

# Norfolk Southern CEO testifies to the US Senate on East Palestine, Ohio disaster, hours after yet another derailment

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*Do you work at Norfolk Southern or another Class I railway? Do you live in East Palestine or a neighboring community? Tell us what you know about the Norfolk Southern disaster by filling out the form at the bottom of this article. All submissions will be kept anonymous.*

Political theater was on display at a Senate hearing Thursday on the East Palestine, Ohio derailment. Senators feigned outrage to cover up for their own culpability in the derailment of toxic chemical cars that poisoned an entire community. Norfolk Southern CEO Alan Shaw was the highest-profile witness called to testify to the Senate Environment and Public Works committee.

Only hours before the hearing, another massive derailment of a Norfolk Southern train took place, this time in central Alabama. Thirty cars were involved in the wreck. "There is no risk at all to the public," a railroad spokesperson claimed in a press conference later that afternoon. He then deflected when asked by a reporter about the frequency of accidents on the company's network, declaring: "'Derailments' are a very loose term. Derailment could mean as little as one wheel off the track. So as far as an increase, decrease, I can't really get into that."

This is at least the fourth accident at Norfolk Southern alone over the previous six days, including two in Ohio, one of which killed a railroad conductor and another that involved four tanker cars (which were reportedly empty at the time). On Tuesday, a derailment of a Norfolk Southern tanker car in Verdigris, Oklahoma was caught on eyewitness video. Sparks can clearly be seen coming off the wheels of the car as it leaps the tracks.

In the early morning hours on Wednesday, a CSX train caught fire and derailed after hitting a rock slide in West Virginia. Three people were injured, and the accident spilled diesel fuel into the adjacent New River. Like the

creeks in East Palestine, where vinyl chloride and other chemicals were spilled in the derailment and "controlled" release and burn last month, the New River is a tributary of the Ohio River, from which five million Americans get their drinking water.

This endless series of disasters on the railroads formed the backdrop for the hearing and exposed the fraudulent character of the proceeding, including blustering by various Senators and empty pledges by corporate executives to "do better" in the future. Meanwhile, the rampant cost-cutting and negligence which contributed to the disaster in East Palestine is continuing just as before.

The hearing was designed primarily to bolster the reputations of various senators while covering up the responsibility of Congress and the government for the disaster. The 16 members of the Committee who were members of the Senate last December voted 13 to 3 in favor of banning a national strike by 120,000 railroad workers, in which safety and understaffing would have been the key issues, and to impose a contract, brokered by the Biden administration that workers already rejected.

Sanders cast a meaningless "no" vote after he played a key role in the maneuvering by Democrats to use Republican opposition to adding a few sick days in order to cover for their own support. The expedited procedures used to pass the anti-strike law required, and received, unanimous support from the whole Senate. In the House, three members of the Democratic Socialists of America, including Alexandria Ocasio-Cortez, voted for the bill.

Last month, Sanders also lept to the defense of Transportation Secretary Pete Buttigieg over questions about his department's responsibility for the disaster, while also implying that the rail crew was to blame.

The first panel consisted of Ohio Senators Sherrod Brown, a Democrat, and J.D. Vance, a Republican, as

well as Democrat Bob Casey of Pennsylvania. Various residents were invited to attend the hearing, but none of them were interviewed as witnesses. The senators instead left it to themselves to speak on their “behalf.” Brown and Vance have co-sponsored a bill in the Senate containing only minor safety improvements, which appear to be dead on arrival due to predictable opposition from a majority of Republicans. In the House, Republicans have refused to even hold a hearing on East Palestine.

While Casey and Brown both voted in favor of the anti-strike law, Vance did not vote only because he took office in January. He is one of a handful of extreme-right Republicans attempting to capitalize on the disaster from a right-wing populist standpoint, blaming the manifest indifference by the Biden administration on the fact that area residents were white and voted for Trump. This is absurd: both parties have long backed large corporations responsible for environmental disasters, regardless of the political leanings or race of those affected.

The most remarkable portion of the hearing was the testimony of Norfolk Southern CEO Alan Shaw. In a vague, evasive opening statement, which was also published in the *Washington Post*, Shaw boasted about “the progress we’ve made cleaning the derailment site, providing financial assistance to residents whose lives have been disrupted, and investing in the future of the community.” In fact, residents have been largely left out to dry, with NS offering only to cover rental costs for one-and-a-half months for those forced to relocate, and even then only for those living within a mile of the accident site.

As for cleanup, the company, with the full support of the federal and state government, has been engaged in a cover-up, including an initial water sampling with serious methodological issues that was then used by the governor to claim that the town’s drinking water was safe.

Earlier in the week, Norfolk Southern released a “six point safety program,” intended in part to give Shaw some talking points at the Senate hearing, which committed the company to hardly anything concrete.

The most prominent element in Shaw’s testimony was his provocative levels of evasiveness in response to direct questioning from senators about what the railroad planned to do. He gave no specifics on how much Norfolk Southern would spend to clean up the site or reimburse families for what they have lost.

Asked by Sanders if Norfolk Southern would commit to the long term medical needs of East Palestine, Shaw refused to make any definite commitment, declaring

blandly that “everything is on the table.” Asked by Sanders if Shaw would support paid sick leave for all of his employees, he responded that “I share your focus on our employees. I will commit to continuing to discuss with them important quality-of-life issues.”

Sanders then asked Shaw about the railroads’ practice of “Precision Scheduled Railroading” or PSR, which creates dangerous conditions by keeping train crews on call 24/7. Again, Shaw sidestepped the question.

Shaw was asked by Democrat Jeff Merkley from Oregon if he would pledge to stop stock buybacks “until a raft of safety measures have been completed to reduce the risk of derailments and crashes in the future.” Shaw refused to make any such a pledge and only stated that he “will commit to continuing to invest in safety.” He even refused to endorse, at least without heavy qualifications, the rail safety bill co-sponsored by Brown and Vance.

While these responses evoked grumbling from the senators, meant for public consumption, Shaw was clearly calling the Senate’s bluff. He knew full well that, in spite of the hearing, Congress is fully committed to defending the bottom line of Norfolk Southern and the other railroads and helping to cover up the scale of the disaster.

This further underscores the fact that appeals to Washington and to either party will fall on deaf ears. Making whole the residents of East Palestine and other areas affected by derailments, and stopping the reckless profiteering that leads to accidents instead must be based on the independent mobilization of the working class.



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