

May 20, 2026

Dear Members of the House Transportation and Infrastructure Committee:

On behalf of the undersigned organizations, representing a coalition of taxpayer, limited-government, and consumer advocates, we write to express our strong opposition to inserting the Railway Safety Act (RSA) into the surface transportation reauthorization package, as well as its most controversial elements. At a time when supply chains remain fragile and inflation continues to place significant strain on American families and businesses, Congress should reject policies that would increase transportation costs, disrupt freight rail operations, and discourage private-sector investment in critical infrastructure.

As you know, the freight rail industry is already one of the safest and most efficient transportation sectors in the United States. Rail companies invest billions of dollars annually into track maintenance, equipment upgrades, employee training, and advanced safety technologies. These private sector initiatives, coupled with a smartly-tailored regulatory framework, have resulted in safer rail networks than ever before.

Unfortunately, the RSA uses rail safety as a guise for new regulations and greater government involvement that carry substantial compliance costs. New requirements related to staffing levels, equipment standards, inspections, and operational procedures would force rail carriers to absorb billions in additional expenses. As is usually the case with regulations, they would ultimately be passed on to consumers, manufacturers, farmers, and energy producers who rely on freight rail to transport goods efficiently across the country.

Perhaps the legislation's most concerning provision relates to a government mandate requiring rail carriers to operate trains with two crew members. Extensive evidence shows no connection between crew size and accident rates. In many cases, only one crew member suffices. Federal reviews in 2016 and 2019, as well as the Federal Railroad Administration's own 2024 rulemaking, suggested there is no causal evidence justifying the mandate. For the many freight operations where a second crew member is unnecessary, this policy represents a doubling of labor costs, which are ultimately passed on to consumers in the form of higher prices. Worse, it hurts the ability for railroads to effectively innovate and become more efficient, which harms our country's ability to compete.

The Rail Safety Act delivers what collective bargaining alone could not: a federally guaranteed employment structure insulated from innovation.

The legislation also risks reducing the efficiency and reliability of freight rail service. Prescriptive federal mandates often fail to account for regional differences, operational realities, and rapidly evolving technologies. Railroads need flexibility to adopt innovative safety practices and allocate resources where they are most effective. Heavy-handed federal intervention could discourage innovation while diverting resources away from practical safety improvements and toward regulatory compliance exercises.

It is also important to recognize the broader economic importance of the freight rail system. America's rail network supports millions of jobs and serves as a backbone of interstate commerce. Policies that weaken the financial stability or operational flexibility of rail carriers could reduce future investment in infrastructure modernization and network expansion. Over time, this could harm both economic growth and long-term transportation safety.

The provisions embedded in the RSA risk raising freight costs, slowing the transport of commodities, and impeding the very investment and innovation needed for safer, more efficient rail operations. Such consequences would hinder economic growth and vitality.

Congress needs to avoid catering to special interests and instead address the issues at hand in a thoughtful, cost-effective manner. Unfortunately, the RSA accomplishes the opposite.

Sincerely,

