

Oppose H.R. 3896 – The Protection of American Jobs in Cross-Border Rail Operations with Mexico Act

Background: For more than 25 years, Canadian train crews have delivered U.S.-bound trains to rail yards several miles into the U.S. where those crews then hand over control to a U.S.-based crew and return to Canada, often operating a Canadian-bound train back over the border. Similar operations have recently begun along the southern border using certified Mexican crews operating trains into rail yards in Laredo, Texas.

The Problem: If enacted, H.R. 3896 would prohibit Mexican crews from delivering trains into U.S. rail yards, which would harm the ongoing safety, security, and efficiency of the U.S. rail network and increase blocked crossings and congestion in Laredo, Texas. This legislation would undo many of the efficiencies achieved through collaboration between Kansas City Southern (KCS), Union Pacific (UP), the Federal Railroad Administration (FRA), U.S. Customs and Border Patrol (CBP) and its Mexican counterpart, Servicio de Administración Tributaria (SAT).

Key Facts

- ✓ A federal judge has already ruled in favor of KCS' use of these crews at the Laredo Gateway, dismissing challenges from rail labor unions.
- ✓ The introduction of international crews has not reduced hours, jobs or compensation for U.S. rail workers. In fact, as capacity across the Laredo International Rail Bridge has increased, **new jobs have been created** in the U.S. to handle the additional trains.
- ✓ CBP and FRA have already authorized these international crews and are working with KCS and UP to implement their Secure Corridor strategy to improve the safety, security and efficiency of cross-border trade.

The Laredo Rail Crossing: The Laredo rail crossing is the busiest on the US-Mexico border and North America's largest international rail interchange point. An average of 23 to 24 trains — carrying a variety of products vital to the economic security of both countries — are processed in both directions each day.

Unlike at our northern border, trains interchanged at the southern border were previously required to come to a complete stop on the single-track Laredo International Rail Bridge in order to change crews, a process that could take over an hour. The process also has, at times, made the border a bottleneck, resulting in security and public safety risks as 125 standing train cars — vulnerable to theft, vandalism and trespassing — block multiple street and highway crossings on either side of the border.

Secure Corridor Cross-Border Rail Operations Strategy: To increase capacity at the Laredo International Rail Bridge, KCS and UP joined with FRA, CBP and SAT to create the Secure Corridor strategy. This strategy aims to operate trains across the bridge without stopping; unify cargo processing through collaboration between railroad partners and U.S. and Mexican regulatory agencies; and enhance technology inspections.

KCS-Certified International Crews: As part of this Secure Corridor strategy, KCSM — KCS' Mexican affiliate — obtained necessary certifications to allow crews from Mexico to travel roughly 10 miles into the U.S. to the Laredo rail yard and back to Mexico on southbound trains while complying with the FRA's hours of service requirements. In close consultation with FRA and CBP, these crews began operating in July 2018. Currently, nine fully-vetted, well-qualified Mexican crews are authorized to operate between four to six trains entering the U.S. daily. No longer having to stop trains to change crews on the Laredo International Rail Bridge has mitigated delays on the bridge and decreased train processing times.

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According to CBP, the new interchange process has reduced train idle time by about one-third, resulting in fewer blocked crossings in downtown Laredo and helping to reduce congestion and potential security risks. **Capacity across the Laredo International Rail Bridge has also increased, allowing up to four additional train slots per day and creating new jobs in the U.S.**



Laredo International Rail Bridge with Mexico on the left and the U.S. on the right. Photo credit: FRA.

"Crew changes along the U.S. and Mexican border are a challenge to moving goods in an efficient and safe manner." - FRA

[InterL. Border Passenger/Freight Rail 2017 Study](#)



KCS Crew approaching stopped northbound train for crew change on the Laredo International Rail Bridge. Photo credit: FRA.

KCS International Mexican Train Crew Employees:

- ✓ Have an average of more than 20 years of rail operating experience.
- ✓ Are licensed by the Mexican government to operate trains.
- ✓ Are trained and tested on U.S. operating rules and regulations.
- ✓ Are required to pass pre-employment, periodic, and random drug tests, with KCSM crews operating within the U.S. being subject to FRA drug and alcohol testing requirements for foreign crews.