

AMERICA'S COAL ASSOCIATIONS

August 31, 2023

Senator Charles Schumer
Majority Leader

Senator Mitch McConnell
Minority Leader

Senator Maria Cantwell
Chair, Senate Commerce Committee

Senator Ted Cruz
Ranking Member, Senate Commerce Committee

Congressional Coal Caucus Members

We are concerned about the Railway Safety Act (S. 576) as reported by the Senate Commerce Committee. Freight rail is vital to our industry, our customers, and our nation. As currently drafted, this legislation would hurt our industry through impaired rail service and increased costs.

In its present form, the bill would place unnecessary burdens on railroads and their customers that are not related to the February derailment of a freight train in East Palestine, Ohio (“the East Palestine train”). For example, the bill includes the first federal crew-size mandate, but the East Palestine train had three crewmembers on board. The bill also prompts the Department of Transportation to impose rules related to train length, even though Chair Homendy of the National Transportation Safety Board testified in March that the East Palestine train was not particularly long. These significant mandates would disproportionately impact our industry to the detriment of America’s energy security.

We applaud Congress’s attention to railroad safety. The National Transportation Safety Board recently discussed several valuable lines of inquiry at a public hearing held in East Palestine as it continues to investigate the root causes of the derailment. Any new mandates should be related to the issues from that derailment, grounded in data, and cabined to avoid potential unintended consequences. With the benefit of further information and work, we are confident that Congress could craft legislation that meaningfully improves railroad safety without associated harms to our industry and others.

On behalf of America's Coal Associations representing 381,000 American Workers and \$261 billion in America’s economy, thank you for considering our views on S.576.

Sincerely yours,

Chris R. Hamilton, West Virginia Coal Association

Travis Deti, Wyoming Mining Association

On Behalf of the following organizations:

Alabama Mining Association

America's Coal Council

Energy Policy Network

Illinois Coal Association

Kentucky Coal Association

National Coal Transportation Association

Ohio Coal Association

Reliable Energy, Inc.

Rocky Mountain Mining Institute

Utah Mining Association

Wyoming Mining Association

West Virginia Coal Association