

**Testimony of Mr. David Capozzi**  
**Nominee to the Amtrak Board of Directors**  
**United States Senate Commerce, Science and Transportation Committee**  
**Hearing on Nominations, September 11, 2024**

Chair Cantwell, Ranking Member Cruz, 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. If confirmed, I will be the first person to fulfill the requirement included in the Infrastructure Investment and Jobs Act, or IIJA, 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 that job. For over 35 years, I have worked to make rail transportation more accessible to individuals with disabilities. I was a member of the legal team for the disability community that helped Congress craft the Americans with Disabilities Act, or ADA. I testified in support of its passage before the House Committee of jurisdiction. Following the ADA's enactment, I chaired the committee formed by the Urban Mass Transit Administration, today the Federal Transit Administration, which developed the Department of Transportation's proposed rule to implement the ADA.

From 1985 to 1989, I served as Associate Advocacy Director and National Advocacy Director for the Paralyzed Veterans of America. Subsequently, I spent three years as Vice President of Advocacy for Easterseals. There, 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 I retired from the federal government 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 relating to disability. This included updating the accessibility guidelines that apply to commuter, intercity, and high-speed rail systems.

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

The IIJA provides unprecedented levels of funding for Amtrak and intercity passenger rail. It gives Amtrak and its stakeholders the opportunity to advance the vision of an expanded and improved – and accessible – intercity passenger rail network. Because I have long shared that vision, I am particularly excited to be nominated to Amtrak’s Board at this time, and to support its efforts to achieve those objectives and fulfill its ADA obligations.

Today, only about a third of the nearly 400 stations for which Amtrak has or shares ADA responsibility comply with the ADA. As part of a 2020 settlement with the Department of Justice, Amtrak made commitments to bring these stations into compliance. 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.

Of particular importance is ensuring that the new long-distance equipment Amtrak plans to order within the next year meets and exceeds the requirements of the ADA. 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. I intend to ensure that happens.

As an advocate for the disability community and later in my federal government service, I have spent my career helping to develop the accessibility laws, regulations, and guidelines that apply to Amtrak. Serving on Amtrak’s Board of Directors would enable me to oversee their implementation, and to help ensure that individuals with disabilities can travel without obstacles wherever they want to go by Amtrak. I welcome that opportunity.

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.