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U.S. Department
of Transportation

**Federal Railroad
Administration**

1120 Vermont Ave., N.W.
Washington, D.C. 20590

JUN 19 2003

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2003 JUL -7 PM 12:45
OFFICE OF CHIEF COUNSEL

Mr. W. Dan Pickett
International President
Brotherhood of Railroad Signalmen
601 W. Golf Road, Box U
Mount Prospect, Illinois 60056

Dear Mr. Pickett:

Thank you for your letter of May 15, 2003, regarding the Illinois Department of Transportation (IDOT) Positive Train Control (PTC) project. Your letter asks us to instruct Lockheed Martin, the System Designer and Integrator, to conduct additional risk assessment activity with respect to the limitations of the IDOT system in protecting roadway workers within the limits of their authorities.

I appreciate your concern that the opportunities provided by this project to address roadway worker safety are not yet being fully exploited. There are certainly implementation strategies available that would provide for a more secure work environment. The Federal Railroad Administration (FRA) will join with you to encourage further development of this and other systems to take advantage of those available strategies.

The specific point regarding the risk assessment for the IDOT project presents an issue that (assuming no change to the system, which is in its final stages of implementation) should clarify as the safety case unfolds. We agree that the ASCAP analysis should test sensitivities surrounding any possible increase in risk over the base case associated with the planned acknowledgment approach entering work zones. I will request the North American Joint PTC Program Office to work with your organization and other parties to explore the parameters of that analysis. When we receive the Product Safety Plan from the North American Joint PTC Program Office, we will look carefully to see that this has been resolved.

Looking beyond the current IDOT project phases, I continue to believe that the road upon which we have set out will lead to implementation of PTC, including effective implementation of all core functions. However, this will take some additional time, and some of the systems under discussion for investment do fall short of fully satisfying one or more criteria.

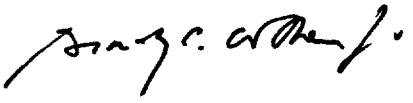
Your organization should be acutely aware that nothing we are doing in the pending rulemaking will mandate the implementation of PTC systems. Under the ground rules worked out by the labor and management caucuses of the PTC Working Group and presented to FRA, the requirement for new technology is essentially that it not degrade safety. Within that context,

FRA is not in a position to mandate that implementation of a ***portion*** of the core functions be routinely accompanied by ***100% satisfaction*** of the core functions.

By their nature, performance standards are intended to provide wide latitude to meet overall safety objectives, and the approach settled up by the PTC Working Group is a very high level performance standard. Very unfortunately, the fact that we have all agreed upon a definition of PTC does not mean that railroads are committed to building systems that meet all of our expectations.

I do appreciate FRA has a responsibility as steward of public funds to do what we can to foster deployment of systems that meet all of our safety objectives. Accordingly, I will forward your communication to the Administrator and other FRA officials for their consideration. All of us at FRA appreciate your strong advocacy and hard work on behalf of the safety of your members and the American public.

Sincerely,



Grady C. Cothen, Jr.
Deputy Associate Administrator
for Safety Standards and Program Development