

Congress of the United States

Washington, DC 20515

July 20, 2026

The Honorable David Fink Administrator
Federal Railroad Administration
USDOT 1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Administrator Fink,

We write to express our opposition to rescinding the Train Dispatcher Certification under 49 CFR Part 245 and the Signal Employee Certification under 49 CFR Part 246, as included in the Federal Railroad Administration's May 15, 2026, notice of proposed rulemaking (NPRM). We are concerned that eliminating these certification programs will undermine decades of progress made toward improving rail safety.

Under 49 CFR Parts 245 and 246, railroads are required to develop FRA-approved certification programs for dispatchers and signal employees, respectively, to ensure these safety-critical personnel possess the training, knowledge, and skills necessary to perform their duties safely and effectively. These requirements were not created arbitrarily or without extensive review. Rather, they stem from Congressional direction contained in Section 402 of the *Rail Safety Improvement Act of 2008*.

That law required the FRA to evaluate whether certification of additional railroad crafts or classes of employees was necessary to improve safety and reduce accidents and incidents. FRA made the determination in November 2015 that signal-repair and dispatching were viable crafts for certification. The purpose cited by the FRA for advancing the certification requirements was threefold: to recognize the complex safety-critical work performed, to address high turnover which leads to a less experienced workforce, and to prevent persons with active substance abuse disorders from working in safety-sensitive roles. In May 2024, the FRA finalized rules requiring the Class I railroads to implement the certification programs by March 2025. The railroads subsequently requested two extensions that were granted, to March 2026.

Train dispatchers oversee and authorize train movements across extensive rail networks and make decisions that directly affect the safety of railroad workers, passengers, and the public. Their responsibilities include managing train traffic, enforcing speed restrictions, protecting highway-rail grade crossings, safeguarding roadway workers, and ensuring the safe and efficient movement of passenger and freight trains. In its 2015 report to Congress, the FRA found that errors in dispatching can have severe consequences, including major accidents and loss of life.

Signal employees install, inspect, maintain, repair, and test signal systems, train control technologies, and wayside defect detectors, helping to prevent collisions, derailments, and equipment failures. The FRA's 2015 report determined this in safety-sensitive work because signal and train control systems are essential to safe railroad operations. These employees

routinely carry out complex technical tasks that directly affect the integrity and reliability of railroad safety systems.

In its reasoning to repeal the certification requirements in May 2026, the FRA claims that compliance costs associated with these two certification programs may outweigh the anticipated benefits, but by less than \$2 million per year. According to the latest available data from the Surface Transportation Board, the Class I railroads' net income in 2024 was \$23.8 billion. Additionally, the most significant benefits of certification are difficult to quantify, and are not adequately accounted for in the FRA's cost analysis. Take, for example, the reductions in accident risk, environmental damage, service disruptions, delays, cleanup costs, and broader economic harm to the communities where railroads operate, resulting from preventing rail accidents and incidents. The cost of a single preventable dispatching error, signal system failure, derailment, or collision could far exceed the projected costs of maintaining certification requirements.

Accordingly, the FRA should not rescind these certification requirements. We respectfully request that the FRA provide detailed justification for its proposal and explain how the agency has accounted for the safety benefits associated with certification programs for dispatchers and signal employees. Please provide your response by July 28, 2026.

Congress directed the FRA to study and address these issues in 2008 because of the critical safety functions performed by these employees. Any decision to reverse course should be supported by clear evidence demonstrating that the elimination of certification requirements will not increase risk to railroad workers, passengers, or the public.

Thank you for your attention to this matter. We look forward to your response.

Sincerely,



Dina Titus
Ranking Member
Subcommittee on Railroads,
Pipelines, and Hazardous
Materials



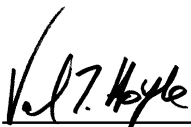
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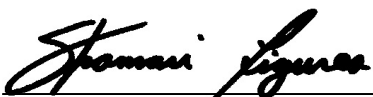
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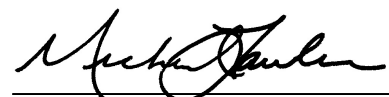
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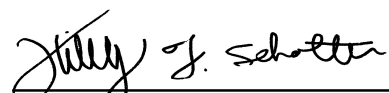
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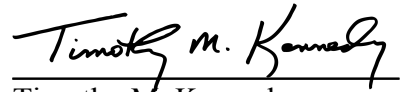
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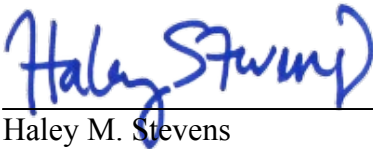
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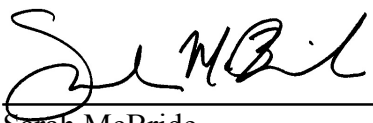
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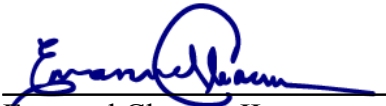
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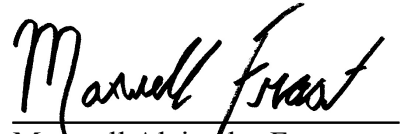
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Member of Congress



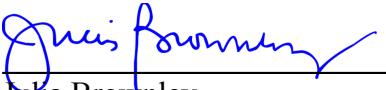
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