

# Oppose the INVEST in America Act

America's railroads are extremely disappointed in the INVEST in America Act and urge opposition to the bill. During this time of crisis, Congress should be looking towards common sense solutions to fund America's infrastructure, not partisan policies that fall far short of what this moment demands.

Current policies have helped railroads continue to deliver for their employees and customers during this pandemic. Now is not the time to retreat from this framework, much less impose partisan policy riders or unnecessary operational requirements. A few examples of these detrimental provisions found in the INVEST in America Act are outlined below.

Now more than ever, Congress must come together in a bipartisan fashion to do better to improve America's infrastructure. Oppose the INVEST in America Act.

- **Effective Prohibition on Movement of LNG by Rail (Section 8202):** The effective prohibition of the safe movement of LNG by rail is unnecessary as the Department of Transportation already has an ongoing rulemaking and has completed a real-world tank car test, in addition to additional research on the transportation of the LNG by rail that is also being undertaken pursuant to the FY 2020 Appropriation bill.
- **Private Right of Action (Section 9204):** With the ongoing standards and metrics rulemaking wrapping up at the Department of Transportation, the legally enforceable contracts already in existence, and the two other options for legal recourse, this provision is unnecessary at this time.
- **Two-Crew Mandate (Section 9509):** This anti-technology provision would prevent any freight railroad staffing modernization in perpetuity, a process that has historically been done through collective bargaining, without providing any safety benefit.
- **Effective Prohibition on Certain Crew Operations (Section 9510):** The effective prohibition on the limited ability of certain Mexican trains crews to continue to operate safely in the U.S. will decrease safety and security of operations, reduce network fluidity, lead to increased blocked crossings in Laredo, Texas, and could negatively impact U.S. jobs.
- **Yardmaster Hours of Service (Section 9511):** Given that a yardmaster is already required to abide by all hours-of-service laws when engaged in an activity that could impact the safe operation of a train, this provision is unnecessary.
- **10-Minute Blocked Crossing Standard (Section 9553):** Each of the nation's 200,000 grade crossings are different, so the one-size-fits-all solution proposed will lead to unintended consequences, including network congestion and reductions in service.