

B M W E JOURNAL

Brotherhood of Maintenance of Way Employees

www.bmwe.org

Volume 112 ■ Number 4 ■ July/August 2003

BMW Establishes Annual Scholarship Award *Members and their dependents eligible to apply*

By action of the Grand Lodge Convention, the BMW has established an annual scholarship to be awarded each year to a BMW member or an eligible dependent enrolled or planning to enroll in an accredited college or university in pursuit of labor-related studies. In accordance with BMW Resolution # 51, which was adopted unanimously by the delegates to the 2002 Grand Lodge Convention, one scholarship in the amount of \$1,500.00 will be awarded in November of each year.

"The establishment of this BMW Scholarship is consistent with our union's strong support for education and the personal development and growth of its members and their dependents," stated BMW President Mac Fleming. "Education brings opportunity, and those pursuing a labor-centered education will open new opportunities for themselves, for BMW, and for Organized Labor as a whole. The establishment of this scholarship is truly a momentous occasion in the history of the BMW."

The annual scholarship award is designed to encourage and recognize the achievements of BMW members or their dependents and to assist them in bettering themselves by obtaining a higher education in the study of labor-related subjects.

ELIGIBILITY:

Applicant must be: (1) a dependent

of a BMW member who is a high school senior enrolled or planning to enroll in an accredited college or university, or a full-time undergraduate or graduate student enrolled at an accredited college or university, and pursuing the study of labor-related subjects; or (2) a member of BMW enrolled as an undergraduate or graduate student at an accredited college or university in the study of labor-related subjects and/or pursuing a degree in labor-related subjects.

APPLICATION PROCEDURE:

To apply for the BMW scholarship, an applicant must meet all the eligibility requirements and submit the following: (1) A completed application form (available on line at www.bmwe.org); (2) Most recent academic transcript; (3) College entrance examination, i.e., ACT and/or SAT scores (if applicable); (4) A list of extra-curricular, community service and union activities; (5) A letter of recommendation in the prescribed format from a school related official or from a member of the labor community who is unrelated to the applicant; (6) A statement of 300 words or less written by the applicant outlining his or her employment history and career goals; and, (7) A statement of 300 words or less written by the applicant explaining how the BMW has impacted his or her life.

SELECTION CRITERIA:

Three (3) applications will be selected by random draw from the pool of applications received by the close of business on September 30. The 3 selected applications must include all the information required in the application procedure and meet all eligibility requirements. The selected applications will be copied and distributed to the seven (7) BMW Vice Presidents who will review and rank each application on a scale of 1 - 3, with 3 being the highest ranking and 1 being the lowest ranking. Any tie in ranking score will be decided by the Grand Lodge President based upon his final review of the tied applications. The applicant receiving the highest aggregate ranking will receive notice of the scholarship award in November. Due to the anticipated high volume of applicants, only the successful applicant will be notified of the award.

The BMW Scholarship award check will be made out directly to the college or university where the award recipient is enrolled or accepted for enrollment. Upon notification of the award, it will be necessary for the recipient to furnish the Grand Lodge President with information to facilitate the issuance of an award check payable to the accredited college or university where the applicant is accepted or enrolled.

Application materials must be submitted by mail to the Grand Lodge

President and be received at Grand Lodge no later than the close of business September 30, 2003. Applications should be mailed to:

President, Brotherhood of Maintenance of Way Employees
c/o BMW Scholarship
20300 Civic Center Drive, Suite 320
Southfield, Michigan 48076-4169

"It is extremely gratifying to be able to offer this scholarship to BMW members and their dependents," stated President Fleming. "While we would like to do even more to promote labor education among the BMW family, this is certainly a positive step toward making higher education more accessible to hard working BMW members and their families. On behalf of the officers and members of the BMW, we wish all the applicants our very best in this and all their future endeavors."

Application forms and a complete description of application procedures and eligibility requirements can be downloaded from the Brotherhood's website at www.bmwe.org. Or you can call Grand Lodge at 248-948-1010, Ext. #624, and request a scholarship package be sent to you via regular mail. Any questions concerning the BMW Scholarship or application/selection procedures may be forwarded via e-mail to BMW's Education Director at Ricki@bmwewash.org.

B&B Crew Members Save Life

First aid administered by BMW's Paul Chamberlain and Jeff Blankenship, members of the Union Pacific's (UP) West Colton, California B&B crew, saved a young mother's life recently.

On their way to perform welding repairs on a railroad bridge, the men noticed a white van approaching them at a high rate of speed. The van appeared to be smoking. As it drew closer, serious damage to the front of the van could be seen.

"We said to each other, 'This van must have hit something or someone,'" Chamberlain said. "It wasn't smoke, it was steam from the radiator and the van was losing a lot of fluid on the highway."

As they continued down the road another mile or so, the men came upon a wrecked mini-van near the middle of an intersection. They were first on the scene.

Chamberlain called 911 while Blankenship took the first aid kit, put on rubber gloves, and applied gauze and a compress to an injured

woman's head. Chamberlain also called the police and gave them a description of the white van they had seen previously.

Two other drivers happened on the scene. Chamberlain asked one to continue down the road to see if he could find the white van and the other driver assisted Blankenship until the ambulance arrived.

Due to the seriousness of her injuries, the woman was taken to a hospital via life-flight helicopter. The young mother had dropped her children off at school and was returning home at the time of the mishap. She has since recovered from her injuries.

Police located the white van about four miles from the accident scene and arrested two occupants, charging them with various offenses related to a hit and run personal injury accident.

Chamberlain joined the UP on the Utah Division in 1969 as a Carpenter. He worked throughout Nevada and arrived at West Colton



From left: Jeff Blankenship and Paul Chamberlain.

about 18 months ago.

Bridge Foreman since 1972, Chamberlain lives in Henderson, Nevada with his wife Christine. They have four children and six grandchildren. Off the job, he boats, fishes and hunts big game. He relaxes by building projects in his wood shop.

Blankenship joined the UP in Los

Angeles in 1980 as a Carpenter. He now works as a Machine Operator. Always assigned in the Los Angeles area, he began working in West Colton about one year ago.

A resident of Pahump, Nevada with his wife, Diana, Blankenship enjoys guns and dirt bikes. They have two sons and three grandchildren.



BMW E Hazmat Training Hits The Road

Native American Program held in Chinle, Arizona

The Railworkers' Hazardous Materials Training Program hit the road for a week in May to deliver hazmat safety training to 33 Native American BMW E members in Chinle, Arizona.

These members, recruited from among several Union Pacific system gangs by BMW E peer instructor and system gang member Darryl Begaye, travel virtually the entire Union Pacific Railroad laying steel, replacing ties and switches, and surfacing hundreds of track miles per year.

These same system gang crews are also subject to call in response to derailments and other railroad emergencies. Hazmat peer instructor Darryl Begaye (BMW E Pacific Federation) stated, "I am grateful for the program and thankful that we've been able to conduct this program in Chinle for my fellow gang members. My fellow workers expressed a great interest in attending training, and I have already received numerous inquiries from other gang members wanting to attend a future session."

Chinle, Arizona was selected for its centralized location situated in the heart of the Navajo Nation and within driving distance for many of BMW E's Native American members. The program ran from Sunday, May 18



From left: B. J. Griego (AT&SF), Rick Inclima (BMW E Director of Safety and Education), and Darryl Begaye (PACFED).

through Wednesday, May 21 in order to avoid any conflict with the "compressed-half" work schedule common to many UP system gangs. The Brothers and Sisters in attendance proudly refer to themselves as "Dine" (Navajo for "the people") and they shared many stories of their culture and heritage throughout the week. Rick Inclima, BMW E Director of Education and Safety stated, "I was both humbled and honored to spend time among the Brothers and Sisters.

We (the instructors) came to teach hazardous materials, but because of the enthusiasm and spirit of our Dine members, we also learned a great deal about Navajo history and culture."

Participants drove to class each day from all across the Navajo Reservation and returned home each night to spend precious time with family and loved ones. During the week, participants learned how to research information regarding the health, safety, and environmental effects of hazardous materials, how to protect themselves and their crew from exposure to hazardous materials, and how to effectively initiate emergency response procedures in the event of a hazardous materials emergency. The week long training program also included instructional modules in toxicology, incompatible chemicals and their reaction, confined space entry, hazard recognition and avoidance, DOT placard and marking requirements, and the use and limitations of personal protective equipment, including various types of respiratory protection and chemical protective gear. Throughout the week, BMW E instructor Darryl Begaye provided participants with Navajo translation of key information. Brother Begaye also conducted several training modules and question and answer sessions in Navajo.

The unions' 32-hour program addresses the training objectives of the U.S. Department of Transportation's hazardous materials regulations (HMR's) and the objectives of the Occupational Safety and Health Administration's (OSHA) train-

ing for emergency responders at the First Responder and Operations Level under OSHA standard 1910.120. Since 1991, more than 4,200 rail union members have attended the 32-hour course.

A highlight of the four-day training was a hands-on simulated hazmat response in full chemical protective gear. Participants were given a railroad hazmat accident scenario and required to use their newly acquired training and skills to identify the hazards and determine what level of protection would be necessary to respond safely and in accordance with the law. Environmental monitoring, including the sampling of air and soil for contaminants, was also part of the drill.

After assessing the risks presented in the simulation, participants donned the appropriate chemical protective gear, including self-contained breathing apparatus, and responded to the simulated emergency. The participants then underwent field decontamination procedures prior to the removal of their personal protective equipment. The simulation was videotaped and critiqued by the participants and instructors as part of the learning process. "We try very hard to make this training as realistic and fulfilling an experience as possible," said Rick Inclima. "On any given day, our members face the potential of being confronted with life-and-death decisions regarding hazardous materials. Therefore, we try to provide as much information and the highest quality training humanly possible. While our training addresses First Responder and Operations Level requirements, the dress-out and simulation are intended to demonstrate to students what a textbook response looks like. At the end of the 4-day session, they fully understand the limitations of their training and understand that additional training is required of actual emergency responders."

On the last day of the program, participants were asked to comment on the training program by filling out an anonymous evaluation form. One student commented, "I feel like I'm now going to be more aware of the chemicals I work with and around." Another student wrote, "I've been to a lot of derailments where I didn't know if there were any chemicals spilled or not. If there

See HAZMAT Page 6



From left: Raymond Tsosie, Levy Ben, Edsion Yazzie, and Jonny Adison.

BMW E JOURNAL CONTENTS

MAY/JUNE 2003 ■ BMW E JOURNAL ■ VOLUME 112 ■ NUMBER 3

The BMW E Journal is the official news publication of the Brotherhood of Maintenance of Way Employees
An International Union affiliated with the AFL-CIO and CLC

Mac A. Fleming President and Editor
Freddie N. Simpson Secretary-Treasurer
Kent C. Turner Director of Communications/Associate Editor

The BMW E Journal (ISSN 1049-3921) is published periodically at 20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169. Periodicals postage paid at Southfield, Michigan and additional mailing offices.

ATTENTION POSTMASTER:

Send address changes to BMW E, 20300 Civic Center Drive, Suite 320, Southfield, Michigan 48076-4169.

Subscription Price: U.S. and Canada—\$20.00 (U.S.) per year, in advance.

www.bmwe.org

BMW E Establishes Annual Scholarship Award <i>Members and their dependents eligible to apply</i> 1	Secretary-Treasurer's Report.....5
B&B Crew Members Save Life1	BMW E Member Prevents Derailment.....6
BMW E Hazmat Training Hits The Road <i>Native American Program held in Chinle, Arizona</i>2	Roll of Honor.....7
New Benefit Year for Railroad Unemployment and Sickness Benefits3	Death Benefit Claims Paid.....7
President's Perspective4	BMW E HQ Address Change.....7
BMW E President On Medical Leave <i>Secretary-Treasurer F. N. Simpson and Executive Board Chairman P. K. Geller Fill Temporary Vacancies</i>4	BMW E Legislative Issues – 108th Congress8



© BMW E 2003 All rights reserved.

New Benefit Year for Railroad Unemployment and Sickness Benefits

A new benefit year under the Railroad Unemployment Insurance Act begins July 1, 2003. Administered by the U.S. Railroad Retirement Board, this Act provides two kinds of benefits for qualified railroaders: unemployment benefits for those who become unemployed but are ready, willing and able to work; and sickness benefits for those who are unable to work because of sickness or injury. Sickness benefits are also payable to female rail workers for periods of time when they are unable to work because of pregnancy and childbirth. The following questions and answers describe these benefits, their eligibility requirements, and how to claim them.

1. What is the daily benefit rate payable in the new benefit year beginning July 1, 2003?

Almost all employees will qualify for the new maximum daily benefit rate of \$55, which increased from \$52 under indexing provisions reflecting the growth in average national wages. Benefits are generally payable for days of unemployment or sickness in excess of four in biweekly claim periods, which yields \$550 for each two full weeks of unemployment or sickness. However, sickness benefits resulting from other than on-the-job injuries are subject to tier I railroad retirement payroll taxes for the first six months after the employee last worked.

2. What are the eligibility requirements for railroad unemployment and sickness benefits in the new benefit year?

To qualify for normal railroad unemployment or sickness benefits, an employee must have had railroad earnings of at least \$2,750 in calendar year 2002, not counting more than \$1,100 for any month. Those who were first employed in the rail industry in 2002 must also have at least five months of creditable railroad service in 2002. Under certain conditions, employees with 120 or more months of railroad service who do not qualify on the basis of their 2002 earnings may still be able to receive benefits in the new benefit year. Employees with 120 or more months of service who received normal benefits in the benefit year ending June 30, 2003, may be eligible for extended benefits, and employees with 120 or more months of service might qualify for accelerated benefits if they have rail earnings of at least \$2,800 in 2003 not counting earnings of more than \$1,120 a month.

3. How long are these benefits payable?

Normal unemployment or sickness benefits are each payable for up to 130 days (26 weeks) in a benefit year. The total amount of each kind of benefit which may be paid in the new benefit year cannot exceed the employee's railroad earnings in calendar year 2002, not counting earnings of more than \$1,421 per month. If normal benefits are exhausted, extended benefits are payable for up to 65 days (13 consecutive weeks) to employees with 10 or more years of service.

4. What is the waiting-period requirement for unemployment and sickness benefits?

Benefits are normally paid for the number of days of unemployment or sickness over four in 14-day claim periods. However, during the first 14-day claim period in a benefit year, benefits are only payable for each day of unemployment or sickness in excess of seven which, in effect, provides a one-week waiting period. Separate waiting periods are required for unemployment and sickness benefits. However, only one seven-day waiting period is generally required during any period of continuing unemployment or sickness, even if that period continues into a subsequent benefit year. Initial sickness claims must also begin with four consecutive days of sickness.

5. Are there special waiting-period requirements if unemployment is due to a strike?

If a worker is unemployed because of a strike conducted in accordance with the Railway Labor Act, benefits are payable for days of unemployment during 14-day claim periods after the first claim period, but no benefits are payable for days of unemployment during the first 14 days of the strike. If a strike is in violation of the Railway Labor Act, unemployment benefits are not payable to employees participating in the strike. However, employees not among those participating in such an illegal strike, but who are unemployed on account of the strike, may receive benefits after the first two weeks of the strike. While a benefit year waiting period cannot count toward a strike waiting period, the 14-day strike waiting period may count as the benefit year waiting period if a worker subsequently becomes unemployed for reasons other than a strike later in the benefit year.

6. Can employees in train and engine service receive unemployment benefits for days when they are standing by or laying over between scheduled runs?

No, not if they are standing by or laying over between regularly assigned trips or they missed a turn in pool service.

7. Can extra-board employees receive unemployment benefits between jobs?

Yes, but only if the miles and/or hours they actually worked were less than the equivalent of normal full-time work in their class of service during the 14-day claim period. Entitlement to benefits would also depend on the employee's earnings.

8. How would an employee's earnings in a claim period affect his or her eligibility for unemployment benefits?

If a claimant's earnings for days worked, and/or days of vacation or paid leave, in a 14-day claim period are more than a certain indexed amount, no benefits are payable for any days of unemployment in that period. That claim, however, can be used to satisfy the waiting period. Earnings include pay from railroad and nonrailroad work, as well as part-time work and self-employment. Earnings also include pay that an employee would have earned except for a failure to mark up or report for duty on time, or because he or she missed a turn in pool service or was

otherwise not ready or willing to work. For the benefit year that begins July 2003 the amount is \$1,100, which corresponds to the base year monthly compensation amount used in determining eligibility for benefits in the new benefit year.

9. How does a person claim unemployment benefits?

In order to receive unemployment benefits, claimants must obtain an application from their labor organization, employer, local Railroad Retirement Board office or the Board's Web site at www.rrb.gov. The completed application should be mailed to the local Board office as soon as possible and, in any case, must be filed within 30 days of the date on which the claimant became unemployed or the first day for which he or she wishes to claim benefits. Benefits may be lost if the application is filed late.

The local Board office reviews the completed application and notifies the claimant's current railroad employer, and base-year employer if different. The employer has the opportunity to provide information about the benefit application. After the Board office processes the application, biweekly claim forms are mailed to the claimant as long as he or she remains unemployed and eligible for benefits. Claim forms should be signed and mailed on or after the last day of the claim. The completed claim must be received by a Board office within 15 days of the end of the claim or the date the claim was mailed to the claimant, whichever is later. Only one application need be filed during a benefit year even if a claimant becomes unemployed more than once. However, a claimant must, in such a case, request biweekly claim forms from a Board field office within 30 days of the first day for which he or she wants to resume claiming benefits.

10. How does a person claim sickness benefits?

An application for sickness benefits can be obtained from railroad labor organizations, railroad employers, any Board office or the Board's Web site. An application and a doctor's statement of sickness are required at the beginning of each period of continuing sickness for which benefits are claimed. The Board suggests that employees keep an application on hand for use in claiming sickness benefits, and that family members know where the form is kept and how to use it. If an employee becomes unable to work because of sickness or injury, the employee should complete the application and then have his or her doctor complete the statement of sickness. If the employee is too sick to complete the application, someone else may do so. In such cases, a family member should also complete the "Statement of Authority to Act for Employee," which accompanies the statement of sickness. After completion, the forms should be mailed to the Board's headquarters in Chicago by the seventh day of the illness or injury for which benefits are claimed. After the Board receives the application and statement of sickness and determines eligibility, biweekly claim forms are mailed to the claimant for completion and return to a Board field office for processing. The claim

forms must be received at the Board within 30 days of the last day of the claim period, or within 30 days of the date the claim form was mailed to the claimant, whichever is later. Benefits may be lost if an application or claim is filed late.

11. Is a claimant's employer notified each time a biweekly claim for unemployment or sickness benefits is filed?

The Railroad Unemployment Insurance Act requires the Board to notify the claimant's base-year employer each time a claim for benefits is filed, and to give that employer an opportunity to submit information relevant to the claim before the Board makes an initial determination on the claim. In addition, the claimant's current employer is also notified. The Board must also notify the claimant's base-year employer each time benefits are paid to a claimant. The base-year employer may appeal the decision to pay benefits. The appeal does not prevent the timely payment of benefits. However, a claimant may be required to repay benefits if the appeal is successful. The Board also checks with other Federal agencies and all 50 States, as well as the District of Columbia and Puerto Rico, to detect fraudulent benefit claims; and it checks with physicians to verify the accuracy of medical statements supporting sickness benefit claims.

12. How long does it take to receive payment?

Persons who file an application for benefits may expect to receive a claim form, or a decision on their application, within 15 days of the date they filed their application. When they file biweekly claims, they may expect to receive a payment, or a decision on a claim, within 15 days of the date a Board office receives the claim form. However, claims for some benefits may take longer to handle than others if they are more complex, or if a Board office has to get information from other people or organizations. If this happens, claimants may expect an explanation and an estimate of the time required to make a decision. Claimants who think a Board office made the wrong decision about their benefits have the right to ask for review and to appeal. They will be notified of these rights each time an unfavorable decision is made on their claims.

13. How are payments made?

Railroad unemployment and sickness insurance benefits are paid by Direct Deposit. With Direct Deposit, benefit payments are made electronically to an employee's bank, savings and loan, credit union or other financial institution. New applicants for unemployment and sickness benefits will be asked to provide information needed for Direct Deposit enrollment. Waivers are available to individuals who determine that Direct Deposit would cause a hardship, and to individuals without bank accounts.

14. How can claimants receive more information on railroad unemployment or sickness benefits?

Claimants with questions about unemployment or sickness benefits should contact the nearest Board

See **BENEFIT** Page 7



Mac A. Fleming

PRESIDENT'S PERSPECTIVE

As this JOURNAL went to press, there was a flurry of transportation legislation being introduced on Capital Hill. Portions of this legislation, if enacted into law, will provide much-needed public investment for Amtrak, high-speed passenger rail development, and a national rail infrastructure improvement program.

On June, 25, 2003 the House Transportation and Infrastructure (T & I) Committee approved H.R. 2572,

authorizing a minimum of \$2 billion annually over the next three years for Amtrak. By adopting a multi-year reauthorization for Amtrak, the T & I Committee unequivocally recognized Amtrak as a vital part of our nation's transportation infrastructure. Multi-year Amtrak funding, which has been at the top of BMW's legislative agenda and a focus of our lobbying efforts on Capital Hill for many years, will provide funding for long-overdue improvements to the track, bridges, and infrastructure of the Amtrak-owned Northeast Corridor.

The Northeast Corridor is where Amtrak's high-speed Acela service debuted last year in daily runs between Washington, DC and Boston, MA. Amtrak's Acela is capable of operating at speeds of up to 150 MPH. However, due to the lack of adequate funding for Amtrak virtually since its creation, the condition of the existing track and catenary infrastructure in the Northeast Corridor cannot fully support high-speed operations. As a result, the Acela only achieves its maximum 150 MPH operating speed over very short segments of the nearly 500 mile route. Multi-year funding for Amtrak at 2 billion per year will provide the kind of infrastructure improvements necessary to allow Amtrak's Acela to achieve its full potential as a safe, efficient, and viable alternative to highway and airline gridlock along the congested Northeast Corridor.

This recent legislative action by the T & I Committee represents a conscious decision to invest in Amtrak and allow it to succeed. It also is a welcome recognition that high-speed passenger service in the Northeast Corridor, or anywhere else for that matter, cannot exist without government subsidy and support similar to the funding provided to highway and aviation trust funds. This badly-needed influx of funds will allow upgrading of the Northeast Corridor to support true high-speed passenger rail service between Washington and Boston. If enacted into law, H.R. 2572 will provide stability to BMW members employed in the Corridor and should also remove some of the financial uncertainty that has held up collective bargaining for our long-suffering Amtrak members. BMW's Amtrak members have been working without a new contract since 1999.

On June 25, the T & I Committee also approved H.R. 2571, the massive Railroad Infrastructure Development and Expansion Act of the 21st Century (RIDE-21). RIDE-21, if signed into law, will provide up to \$60 billion for the development of new high-speed rail corridors and other railroad infrastructure needs. This legislation was jointly introduced by T & I Committee Chairman Don Young (R-Alaska), Ranking T & I Committee Democrat James Oberstar (D-MN), Subcommittee on Railroads Chairman Jack Quinn (R-NY) and Ranking Subcommittee Democrat Corrine Brown (D-FL).

Representative Quinn, Chairman of the Subcommittee on Railroads, stated: "This legislation has been carefully crafted to preserve the rights of rail workers under existing collective bargaining agreements. But more importantly, RIDE-21 will provide thousands of new jobs as high-speed rail expands across the nation. The roughly \$60 billion provided in this bill is the first serious money to be dedicated to a major, long-term infrastructure program on a truly national scope." In addition to creating new jobs directly related to the construction and operation of new high-speed rail systems, it is estimated that for every \$1 billion spent on such projects, an additional 40,000 new jobs will be created for the economy.

Among other provisions, the RIDE-21 bill establishes authority for states or interstate compacts to issue \$12 billion in federally tax-exempt bonds and \$12 billion in federal tax-credit bonds for infrastructure improvement for high-speed passenger rail systems. The legislation also reauthorizes and modifies the existing Swift Rail Development Act, a program to develop high-speed rail corridors, by extending the program's authority through fiscal year 2011. Additionally, the legislation expands the existing Railroad Rehabilitation and Infrastructure Financing (RRIF) loan and loan guarantee program for freight railroads by increasing funding authority from \$3.5 billion to \$35 billion of outstanding loan principal at any time. The legislation also requires application of prevailing wage rate standards to construction projects funded through RIDE-21.

It is encouraging that railroad transportation, especially passenger rail, is finally coming into focus among lawmakers as the underutilized national asset that it is. The tragedy of September 11 highlighted the importance of passenger rail to the economy and to our national security. The Amtrak and RIDE-21 legislation recognizes the overwhelming need to develop a balanced transportation policy which offers viable transportation options for moving people and goods safely and efficiently. Of all transportation modes, rail undoubtedly has the greatest potential for increasing its market share in both freight and passenger traffic.

Compared to the cost of highway and airport construction, maintenance, and operational needs, railroad transportation is truly a bargain. In fiscal year 2003, the U.S. government provided over \$32 billion for interstate highway construction and maintenance, and over \$14 billion for aviation, but barely \$1 billion for

Amtrak and virtually nothing for freight railroad infrastructure. These pending transportation bills, if signed into law, will change all that and bring some balance to our nation's transportation policy. As President, I applauded the leadership of Committee Chairman Don Young, Ranking Member James Oberstar, Subcommittee Chairman Jack Quinn, and Ranking Member Corrine Brown for their vision and commitment to the development of high-speed rail, support for multi-year Amtrak funding, and their recognition of railroad transportation as an underutilized national asset worthy of long-term investment.

In an economy that is energy dependent, it is high-time that railroads get due recognition for their ability to move goods and people in a fuel efficient and cost effective manner. According to a study by Oak Ridge National Laboratory, in 1998 intercity Amtrak trains consumed 2441 BTUs of energy per passenger-mile versus 3999 BTUs for airline passengers. Thus, the expansion of passenger rail is essential to reducing our nations' dependence on foreign oil. We must also be mindful that passenger rail goes beyond Amtrak to include hundreds of commuter operations throughout the U.S. Between 1997 and 2001, commuter transit ridership in the U.S. increased by approximately 20%. Current data also reflects that 47 of the top 50 metropolitan areas in the U.S. are pursuing passenger rail development. The trends in Canada reflect similar increases.

The RIDE-21 bill, if enacted into law, will invest billions of dollars per year into construction, maintenance, and upgrading of rail lines for high-speed passenger rail service. A good portion of this emerging high-speed rail funding will be spent on brand new construction, independent from the work BMW members currently perform for freight, Amtrak, and commuter railroads. Building and maintaining these proposed new high-speed passenger lines is where virtually all of the growth in railroad construction and maintenance will be over the next 10 years. We know that this newly emerging work will not simply fall into the lap of the BMW, but rather we will have to fight for it.

In this era of continued outsourcing and downsizing, there is no doubt that this newly-emerging work will be sought out by the ever growing number of railroad contractors desiring to build, maintain, and operate these systems. In fact, much of RIDE-21's passenger rail funding will not go to railroad companies at all but, rather, will be awarded to states and multi-state consortiums to design, build, and operate passenger rail systems largely detached from traditional freight railroads and established passenger services such as Amtrak and existing commuter service. This legislation will give individual states and multi-state consortiums the ability to select and design their own corridors, choose whether to utilize steel-wheel or magnetic levitation (Maglev) technology, and how and on what schedule they will finance and construct projects.

As stated above, the legislation envisions that a sizeable portion of this newly-emerging work will be new construction for passenger rail operations that do not yet exist. Therefore, we as an organization must decide whether BMW will be

See PERSPECTIVE Page 6

BMW President On Medical Leave

Secretary-Treasurer F. N. Simpson and Executive Board Chairman P. K. Geller Fill Temporary Vacancies

Following advice from doctors, BMW President Mac A. Fleming has taken an extended medical leave of absence, which began on



Acting President
Freddie N. Simpson

Freddie N. Simpson will assume the position of Acting President and

July 2, 2003 and is expected to last through December, 2003.

During President Fleming's absence BMW Secretary-Treasurer

BMW Executive Board Chairman Perry K. Geller will serve as Acting Secretary-Treasurer in accordance with Article I, Section 7(a) of the



Acting Secretary-Treasurer
Perry K. Geller

friends, wished President Fleming Godspeed with his return.

Grand Lodge Constitution and Bylaws.

Both Acting President Simpson and Acting Secretary-Treasurer Geller, on behalf of all BMW officers, members and

SECRETARY - TREASURER'S REPORT

The Bush Record - A Failed Economy and a War on Workers

Every day there is another headline pointing out what has become painfully evident to working Americans - the economic policies of George W. Bush



Freddie N. Simpson

have failed miserably. It seems from day one, the Bush Administration and its allies in Congress have had one overriding goal geared to put more money in the pockets of the wealthiest Americans and their corporate cronies.

The numbers underscore what's become more and more evident and what we've said all along. The Bush economic record has been one continuing prescription for disaster. Since Bush took office:

- Some 3 million private sector jobs have been lost ... unemployment is at its highest point in a decade ... and more than two million jobless workers have run out of unemployment benefits.
- More than a half-million jobs have been lost this year alone.
- Hard-working families have lost billions of dollars put aside by them in retirement and college savings. Individual states are reeling from their worst fiscal crisis since World War II.
- The budget surplus that Bush inherited from the Clinton Administration is nothing more than a memory today. The Bush economic policy - driven by huge tax cuts for the rich - has transformed an annual budget surplus of \$240 billion into a sea of red ink, with a deficit of some \$455 billion this year alone.

From the outset, the Bush plan has been to starve government of the means to meet the needs of working families ... and in turn, line the pockets of his multi-millionaire cronies. That was never more evident than in the all-out Bush campaign for yet another tax cut for the wealthy.

Although the most recent Bush tax reduction was eventually cut in half, the fact remains that half of all people filing taxes will get less than \$100 dollars back. The real benefits - more than 90 percent of the tax breaks - go to those people who

make a million dollars or more annually.

Apparently, their goal is to dismantle the economic and social safety net that has been created over the last century ... programs designed to make life better for working families ... programs that level the playing field for all of us against the carriers and big business.

Today's reality is that we are confronted by a president, an administration, and a Republican leadership in Congress; all who desperately want to turn back the clock on workers' rights, and especially the rights of union workers.

What they really want is a world without unions. And make no mistake, the Bush Administration, their allies in Congress and corporate America have all declared war on workers and their unions.

During his campaign, this president repeatedly said he would reach out and bring a bipartisan spirit to Washington and to our nation. Compassionate conservatism would be the order of the day. In truth, however, the reality bears no resemblance to the hollow campaign rhetoric of three years ago. Without question, this is one of the most partisan administrations in history. And all too often, their partisan, "my way or the highway" approach has taken dead aim at the labor movement.

The list is long and the pattern is clear - this administration has taken every opportunity to try and weaken the voice of workers and their unions. They repealed the ergonomics standard that we worked more than a decade to secure. They are trying to dismantle the 40-hour week and eliminate overtime pay. They want to drastically weaken the Family and Medical Leave Act, if not repeal it altogether. They stripped away the bargaining rights of workers in the new Homeland Security Department. They want to force baseball style arbitration on airline workers under the Railway Labor Act. And if they are successful there, you can rest assured they will set their sights on those of us in the railroad industry too. Already, they have tried to reduce funding for Amtrak to a point where, if they succeed, it could no longer exist as a national passenger system. And such actions will have an equally disastrous effect on the Railroad Retirement System by threatening its financial solvency. With this administration, no labor law is safe. From the Fair Labor Standards Act to the Railway Labor Act to Railroad Retirement and to the FELA, their goal is to undo over a century of progress. Progress that was achieved through the hard work and efforts of workers and union folks from every corner of the land.

Workers within the labor movement are the foremost targets in their

BMW Legislative Issues – 108th Congress

(Continued from Page 8)

On June 10 the T&I Railroads Subcommittee held a hearing on new railroad safety technology. While congressional and rail-industry officials acknowledged the industry's rail-safety progress during the past two decades, they called on railroads to make even greater strides. The Brotherhood of Locomotive Engineers testified on rail vehicle crashworthiness; grade crossing safety; railroad signals, and positive train control. In February Chairman Quinn introduced the "Surface Transportation Safety Act of 2003 (HR 906) which calls for an increase in federal Section 130 Grade Crossing Program funding. He said he would be working with his colleagues on the Highways and Mass Transit Subcommittee for its inclusion in the TEA-21 reauthorization bill.

National Transportation Safety Board Reauthorization Act of 2003

The Senate Commerce, Science and Transportation Committee approved without amendment a four-year reauthorization of the National Transportation Safety Board (S 579) on Mar. 13. The federal board investigates rail and airplane crashes. Under the bill the NTSB would be authorized to receive up to \$341 million for fiscal 2003 through fiscal 2006 — \$76.7 million for fiscal 2003, \$83.7 million for fiscal 2004, \$88 million for fiscal 2005, and \$92.7 million for fiscal 2006. The administration requested \$70 million for fiscal 2003 and \$71 million for fiscal 2004.

On Apr. 10 the House Transportation & Infrastructure Committee approved a four-year reauthorization of the NTSB by voice vote. The measure (HR 1527) authorizes the same level of funding as the Senate bill. On May 15 the full House passed HR 1527 by voice vote. The House adopted an amendment by Gene Green (D-TX) that would require NTSB to submit recommendations to the Surface Transportation Board on improving safety at railroad grade crossings. *Note: On May 8 the House passed 414-5 a bill (HR 874) that would*

quest to reshape America into a country favoring the privileged few. The stakes have never been greater for those of us in the labor movement. Everything we, and those before us, have worked so hard to attain is at risk. We are quite simply at a crossroads and we must once again take the initiative, choosing the path that's best for us and workers everywhere.

With the challenges before us, we must stand together in solidarity as never before. We must fight back at every turn against the forces that want to destroy the labor movement.

And next year we must elect a President who will stand with workers. That's why the BMW has endorsed Congressman Richard Gephardt; a leader who comes from a union family and who, time and time again has stood with us on issues that are important to workers.

Over the last century, it has always been the labor movement that has led the struggle for working families. And rail labor has been there at every step in this never-ending battle for justice and dignity. Now, brothers and sisters, we must do it again!

extend the board's responsibility to rail accidents.

Differences in bills:

The House bill requires the Transportation Department to submit an annual report to Congress on the progress in implementing the board's safety recommendations. The Senate bill only requires a report each year on the board's activities and operations. The Senate version authorizes \$3 million for the board's emergency fund, a figure that is half the amount in the House bill. The Senate version authorizes fees to cover the costs of the board's safety training academy. The House version does not include similar language.

Railroad Retirement

On June 5 Rep. Franks (R-AZ) introduced the "Seniors Financial Security Act of 2003" (HR 2346). This bill amends the Internal Revenue Code of 1986 to repeal the inclusion in gross income of Social Security benefits and tier 1 railroad retirement benefits. It was referred to the Ways and Means Committee.

FY 2004 Appropriations: The Railroad Retirement Board has requested \$102.5 million as the limit for administrative expenses in fiscal year 2004. This level of funding would prevent negative consequences for railroad retirees, their dependents and RRB employees. The President's proposed budget would provide only \$99.82 million for RRB administration in fiscal year 2004.

A joint letter signed by Ed Hamberger, President, AAR and Leo McCann, Chairman, TTD Rail Division was sent to the Chairman and Ranking Member on the Senate Appropriations Subcommittee on Labor, Health and Human Services and Education on June 23. The letter pointed out the severe budget cuts the agency has already experienced in the past decade and it asked the committee to support the \$102.5 million appropriation that the agency requested. Similar arguments were made on the House side where the House mark provided \$101.3 million for FY 2004.

You may track these issues and more at our main website www.bmwe.org (clicking on the BMW Legislative link) or go directly to www.bmwewash.org for a legislative update.

Centenarians

Belated happy birthday wishes to two BMW brother who recently celebrated their 100th birthday.

Belen Luna

A Wellington, Colorado resident celebrated his 100 birthday on May 5, 2003. Mr. Luna was last employed by the Union Pacific Railroad as a section laborer.

Larry Stokes

A Philadelphia, Pennsylvania resident celebrated his 100 birthday on June 9, 2003. Mr. Stokes was last employed by the Pennsylvania Railroad Company as a trackman.

BMW Hazmat Training Hits The Road

(Continued from Page 2)



BMW Hazmat Training Participants.

was, I didn't know what to do. Now that I received this training, I feel much better prepared." Summarizing the feelings expressed by most participants, another student commented, "I feel like I learned how to protect myself and my co-workers. I had a lot of fun and enjoyed every minute of the 4-day course."

"The Hazmat Training Program is one the most important and successful safety education programs conducted by BMW, and I am pleased we were able to bring it out to our Brothers and Sisters of the Navajo Nation" stated BMW President Mac Fleming. "Our program is designed to provide rail union members with the informational resources, skills, and confidence necessary to protect themselves in the event of a hazardous materials emergency. It is also designed to assist our members in identifying and understanding how to avoid chemical exposures and other safety hazards in their day to day work. This vital information and comprehensive training is not otherwise readily available to our membership and is generally not being provided to them by the railroads," Fleming said.

While the Chinle program was a great success, it was not without its challenges. Chinle is approximately 250 miles from any major airport, so the instructors had to closely coordinate flights in order to make the subsequent four hour drive together to Chinle. Because of its remote location, program materials could not be shipped directly to Chinle, so they were shipped to the home of BMW Peer Instructor B.J. Griego (ATSF System Federation) in Albuquerque, NM and transported in his personal vehicle to Chinle. Also, the U-haul rented in Nevada to transport training equipment to Chinle was forced to detour around the Hoover Dam due to a homeland security measure which prohibits trucks from crossing the dam. And then, upon arrival in Chinle, the Program Director from the George Meany Center for Labor Studies was advised that, due to a contaminated water well, the Chinle School District would need to hold grade school classes in the community-owned facility where the Brotherhood's training program was scheduled to be held. The instructors, including Program Director B. Cantrell, BMW members R. Inclima, B.J. Griego, and D. Begaye, BLE member R. Enriquez, TWU member T. Koster, and ICWU members D. Hornback and G. Malone, spread out across the community of Chinle in search of an alternative training site. Late Saturday evening, less than 12 hours prior to the first day of training, an alternative facility was secured. Brother B.J. Griego (ATSF Federation) stated, "Although the alternative training facility was a little

too small, our members and the instructors adapted and persevered to make the Chinle program a great success. The students made the best out of a less than ideal training environment, and for that I am extremely grateful. Their positive attitude and desire to learn really contributed to the success of the Chinle program and made teaching fun."

Why the union conducts hazmat training is self evident. "An unintentional release of hazardous material can occur anytime or anywhere these commodities are loaded, handled, stored, or transported. Therefore, our members must have access to the skills and resources necessary to protect their health and safety in the event of a hazardous materials release in rail transportation," explained BMW Director of Education and Safety, Rick Inclima. Many BMW members also face the dangers of exposure to hazardous materials contacted daily in the performance of their duties. "The potential danger faced by BMW members from both emergency releases of hazardous materials and day-to-day exposures to hazardous substances such as creosote, silica dust, solvents, epoxy resins, lead, and other products makes this program essential to the safety and health of our members," stated President Fleming. "The union's Hazmat Training Program is designed to provide members with accurate information and relevant skills to enhance their safety both on the job and in their homes and communities."

Funding for the Rail Workers' Hazardous Materials Training Program is provided by a grant from the federal government. Training funds are awarded on a five-year basis, provided the program meets its training and budgetary goals. The program, which is administered through the George Meany Center for Labor Studies, has been awarded funds to conduct training through September 2005. "The key to the viability of this program is the federal training grant funds awarded by the National Institute of Environmental Health Sciences (NIEHS). Without the training grant funds, we simply would not be able to provide this urgently-needed safety and health training," said President Fleming. "There's no doubt that this program has helped save the lives and protect health of our members. It provides our forces with the skills necessary to recognize hazardous materials emergencies as well as how to avoid routine day-to-day hazards. These skills are absolutely necessary to protect our members' safety and health and to protect the public and the environment. By knowing what to do in the event of a hazardous materials incident, such as moving

BMW Member Prevents Derailment

Brian Wolford, Pumper Foreman on the Union Pacific's (UP) West Colton, California B&B crew, received recognition for preventing a derailment. He was nominated by Richard Lamb, UP's Manager of Bridge Maintenance.



Wolford was traveling on the Cima Sub in California, near Milepost 203, when he observed a half-joint bar in the roadway. Halting his vehicle, he inspected rail for approximately one-quarter mile until finding the defective joint.

The joint was pulled apart, six tie plates were broken and the rail was out about two inches. Unable to contact the dispatcher, Wolford reached a track inspector and traffic was halted while repairs were made.

Welders called to the scene said that this portion of track was due for inspection the next day. They, and the track inspector, indicated the joint would not have withstood the passage of another train, so Wolford's keen eye prevented a derailment.

PERSPECTIVE (Continued from Page 4)

an active player, or simply a passive observer, in the development of these proposed passenger rail systems. I strongly believe that we must position ourselves, both on the state and national level, to bring a sizeable portion of this new work under BMW collective bargaining agreements and convert these new, publicly-funded railroad construction dollars into wages for BMW members. Based upon the state of the freight railroad industry today, I believe we have little alternative but to expand our union's base by branching out and embracing these newly-emerging, high-speed passenger rail markets. If we fail as a union to take the initiative, BMW members could be left out of what may prove to be the largest railroad development project since the golden spike was driven at Promontory Point, Utah on May 10, 1869.

Expanding into the emerging passenger rail sector will provide benefits and expanded job opportunities for BMW, without threatening our current jobs on existing freight, Amtrak, and commuter railroads. I believe we have only two possible options with regard to the emerging high-speed rail market. BMW can be passive, and spend the next 10 years lamenting over the demise of traditional railroad jobs and M/W work opportunities. Or we can be aggressive, seize new work opportunities, add to the ranks of BMW's membership, and strengthen and grow our union to meet the challenges of the future.

For 116-years, BMW has been the preeminent labor organization representing the proud men and women who build and maintain the railroad infrastructure across North America. For 116-years, BMW members have earned their reputation as the most highly skilled and productive M/W workers in the world. And with the support of our members

and officers, we will help shape the legislative debate and generate new work opportunities to benefit our membership, just as we have since the founding of our Brotherhood in 1887.

The Brotherhood will work diligently to support both the Amtrak legislation (H.R. 2572) and the RIDE-21 legislation (H.R. 2571) through a gauntlet of legislative attacks which are all but certain. There are those in the Congress and the White House who continue to seek Amtrak's demise, and these same forces will surely attack any passenger rail funding of the type envisioned by RIDE-21. Therefore, the battle is far from won and we must all continue the fight to preserve Amtrak and expand our nation's woefully inadequate passenger rail infrastructure. Ever member and officer of BMW is urged to join the fight by contacting their lawmakers and voicing support for long-term Amtrak funding and the development of high-speed passenger rail.

President's note: On July 2, 2003, I was compelled to take a temporary leave of absence for medical reasons. Upon completion of medical treatment, I, along with my doctors, anticipate a fully recovery by year's end. The treatment is such that it is in the best interest of the Brotherhood, and my personal health, to take a temporary leave and concentrate my energy and strength on regaining my full health. I would like to take this opportunity to thank all those who have called or written to wish me well. I also ask the membership and officers to support Brothers Fred Simpson and Perry Geller who, under provisions of the Grand Lodge Constitution and Bylaws, will temporarily fill the positions of Acting-Grand Lodge President and Acting-Grand Lodge Secretary/Treasurer, respectively, to serve during the period of my leave.

up wind and promptly initiating the emergency response sequence, these skills can keep a small spill from turning into a major hazmat incident."

There were five 32-hour training programs scheduled for 2003. "The response has been overwhelming," stated BMW's Inclima. "The number of applications received from BMW members far exceeds the number of available training slots.

For those Brothers and Sisters unable to attend this year, I apologize and encourage them to apply again next year," Inclima said. A schedule of future hazmat programs will be published in an upcoming edition of the BMW Journal. Program schedules can also be accessed through the "programs" section of the BMW web-site at www.bmwe.org or through the George Meany Center web-site at www.georgemeany.org.

ROLL OF HONOR

60 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
Carl C. Freeman	C&EI	1003	1939
Lester L. Heustis	C&EI	0041	1937

50 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
W. T. Everette	MO PAC	0455	1953
Charles E. Felkey	AEF	2624	1953
Leonard B. Iverson	BURNOR	0272	1953
George H. Johnston	PACFED	0508	1948
Henry J. Lagacy	C&EI	0063	1953
James A. Pringle	UN PAC	0918	1936
Leon P. Ransom	C&NW	0692	1943
G. H. Richardson	SOU	2838	1952
Leonard Schutjer	C&NW	0278	1953
Edward A. Spevak	C&NW	0342	1953
Bobby L. Watts	C&EI	1003	1953

40 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
Lyle R. Copher	C&EI	0097	1955
Jay S. Haynes	C&NW	1935	1963
Glenn H. Lacy	ASF	0568	1957
James C. Troutt	ICGF	0017	1963

30 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
Bias Arellano	C&NW	0377	1973
Donald L. Arnold	C&EI	1003	1972
Welby E. Atkins	C&EI	0063	1967
Jerry A. Beals	BURL	1320	1972
George Benson	SOU	0524	1970
James E. Bieker	MO PAC	0455	1971
Miles H. Birkett	C&NW	0519	1973
Paul B. Bochmann	C&NW	0437	1973
Charles J. Bottom	C&EI	0097	1968
Robert A. Brcka	CRSF	1629	1971
Roger L. Byerley	MO PAC	0455	1972
Thomas M. Caldwell	SOU	0524	1973
Kenneth E. Carpenter	C&EI	1003	1969
James W. Cavins	C&EI	1003	1967
James P. Chvala	C&NW	1071	1964
Ottis L. Clinckscale	MO PAC	0455	1969
Saul Contreras	C&EI	0063	1970
Jon P. Coolican	C&NW	1757	1973
Marvin L. Cottingham	BURL	1320	1971
Donald L. Cropper	C&EI	0041	1973
Terry L. Crosier	BURL	1320	1971
Willie J. Dawkins	SOU	0524	1971
James L. Dorenkamp	C&NW	1757	1973
Jimmy Earnest	SOU	0524	1968
Dennis J. Erickson	C&EI	0063	1971
Beryl R. Esbaum	C&NW	1847	1973
Larry E. Fawbush	C&EI	0063	1969
Marion Fawbush	C&EI	0063	1972
Thomas E. Ferguson	C&EI	0041	1969
David L. Ficke	BURL	1320	1970
John Fletcher	C&EI	0041	1966
Dennis L. Francke	BURL	1320	1971
Leo F. Frede	BURL	1320	1970
Donnie D. Furr	SOU	0524	1970
Frank Z. Gamez	C&EI	0063	1972
Ganzalo Garza	C&EI	0063	1971
Dwight W. Gottschalk	C&NW	1847	1973
Nathel L. Halterman	C&EI	1003	1971
Thomas E. Hanks	ICGF	2834	1971
David R. Hanneman	BURL	1320	1972
G. W. Hiller	SOU	1618	1971
Berne B. Hotchkiss	BURL	1320	1967
Douglas F. Hulke	C&NW	0239	1973
Zannie Hull	SOU	0524	1971
Thaddeus Johnson	SOU	0524	1972
James R. Keplar	C&EI	1003	1972
Dale W. Killarney	CRSF	1629	1969

David W. Koeberlein	C&EI	0041	1968
John E. Larson	C&NW	1071	1973
Archie W. Lhamon	CRSF	1629	1970
Clifford E. Lindholm	BURL	1320	1973
Maurice Lowry	C&EI	1003	1972
Ezequiel Lucio	C&EI	0063	1971
Ronald L. Lybarger	ICGF	2834	1971
James Malin	C&NW	1034	1973
Roger Marcum	C&EI	1003	1971
Charles L. Mayberry	ICGF	2834	1971
Gary J. Mc Clellan	ICGF	2834	1970
Arend Meinema	CRSF	1629	1971
David A. Menck	CRSF	1629	1971
Kenneth B. Mielke	C&NW	1034	1973
Craig R. Mink	C&NW	0410	1973
James W. Modlin	C&EI	1003	1972
Kenneth D. Monke	ICGF	2834	1970
Barry C. Morris	C&EI	0097	1971
David R. Morrison	C&EI	1003	1969
Danny O. Mull	SOU	0524	1970
James L. Nettles	C&EI	0063	1971
David Newhouse	C&NW	0437	1973
Donnie Norris	C&EI	0097	1966
Charlie F. Northern	C&EI	0063	1973
George O. Hare	C&EI	0063	1969
James G. O. Neal	C&EI	0097	1972
Duane Olney	C&NW	0692	1973
William A. Overton	C&NW	1046	1973
Carl J. Patrick	ICGF	0017	1972
Coit R. Perkins	SOU	0524	1971
Herman Perry	C&EI	1003	1972
Richard L. Prociase	ASF	0598	1972
Galen Pruet	C&EI	1003	1970
Michael D. Quinn	C&NW	1034	1971
Wayne S. Reid	SOU	0524	1971
Lloyd D. Riley	C&EI	1003	1970
Dennis H. Rohrbaugh	C&NW	0519	1973
Paul Romig	CRSF	1629	1970
Michael L. Ruckman	C&NW	1097	1973
Ronald J. Sabata	BURL	1320	1973
Arthur E. Sanders	ICGF	2834	1971
James H. Sanders	CRSF	1629	1972
Jeffrey J. Saunders	C&NW	1148	1973
Charles L. Scholes	ICGF	2834	1970
Jimmy R. Scriptor	C&EI	0063	1969
Rex M. Sharon	BURL	1320	1972
George W. Shelby Jr	ICGF	2834	1972
Frank Slaby	CRSF	1629	1970
Eugene M. Snipes	ASF	0995	1972
Kenwood E. Staley Jr	BURL	1320	1967
Rickie R. Stoner	BURL	1320	1973
James D. Stott	C&NW	1757	1973
Tom Taranowski	C&EI	0063	1973
Gary W. Terwilliger	C&NW	0692	1966
Larry W. Thomas	MO PAC	0455	1971
R. L. Thoms	BURL	1320	1973
John W. Trigg	ICGF	2834	1971
Tommy Tripp	C&EI	0097	1970
Ralph M. Wade	C&EI	0097	1971
George R. Wells	C&EI	1003	1972
Howard L. Wheeler	C&EI	0097	1971
Clarence L. White	C&EI	0041	1971
Rick V. White	C&NW	0381	1973
Terry Wybourn	C&NW	1046	1973
Steven E. Zimbelman	BURL	1320	1971

20 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
Thomas E. Allen	CRSF	1629	1975
Jose G. Archibeque	AT&SF	2416	1970
Paul B. Bochmann	C&NW	0437	1973
John Castro	SP ATL	1058	1979
Malcolm B. Davison	MO PAC	0455	1975
Michael J. Driggins	C&NW	1788	1974
Michael J. Fletcher	C&EI	0041	1981
James E. Graier	C&NW	0721	1983
J. S. Groff	C&EI	1003	1981
George E. Hickman	MO PAC	0455	1977
C. O. Kocher	C&EI	0063	1982
David W. Marmon	MO PAC	0455	1979
Antonio Martinez	C&NW	0377	1980
Richard F. Motch II	ICGF	2834	1978
Aristeo C. Ochoa	C&NW	0410	1979
David J. Rife Jr	C&NW	0700	1974
W. J. Rogers	ICGF	2834	1979
Terry J. Snell	MO PAC	0455	1981
David E. Ware	MO PAC	0455	1974
Dennis A. Wilson	C&NW	0437	1974

10 year

MERIT AWARDS

NAME	LODGE SYSTEM	MEMBER NUMBER	SINCE
L. D. Allman	SOU	0524	1986
Russell R. Baucum	C&EI	1003	1989
Michael D. Claybourn	C&EI	1003	1991
D. D. Currie	C&EI	0041	1993
David A. Dees	MO PAC	0455	1990
Joseph T. Dickens	C&EI	1003	1992
Warren D. Earnest	SOU	0524	1984
Clyde W. Ellis Jr	C&EI	1003	1993
Rodney W. Eubanks	C&EI	1003	1985
D. B. Frye	C&EI	0041	1993
Brian L. Green	C&EI	1003	1991
Bruce Green	C&EI	1003	1991
Steven Hollingshead	C&EI	1003	1991
Daniel G. Miller	MO PAC	0455	1985
Albert L. Nash	C&EI	1003	1992
Wayne A. Poehler	C&EI	0097	1991
W. J. Smith	C&EI	0097	1993
Stanley Wells	SOU	0524	1984

DEATH BENEFITS

Report of Claims Paid during Mar./Apr., 2003

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
EMANUEL B. BROWN	1047	AEF	DELBERT E. LAWRENCE	2729	MO PAC
ADOLPH R. BERNDT	0425	C&NW	FRANCIS A. HAMMOND	3047	PENN
LACY SPRUILL	2033	FRISCO	J. D. POPE	0992	AEF
DELBERT C. HARDISON	1210	ICGF	FRANK F. SOBLESKI	1679	NPW&LE
WILLIAM R. LEWIN	1402	UN PAC	HAROLD E. HIGBEE	1175	MO PAC
WILLIAM D. FLEMING	2404	AT&SF	JOHN L. WARD	3020	PENN
THOMAS A. CONN	0580	ASF	LEROY N. AGNOR	0075	AEF
WILLIAM R. DRIVER	3072	PENN	HOBART K. JOHNSON	0075	AEF
DEAN R. DOYLE	0783	BURL	JOSEPH MAGAZZU	3047	PENN
EUGENE SCHLENKER	0159	BURNOR	GLEN J. CASTER	1393	ICGF
LEONARD VANNATTA	0750	BURNOR	MILES KEGLEY	0571	ASF
RAYMOND S. BALOW	1662	SOO	ED HAMILTON	2042	SEAB
GAYLORD G. LEGGINS	0067	ICGF	JAMES E. STOKES	1957	CRSF
ARCHIE PATTERSON	0546	SOU	LEROY LOCKETT	0652	ICGF
CARL SHANNON	1957	CRSF	CLINT E. ROBINSON	1405	MT&PLS
FRANK E. MC FARLAND	0056	AEF	LAURIE HAVISTO	1734	BURNOR
AUSTIN W. BARNHOUSE	0993	AEF	JOSEPH O. TURGEON	0244	CSF
MICHAEL J. BRYLLO	3060	PENN	LUCIEN BOURGEOIS	0232	CSF
GUY SHAFFNER	3060	PENN	ERNEST HAMPPEL	0145	CSF
ADRIEN J. FOURNIER	0356	CSF	KENNETH L. CASTLE	1768	BMWE E
SANTIAGO SANCHEZ	2417	AT&SF	CLADAS JUSKA	0125	CSF
ELBERT MADISON SR.	1600	FRISCO	DONAT A. LIBERTY	2697	WSF
AUGUSTO J. SANTINI	0160	CRSF	HENRY WHITTINGHAM	0062	WSF
MIKE MACENSKI	1710	DM&IR	JOSEPH YAKIMENKO	0145	CSF
JOHN WINKLER	1763	BURNOR	MALCOLM S. CAMERON	0208	CSF
JOHN F. DUER	1664	NPW&LE	JOHN CHOMIK	0205	CSF
ERNEST LINDQUIST	1055	BURNOR	WILFRID BENOIT	0975	BMWE E
CLARENCE L. COGDILL	1254	SP ATL	BRUCE MC KENZIE	0468	BMWE E
JOHN E. BOWNE	3064	PENN	RICHARD CAUCHON	0162	BMWE E
ALFRED CORONA	1679	NPW&LE	LAWRENCE E. BAIRD	0250	CSF
DOMINIC A. LEPEERA	1551	NE			
WILLIAM CHAMPA	1657	CRSF			
GEORGE E. RANSEL	3062	PENN			
ALFRED MAYFIELD	0652	ICGF			
ALLEN W. BROWN	0130	AEF			

PAID MAR. 1, 2003 TO APR. 30, 2003 \$ 32,500.00
 AMOUNT PREVIOUSLY PAID \$44,669,705.75
 TOTAL AMOUNT PAID TO DATE \$44,702,205.75
 NUMBER OF CLAIMS PAID - 65

Report of Claims Paid during May/June, 2003

NAME	LODGE NUMBER	SYSTEM	NAME	LODGE NUMBER	SYSTEM
ALFRED C. CIARDI	0362	PENN	RAYMOND SKANS	1092	BURNOR
AMADIO BUZZELLI	0891	CRSF	LLOYD E. KAHLER	0226	ASF
JOSEPH P. KLEIN	2404	AT&SF	WILLIAM E. HOOD	0353	MO PAC
JOHN W. SIMON	1054	PACFED	ERNEST I. WILLIAMS	0522	SP ATL
STANLEY L. STRAUB	3011	PENN	ALFRED MEDINA	2415	AT&SF
DONALD E. FLURRY	0927	SP ATL	JAMES W. EDWARDS	2621	BURL
THOMAS D. BARNETT	0941	UN PAC	WILEY W. GARRETT	1600	FRISCO
JOE DABROWSKY	1196	PACFED	CLAUDE M. GORDON	0694	ICGF
TOMMIE A. GRAY	1193	MO PAC	WILLIAM M. GRANT	1464	ASF
JOE RODRIGUEZ	2421	AT&SF	ALBERT M. HOPPER	0307	WSF

BMW Legislative Issues – 108th Congress

Amtrak FY 2004 Appropriations

For several weeks in June, Rail Labor contacted House members to sign onto a bipartisan letter to the Chairman and ranking members on the House Appropriations Committee. The June 25 letter, sponsored by Rep. Oberstar (D-MN) and T&I Railroads Subcommittee Chairman Quinn (R-NW) and signed by 219 House members, requests that Amtrak be funded at \$1.812 billion – the level requested by Amtrak President and CEO, David Gunn for fiscal year 2004.

Amtrak/High Speed Ground Transportation Funding

The BMW Legislative Department is monitoring numerous bills that have been introduced or are being drafted regarding Amtrak and rail infrastructure.

House bills:

Rep. Lipinski (D-IL) introduced the "National Rail Infrastructure Program Act" (HR 1617) on April 3. This bill would direct the Secretary of Transportation to establish and provide for a National Rail Infrastructure Program to provide grants for projects that address railroad infrastructure and systems deficiencies in order to provide substantial public benefits such as mitigating highway traffic congestion, reducing transportation emissions, reducing energy used in transportation, or improving the overall efficiency of railroad operations.

On June 24 Chairman Young (R-AK) of the Transportation & Infrastructure Committee and Railroads Subcommittee Chairman Quinn (R-NY) introduced a bipartisan bill, the "Amtrak Reauthorization Act of 2003" (HR 2752). The legislation would authorize annual funding of \$2 billion over the next three years to finance Amtrak's capital and operating expenses. Rep. John Mica (R-FL) planned to offer an amendment at the markup that would privatize portions of the railroad, but he decided to wait and debate the issue on the floor after the July 4 recess.

Chairman Young and Subcommittee Chairman Quinn introduced on the same date another bipartisan bill, the "Railroad Infrastructure Development and Expansion Act for the 21st Century" (HR 2571). This legislation known as RIDE-21 would provide \$60 billion for high-speed rail and rail infrastructure projects over ten years. Provisions were added that would create additional labor protections, clarify collective bargaining issues, and stipulate that any advanced magnetic-levitation trains built with funds authorized by the bill would be required to conform to railroad labor and retirement laws. Both bills were approved by voice vote by the T&I committee on June 25. Chairman Young plans to move the above bills as a pair.

On June 26 the T&I Railroads Subcommittee held a hearing on "National Rail Infrastructure Financing Proposals." Some of the principal proposals advocated were Rep. Lipinski's bill, HR 1617, and Chairman Young's RIDE-21 bill, HR 2571.

As stated above, Rep. Mica (R-FL) is also working on an Amtrak proposal that closely resembles the Bush Administration's proposal to privatize Amtrak and shift a large amount of financial responsibility and decision-making power to the states. Mica's proposal would allow Amtrak to operate national long-distance passenger rail service, divesting itself of all other routes. The Northeast Corridor would be run by an interstate rail board. Commuter and specialty rail services would be privatized. Amtrak employees would be transferred to new operating entities and would retain their accumulated benefits. The administration draft calls for eventually privatizing all Amtrak routes. The White House is expected to issue its final proposal sometime this summer.

Senate bills:

On May 22 Sen. Wyden (D-OR) and Sen. Talent (R-MO) introduced in the Senate Finance Committee a bill (S 1109) that would provide \$50 bil-

lion in new transportation infrastructure funding through Federal bonding to empower States and local governments to complete significant infrastructure projects across all modes of transportation for the year 2004. Bond proceeds not used on qualifying projects in 2004, would be eligible for usage in 2005 and 2006.

Sen. Kay Bailey Hutchison (R-TX), Chairman of the Senate Commerce Subcommittee on Surface Transportation and Merchant Marine announced at a June 5 hearing on intercity passenger rail finance options that she plans to introduce legislation that would reauthorize Amtrak for five years. Sonny Hall, President of the AFL-CIO's Transportation Trades Department told the Senate panel that Congress and the Bush Administration need to make a long-term investment in Amtrak rather than dismantle it through "bureaucratic shell games" and flawed privatization schemes. He said that Amtrak should receive at least \$1.8 billion in federal funding for FY 2004.

Highlights of Sen. Hutchison's bill include:

- Reauthorize Amtrak for 5 years (through FY 2008);
- Authorize \$50 billion in government-backed municipal bonds – \$10 billion for repairs and improvements to the Northeast Corridor and \$40 billion for freight railroad lines on the national system. Bonds would be repaid over 30 years;
- Authorize \$10 billion in operating expenses for Amtrak over the next five years;
- Utilize the 4.3 cents per gallon fuel tax paid by freight railroads to create a Railway Account of the Highway Trust Fund to support the National Rail Transportation Finance Corporation (NRTFC) and its underwriting of the bonds;
- Establish a Rail Office at the Department of Transportation responsible for recommending capital projects for funding by the NRTFC and administer Amtrak's capital assets; and
- Require Amtrak to achieve an

80% on time record for the national system. Routes that do not meet this requirement shall be forfeited by Amtrak and opened for bidding by private operators or governmental entities, including states and transit authorities.

At a markup of TEA-21 authorizations, the Senate Commerce, Science & Transportation Committee approved legislation on June 26 that would reauthorize Amtrak at \$2 billion per year for the next six years. Sen. Kay Bailey Hutchison (R-TX) sponsored the Amtrak amendment to draft transit safety legislation as a placeholder for debate on an Amtrak overhaul once the measure hits the floor. Chairman McCain (R-AZ) objected to the amendment, and offered to hold an Amtrak hearing in July to give the administration time to finalize its Amtrak plan. McCain rescinded his offer after the amendment was passed by a voice vote. He feels the Amtrak bill should be dealt with separately.

Also on the Senate side, Sen. Hollings (D-SC) is working with Sen. Carper (D-DE) to draft a rail bill that will resemble Sen. Hollings' bill from the last Congress – the National Defense Rail Act (S 1991).

Aiding supporters of Amtrak, the Economic Policy Institute released a study in early June that rejected proposals, similar to those advanced by the Bush administration, to restructure and privatize Amtrak. Instead, it calls for substantially greater public investment in Amtrak to improve quality and service. **Amtrak Privatization: The Route to Failure** is available at www.epinet.org.

Rail Safety

Rep. Oberstar (D-MN) introduced the "Railroad Safety Reform Act of 2003" (HR 2378) on June 5. It is a bill to reform the safety practices of the railroad industry, to prevent railroad fatalities, injuries, and hazardous materials releases, and for other purposes. It was referred to the House Transportation and Infrastructure Committee.

See **LEGISLATIVE** Page 5



Brotherhood of Maintenance of Way Employees
20300 Civic Center Drive
Suite 320
Southfield, Michigan 48076-4169



recycled paper

Periodicals Postage
PAID
Southfield, Michigan
and additional offices