \$5,000 civil penalty." Quotes from the June 11 *National Journal*.]

No one can be satisfied with present rail safety, particularly after the "Colonial" wreck. However, attacks based on distorted data are distractions that divert energy away from safety-improvement efforts. ■

NARP PRESSES (continued from page 1)

of many citizens and public officials [and] major trends and concerns taking place in our society. . . .”

In reply, Lamm said that, “in response to your extensive May 3 comments on the draft 2020 report, and those of others, it was substantially modified. . . . I’ll say again that the National Association of Railroad Passengers was most effective in your appearances at the 2020 forums. The same was true of Amtrak and the bicycling associations.” (Our thanks to all NARP members who testified!)

Lamm also commented that “at many forums your positions represented a distinct minority view. Many speakers urged less far-reaching changes to today’s systems.” It is not surprising that hearings dominated by highway-oriented groups would fail to call for major changes in transportation priorities. Hearing notices in some states were addressed “Dear Highway User” and most notices included background information dominated by highway statistics.

Whereas the draft contained virtually all highway-witness quotes, the July 24 final report, “Beyond Gridlock,” does include—interspersed in various sections—many comments submitted by NARP and other non-highway groups. Two examples:

● “A witness for the Washington Railroad Passengers Association said congestion pricing fees should be levied on peak hour drivers.” (p. 72)

● “A witness from the Empire State Passengers Association said that the federal gasoline tax should be increased and used to improve railroads. Similar proposals to use federal gasoline taxes for railroads emerged in Oregon and elsewhere.” (p. 21)

Yet the focus of the final report remains heavily highway-oriented, with chapters entitled “Urban Street Conditions” and “Rural Road Conditions,” not “Urban Transportation

RAIL INTERESTS UNITE!

A third of “Beyond Gridlock’s” railroad chapter discusses evidence “that rail abandonment in many parts of the country has placed heavy demands on road systems not originally designed to carry loads once shipped by rail,” specifically citing Minnesota, Idaho, Nebraska, North Dakota, Colorado, and Washington, and using this to justify still more highway investment.

NARP, by contrast, applauds and seeks federal support for states working to minimize further rail abandonments. Perhaps we need an alliance between states with major Amtrak/transit concerns and states with rail freight concerns.

On July 13, Sen. Tom Harkin (D-IA), whose state is particularly interested in the local rail freight service assistance program that President Reagan is trying to kill, got the Senate to reprogram \$14 million in the FY89 DOT appropriations bill for this program—\$5 million at Amtrak’s expense. On June 24, Sen. Bob Kasten Jr. (R-WI) persuaded the Senate Appropriations Committee to reprogram \$10 million of UMTA operating funds to speed up Soo Line trackwork in Wisconsin and improve performance of Amtrak trains there.

Pressure for this type of ad hoc reprogramming will grow unless a specific rail freight funding mechanism is developed. If gasoline tax revenues can be used to improve roads ruined by freight diverted off abandoned rail lines, why not to maintain operating rail lines (meeting reasonable criteria), preventing the future ruin of other roads?

NARP AND AASHTO ON THE HIGHWAY ‘TRUST’

“While AASHTO is trying to form a ‘consensus’ . . . and touting the broad-based nature of the ACHP, AASHTO also testified (3 times this year!) against use of gasoline tax money for Amtrak . . . AASHTO’s Bill Druhan, when asked at an Apr. 21 [House] appropriations hearing what funding source would be most appropriate for Amtrak, replied: ‘That’s not my problem, that’s Amtrak’s problem.’ Given the pressures on domestic discretionary spending and what they are likely to do to Amtrak in the future, that response is simply not adequate for an organization attempting to find a consensus appropriate for the nation.”

—NARP’s May 2 letter to AASHTO

“Mr. Druhan properly reflected the current policy position of AASHTO. The Highway Trust Fund is supported by highway users, and in keeping with the trust involved in creation of the Highway Trust Fund its revenues should be used only for highway purposes. Given that much of public transportation operates on rubber tires and moves on our highways, public transportation clearly is a ‘highway user’. Amtrak does not use our highway system.”

—AASHTO Exec. Dir. Francois’s May 27 letter to NARP

“Your reference to ‘the trust involved in creation of the Highway Trust Fund’ and the implication that morality requires using gasoline taxes only for roads are appalling; there is nothing morally superior about a funding method that inflates the highway system’s market-share and prevents use of rail in many cases where it would be more advantageous to society. Congress gave transit a gas-tax penny because all transit—especially the big rail systems—helps reduce congestion on nearby highways, not because some public transit ‘operates on rubber tires and moves on our highways’.”

—NARP’s June 17 reply to AASHTO

Concerns” and “Rural Transportation Concerns.” There are chapters on “The Importance of Highways” and “The Importance of Transit” but no such chapter for railroads. The final 4 chapters deal with federal, state and local highway programs and finance with no parallel chapters for other modes. The executive summary says Amtrak “users” favor reserving “highway user taxes for highways”! (A HUF Freudian slip?)

Next step in the 2020 process will be development of alternative transportation scenarios and selection of the consensus alternative that will be sent to Congress. Yet, as noted in NARP’s May 2 letter, “the crucial Transportation Alternatives Group [TAG] (also referred to as 2020’s sponsors) includes no passenger or freight rail-oriented groups” but does include “private organizations representing highway interests—American Automobile Assn., American Trucking Assns., HUF.”

In his detailed, 4-page reply, Francois emphasized that the TAG includes several “public official organizations” such as National Governors’ Association and said he expected the TAG “will produce a balanced product.”

(You can order “Beyond Gridlock” from Highway Users Federation, 1776 Massachusetts Ave., NW, 5th Floor, Washington, DC 20036 (202/857-1251). You will be invoiced \$4.95 plus postage.)

In contacts with your governor and state DOT head, please ask that your state DOT head push AASHTO in a more rail-oriented direction, including broadening the use of the gasoline tax.