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# Senate to Debate 3-Year Delay for Rail Safety System

By **MICHAEL D. SHEAR** JULY 23, 2015

WASHINGTON — Two months after the high-speed derailment of an Amtrak train killed eight people and injured hundreds more in Philadelphia, a Senate transportation bill headed for debate this week calls for a three-year delay of the deadline for installing a rail safety system that experts say would have almost certainly prevented the Pennsylvania accident.

Lawmakers from the Northeast and train safety experts expressed outrage over the provision, which is included in the 1,000-page legislation to finance highway and transit projects for the next three years. Several lawmakers vowed to fight the extension of the deadline to install the safety system, called positive train control, beyond December 2015.

“It should be done immediately. There shouldn’t be an extension,” said Senator Chuck Schumer, Democrat of New York. “Given the high number of accidents, and given the fact that P.T.C. is really effective, they should stick with 2015.”

Senator Richard Blumenthal, Democrat of Connecticut, said he was “deeply disturbed about yet another delay in a potential safety measure” until December 2018 and said the provision in the transportation bill “essentially makes the deadline a mirage.”

In 2008, after decades of delay, lawmakers gave railroad companies, including Amtrak, seven years to complete installation of the safety system, which monitors

the speed of trains and automatically slows them down if they approach curves at dangerously high speeds.

The Amtrak train that derailed in Pennsylvania was going 106 miles an hour, more than twice the speed limit, when it careened off the tracks.

Since the accident, Amtrak has said it will meet the existing deadline for installing and activating the safety systems in the busy Northeast Corridor. Craig S. Schulz, a spokesman for the railroad, said Thursday that Amtrak “remains committed” to making good on that promise.

But many railroads across the country still have not installed and activated the necessary equipment and would face federal fines and other mandates if they continued operating past Dec. 31 without it.

The transportation spending measure in the Senate would require railroads to submit plans to the secretary of transportation that include installation of positive train control by the end of 2018.

The willingness to give railroads more time is especially galling to lawmakers from the Northeast, where the Pennsylvania accident highlighted the dangers to millions of riders in the most heavily traveled train corridor in the nation.

Mark V. Rosenker, a former chairman of the National Transportation Safety Board, which investigates train accidents, said he was outraged by the provision and blamed railroads’ lobbyists for pressuring lawmakers to include it.

“Obviously, the railroad lobbyists have gotten to Congress,” Mr. Rosenker said. “We just had a horrible accident. People died and people ended up becoming paralyzed when that technology was available to the railroad. I am very disappointed.”

Senator Bob Casey, Democrat of Pennsylvania, also commented on the timing of the proposal. “The idea that a provision to delay positive train control was slipped into this bill just a short time after the Amtrak 188 derailment is shocking and wrong,” he said. “Delaying P.T.C. is a bad idea, and this provision should be stripped out immediately.”

Officials at the Transportation Department are continuing to insist that railroads meet the current end-of-the-year deadline. And at the White House, the press secretary, Josh Earnest, spoke of concerns “about some of the safety provisions that are included in the bill” and said the administration would take a close look at those provisions.

But pressure is mounting in both parties to pass the transportation bill before the Highway Trust Fund runs out of money for road projects across the country. That could happen this summer if Congress does not approve a new long-term authorization for transportation spending. If the Senate passes its measure, it still must win passage in the House as well.

Several senators said concern about the rail safety provision could become a central part of the debate over the bill in the days ahead. Mr. Blumenthal said he disliked the language extending the deadline for railroads to install positive train control.

But in an interview, he said he might be able to accept a new deadline if Congress agreed to dedicate money from the Highway Trust Fund specifically for installation of the rail safety systems, especially for commuter train systems that are struggling to afford the equipment.

Mr. Blumenthal said he intended to propose amendments that would dedicate \$570 million a year for three years to commuter-rail safety improvements. He said it was unclear whether Republicans, who control the Senate, would allow the amendments to be offered. And he said it was not certain how hard the Obama administration was willing to fight for them.

“I’m hoping they will lend the full weight of their authority,” he said. “It would make a difference.”

Backers of the deadline extension say they need it because the equipment is costly and time-consuming to install across thousands of miles of track.

They also say the provision gives the transportation secretary authority to reject railroad improvement plans on a case-by-case basis, which they said could leave

some railroads subject to the current 2015 deadline. And they said the bill authorized the Transportation Department to prioritize money for rail safety even though it does not guarantee a specific amount of money to be spent from the trust fund.

Ed Greenberg, a spokesman for the Association of American Railroads, which represents freight and commuter systems, praised the provision, saying in a statement that it “sets a rigorous case-by-case framework with enforceable milestones that guarantees sustained and substantial progress, complete transparency and accountability, and a hard end date for full installation by 2018.”

But advocates of greater safety measures for trains said the railroads had been under orders to upgrade their safety systems for years and should have been able to meet the 2015 deadline, which was set by Congress after a California derailment in 2008 that killed 25 people.

Mr. Rosenker, who was acting chairman of the transportation safety board when the crash happened, said the seven-year deadline set by Congress after that crash should not be extended.

“Seven years, in my judgment, is a long time and an adequate time to do it,” he said. “The technology is out there. Let’s put it in.”

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