

United States Senate

WASHINGTON, DC 20510

May 9, 2024

The Honorable Amit Bose
Administrator
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Dear Administrator Bose:

We are writing in strong support of the proposed regulation to implement the Stopping America's Foreign Enemies Through Rail And Infrastructure National Security Act (SAFE TRAINS Act; 49 U.S.C. § 20171). We commend the Federal Railroad Administration (FRA) for prioritizing this critical rulemaking in the notice of proposed rulemaking (NPRM) to amend the Freight Car Safety Standards to implement certain provisions of the Infrastructure Investment and Jobs Act (IIJA) (Docket No. FRA-2023-0021). Included in in Section 22425 of IIJA, this bipartisan legislation safeguards the North American freight rail industry and critical rail infrastructure from adversarial state-owned enterprises.

The domestic freight railcar industry is a vital sector of our economy, supporting over 65,000 family-wage jobs and upwards of \$6.5 billion in GDP. Further, freight rail is a crucial part of America's critical infrastructure. Essential commodities, energy products, everyday goods, and military equipment, among other things, are safely and efficiently moved by rail daily.

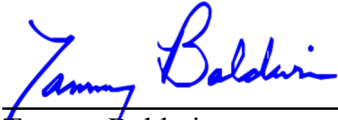
A significant threat to a strong U.S. transportation manufacturing sector and supply chains is the rise of predatory Chinese state-owned and-supported enterprises, which rely on government-subsidized, below-market pricing to drive legitimate competitors out of business. Over the past decade, the Chinese state-owned rail enterprise CRRC Corporation Limited (CRRC) has pursued a singular goal of displacing those same U.S. companies and dominating railcar manufacturing in the United States and around the world. This CCP-directed \$35 billion company has made aggressive and alarming inroads into the U.S. by using anti-competitive tactics to infiltrate domestic railcar manufacturing, wiping out American manufacturing in the process. The passage of the legislation and FRA's subsequent NPRM are critical steps toward supporting the continued viability and robustness of the domestic freight railcar manufacturing industry and, therefore, ensuring the safety of the North American rail system.

While finalizing the rulemaking for the SAFE TRAINS Act safeguards the North American freight railcar industry for the benefit of the American people, FRA should consider several proposals outlined below that align with the congressional intent of the law as passed.

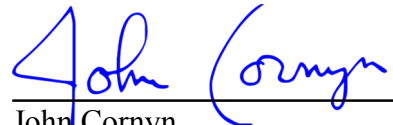
We encourage FRA to include its interpretation of “active components” to expressly include microprocessors, short range wireless processors, and long-range wireless processors, given the central importance of these components in wireless sensor devices. In addition, we understand FRA’s justification for interpreting the sensitive technology provision of the Act to apply only at the time of manufacture and appreciate FRA’s desire to strike the appropriate balance between enhancing the safety and security of the U.S. railway system while minimizing the burden to industry and to FRA.

Thank you for your consideration of this request.

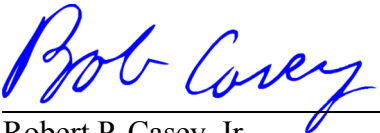
Sincerely,



Tammy Baldwin
United States Senator



John Cornyn
United States Senator



Robert P. Casey, Jr.
United States Senator