



Brotherhood of Locomotive Engineers and Trainmen

A Division of the Rail Conference — International Brotherhood of Teamsters

NATIONAL LEGISLATIVE OFFICE

25 Louisiana Avenue, NW, 7th Floor Annex • Washington, DC 20001
Phone: (202) 624-8776 • Fax: (202) 624-3086 • holmes@ble-t.org

RAYMOND A. HOLMES

*Vice President and
National Legislative Representative*

March 31, 2006

Docket Clerk
DOT Central Docket Management Facility
Room PL-401
400 7th Street, SW (Plaza Level)
Washington, DC 20590-0001

Re: Docket No. OST-2006-24112

Dear Docket Clerk:

On March 10, 2006, the Office of the Secretary of Transportation (“OST”) published a Notice of Proposed Rulemaking (“NPRM”) that would amend Part 40 of Title 49 of the Code of Federal Regulations to add state licensed and certified marriage and family therapists (“MFTs”) to the list of credentialed professions eligible to serve as substance abuse professionals (“SAPs”) under Subpart O. 71 Fed. Reg. 12331-12332. These comments are submitted by the Brotherhood of Locomotive Engineers and Trainmen, a Division of the Rail Conference of the International Brotherhood of Teamsters (“BLET”), which is the duly designated and recognized collective bargaining representative for the craft or class of Locomotive Engineer employed on all Class I railroads. BLET also represents operating and other employees on numerous Class II and Class III railroads. Because all BLET members are subject to the provisions of Part 40, OST’s proposed rule would have a significant impact upon our members. For the reasons set forth below, BLET supports OST’s proposal.

As noted in the NPRM, Section 4148 of the “Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users” (P.L. 109-59) mandates the proposed rule. In BLET’s view, the intent of Congress in enacting Section 4148 was to improve access to and delivery of care by SAPs. Achievement of this goal would benefit all BLET members, as well as all transportation workers.

Moreover, OST’s proposal to certify MFTs as SAPs for purposes of Part 40 without waiting for all fifty States to implement licensing and/or certification procedures for MFTs avoids any undue delay in fulfilling its statutory mandate. The language proposed will effect the purposes of Section 4148 on a timely basis, and also provides for the automatic inclusion of MFTs in the two

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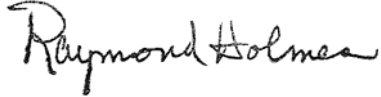
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States where no licensing or certification procedure currently exists, upon implementation of same. For all of the above reasons, BLET supports OST's proposed rule.

Respectfully submitted,

A handwritten signature in cursive script that reads "Raymond Holmes".

Vice President and National Legislative Representative

cc: Don M. Hahs, National President
Thomas A. Pontolillo, Director of Regulatory Affairs