

June 14, 2021

The Honorable Maria Cantwell
Chair, Senate Committee on Commerce, Science and Transportation
420 A Hart Senate Office Building
Washington, DC 20510

The Honorable Roger Wicker
Ranking Member, Senate Committee on Commerce, Science and Transportation
512 Dirksen Senate Office Building
Washington, DC 20510

The Honorable Gary Peters
Chair, Surface Transportation, Maritime, Freight, and Ports Subcommittee
420 A Hart Senate Office Building
Washington, DC 20510

The Honorable Deb Fischer
Ranking Member, Surface Transportation, Maritime, Freight, and Ports Subcommittee
454 Russell Senate Office Building
Washington, DC 20510

Dear Chair Cantwell, Ranking Member Wicker, Chair Peters and Ranking Member Fischer:

As Congress works to complete legislation providing much-needed investment in infrastructure, fostering continued economic recovery and addressing the threat of global climate change, freight railroads are a key part of the solution. Every ton of freight moved by rail strengthens the economy, supports jobs, mitigates pollution and saves taxpayers money.

Freight railroads invest their own private capital into maintaining and upgrading their infrastructure and technology while other modes require taxpayer assistance. Freight railroads were the only mode of transportation that did not seek government assistance during the pandemic.

Because a train can carry the load of several hundred trucks, railroads ease burdens on the nation's highways and bridges while also reducing congestion and emitting 75% fewer greenhouse gas emissions per ton-mile. As the greenest way to move freight over land, railroads account for approximately 40% of U.S. intercity freight while emitting only 2.1% of transportation-related emissions.

Freight railroads are safe and getting safer. By all measures, the last decade has been the safest in railroad history.

In short, freight railroads are essential to the nation's economy and to combating climate change, especially with freight demand expected to rise 30% by 2040. As such, we believe any infrastructure package must enable continued robust private sector investment in freight rail.

Specifically, when considering infrastructure legislation, Congress should include the following policies:

- **Restore the Highway Trust Fund.** Railroads both compete with trucking companies over freight and count them among their biggest customers. Highway congestion and deficient infrastructure hurt the entire intermodal network. To ensure a robust and solvent Highway Trust Fund (HTF), Congress should base HTF funding on a “user pays” principle. When general fund monies are used to pay for roads and bridges, and when heavy trucks are allowed to operate without paying the full cost of their impact, highways are incentivized for freight movement.
- **Improve Partnership Opportunities.** Increasing funding for highway-rail grade crossing projects and discretionary grant programs enable the public sector to improve highway safety along railroad crossings and to partner with freight railroads to advance projects of mutual interest. Congress should increase funding for these activities.
- **End Modal Inequity.** Freight rail is the safest, most efficient and most environmentally sustainable way to move freight over land. Less efficient modes of transportation receive federal subsidies in the form of artificially low fuel taxes as well as incentives to automate their operations to improve network fluidity and safety. Congress should implement a vehicle-miles-traveled (VMT) fee – that also factors in vehicle weight – to ensure heavy trucks pay their full infrastructure cost. Policymakers should also avoid prescriptive operational requirements on railroads, like minimum crew size mandates, that would not improve safety but would limit innovation and competitiveness.
- **Provide Amtrak Funding.** A reliable passenger rail network is the most environmentally friendly mode for moving people over land and is a critical connector both in dense corridors and across rural areas. Congress should provide funding for Amtrak and state-supported passenger routes to maintain and replace current critical infrastructure.
- **Preserve Balanced Economic Regulation.** Balanced economic regulation has allowed freight railroads to pour nearly \$740 billion of their own money – not taxpayer dollars – back into the rail network since 1981. Congress should avoid changes that would threaten rail investment and undermine the ability of railroads to help the nation meet other policy goals.

Thank you for your leadership and for your continued attention to the role of freight railroads in supporting a robust and sustainable economic recovery.

Sincerely,

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CC: Members of the Senate Commerce, Science and Transportation Committee