

BMWED

BROTHERHOOD OF MAINTENANCE OF WAY EMPLOYEES DIVISION
Of The International Brotherhood Of Teamsters

JOURNAL



Volume 114 ■ Number 4

www.bmwe.org

July/August 2005

Teamster's Unity Conference Welcomes BMWED and BLET Members to IBT

On May 8, members of the Brotherhood of Maintenance of Way Employees Division (BMWED) and the Brotherhood Locomotive Engineers and Trainmen (BLET) were officially welcomed into the Teamsters during the IBT's annual Unity Conference in Las Vegas. Over 2,000 Teamsters

from throughout the United States and Canada attended the annual conference in a strong showing of Teamster solidarity, unity and pride.

In his address, Teamster General President Jim Hoffa praised the merger of the two rail unions with the IBT and expressed his appreciation concerning how the leadership of BMWED and BLET put the betterment of their members ahead of their own personal ambitions. "My father, James R. Hoffa, had the idea that the Teamsters should represent all of transportation labor, and these mergers are completely in line with his directive. I commend Presidents Simpson and Hahs for their leadership in putting the needs of their membership first and foremost."

Approximately 50 members from the BMWED attended the Unity Conference and joined with fellow Teamster members on the convention hall floor to rally around the many issues confronting Organized Labor. Prior to the conference, approximately 85 legislative representatives from both the BMWED and BLET met for two full days at the first ever joint BMWED/BLET Legislative Education Conference. Legislative representatives from the Rail Conference joined with their counterparts from the IBT to discuss ways in which they could better



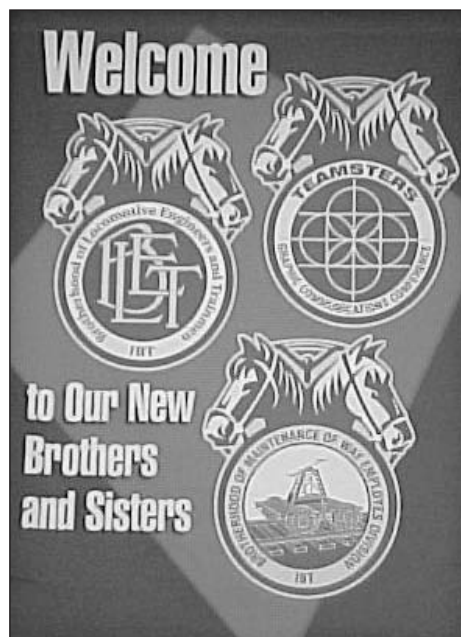
BMWED President Freddie Simpson addresses IBT Unity Conference.

coordinate their legislative activities on both the state and federal level, and how to take full advantage of the support from the Teamster's Government Affairs Department and the IBT Political Action Committee D.R.I.V.E. fund.

When asked about attending his first Teamster Unity Conference, BMWED Assistant Legislative Director (Illinois) Johnny Oeth said, "General President Hoffa and the entire IBT publicly welcomed us into the Teamsters with open arms. I was very pleased for the

opportunity to attend the Unity Conference and spend some time with our new Brothers and Sisters. The conference speakers were great and their message regarding working families and politics was directly on point. For me, the conference was rejuvenating and I came away with a renewed sense of optimism about the future of BMWED and a newfound pride as a member of the Teamsters Union."

BMWED Legislative Director
See **Unity Conference** on Page 7



Unity Conference banner welcoming BMWED, BLET, and GCIU members to IBT.

Bargaining Updates

"National Handling" Negotiations

Carriers Again Apply for Mediation in Contract Negotiations

On June 10, 2005 the National Carrier's Conference Committee (NCCC), the railroad's collective bargaining agent, refiled applications with the National Mediation Board (NMB) for mediation with the seven Rail Unions of the Rail Labor Bargaining Coalition (RLBC). The NMB docketed the multiple applications as a single case (NCCC/RLBC, Case No. A-13371); however no mediator has been appointed. Scheduled bargaining dates with the NCCC on July 19-21 and September 19 & 20, 2005, will continue as

planned. The seven unions which make up the RLBC and represent nearly 85,000 rail workers include the Brotherhood of Maintenance of Way Employees Division (BMWED), Brotherhood of Locomotive Engineers and Trainmen (BLET), National Conference of Firemen and Oilers (SEIU), Brotherhood of Railroad Signalmen (BRS), Sheet Metal Workers International Association (SMWIA), International Brotherhood of Boilermakers (IBB), and the American Train Dispatchers Association (ATDA). The BMWED and

BLET are divisions of the Teamsters Rail Conference.

This is the second time this year the NCCC has filed for mediation in its collective bargaining dispute with the RLBC. Back in March 2005, the NCCC applied for mediation with the Board and the Board docketed the dispute as NMB File No. CA-6876. Subsequently, on May 9, the Board received a letter from NCCC chief negotiation Robert Allen advising the Board that, "the NCCC has decided to voluntarily withdraw each of these mediation applications..., without prej-

udice to our rights to request mediation at any time in the future with respect to these organizations, either individually or collectively." Accordingly, the Board closed its file on NMB File No. CA-6876.

Only one month after withdrawing its mediation request, the NCCC refiled for mediation with the Board, citing "significant challenges and unparalleled opportunities for the railroad industry."

"What the NCCC cites as 'unparalleled opportunities for the railroad' See **Bargaining Update** on Page 7



Annual Scholarship Award: Open Application Period

BMWED Members and their dependents eligible to apply for 2005

The BMWED is pleased to announce the open application period for its annual scholarship award. Established by the Delegates to the 2002 Convention, the BMWED Scholarship is awarded each year to a BMWED 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 the Resolution establishing the scholarship, one scholarship in the amount of \$1,500.00 will be awarded in November of each year.

The annual scholarship award is designed to encourage and recognize the achievements of BMWED members and their dependents in obtaining a higher education in the study of labor-related subjects.

ELIGIBILITY:

Applicant must be: (1) a dependent of a BMWED 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 BMWED 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 BMWED scholarship, an applicant must meet all the eligibility requirements and submit via mail the following: (1) A completed application form (available on line at www.bmwe.org); (2) Most recent academic transcript (if applicable); (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 BMWED has impacted his or her life.

SELECTION CRITERIA:

Three (3) applications meeting all the eligibility requirements 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 procedures. The selected applications will be copied and distributed to the BMWED 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 Nation Division 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.

BMWED will strictly adhere to the application criteria listed above. In the event that applicants do not meet all the above-listed criteria (including the requirement that studies be labor related), the scholarship will not be awarded for 2005.

The BMWED 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 National Division President with information to facilitate the issuance of an award check payable to the accredited college or university where the applicant

See **Scholarship** on Page 7

2004 BMWED Scholarship Awarded to Ms. Jaclyn DeMusso

BMWED is pleased to announce that the 2004 BMWED Scholarship has been awarded to Ms. Jaclyn DeMusso, daughter of Mr. and Mrs. Sergio DeMusso of Little Falls, New Jersey. Ms. DeMusso graduated from Passaic Valley Regional High School in 2004 with a cumulative Grade Point Average of 4.3 and is currently attending the College of New Jersey. In high school Ms. DeMusso excelled in academics, graduating with high honors and ranking 4th in a graduating class of 236. She was President of the National Honor Society, a member of the Passaic Valley Honor Society, and the Italian Honor Society. Besides her academic success, Ms. DeMusso is also an accomplished athlete and was a starter for the Passaic Valley HS Field Hockey Team and a member of the United States Field Hockey Futures Program.

When notified of her selection for the BMWED Scholarship, Ms. DeMusso expressed her deep appreciation to the BMWED and to her father. "College is so expensive, and my dad works so hard every day on the railroad to provide for our family and save for my college education. I am very proud of my dad and so thankful for what he does for me and my family. This is so exciting, and it could not have come at a better time. I want to express my sincere thanks to BMWED for this honor, and for all that the union has done for my dad and my family," said Jaclyn.

Jaclyn's mom concurred that the scholarship could not have been more timely, and she was so happy that she cried tears of joy. She explained, "I

just lost my job and have been trying to figure out how we are going to pay Jaclyn's tuition. I've been praying for a miracle, and I think my prayers have just been answered. Thank you so very, very much."

President Simpson congratulated the DeMusso family and acknowledged Jaclyn's impressive academic achievements in a letter sent with the Scholarship award. "Your scholastic achievements, including a grade point average of 4.3, as well as your extracurricular activities, are impressive and exemplify what can be achieved through hard work and dedication. Also, your clear understanding of the role of Organized Labor as a voice for working families and a bellwether of the middle class is a tribute to your upbringing and your convictions. The Brotherhood has a long history of helping its members achieve the American dream, and we are particularly proud to be able to assist you and your family with this scholarship award. On behalf of the officers and members of the BMWED, please accept our sincere congratulations and best wishes for your continued academic success and in all your future endeavors," said President Simpson.

Ms. DeMusso's father is Mr. Sergio DeMusso, a hard working B&B Welder for New Jersey Transit and a BMWED member since 1995. Brother DeMusso is a member of Local Lodge 2905 of the Commuter Railroad System Division.

The BMWED Scholarship was established by the Delegates to the Brotherhood's 2002 Grand Lodge Convention.

BMWED Division JOURNAL CONTENTS

JULY/AUG. 2005 ■ BMWED DIVISION JOURNAL ■ VOLUME 114 ■ NUMBER 4

The BMWED Journal is the official news publication of the Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

Freddie N. Simpson
President and Editor

Perry K. Geller, Sr.
Secretary-Treasurer

Richard A. Inclima
Associate Editor

The BMWED Journal (ISSN 1049-3921 /USPS 067640) is published bi-monthly-6 times annually 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 BMWED, 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

Teamster's Unity Conference Welcomes BMWED and BLET Members to IBT	1	Around the Brotherhood	3
"National Handling" Negotiations Carriers Again Apply for Mediation in Contract Negotiations	1	Centenarians	3
Annual Scholarship Award: Open Application Period	2	President's Perspective	4
<i>BMWED Members and their dependents eligible to apply for 2005</i>		Message from Teamsters General President Jim Hoffa	4
2004 BMWED Scholarship Awarded to Ms. Jaclyn DeMusso	2	Secretary-Treasurer's Report	5
		BMWED and BLET Conduct Joint Legislative Conference	5
		Candidates Bios	6
		BMWED Legislative Issues – 109th Congress	8



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Around the Brotherhood

BMWED Scores Organizing Victory and Contract at Nortrak

The Brotherhood of Maintenance of Way Employees Division (BMWED) began an organizing drive at VAE Nortrak North America in Cheyenne, Wyoming in early 2004. Nortrak manufactures and fabricates railroad track components and supplies products for many railways throughout North America including the Union Pacific Railroad and Burlington Northern Santa Fe.

BMWED was certified as the elected representative by the National Labor Relations Board (NLRB) on April 23, 2004 and started bargaining shortly thereafter. After over a year of negotiating to obtain a first contract, a contract ratification ballot was cast on June 27 and 28, 2004. The contract was ratified by 93% of the employees casting their ballot and approving the first collective bargaining agreement ever at the Nortrak plant in Cheyenne, Wyoming.

President Fred Simpson of the BMWED, who traveled to Cheyenne to witness the ballot count and support the new members at Nortrak, said "This is a historic moment in the history of this Organization. This represents the first time the BMWED has organized outside of the Railway Labor Act. We commend those employees at Nortrak, and especially the members of the Organizing and Bargaining Committee for stepping forward and making the decision to unite together to improve working conditions in Cheyenne, Wyoming."

Integral in-plant members of the Organizing and Bargaining Committee, Rick Kearney and Tim Hernandez, were very pleased that the contract was ratified and expressed their belief that this victory is a step in the right direction for all working families in the state of Wyoming.

Vice President Rick Wehrli, who took part in the Organizing and Bargaining is quoted as saying "I am impressed and excited that the employees at Nortrak have stepped forward and made this decision. It brings a spirit of unity and hope to the employees at Nortrak."

Union Pacific System Division General Chairman David Tanner, who spearheaded the organizing drive and collective bargaining of the first contract said, "I am very pleased with the choice that the Nortrak employees made in voting to be organized by the BMWED and in ratifying their first contract. We look forward to representing the employees and working with management at Nortrak to improve working conditions and profitability."

New FRA Administrator Confirmed

On June 1, the Secretary of

Transportation announced that Mr. Joseph H. Boardman had begun his new duties as the new Administrator of the Federal Railroad Administration. Mr. Boardman was nominated by President Bush in March and confirmed by the U.S. Senate on April 28, 2005.

Since 1997, Mr. Boardman served as the Commissioner of the New York State Department of Transportation (NYSDOT). For four years Boardman served as the Chairman of The American Association of State Highway and Transportation Officials' Standing Committee on Rail Transportation. Prior to his service at the NYSDOT, Mr. Boardman was the Chief Operating Officer of Progressive Transportation Services, Inc., a transportation company that helped provide local and regional transportation services in eleven communities across New York State.

BMWED welcomes the new FRA Administrator to the post and looks forward to working with his Administration to improve the safety of railroad operations, rail employees, and the communities served by rail transportation.

Brotherhood of Railroad Signalmen Strike Norfolk Southern

The Brotherhood of Railroad Signalman (BRS) struck the Norfolk Southern Railroad (NSR) on the morning of June 16, 2005 in a dispute involving outsourcing.

In a press release issued at the commencement of the strike, BRS President Dan Pickett stated, "We are left with no alternative. We have made every effort to resolve our differences with Norfolk Southern peacefully but NSR refuses to keep its commitments. Subcontracting of safety sensitive work not only leads to a reduction in safety, it destroys the good jobs of people that have worked hard and done a good job for the railroad industry for numerous years." BRS pointed to a pattern of NSR violations over the past six years and has been working, unsuccessfully, to resolve the current dispute without the need for a strike. BRS also contends that the parties resolved the contracting dispute through negotiations but the NSR reneged on its end of the bargain. "Instead of reaching an agreement about how to accomplish signal work within the limits of the parties agreement, NRS has instead chosen to implement its plan to unnecessarily outsource work while seeking protection from strike in federal court," said BRS officials.

At 6:15 a.m., a mere 1.5 hours after the commencement of the BRS strike, NSR obtained a Temporary Restraining Order (TRO) ordering that pickets be taken down and BRS and its members end the job

action. The TRO was to remain in effect until June 24, when U.S. District Court Judge James Turk was to hold a hearing to decide whether the dispute goes to arbitration. The BRS complied with the judge's order and temporarily ended the strike pending the outcome of the June 24th hearing.

BMWED and other Rail Union members honored the BRS strike lines in a strong showing of Rail Labor solidarity.

AFL-CIO Convention Scheduled for July 2006

According to the AFL-CIO Constitution, the Federation will hold its Quadrennial Convention in Chicago the week of July 25-28, 2005. The AFL-CIO is governed by a quadrennial convention at which all federation members are represented by elected delegates of the affiliated unions. Convention delegates set broad policies and goals for the union movement and every four years elect the AFL-CIO officers—the president, secretary-treasurer, executive vice president and 51 vice presidents. These officers make up the AFL-CIO Executive Council, which guides the daily work of the federation.

This year's AFL-CIO Convention is shaping up to be a contentious one, with reform of the Federation and who will lead it in the fore of the debate. Some unions within the AFL-CIO are calling for a greater focus on organizing new members in order to grow and strengthen the labor movement and provide greater political and industrial leverage for working families. Other unions within the Federation think the focus should be to increase activities around political mobilization and electing labor friendly candidates to public office.

"All sides in the current debate have the best interests of working families at heart," stated BMWED President Freddie Simpson. "The question is really about what is best for the movement at this time in history when less than 10% of the private sector is unionized. The debate will surely be spirited and it is my sincere hope that the delegates will find common ground to build and strengthen the labor movement for the 21st Century."

IBT General President James P. Hoffa appointed President Simpson as a Delegate to the AFL-CIO Convention.

BMWED Rallies Along Northeast Corridor to Save Amtrak

BMWED members, supported by the Teamsters Rail Conference and other unions continue to conduct actions along the Northeast Corridor and at other locations where Amtrak trains operate to focus public and

political attention on the pending shutdown of most or all of Amtrak operations nationwide.

On June 13, BMWED members joined with other union members at Baltimore's Union Station to support a contingent of Congressional Representatives at a press conference calling for full Amtrak funding.

"If we don't properly fund Amtrak, then Amtrak goes down the tubes," said Rep. Elijah Cummings, a Maryland Democrat and member of the Transportation Committee. "Amtrak is safe, it is clean, it is efficient. And yet, the president has basically written Amtrak off." The politicians complained that airlines, ports and highway projects receive billions of federal dollars, while the railroad, which carries 25 million annual riders to 500 stations in 46 states, languishes. Among the lawmakers involved in the press conference were the Honorable Corrine Brown, Jim Oberstar, Elijah Cummings, Nick Rahall, Dan Lipinski, Dan Davis, and Julia Carson.

The following Monday, on June 20, over 100 union members rallied and leafleted Newark New Jersey's Penn Station in conjunction with a press conference sponsored by New Jersey lawmakers Senator Frank Lautenberg and Congressmen Robert Menendez and Bill Pascrell. Union members from the BMWED and BLET were joined by members from NJ Joint Council 73 of the IBT, GCIU/IBT Local #1, TCU, BRS, and NJ Industrial Union Council #11 in passing out over 4,000 eaflets to rail passengers asking them to contact their lawmakers and the White House in support of full Amtrak funding. BMWED efforts to save Amtrak will continue and additional events are planned to keep lawmakers and the public focused on the need to preserve our national rail passenger network and the jobs of 20,000 dedicated Amtrak employees.

Centenarians

Belated happy birthday wishes to the following BMWED member who recently celebrated his 100th birthday:

Wilbert Hayes

A Boyce, Louisiana resident, celebrated his 100th birthday on May 8, 2005. Brother Hayes was employed by the Texas & Pacific Railway Company as a section laborer.

The BMWED extends sincere best wishes to all our retired centenarians. Happy Birthday!



Freddie N. Simpson

P R E S I D E N T ' S P E R S P E C T I V E

The Bush Administration is playing a dangerous game with the economic well being of our nation and the jobs of 20,000 Amtrak employees by pushing to privatize Amtrak, eliminate federal subsidies, and abandon national rail passenger service in the United States.

Passenger rail service is vital to the economies of all the world's industrial nations. Strong and sustainable economic viability is contingent upon strong and sustainable transportation, inclusive of passenger rail. Unlike the current leadership in the White House, most countries understand the need to support passenger rail as part of a balanced transportation strategy. On an annual

basis, France spends approximately \$77 billion in passenger rail subsidies, Britain \$58 billion, Italy \$46.63 billion, Poland \$7.57 billion, and Japan 6.03 billion. Even the tiny nation of Estonia spend \$4.45 billion in capital and operational support for its passenger rail network. In contrast, the U.S. spends approximately 3.9 billion annually to support all passenger and commuter rail service nationwide. Rail represents less than 1% of the billions of dollars the U.S. government will spend on transportation this year. Even so, Amtrak carried a record 25 million passengers last year. Clearly, our system is out of balance, and so are our nation's transportation priorities.

After the tragic events of September 11, Amtrak was the only nationwide transportation alternative available to those stranded after the shutdown of air service in the U.S. Amtrak proved itself a vital component of our nation's transportation network in the aftermath of September 11, and was essential to getting our nation and its economy back on track after that tragic event. In times of disaster, both natural and manmade, passenger rail has proven itself reliable and essential to our economic and national security.

With oil prices skyrocketing, passenger rail investment is more critical than ever. Travel by Amtrak train is estimated to be 38% more fuel efficient than travel by commercial airline. And the annual cost of highway congestion alone is estimated to cost the U.S. economy more than \$78 billion. We can not pave our way out of this highway congestion. The solution is to reduce the number of cars on our nation's highways by investing in passenger rail as a viable and fuel efficient alternative to the automobile.

Our nation needs a balanced 21st Century transportation system to move people and goods safely and efficiently. Balance requires that passenger rail be an integral part of our national transportation system. Investment in passenger rail will serve to reduce highway and airport congestion while creating new jobs for American workers. It is estimated that for every one billion dollars invested in transportation infrastructure, approximately 42,000 new jobs are created. The United States government has long established dedicated highway and aviation

trust funds to provide secure streams of funding for the construction, maintenance, and operation of the highways and airports serving our nation. However, Amtrak enjoys no such dedicated source of long-term funding and, as a result, Amtrak has been chronically underfunded since its inception. In fact, according to the American Passenger Rail Coalition, the U.S. actually spends more on annual s now removal than on passenger rail service.

The Bush Administration's push for passenger rail privatization will fail in this country just as it failed in Britain in the 1990's. Reducing public subsidies for passenger rail in Britain was a central argument in the ill-conceived rationale for British privatization. Upon privatization, British rail service was contracted out to literally hundreds of companies and the system became fragmented and inefficient. In an effort to squeeze more profits out of the system, British rail contractors cut jobs and reduced service. Rather than enhancing Britain's passenger rail system, privatization reduced efficiencies and increased costs overall. Rail safety, as well, suffered tremendously after privatization. A study conducted by Britain's Financial Times found that "privatization broke traditional bonds and practices of passing on skills and experience" among rail employees and, "in the case of track and signal maintenance, the effects of staff reductions have been compounded by the replacement of a trained, integrated and knowledgeable workforce with an unstable and wasteful structure of contractors and subcontractors."

Unfortunately, the White House has not learned anything from the British experiment with rail privatization. The failed British model is still being touted by the Bush Administration as the solution for Amtrak. However, privatization will fail in the U.S., just as it failed in Britain and elsewhere.

Our members possess the skills and dedication necessary to make Amtrak a world class railroad, but our current political leadership lacks the vision and resolve to make world class passenger rail in the U.S. a reality.

What Amtrak needs to succeed is greater investment, not disinvestment; greater expansion, not contraction; and greater vision, not abandonment by our political leaders.

Message from Teamsters General President Jim Hoffa

Since voting to merge the BMWED with the Teamsters seven months ago, the Teamsters Rail Conference has made great strides towards strengthening rail labor. One example is the Rail Labor Bargaining Coalition (RLBC), a coalition comprised of the BMWED, the Brotherhood of Locomotive Engineers and Trainmen and five other rail unions. The RLBC has already been meeting with the rail carriers and has submitted a strong proposal that will curb the crew reductions the

carriers have forced upon us and the very long hours that you face every day. Part of the reason you voted to merge with us was to achieve a safer workplace and I can assure you we are fighting for your right to that everyday.

We are aggressively lobbying U.S. congressmen on your behalf, too. In past years, the rail carriers such as Union Pacific, Norfolk Southern and others have had the upper hand with Congress. This caused the regulatory body of the railroads, the Federal

Railroad Administration (FRA) to listen more to rail carrier lobbyists than to the people who work on the rails. But we are working to change that dynamic.

Since the beginning of this year we have held several lobby days in Washington, D.C. where rank and file members and state legislative representatives from both the BMWED, the BLET and our government affairs department have met with Congressmen and their staff to explain the need for Amtrak funding

and the affects of a lax rail regulatory standards. The halls of Capitol Hill are very familiar to the Teamsters Union and we are here to represent you.

By standing together we are growing rail labor strength. A safe workplace is your right as a working man or woman in America. We will fight for your right to it!

Stay United, Stay Strong!

Jim Hoffa
Teamsters General President



DIRECTORY

THE OFFICIAL DIRECTORY TO NATIONAL DIVISION & SYSTEM OFFICERS AS OF JULY, 2005

FREDDIE N. SIMPSON

President
e-mail: fns@bmwe.org

PERRY K. GELLER, SR.

Secretary-Treasurer
e-mail: pkg@bmwe.org

D. D. TANNER

Member
P.O. Box 850
Lyman, WY 82937
(307) 787-7058
Fax: (307) 787-3100
e-mail: ddt@bmwe.org

VICE PRESIDENTS

J. R. COOK

8711 Lyman Road
Kaleva, MI 49645
(231) 889-0242 Fax: (231) 889-0243
e-mail: jrc@bmwe.org

LEON R. FENHAUS

1115 West Blvd.
Rapid City, SD 57701-3574
Office: (605) 721-9332
Cell: (605) 390-2335
Fax: 605-721-9334

E. R. SPEARS

201 E. Old Route 66, Unit 2
Strafford, Missouri 65757-8211
(417) 736-2875 Fax: (417) 736-2304
e-mail: ers@bmwe.org

RICK B. WEHRLI

7774 Deertrail Drive
Parker, CO 80138
(303) 927-5263 or (303) 927-5273
Fax: (303) 927-5326
e-mail: rbw@bmwe.org

HENRY W. WISE, JR.

3465 Smith Hill Road
Slatington, PA 18080-3423
(610) 767-4940 Fax: (610) 767-6452
e-mail: hww@bmwe.org

EXECUTIVE BOARD

BILL R. PALMER

Chairman
P.O. Box 2767
324 West Whaley
Longview, Texas 75606-2767
(903) 758-7212
Fax: (903) 753-1855
e-mail: brp@bmwe.org

PAUL R. BEARD

Member
Suite A
2665 Navarre Avenue
Oregon, Ohio 43616
(419) 693-3801
Fax: (419) 693-4227

GARY L. COX

Secretary
P.O. Box 24068
800 Concord Rd.
Knoxville, TN 37933-2068
(865) 671-1384
Fax: (865) 671-1386
e-mail: glc@bmwe.org

D. D. JOYNT

Member
747 N. Burlington Ave., Ste. 312
Hastings, NE 68901
(402) 463-0234
Fax: (402) 463-0226
e-mail: ddj@bmwe.org

NATIONAL DIVISION APPOINTEES

President's Department Southfield Office

20300 Civic Center Drive, Suite 320
Southfield, Michigan 48076-4169
(248) 948-1010 or (248) 359-2 (Ext.#)
Fax: (248) 948-7150
www.bmwe.org

WILLIAM A. BON

General Counsel
Ext. 615 e-mail: billb@bmwe.org

WILLIAM A. HILDENBRAND

Executive Assistant to President
Ext. 602 e-mail: billh@bmwe.org

TIMOTHY McCALL

Director of Organizing
3121 Plantation Key Drive
Baton Rouge, Louisiana 70816
(225) 752-3346
Fax: (225) 752-3347
Cell: (225) 752-6503
e-mail: Timmc1656@aol

CYNTHIA PESTA

Administrative Assistant to President
Ext. 610 e-mail: cindy@bmwe.org

Chicago Office

150 S. Wacker Drive, Suite 300
Chicago, Illinois 60606-4101
(312) 630-9328
Fax: (312) 630-9438

Steven V. POWERS

Assistant to President
e-mail: stevep@chic.bmwe.org

DONALD D. BARTHOLOMAY

Public Law Board Coordinator
e-mail: don@chic.bmwe.org

ROY ROBINSON

Member, National Railroad Adjustment Board,
Third Division
e-mail: royr@chic.bmwe.org

WADE D. BIRNBAUM

Staff Assistant
e-mail: wadeb@chic.bmwe.org

GARY E. KINNEY

Staff Assistant
e-mail: garyk@chic.bmwe.org

TIMOTHY W. KREKE

Staff Assistant
e-mail: timk@chic.bmwe.org

M. J. SCHAPPAUGH

Staff Assistant
e-mail: Mschappaugh@GCCTV.com

S. R. WILSON

Staff Assistant
e-mail: stevew@chic.bmwe.org

Washington Office

10 G Street, N.E.
Suite 460
Washington, D. C. 20002
(202) 638-2135
Fax: (202) 737-3085

DANNY GATES

Director of Government Affairs
Ext. 13 e-mail: dgates@bmwewash.org

DONALD F. GRIFFIN

Director of Strategic Coordination
and Research
Ext. 16 e-mail: dgriffin@bmwewash.org

RICHARD A. INCLIMA

Director of Education and Safety
Ext. 12 e-mail: ricki@bmwewash.org

Secretary-Treasurer's Department

20300 Civic Center Drive, Suite 320
Southfield, Michigan 48076-4169
(248) 948-1010 or (248) 359-2 (Ext.#)
Fax: (248) 948-9140

KATHLEEN A. CLARK

Staff Assistant, Financial and Membership
Services
Ext. 633 e-mail: kate@bmwe.org

RONALD J. COLUMBUS

Controller
Ext. 645 e-mail: rjc@bmwe.org

RICK FORBES

Assistant Director, Information Systems
Ext. 607 e-mail: rick@bmwe.org

MARK GOWING

Staff Assistant - Information Systems
Ext. 622 e-mail: mark@bmwe.org

DIXIE L. HUNRATH

Staff Assistant Personnel
Ext. 621 e-mail: hunrath@bmwe.org

GAIL MEISEL

Executive Assistant to Secretary-Treasurer
Ext. 605 e-mail: gail@bmwe.org

STEPHEN M. MOCHER

Staff Assistant, Reporting Services
Ext. 604 e-mail: sm@bmwe.org

DAVID RICH

National Division Auditor
P.O. BOX 52
Hatboro, PA 19040-0052
(215) 674-0244
e-mail: dric4646@msn.com

BRENDA F. SEQUIN

Private Secretary to the Secretary-Treasurer
Ext. 608 e-mail: brenda@bmwe.org

JAMES A. SUPERFISKY

Director, Information Systems
Ext. 606 e-mail: jim@bmwe.org

SYSTEM OFFICERS

AFFILIATED SYSTEM FEDERATION

(606) 931-0115
FAX: 606-931-0008

Alton & Southern Railway Company

CSX Transportation, Incorporated
Former—Seaboard System Railroad,
Incorporated
Cinchfield Railroad Company
MacArthur Bridge
Manufacturers Railway Company
Norfolk & Portsmouth Belt Line Railroad Co.
Norfolk Southern Corporation
Former—Des Moines Union Railway
Company
Interstate Railroad Company
Norfolk & Western Railway Company
Southern Railway Company
Wabash Railroad Company
Northeast Illinois Railroad Corporation
(Metra)
Terminal Railroad Association of St. Louis

T. R. McCOY, JR.

General Chairman
9300 Runyon Road
Catlettsburg, KY 41129-8753

JACK E. DAVID

First Vice Chairman
Rt. 4 Box 46C
Moberly, Missouri 65720
(660) 263-7480 Fax: (660) 263-7481

RICHARD L. PROCISE

Second Vice Chairman
2400 Washington Avenue
Victoria, Virginia 23974-4700
(434) 696-2812 Fax: (434) 696-2914

ALFRED L. WARDELL

Secretary-Treasurer
Rt. 2, Box 116
Pamplin, Virginia 23958

ALLIED EASTERN FEDERATION

(615) 338-0027
(800) 752-8009
FAX: (615) 338-0209

CSX Transportation, Inc.
Former—Seaboard System Railroad
Louisville & Nashville Railroad
Seaboard Coast Line Railroad
Atlantic Coast Line Railroad
Columbia, Newberry and Laurens
Railroad
Atlanta and West Point-The Western
Railway of Alabama
Georgia Railroad-(including Augusta
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Baltimore & Ohio Chicago Terminal
Baltimore & Ohio Railroad
Chesapeake & Ohio Railway
Richmond, Fredericksburg and Potomac
Railway-(including Potomac Yard)

RANDALL BRASSELL

General Chairman
114 Canfield Place, Unit A8
Hendersonville, TN 37075-3688
(615) 338-0027 Fax: (615) 338-0209

D. R. ALBERS

First Vice General Chairman/Secretary-
Treasurer
4 Pine Tree Drive
Breese, Illinois 62230
(888) 526-4150
Fax: (618) 526-7821

L. A. BUCKLEY

Vice Chairman
141 Iroquois Trail
Ona, West Virginia 25545
(888) 743-6758 or (304) 736-2255
Fax: (304) 736-2112

HORACE EZZELL

Vice Chairman
202 Millhouse Road
Castle Hayne, North Carolina 28429
(800) 504-2732 or (910) 675-2732
Fax: (910) 675-0512

ROY GRIFFITH

Vice Chairman
14112 Key Deer Drive
Midlothian, VA 23112-6105

DAVID R. LOPEZ

Vice Chairman
137 N. Ohio Avenue
Clarksburg, West Virginia 26301-2230

TERRY MIRACLE

Vice Chairman
P. O. Box 452
Harrogate, TN 37752
(423) 869-9996
FAX: (423) 869-9882

ANDREW SHELTON

Vice Chairman
613 Myatt Street
Smyrna, TN 37167-4163

L. C. SMITH

Vice Chairman
716 North Church Street
Homerville, Georgia 31634
(800) 430-8056 or (912) 487-3012
Fax: (912) 487-3013

ATCHISON, TOPEKA & SANTA FE SYSTEM FEDERATION

(800) 835-2022
(316) 283-1470
Fax: (316)283-7264

Atchison, Topeka & Santa Fe Railway
Company
Former—Illinois Northern Railway
St. Joseph Terminal Railroad Company
Hutchison and Northern Railway Company,
Los Angeles Junction Railway
Wichita Terminal Association,
Wichita Union Terminal Railway Company

MARK E. HEMPHILL

General Chairman
P. O. Box 746, 521 S. E. 10th Street
Newton, Kansas 67114-0746
e-mail: mhemphill5069@sbcglobal.net

GARY W. MARQUART

Vice General Chairman/Secretary-Treasurer
P. O. Box 746
521 S.E. 10th Street
Newton, Kansas 67114-0746

R. G. DAVIS

Assistant General Chairman
P.O. Box 746
521 E. 10th Street
Newton, Kansas 67114-0746

RICHARD SHARP

Assistant General Chairman
P. O. Box 746, 521 S.E. 10th Street
Newton, Kansas 67114-0746

MOUNTAIN & PLAINS FEDERATION

(719) 473-5866 or

(719) 473-5868

FAX: (719) 473-5863

Burlington Northern Railroad Company
Former—Colorado and Southern Railway Company
Fort Worth and Denver Railway Company
Joint Texas Division of Chicago, Rock Island and Pacific Railroad Company and Fort Worth and Denver Railway Company
Rock Island and Pacific Railroad Company
Colorado & Wyoming Railway Company
Denver and Rio Grande Western Railroad Company
Denver Union Terminal Railway Company
Pueblo Union Depot & Railroad Company
Utah Railway Company

C. M. MORGAN

General Chairman
3009 W. Colorado Avenue, #C-1
Colorado Springs, Colorado 80904
e-mail: morgancm@citystar.com

MANUEL MEDINA

Vice Chairman/Secretary-Treasurer
3009 W. Colorado Avenue, #C-1
Colorado Springs, Colorado 80904

NICKEL PLATE-WHEELING & LAKE ERIE FEDERATION

(419) 693-3801

FAX: 419-693-4227

Grand Trunk Rail System
Former—Detroit, Toledo and Ironton Railroad Company
Detroit and Toledo Shore Line Railroad Company
Norfolk Southern Corporation
Norfolk and Western Railway Company
Former—Akron, Canton & Youngstown Railroad Company
Lorain & West Virginia Railway Company
New York, Chicago & St. Louis Railroad Company, including
Nickel Plate, Lake Erie and Western and Clover Leaf Districts,
and Wheeling & Lake Erie District
Pittsburgh & West Virginia Railway Company

PAUL R. BEARD

General Chairman
Suite A
2665 Navarre Avenue
Oregon, Ohio 43616
e-mail: nkpwlprb@aol.com

THOMAS M. MULFORD

Vice Chairman/Secretary-Treasurer
Suite A
2665 Navarre Avenue
Oregon, Ohio 43616

JEFFERY J. BAINTE

Assistant General Chairman
300 North Bliss Avenue
Muncie, Indiana 47304

TIM HOFFMAN

Assistant General Chairman
36512 Derby Downs Drive
Solon, Ohio 44139-2656

NORTHEASTERN SYSTEM FEDERATION

Amtrak (Northeast Corridor)
Amtrak (South Station, Boston, Massachusetts)
Aroostook Valley Railroad Company
Bangor and Aroostook Railroad Company
CSX Transportation, Incorporated
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Hartford Railroad Company
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Former—Springfield Terminal Railway Company,

Maine Central Railroad Company,
Portland Terminal Company
Lamoille Valley Railroad Company
New York, Susquehanna & Western Railroad Corp.

STUART A. HURLBURT, JR.

General Chairman
135 Mick Lane
Oneota, NY 13820-4316
(607) 988-7416
Fax: (607) 988-9358
e-mail: shurlburt@verizon.net

EUGENE G. BORDEN

Vice General Chairman/Secretary-Treasurer
43 Mann Avenue
Cohoes, New York 12047-2319
(518) 237-3950 Fax: (518) 237-4850
e-mail: eborden2@nycap.rr.com

FRANCIS J. MICHAUD, SR.

Vice General Chairman
141 Frost Street
Portland, Maine 04102-2211
(207) 774-4815

RICHARD D. WILMOT

Vice General Chairman
P. O. Box 104
Houlton, Maine 04730
(207) 532-6847 Fax: (207) 521-2424
e-mail: wilmot@mtx.net

JOSEPH C. MATTIE

Vice General Chairman
1215 Sherman Avenue
Hamden, Connecticut 06514-1364
(203) 287-9737

JOHN P. TRACY

Assistant General Chairman
563 Church Hill Road
Augusta, ME 04330-8214
(207) 623-1468 Fax: (207) 622-1834
e-mail: jptracy@panax.com

PAUL G. MCGILLICUDDY

Assistant General Chairman
2 Salem Street
Houlton, Maine 04730-1813
(207) 532-3363
e-mail: Imp@ainop.com

MICHAEL B. CARTER

Assistant General Chairman
32N Cobble Hill Road
Warwick, Rhode Island 02886-9307
(401) 886-4747

KENNETH E. HERRINGTON

Assistant General Chairman
222 New York Avenue
Mechanicville, New York 12118-1003
(518) 664-3557

PACIFIC FEDERATION

(916) 444-0943

FAX: (916) 444-2659

Amtrak
Former—Los Angeles Union Passenger Terminal
Amtrak (Mechanical Facility, Los Angeles California)
Central California Traction Company
Harbor Belt Line Railroad
McCloud River Railroad
Northwestern Pacific Railroad Company
Petaluma and Santa Rosa Railroad Company
San Diego & Arizona Eastern Transportation Company
Sierra Railroad Company
Southern Pacific Transportation Company,
Western Lines
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Tucson, Cornelia and Gila Bend Railroad
Union Pacific System
Former—Sacramento Northern Railway
Tidewater Southern Railway Company
Western Pacific Railroad Company
Valley & Siletz Railroad Company

LOUIS R. BELOW

General Chairman
510 8th Street
Sacramento, California 95814-1206
(916) 444-0943, EXT. 305
FAX: (916) 444-2659
e-mail: lbelow@pacfed.net

RICHARD K. BIGARD

Vice Chairman
510 8th Street
Sacramento, California 95814-1206
(916) 444-0943
e-mail: rbigard@pacfed.net

RICARDO C. CANCHOLA

Assistant Chairman/Secretary-Treasurer
510 8th Street
Sacramento, California 95814-1206
(916) 444-0943
e-mail: rcanchola@pacfed.net

PENNSYLVANIA FEDERATION

(215) 569-1285

FAX: (215) 569-0676

Akron and Barberton Belt Railroad Company
Amtrak
Former—Penn Central
Chicago Union Station Company
Washington Terminal Company
Canton Railroad Company
CSX Transportation, Inc.
Former—Consolidated Rail Corporation
Baltimore & Eastern Railroad Company
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Former—Consolidated Rail Corporation
(See CSX Transportation, Inc.)
Western Maryland Railway Company

JED DODD

General Chairperson
121 North Broad Street, Suite 503
Philadelphia, Pennsylvania 19107

KEVIN HUSSEY

Vice Chairperson
12 Steinhart Avenue
Old Bridge, New Jersey 08857-9672
(732) 251-8486 Fax: (732) 251-6460

WILLIAM K. MANNING

Vice Chairperson
P.O. Box 285
Prospect Park, Pennsylvania 19076-0285
(610) 461-8641 Fax: (610) 461-0422

GEORGE C. DAVIDSON

Vice Chairperson/Secretary-Treasurer
P.O. Box 2408
Aston, Pennsylvania 19014-2408
(610) 485-4365 Fax: (610) 485-4369
e-mail: godavidson@comcast.net

C. T. BURKINDINE

Vice Chairperson
7936 Kavanagh Road
Baltimore, Maryland 21222
(410) 282-5194 Fax: (410) 288-2768

CHARLES W. HANSLER

Vice Chairperson
149 Andreas Road
Andreas, Pennsylvania 18211-9507
(570) 386-1155
Fax: (570) 386-2811

C. PERRY RAPIER

Vice Chairperson
1835 State Route 502
Greenville, Ohio 45331
(937) 548-7636
Fax: (937) 548-1560
e-mail: cperryrapier@voyager.net

WAYDE T. AMES

Vice Chairperson
3461 East Mississinewa Road
Peru, Indiana 46970
(765) 473-7349
Fax: (765) 472-4813

DONALD J. TREDENT

Vice Chairperson
537 Allen Avenue
Ashtabula, Ohio 44004
(440) 964-9569
Fax: (866)420-0960
e-mail: dontredent@pennfedbmwe.org

ANTHONY ROCHON

Vice Chairperson
P. O. Box 5267
Upper Marlboro, Maryland 20772
(301) 336-9442
Fax: (301) 336-3895

LEROY PROSSER

Vice Chairperson
507 Sugar Street
Gallitzin, Pennsylvania 16641
(814) 886-7033
Fax: 814-886-7036
e-mail: boyrail@aol.com

STEVE STEARN

Vice Chairperson
P.O. Box 223
Perryville, Maryland 21903
(410) 939-4346
Fax: 410-939-3275
e-mail: sstearn@comcast.net

SEABOARD FEDERATION

(800) 418-7223

FAX: (904) 642-7838

Amtrak
Former—Jacksonville Terminal Company
CSX Transportation, Incorporated
Former—Seaboard System Railroad,
Incorporated
Gainesville Midland Railroad Company
Port Everglades Railway
Seaboard Coast Line Railroad Company
Former-Seaboard Airline
Railroad Company
Florida East Coast Railway
Norfolk Southern Corporation
Southern Railway Company
Former—Carolina & Northwestern Railway Company

JAMES D. KNIGHT

General Chairman
2153 Broadwater Drive
Jacksonville, FL 32225
(800) 418-7223 or (904) 642-8076 (local)
Fax: (904) 642-7838

T. TAYLOR

Vice Chairman
2153 Broadwater Drive
Jacksonville, FL 32225
(800) 418-7223 or (904) 642-8076 (local)
Fax: (904) 642-7838

B. P. PIATT

Vice Chairman/Secretary-Treasurer
2153 Broadwater Drive
Jacksonville, FL 32225
(800) 418-7223 or (904) 642-8076 (local)
Fax: (904) 642-7838

SOO LINE SYSTEM DIVISION

(612) 869-2419

FAX: (612) 869-7641

Ahnapee and Western Railway Company
Fox River Valley Railroad
Green Bay and Western Railroad Company
Lake Superior & Ishpeming Railroad Company
Soo Line Railroad Company
Former—Minneapolis, Northfield and
Southern Railway, Incorporated

GENE A. BELL

General Chairman
6210 Sheridan Ave., S.
Richfield MN 55423

JACE R. HAGEN

Assistant General Chairman/Secretary-Treasurer
3901 29th Avenue S
Minneapolis, MN 55406
(612) 722-2648

TROY A. BLUMHAGEN

Vice Chairman
P. O. Box 54
Velva, ND 58790
(701) 338-2068

SOUTHERN PACIFIC ATLANTIC FEDERATION

(281) 931-4443

FAX: (281) 931-1153

El Dorado and Wesson Railway
Louisiana and North West Railroad Company
MidLouisiana Rail Corporation
New Orleans Public Belt Railroad
Oklahoma-Kansas-Texas Railroad Company
St. Louis Southwestern Railway Company
Southern Pacific Transportation Company
Eastern Lines
Former—Texas & Louisiana Lines
Texas-Mexican Railway Company

R. D. SANCHEZ

General Chairman
350 North Sam Houston Parkway, East
Suite 202
Houston, Texas 77060

J. T. FINCH

Assistant General Chairman/Secretary-Treasurer
10822 Ambergate Drive
Humble, TX 77396
(281) 454-6324
Fax: (281) 454-6325

DANNY BAISEY

First Vice Chairman
350 N. Sam Houston Parkway, East
Suite 202
Houston, Texas 77060

W. G. FOEHR

Second Vice Chairman
28207 Piney Corners Lane
Waller, TX 77484-8773
(936) 931-5391

SOUTHERN SYSTEM DIVISION

(800) 537-2194

FAX: (865) 671-1386

e-mail: sousysdi@tds.net

CSX Transportation, Incorporated
Former—Seaboard System Railroad,
Incorporated
Durham and Southern Railway Company
Norfolk Southern Corporation
Seaboard Coast Line Railroad Company
Former—Piedmont and Northern Railway Company
Southern Railway Company
Former—Alabama Great Southern Railroad Company
Atlantic and East Carolina Railway Company
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Live Oak, Perry and South Georgia Railway Company
Louisiana Southern Railway Company
New Orleans Terminal Company
Norfolk, Franklin and Danville Railway Company
Tennessee, Alabama & Georgia Railway Company
Tennessee Railway Company

GARY L. COX

General Chairman
P.O. Box 24068
Knoxville, Tennessee 37933-2068

S. J. ALEXANDER

Vice Chairman
10724 Plum Creek Drive
Knoxville, Tennessee 37922-1933

M. L. SELLERS

Assistant Chairman/Secretary-Treasurer
P.O. Box 285
Menlo, Georgia 30731-0285



SOUTHWESTERN FEDERATION

Galveston, Houston and Henderson Railroad Company
Galveston Wharves
Missouri-Kansas-Texas Railroad Company
Texas City Terminal Railway Company

SAM L. TRIEBEL

General Chairman
1470 B CR 5160
Coffeyville, KS 67337-8302
(620) 251-5493 Fax: (620) 251-6004

LARRY L. FOSTER

Vice Chairman/Secretary-Treasurer
1845 11000 Road
Oswego, KS 67356-8764
(620) 795-2762

UNION PACIFIC SYSTEM DIVISION

(307) 787-7058

(888) 875-2693

Fax: (307) 787-3100

Ogden Union Railway and Depot Company
Portland Terminal Railroad Company
South Omaha Terminal Railway Company
Union Pacific System
Former—Mount Hood Railway Company
Union Pacific Railroad
Yakima Valley Transportation Company

D. D. TANNER

General Chairman
P. O. Box 850
Lyman, Wyoming 82937

CHARLIE HOGUE

Assistant Chairman
P.O. Box 850
Lyman, Wyoming 82937

JOSEPH V. LARSEN

First Vice Chairman/Secretary-Treasurer
P.O. Box 2539
Pocatello, Idaho 83206-2539
(208) 237-0614

W. E. MORROW

Second Vice Chairman
P.O. Box 1586
Evanston, Wyoming 82930
(307) 789-2492

DAVID J. DEAN

Assistant Chairman
P.O. Box 850
Lyman, Wyoming 82937

THOMAS DAFFINSON

Vice Chairman
P.O. Box 413
Osseo, WI 54758-0413
(715) 597-2611

WISCONSIN CENTRAL SYSTEM DIVISION

FRED A. PETERS

General Chairman
205 Elm Road South
Stevens Point, WI 54481
(715) 344-9431
Fax: (715) 344-9367
e-mail: fapeters2003@yahoo.com

MARK PHILIPP

Vice Chairman/Secretary-Treasurer
1001 Buchanan Avenue
Oshkosh, WI 54902
(920) 426-1429

STATE LEGISLATIVE DIRECTORS

ALABAMA

JAMES T. FRANKS
361 8th Avenue, East
Guin, AL 35563
(205) 269-5720

ARIZONA

GREGORY S. KREIE
P.O. Box 25861
Prescott Valley, Arizona 86312
(928) 772-0705

ARKANSAS

SCOTTY D. NISWONGER
P.O. Box 264
Cabot, Arkansas 72023-0264
(501) 843-8237

CALIFORNIA

RICHARD K. BIGARD
2150 Auburn Blvd.
Sacramento, California 95821
(916) 444-0943
Fax: 916-444-2659

COLORADO

MICHAEL E. THOMAS
60 Douglas Lane, Unit 221
Pueblo, Colorado 81001-1318
(719) 564-2975
Fax: 719-564-2975

CONNECTICUT

WILLIAM H. SPEER, JR.
41-A Cutler Street
Groton, Connecticut 06340
(860) 405-0500

DELAWARE

GUY DOUGLAS
7 Berwick Court
Newark, Delaware 19711
(302) 836-0662

FLORIDA

W.L. GLISSON
2201 Greenhills Drive
Valrico, FL 33594
(813) 426-5338

GEORGIA

MARCUS HOOD
3470 Georgia Highway 15 North
Warthen, Georgia 31094
(478) 552-0727

IDAHO

DENIS A. WHITE
3555 Beverly Street
Boise, Idaho 83709
(208) 861-6353

ILLINOIS

ROBERT L. ALMAGUER
114 South G Street
Monmouth, Illinois 61462-1567
(309) 734-5979

INDIANA

JEFFREY J. BAINTER
300 N. Bliss Avenue
Muncie, IN 47304

IOWA

RON HOFFMAN
1607 9th Avenue, S.W.
Cedar Rapids, Iowa 52404
(319) 364-2180
Fax: (319) 286-8753

KANSAS

SEAN T. O'BRIEN
P.O. Box 391
Strong City, KS 66869
(620) 273-6032

KENTUCKY

MARK R. MCCARTY
4003 Rudy Martin Drive
Owensboro, Kentucky 42301-6646
(270) 684-9053

LOUISIANA

LAWRENCE A. TRICHE
266 NW 3rd Street
Reserve, Louisiana 70084
Cell: (504) 416-9125

MAINE

JOHN P. TRACY
563 Church Hill Road
Augusta, Maine 04330-8214

MARYLAND

PAUL J. DILLOW, JR.
5509 Adleigh Avenue
Baltimore, Maryland 21206
(410) 488-5876

MASSACHUSETTS

JAMES A. TEAGUE
22 Rhodora Street
Lowell, Massachusetts 01851
(978) 937-8226

MICHIGAN

ARCHIE LHAMON
55647 Giddings Court
Mattawan, Michigan 49071
(616) 668-4360
Fax: (616) 668-4360

MINNESOTA

KARL KNUTSEN
2616 West River Pkwy.
Minneapolis, Minnesota 55406
(612) 772-6055

MISSISSIPPI

MURPHY EVANS, JR.
2405 Whitetail Circle
West Point, Mississippi 39773
(662) 494-8592

MISSOURI

CHARLES E. FORBES
10425 Smalley Avenue
Kansas City, MO 64134
(816) 765-2109
Fax (816) 761-3155

MONTANA

WAYNE S. YOUNG
2575 Bridge Creek Lane
Wolf Creek, Montana 59648
(406) 235-4374

NEBRASKA

SPENCER MORRISSEY
P.O. Box 156, 548 Jackson
Tecumseh, Nebraska 68450-0156
(402) 335-2181

NEVADA

DONALD R. LARSON
P.O. Box 801
Wells, Nevada 89835
(775) 752-2505

NEW HAMPSHIRE

CALVIN R. PRESTON
129 Mountain Road
Epsom, NH 03234
(603) 753-8577

NEW JERSEY

KEVIN HUSSEY
12 Steinhardt
Old Bridge, New Jersey 08857
(732) 251-8486
Fax: (732) 251-6460

NEW MEXICO

TIM L. FUNK
567 Apache Loop, SW
Rio Rancho, NM 87124-3045
(505) 892-2895

NEW YORK

ROBERT M. WINTER
5590 Robinson Road
Sodus, New York 14551-9702
(315) 483-4324

NORTH CAROLINA

PHILLIP L. SHEARIN
247 Old Airport Road, Lot 28
Newport,
North Carolina 28570-6599
(252) 240-1716

NORTH DAKOTA

DOUGLAS M. ERHART
1203 - 27th Street, N.W.
Mandan, North Dakota 58554
(701) 663-1633
Fax: (701) 663-5714

OHIO

THOMAS J. NEMETH
4486 Emerson Road
S. Euclid, Ohio 44121
(216) 382-7122
Fax: (216) 382-5583

OKLAHOMA

DESTREY GIBSON
P.O. Box 415
Weleetka, Oklahoma 74880
(405) 786-2733

OREGON

MIKE GEKAS
P.O. Box 1658
LaGrande, Oregon 97850
(541) 962-0258

PENNSYLVANIA

WILLIAM K. MANNING
P.O. Box 285
Prospect Park,
Pennsylvania 19076-0285
(610) 461-8641
Fax: (610) 461-0422

RHODE ISLAND

MICHAEL BESSETTE
14 Crestwood Court
Cumberland, Rhode Island 02864
(401) 333-3378
Fax: (401) 721-3017

SOUTH CAROLINA

BRYANT D. MOSES
705 S. Church Street
Florence, South Carolina 29506
(843) 669-8177

SOUTH DAKOTA

JOSEPH J. KRALJIC
220 S. Prairie
Sioux Falls, South Dakota 57104
(605) 334-7626

TENNESSEE

ANDREW H. SHELTON
613 Myatt Street
Smyrna, Tennessee 37167
(615) 220-3463

TEXAS

JIMMY K. OLIVER
202 County Road 4035
Carthage, Texas 75633
Cell: (903) 241-6100

UTAH

EVERETT H. JOHNS
P.O. Box 389
Helper, UT 84526
(435) 472-5725

VERMONT

VACANT

VIRGINIA

GREGORY L. MARSTON
400 Melody Lane
Crewe, Virginia 23930-1066
(434) 645-7496

WASHINGTON

STEVE INCE
3820 Pioneer Highway
Stanwood, Washington 98292
(425) 754-4970

WEST VIRGINIA

DANA D. BOOTH
310 1/2 Pike Street, P.O. Box 411
Belington, West Virginia 26250
(304) 823-2054

WISCONSIN

MICHAEL J. KOZIARA
909 Eastwood Street
Holmen, Wisconsin 54636
(608) 526-6584
Fax: (same) call first

WYOMING

KRISTINA DELGADO
P.O. Box 1761
Casper, WY 82602
(307) 234-6510



Effective January 1, 2005, following the BMWED merger with the International Brotherhood of Teamsters (IBT)
We became the Brotherhood of Maintenance of Way Employees Division (BMWED) Of the IBT

Our National Division (formerly Grand Lodge) Headquarters will remain in Southfield, Michigan at the same address:

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

In addition, please note: Our telephone, extensions, fax numbers and email addresses will remain the same:

248-948-1010 • 248-948-7150 (fax)



SECRETARY - TREASURER'S REPORT

After too many years of reducing the maintenance of way workforce, several railroads have finally begun to hire new employees into the craft to address the chronic shortage of M/W workers nationwide. While the



Perry K. Geller, Sr.

current rate of hiring is not enough to halt the decline in M/W employment, it is an indication that the carriers are finally recognizing that they can not defer track and bridge maintenance any longer without severe consequences.

I would like to take this opportunity to personally welcome each and every new hire into the family of the Brotherhood of Maintenance of Way Employees Division. We welcome your input, your ideas, and your active participation in our Union. You represent the future of our movement, and I join with all our membership in welcoming you into the proud ranks of the BMWED.

Our union has made significant strides in improving the lives and livelihoods of maintenance of way employees since our founding in 1887. BMWED is one of the oldest labor unions in the United States, and we have every intention of remaining the duly-accredited representative of the class and craft of M/W employees well into the future.

Each one of our veteran members can remember the day when they were hired, and each undoubtedly has a story to tell. I encourage our long-time members to embrace each new member as they come onboard; show them the ropes, protect them

from the many dangers they will encounter out on the tracks, and welcome their participation in our union. Just like it has been since our founding as a union in 1887, the new hires of today will become the future leaders of our union tomorrow. We owe our founding fathers much for what we have today, and we must each do our very best to leave something behind for the new members who follow in the proud tradition of Maintenance of Way.

Not unlike today's new hires, when I hired on in the railroad industry 30 years ago, the railroad explained to me what "they" would provide to me as a new employee in the Maintenance of Way craft. They told me that "the railroad" was going to give me a good job with good wages and benefits. They told me that "the railroad" would provide me a guaranteed 40-hour work week; overtime pay outside my regularly assigned hours; health insurance; life insurance; vision and dental insurance; paid vacations; paid holidays; retirement benefits; bereavement leave; jury duty pay; travel and away-from-home expenses; unemployment and sickness benefits; work rules; seniority; a guarantee of due process in cases of discipline; and protection against discrimination. Then they told me, "by the way, you are going to have to join the union," as if this was somehow a detriment to all the great things that "they" were offering me as I embarked upon my railroad career.

It was only a matter of time before I realized that what "they" offered to provide me by way of wages, benefits, and working conditions were only offered because the Union won these benefits for the membership in over 100+ years of struggle and sacrifice. And I am confident that our newest members will also quickly come to the realization that what the company "gives" is what the BMWED Union has negotiated at the bargaining table, and fought for in the halls of Congress and with various government agencies and entities.

Union membership is both a privilege and an opportunity. As union members, we have what 90% of the American workforce does not have: a union contract. I welcome all of our new members and encourage each

and every one of you to become an active part of our union. Together we can achieve great things and secure our collective futures. As it turns out,

the railroad "gives" you what your Union has fought for and won on your behalf over the past 118 years. Welcome aboard!

BMWED and BLET Conduct Joint Legislative Conference

On May 6 and 7, approximately 85 BLET and BMWED rank-and-file State Legislative Directors attended a joint legislative conference sponsored by the IBT Government Affairs Department to discuss strategies surrounding the many struggles faced by Rail Labor including Amtrak funding, shortlining, national bargaining, safety, contracting, FELA, high speed rail, Railroad Retirement, and other issues. According to Danny Gates, BMWED Director of Government Affairs, "The purpose of the joint legislative conference was to further the process of leveraging our merger with the IBT politically and legislatively for the benefit of BMWED's and BLET's collective membership."

The Brothers and Sisters in attendance were in very high spirits and the conference nurtured a true sense of optimism and solidarity among the unions' legislative representatives. "Every participant, regardless of craft, had an opportunity to see the promise and hope this merger brings to our members," said Rick Inclima, BMWED Director of Safety and Education. "It was truly a historic meeting, and the energy and enthusiasm was electrifying."

Through two days of intense education and interaction with the IBT Government Affairs Department, participants from both the BMWED and BLET learned more about what it means to be a Teamster, and what it means politically to be part of a 1.4 million member strong transportation union. Many in attendance

expressed their pride in joining with the Teamsters. BMWED Illinois Assistant Legislative Director Johnny Oeth said, "It was great working formally and in partnership with our counterparts from the BLET and the IBT. It is clear that both rail unions have common goals, and now we are joined together in one union—the largest transportation union in North America—to achieve our common objectives." BMWED Wisconsin State Legislative Director Mike Koziara said, "The Legislative Conference was the perfect forum to get to know and work with our legislative counterparts from the BLET and IBT. This educational program strengthens our ability to work together and be more effective legislatively at both the state and federal level."

President Freddie Simpson articulated his vision and goals for strengthening the union by stating, "We are educating our Officers and Legislative Directors to better serve and fight for the membership. It is gratifying that our new union thinks so much of the Rail Conference that they would plan and fund such a program for the IBT Rail Conference affiliates. The benefits of this educational program will bear fruit for years to come. An educated and united leadership, along with an educated and united membership, is the path to saving and improving our jobs and our benefits. The Teamsters Rail Conference is a force to be reckoned with and I, like our members, am extremely proud to be a part of it."



BMWED and BLET members attend Joint Legislative Workshop.

Freddie N. Simpson Running for Re-election

Dear Brothers and Sisters:

I am announcing my candidacy for President of the BMWED. I have had the privilege of serving you as



Acting President and President over approximately the past two years. I believe I possess the character, experience, leader-

ship, and vision to lead the Brotherhood at this critical time in our union's history.

Our Brotherhood and our membership face incredible challenges, and new opportunities, in the months and years ahead. Secretary-Treasurer Geller and I have been working diligently to strengthen our merger with the Teamsters and our affiliation within the IBT Rail Conference. We have jointly implemented a strategy of unified national bargaining with a strong coalition of seven like-minded rail unions and the Teamsters Rail Conference. We are developing strategies to organize new members, grow the Rail Conference, preserve Amtrak, and address the contracting out of MW work.

Of course we have our work cut out for us, but Brother Geller and I share a vision, a plan, and a focus to lead our Brotherhood forward. Now is not the time to reverse course and return to the bad old days of bitter politics and divisiveness. We must continue to unify and move this Brotherhood forward for the benefit of all the membership. Our membership has given this Brotherhood a new direction, and a renewed strength, in our merger with the Teamsters. With your support, I will proudly lead this Brotherhood on the path you have wisely chosen. I humbly ask for your support and your vote.

Larry Goad Candidate For National President

Dear Brothers and Sisters:

Larry J. Goad is running for National Division President. I have worked for the Union Pacific railroad



for over 25 years. I started working as a bridgeman helper, then lead carpenter, assistant foreman and in 1995 bridge foreman.

I am presently President of lodge 601. I gave the speech at the national convention in 1990 that kept the union from increasing dues.

I am retired Military with 35 years of duty. With tours in VietNam, Korea, Italy, Honderous, and Egypt. I have been through all the leadership training the army provides.

Geller Seeks Re-election for Secretary-Treas.

Dear Brothers and Sisters:

I am a candidate for Secretary-Treasurer, a position I've held since 2003.



Prior to the 2002 Convention, I announced my intent to run for the Executive Board on a platform for change. The rank-and-file delegates support-

ed these changes which made the Executive Board and the Vice Presidents accountable to the entire membership rather than just one region. These sweeping changes have benefited this Brotherhood to the extent that our Canadian Brothers are now where they wish to be, our National Division is operating efficiently, and our union is in the best financial shape we have seen in years.

I served on the Executive Board for approximately one year before being elected Secretary-Treasurer due to Brother Simpson's election to fill the vacancy in the office of President.

This election is not about the DOL. Rather, it's about the National Division Officers' decision to protect the General Fund from litigation costs due to frivolous complaints made by the same group of former officers who lost their bid for positions in 2002, failed in a number of recall attempts, and opposed our merger with the Teamsters.

Brother Simpson and I are committed to seeing our union, and this merger, work for the benefit of the membership. Together, we are committed to growing the BMWED, strengthening our position at the bargaining table, and leveraging our newfound political clout.

I believe I can continue to make a positive impact and I respectfully ask for your support.

Dana Booth Announces for Secretary-Treas.

Brothers and Sisters:

My name is Dana Booth. I have worked on the railroad for 30 years. I have served our Brotherhood as WV state legislative director for 26 years. For twenty plus years I have served as secretary-treasurer of local 1064, Allied Eastern



Federation. Also I have served my community as mayor and councilman for the past 12 years in which I am still a councilman. I am a member of the local Lions Club. I was also a candidate at the 2002 convention in Las Vegas, for secretary-treasurer.

As a candidate for the position of Grand Lodge Secretary-Treasurer I bring before the members communication skills that are needed to keep our members informed of our finances.

My involvement with city government gives me experience with working with budgets and regulations that will govern our even day affairs. I know these are issues of concern to our membership

Our Grand Lodge secretary's office is staffed by highly qualified and competent personnel.

In lieu of the recent decision by our membership to pursue a new direction by merging with the Teamsters it only makes sense to continue in that direction by putting new leadership in place. A new beginning with new faces and fresh ideas. Ideas and commitments set forth by our membership.

If this is your direction for this great Brotherhood, then I ask you for your vote and support for the position of Grand Lodge Secretary-Treasurer.

Paul Swanson Running for Secretary-Treas.

Dear Brothers and Sisters:

I request your support for the office of BMWED Secretary-Treasurer. I will bring strong leadership to the organization because I am passionate about the Labor Movement and in particular the BMWED. I believe the BMWED must aggressively fight for improvements in its members' standard of living and quality of life.



The Secretary-Treasurer's primary responsibility is the management of the organization's finances. I have the experience to handle that job well. I served the union for 10 years as Secretary-Treasurer and General Chairman of the Burlington System. I also served eight years as the Director of Organizing. In those positions I managed large treasuries and budgets and I managed them well.

The National Secretary-Treasurer is the second highest ranking officer of the BMWED. With that comes the responsibility of providing good leadership for the members, to assist the President in leading the members through the struggles to improve their lives and the lives of their families. I have a proven track record of service to this organization, providing good leadership.

As Director of Organizing, I had close contact with hard working maintenance of way workers all across the country. I know how important a strong union is. The three years I have been back in the ranks has reinforced my energy and passion for building the BMWED into the strongest union in the country.

If you have questions contact me by e-mail or phone. My e-mail address is BMWED@aol.com, my phone number is (303) 506-9004

Joel Myron A Candidate For BMWED President

Why I'm Running for BMWED President

It's snowing and the ground is frozen solid. I'm riding the front of the engine, freezing, going to the next switch. The two other guys on my switch-clearing gang are with me. We reach the switch, bust and freeze our butts and dig it out. The trainman gets off the warm caboose, throws the switch both ways, sets it, and gets back in. We're off to the next switch.

I'm thinking about Gary Kline. We cleaned switches together, now he's dead. His backhoe toppled, crushing him. Another Brother killed on the railroad.

I'm thinking about graduating law school and passing the bar exam while

working track — the guys bringing me to a bar to celebrate — after we finished putting in ties. They told me then, "move up in the Union — lead it for us — make things better — you have the skills." I promise to try. Since then I led national and local bargaining as a GL appointee and System Officer. We won travel allowance, equity wage adjustment, made many other gains and expanded job stabilization in those rounds.

Thirty years later my four children are married. I have six grandchildren. I remember Gary Kline, digging frozen switches, replacing ties, railroad friends dead, injured, downsized, harassed and dismissed. And I remember my milkman dad, my hardworking mom and four younger brothers.

I remember my promise and always have and will use my skills to "make things better". I humbly ask for your vote.

Bargaining Update Continued from Page 1

industry' is in reality a full frontal assault against their unionized employees," said BMWED President Simpson. The carriers' Section 6 contract demands seek massive cuts in railroad employment including the contracting of all production work, one man train crews, and unfettered contracting out of any work currently performed by a rail employee. They also seek further massive levels of employee cost-sharing for health and welfare benefits and the elimination of the Federal Employers Liability Act, the railroad worker's form of workers' compensation. The seven unions in the RLBC anticipated the NCCC's outrageous demands in this contract round and joined together as a counter to the NCCC-led industry bargaining coalition. The RLBC establishes a unified voice and helps level the playing field for this round of bargaining.

Rail Labor Bargaining Coalition Submits Stabilization and Growth Proposal to NCCC

On May 19, the Rail Labor Bargaining Coalition (RLBC) put forth a proposal to the rail carriers to stabilize employment in each rail craft and hire additional employees as traffic levels handled by the railroads increase. The Association of American Railroads has projected the demand for freight service will jump 67 percent by 2020, yet the carriers have failed to maintain a work force that is sufficient for the infrastructure and to operate trains. "For years, the rail carriers have been downsizing their work force and increasing the required hours for the remaining employees. This reduction has compromised the safety of our members and has put the safety of the public at risk," said George Francisco, coordinator of the RLBC and President of the National Coalition of Firemen and Oilers/SEIU.

The RLBC proposal is structured to address incidents similar to the one in Macdonia, Texas last year, when a Union Pacific freight train traveling at 45 mph through a stop signal smashed into another freight train, puncturing a tank car and spilling chlorine gas. The engineer and conductor on the train had worked more than 60 hours over the previous week. Their shifts were long and their hours erratic, as is common in the railroad industry. In the weeks leading up to the crash, each man's work schedule had at least 15 different starting times at all hours of the day. "The Macdonia crash and a multitude of others across the country illustrate a growing fact of life for thousands of engineers and trainmen who guide giant freight trains: fatigued crews lead to accidents, all too often with deadly results," said Don Hahs, President of the Brotherhood of Locomotive Engineers and Trainmen (BLET). "It is incumbent upon the RLBC to ensure, for the safety of our members and the public, that the trains are moved by crews that are not over-

worked and have had adequate rest." The RLBC proposal seeks to ensure an adequate number of employees on a rail line in relation to the growth in demand for its rail services. "This proposal is crucial for bringing the infrastructure of our nations' railroads back to a state of good repair. It will also reduce fatigue in the rail industry, stabilize employment at more appropriate levels, and improve the safety of rail operations," said Fred Simpson, National President of the Brotherhood of Maintenance of Way Employees Division (BMWED).

The NCCC's response was an offer to tie employee compensation to the bonus system applicable to non-agreement employees. These bonus payments would replace period wage increases and would be entirely dependent on the calculations made by the railroads. Additionally, the NCCC presented the BMWED with its "work exit" proposal which seeks to eliminate all production work positions under BMWED agreements. Both railroad proposals were rejected summarily by the RLBC bargaining group.

The RLBC and NCCC met again on June 15 and 16, 2005. The RLBC made proposals on six items. Three written proposals were presented to the NCCC concerning 1) line sales, leases and other transactions; 2) personal leave; and, 3) vacations. Copies of these proposals have been distributed to the General Chairmen. Additionally, the RLBC made three oral proposals regarding 1) holidays; 2) bereavement leave and 3) sick leave. The line sale proposal seeks to enhance the protections now contained in Article XI of the September 26, 1996 National Agreement by providing compensation benefits and enhanced relocation benefits, and give affected employees the option of following their work to the new carrier. The other proposals seek enhancements in the number of paid leave days.

AMTRAK BARGAINING UPDATE

BMWED members on Amtrak have been working without a contract for over five years. President Freddie Simpson pledged to continue the fight for a collective bargaining agreement for Amtrak employees. In May, BMWED offered to arbitrate the terms of the next collective agreement in final and binding arbitration; however Amtrak refused. "We will continue every effort to bring a fair agreement to Amtrak workers who have gone far too long without a new agreement. We have offered a quick and fair resolution to this problem, it is now up to the Amtrak and the current Administration to show the courage necessary to move the process forward. The Administration needs to stop its demonization of Amtrak and its employees and start acting in the best interest of the nation by expanding, rather than trying to killing, passenger rail service."

Annual Scholarship Award Continued from Page 2

is accepted or enrolled.

Application materials must be submitted by mail and be received at the National Division by the close of business September 30, 2005. Faxed applications will not be accepted. Please mail completed applications to:

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

Teamster's Unity Conference Welcomes BMWED Continued from Page 1

(Wisconsin) Mike Koziara, a second generation Teamster, also expressed his pleasure in being part of the Unity Conference. "I had the opportunity to speak directly with General President Hoffa and many of the officers and members of the IBT. It was truly a fantastic experience which I found inspiring, invigorating, and impressive. The Teamsters have a focus and drive which is unsurpassed in Organized Labor, and they have a plan that is geared towards strengthen its membership through strong contracts and strong representation. I continue to be impressed with our new merger partner and remain optimistic about our future."

"We feel very good about being part of the largest transportation union in the world," said Perry Geller, National

Secretary-Treasurer of the BMWED. "Each time we have asked, we have received support and assistance from the Teamsters on our issues. We look forward to rebuilding and reuniting Rail Labor through the Teamsters Rail Conference. Rail Labor unity benefits all of our members and strengthen our ability to take on the carriers at the negotiating table, in the organizing arena, and in the Halls of Congress." Brother Oeth concluded, "Our union's search for a merger partner is behind us and the next phase of the process has begun. We proudly call ourselves Teamsters, and I am pleased that the BMWED now has the resources and support of 1.4 million Brothers and Sisters as we face the challenges ahead."

BMWED Legislative Issues – 109th Congress

Continued from Page 8

develop guidance for a rail worker security training program to prepare rail workers for potential threat conditions; and (6) develop a national plan for public outreach and awareness to increase awareness of measures that the general public and railroad passengers and employees can take to increase railroad system security. The bill sets forth certain whistleblower protections for rail employees or other persons providing information about perceived security threats.

Under the bill, Amtrak will receive \$100 million for security upgrades, plus a total of \$597 million to make fire and life-safety improvements to tunnels on the Northeast Corridor in New York, Baltimore, and the District of Columbia. The bill authorizes \$50 million for the Secretary to create a research and development program to improve freight and intercity passenger rail security.

On May 17 Senate Commerce Committee Chairman Ted Stevens (R-AK), Ranking Member Daniel Inouye (D-HI), and Sen. Jay Rockefeller (D-WV) introduced a multi-modal transportation security bill (S 1052) that would reauthorize the Transportation Security Administration for three years at \$19.34 billion. The bill provides grants (through TSA) to Amtrak, freight railroads and others to address security

needs; provides funding (through DOT) to upgrade railroad tunnels in New York, Baltimore and the District of Columbia; requires railroads to create a railroad workers security training program; and grants some enhanced whistleblower protections.

BMWED is monitoring these bills and working with staff to ensure that comprehensive rail security/safety legislation is passed.

Asbestos (FELA)

In spite of concerns of Senators on both sides of the aisle, The Fairness in Asbestos Injury Resolution Act of 2004 (S 852) was voted out of the Judiciary Committee on May 26 with a bipartisan 13-5 majority. The bill would create a privately funded \$140 billion trust fund to compensate workers and others made ill by exposure to asbestos. One of the biggest challenges to garnering enough support for Senate passage will be easing concerns among conservatives who fear taxpayers might end up footing the bill if the trust fund is depleted before all claims are paid. Considerable resistance also remains from key stakeholders. The AFL-CIO wrote in a May 24 letter to Specter and Leahy that it has "grave concerns" about many of the amendments to the bill that were adopted in earlier markups.

BMWED Legislative Issues – 109th Congress

Amtrak FY 2006 Appropriations

During Amtrak Lobby Week, May 23-27, Rail Labor lobbyists assisted in getting 171 cosigners to a Democratic sign-on letter circulated by Rep. Robert Menendez (D-NJ) to Transportation Appropriators in support of \$2 billion for Amtrak. The letter was sent to the Appropriations Committee on June 8.

The House Transportation Appropriations Subcommittee passed a draft bill on June 15 providing only \$550 million in funding for Amtrak, including only \$50 million for capital improvements in the Northeast Corridor, and mandating the elimination of most long-distance routes. The amount is \$657 million less than in the current fiscal year. On June 20 the full House Transportation Appropriations committee approved the bill by voice vote after turning back a Democratic amendment by Rep. John Olver (D-MA) that would have boosted Amtrak funding to \$1.2 billion.

During its deliberation of the \$135 billion fiscal 2006 Transportation-Treasury-Housing spending bill (HR 3058) on June 29, House members rejected the \$550 million allocated to Amtrak by the Appropriations Committee when it passed by voice vote the bipartisan LaTourette-Oberstar amendment that added \$626 million to Amtrak's budget for the fiscal year that begins Oct. 1, boosting total subsidies to almost \$1.2 billion.

In addition to boosting Amtrak funding, the House also lifted a restriction on how the railroad can spend its money. The House adopted, 269-152, an amendment offered by Corrine Brown (D-FL) striking language drafted in committee that would have limited Amtrak to spending federal dollars

on its most profitable routes, primarily in the Northeast Corridor, some Midwestern spurs, and the California corridor.

The House action to increase Amtrak funding in the bill to almost \$1.2 billion signals a bipartisan rejection of the Bush administration's effort to end Amtrak's subsidy, and places the Senate in a better position to give Amtrak the money that it needs.

The Senate Appropriations Committee is not expected to begin marking up its 2006 spending bill until after the July 4th recess.

A bipartisan House passenger rail caucus led by Reps. Michael Castel (R-DE), Earl Blumenauer (D-OR), Mike Fitzpatrick (R-PA), and Robert Andrews (D-NJ) has been formed to lobby on behalf of passenger rail in general, and to combat Bush administration assertions that Amtrak needs to be overhauled by shifting control of the rails, stations and other infrastructure to states while leaving Amtrak solely responsible for running trains.

Amtrak Reauthorization

Rail Labor lobbyists also promoted the bipartisan three year, \$6 billion reauthorization and companion legislation (HR 1630, HR 1631) that makes a \$60 billion investment in passenger and freight rail during Amtrak lobby week. The House T&I Committee approved the bills in April. BMWED supports both bills.

Rep. Robert Menendez (D-NJ) introduced an Amtrak reauthorization bill (HR 2992/TRAIN -21) on June 20 requesting \$2 billion per year for FY 2006 through FY 2011. The bill provides Amtrak the money it needs, and establishes a new state matching program designed to improve the quality

of train service in rail corridors throughout the country. The last two titles are modeled after ARRIVE-21, however, the first two titles have labor provisions as well. BMWED is reviewing the legislation.

TEA Reauthorization

The Senate passed its TEA-21 reauthorization bill (S 372) on May 17 with a vote of 89-11. Sen. Jeff Sessions (R-AL) amendment to roll back the cost of the legislation to the \$284 billion level supported by the Bush administration failed with a vote of 16-84. Sessions' amendment would have cut transit funding by \$5 billion. The total overall funding level remained at \$295 billion. Conferees were appointed to resolve differences between the \$284 billion House-passed bill and the \$295 billion Senate version. Shortly before the Memorial Day recess both chambers passed a short-term extension that would expire on June 30.

At this writing, House and Senate conferees struck a deal on the overall funding level. The final bill will provide \$286.5 billion in funding over five years. It is being reported that the Senate will get 40 percent of projects that do not count toward each state's rate of return, and would have a say in how 50 percent of the funds in discretionary programs were awarded. It is not clear if all work on the bill will be wrapped up before the June 30 deadline. It is possible that Congress may need to pass one additional short term extension.

Efforts to remove the hostile 13(c) provision inserted in the Senate legislation continue during conference. The support of Senate Democratic Leader Harry Reid (D-NV) and T&I Committee Chairman Don Young (R-AK) have been enlisted. Rep. Jim Oberstar (D-

MN) will lead the effort on the House Democratic side.

The Section 13(c) program maintains the longstanding collective bargaining and job rights of transit and commuter rail workers. Reps. Bob Ney (R-OH), Steve LaTourette (R-OH) and Frank LoBiondo (R-NJ) circulated a Republican sign-on letter to T&I Chairman Don Young expressing strong support for retention of the transit employee protective provisions set forth in the final conference report of HR 3, and rejection of the harmful provision in the Senate bill.

Rail Security/Safety

Chairman Jim Oberstar (D-MN), T&I Railroads Subcommittee, introduced the Rail Security Act of 2005 (HR 2351) on May 12. The bill authorizes more than \$1 billion to safeguard our Nation's rail network from terrorist threats, \$500 million of which is authorized for grants to State and local governments, railroad carriers, rail labor and others for costs incurred for preventing or responding to terrorist activities or other security threats to intercity passenger rail and freight rail service.

The bill directs the Secretary of Homeland Security (Secretary) to: (1) develop a security assessment of railroad transportation identifying critical railroad assets and infrastructures, including threats and vulnerabilities specific to the rail transportation of hazardous materials; (2) use the security assessment to develop a transportation modal security plan that establishes a strategy for minimizing terrorist threats to railroad transportation systems; (3) develop prioritized recommendations for improving railroad security; (4) carry out a research and development program to improve railroad security; (5)

See **Legislative Issues** on Page 7



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