

Testimony of Mr. David Capozzi
Nominee to the Amtrak Board of Directors
United States Senate Commerce, Science and Transportation Committee
Hearing on Nominations, September 7, 2022

Chair Cantwell, Ranking Member Wicker, distinguished members of the Committee, my name is David Capozzi. I am honored to be here with you today as a nominee for Amtrak's Board of Directors. As you know, if confirmed, I will be the first person to fulfill the requirement included in the Infrastructure Investment and Jobs Act, or IJJA, that Amtrak's Board include "at least 1 individual...with a disability...who has a demonstrated history of, or experience with, accessibility, mobility and inclusive transportation in passenger rail or commuter rail."

I am the right person for the job. I have worked to make rail transportation more accessible to individuals with disabilities for over 35 years. I was a member of the legal team for the disability community that helped Congress craft the Americans with Disabilities Act, or ADA, and testified in support of its passage before the House Committee on Public Works and Transportation. Following the ADA's enactment, I chaired the committee formed by the Urban Mass Transit Administration, the predecessor of today's Federal Transit Administration, which developed the Department of Transportation's proposed rule to implement the ADA.

I served as National Advocacy Director for the Paralyzed Veterans of America and Vice President of Advocacy for Easterseals. While at Easterseals, I managed Project ACTION, a congressionally created program to promote cooperation between the disability community and the transportation industry to improve access to transportation for people with disabilities.

In 1992, I joined the Access Board, the federal agency whose mission is accessibility for people with disabilities. I served as its Executive Director from 2008 until my retirement from federal service in 2020. During my time at the Access Board, I led the development of guidelines and standards to implement the ADA and other federal laws. This included updating accessibility guidelines that apply to fixed guideway systems, including rapid, light, commuter, intercity, and high-speed rail.

I will bring to the Amtrak Board my many years of experience, both outside and within the federal government. During my career, I developed positive relationships with a wide range of groups representing the transit and disability communities. I will also bring my passion for ensuring that Amtrak makes accessibility one of its highest priorities.

There are now unprecedented levels of funding for Amtrak and intercity passenger rail that Congress provided in the IIJA, making this a critical time for advancing the vision of an expanded and improved intercity passenger rail network. As one who shares that vision, I am particularly excited to be nominated to Amtrak's Board, in this moment, to aid its success and help fulfill Amtrak's ADA obligations.

Only about a quarter of the nearly 400 stations Amtrak has or shares ADA responsibility currently comply with the ADA. As part of a 2020 settlement with the Department of Justice, Amtrak made commitments to bring these stations into compliance. My understanding is that Amtrak plans to spend \$900 million over the next five years to achieve that goal.

Over the next ten years, Amtrak intends to replace or initiate procurements to replace the majority of its existing passenger equipment fleet. Since passenger railcars often have a service life of 40 years or more and cannot be easily modified, it is important that the new equipment is designed and manufactured to optimize accessibility. Again, I intend to ensure that happens.

As a member of Amtrak's Board, one of my areas of focus would be in providing leadership and attention in fulfilling Amtrak's obligations under the ADA and the DOJ settlement agreement and working to secure the appropriate levels of funding for that purpose.

Serving on Amtrak's Board of Directors would provide me the opportunity to oversee Amtrak's implementation of the laws, regulations, and guidelines I spent my career helping to develop and to be part of the team that helps enable individuals with disabilities travel without obstacles wherever they want to go by Amtrak.

Thank you for your consideration of my nomination. I will be happy to answer any questions and if confirmed I look forward to working cooperatively with the committee.