



Peter G. Thomas
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Via Federal eRulemaking Portal: www.regulations.gov
Docket Management System
U.S. Department of Transportation
West Building, Ground Floor, Room W12-140
Routing Symbol M-30
1200 New Jersey Ave., S.E.
Washington, D.C. 20590

RE: Comments by Westinghouse Air Brake Technologies Corporation regarding the Federal Railroad Administration's Notice of Proposed Rulemaking "Freight Car Safety Standards Implementing the Infrastructure Investment and Jobs Act," Docket No. FRA-2023-0021

Dear Sir or Madam:

Westinghouse Air Brake Technologies Corporation ("Wabtec") appreciates the opportunity to comment on the United States Department of Transportation ("DOT"), Federal Railroad Administration's ("FRA") notice of proposed rulemaking ("NPRM") to amend the Freight Car Safety Standards ("FCSS") to implement certain provisions of the Infrastructure Investment and Jobs Act (the "Act") Docket No. FRA-2023-0021, which was published in the federal register on December 8, 2023. These comments offer Wabtec's perspective as a global rail technology leader, original equipment manufacturer of freight rail locomotives, and supplier of railcar components used in the manufacture and aftermarket maintenance of the nation's railcar fleet.

Wabtec is a leading global provider of equipment, systems, digital solutions, and value-added services for the freight and transit rail industries, as well as the mining, marine, and industrial markets. Wabtec is headquartered in Pittsburgh, Pennsylvania with over 27,000 employees, including over 12,000 employees in the U.S., and operations in over fifty countries. Wabtec is focused on creating sustainable transportation solutions that move and improve the world. A leader in the rail industry for over 150 years with a vision to achieve a zero-emission rail system in the U.S. and worldwide, Wabtec is one of the world's largest providers of locomotives, freight components, and services for the global rail industry.

The domestic freight railcar industry, to which Wabtec is a key supplier, is a vital sector of our economy. This sector supports more than 65,000 family-wage jobs and upwards of \$6.5 billion in GDP. Freight rail is an important part of America's critical infrastructure. Essential commodities, energy products, everyday goods, and military equipment, among other things, are safely and efficiently moved by rail daily. In 2013, then President Obama and Vice President Biden recognized freight rail's importance to the security of our country by explicitly identifying



the freight rail industry as critical infrastructure when issuing Presidential Policy Directive 21 (PPD-21). The freight rail industry is the cornerstone of our nation's transportation and infrastructure system and is vital to every state in the U.S.

Over the past decade, CRRC Corporation Limited (CRRC), the Chinese state-owned rail enterprise ("SOE"), has pursued a singular goal of displacing U.S. companies and dominating railcar manufacturing in the United States and around the world. This \$35 billion SOE¹ has made aggressive and alarming inroads into the U.S. freight railcar market by using state-backed financing, direct government subsidization (\$1.8 billion since 2015), below-market pricing, and other anti-competitive tactics with the single end goal of producing all railcars in the People's Republic of China ("China") – wiping out domestic railcar manufacturing in the process. FRA's NPRM is a critical step toward supporting the continued viability and robustness of the domestic freight railcar manufacturing industry and, therefore, ensuring the safety of the North American rail system.

As a founding member of the Rail Security Alliance (RSA), Wabtec fully supports RSA's comments submitted as part the FRA's notice of proposed rulemaking to amend the Freight Car Safety Standards to implement certain provisions of the Infrastructure Investment and Jobs Act (the "Act") Docket No. FRA-2023-0021, including its request for the FRA to revise and further expand its definition of "sensitive technology". Furthermore, Wabtec supports the inclusion of additional clarifications on the topic of "IP Infringement Prohibitions".

Sincerely,

A handwritten signature in blue ink, appearing to read 'Peter G. Thomas'.

Peter G. Thomas
Corporate VP, Strategy
Wabtec Corporation