

## Head of FRA, facing two inquiries, is quitting

(The following article by Walt Bogdanich and Jenny Nordberg was posted on the New York Times website on December 20.)

NEW YORK -- Facing two federal investigations of her agency's oversight of rail safety, the acting head of the Federal Railroad Administration announced yesterday that she was stepping down.

The official, Betty Monro, who has led the agency for six months, told her staff in an e-mail message that she had decided to retire. She will leave at the end of the month, the agency said.

The narrower investigation focuses on certain regulatory questions, as well as Ms. Monro's ties to Mary E. McAuliffe, chief lobbyist for the biggest railroad, Union Pacific. That report, by the inspector general of Transportation Department, is complete, officials said yesterday. They declined to release it.

The inspector general, Kenneth M. Mead, is also conducting a broad inquiry of the railroad administration's oversight of safety at the more than 200,000 grade crossings in the United States. Grade-crossing fatalities are up nearly 19 percent for the year through September.

Mr. Mead said that investigation was prompted by a recent series of articles in The New York Times. The articles reported that some railroads had sidestepped their responsibility in crossing accidents, by mishandling evidence and failing to report properly hundreds of fatalities, and they raised questions about whether the railroad agency was too close to the railroads it oversees.

Since President Bush appointed Ms. Monro deputy administrator in 2001, she has vacationed several times with Ms. McAuliffe. Union Pacific has said that they are longtime friends and that each paid her own way.

The results of the broad inquiry are to be released in stages. A spokesman for the Transportation Department, Brian Turmail, said privacy rules prevented the release of any part of the inspector general's first report now. Even so, Mr. Turmail said, Mr. Mead had found that certain "safety and inspection issues still exist" and that the inspector general had issued safety recommendations. Mr. Turmail said he was not permitted to explain the safety problems or the recommendations until the Transportation Department, the parent of the railroad agency, fully reviews the report. Mr. Turmail added that the inspector general had deemed as false unspecified accusations against Ms. Monro by a disgruntled former employee.

The railroad agency declined to make Ms. Monro available for an interview. She issued a statement saying the inspector general had found that her agency had strengthened its enforcement actions, not weakened them. But she also acknowledged that the report raised concerns about her relationship with "a member of Union Pacific's staff."

"His conclusions," she added, "support the fact that I have never allowed the relationship to influence my professional actions."

In her message to the staff, Ms. Monro said she had planned to retire after the election but decided to remain "due to intervening challenges" which she did not describe.

"I now feel I can move forward with my personal plans," she said.

The agency's enforcement has come under fire in the San Antonio region, among other places, where nine derailments or accidents involving Union Pacific trains have occurred since May. Four people died in those accidents.

Representative Charlie Gonzalez, Democrat of Texas, said in an interview that he hoped that the Bush administration had learned from the experience and that it might appoint someone who did not follow Ms. Monro's policies. The agency backed a "partnership" approach to regulation, which emphasized working with railroads, rather than punishing them.

"Sometimes you can't partner up with the industry and hope that things will work their way out," Mr. Gonzalez said.

Separately, the agency announced that it was denying Union Pacific's request to allow its trains to skip inspections after arriving from Mexico.

Union Pacific declined to comment on Ms. Monro's departure or the rejection of its request.

**Monday, December 20, 2004**