



March 27, 2020

SENT VIA EMAIL & USPS

Mr. Ronald J. Batory
Administrator - Federal Railroad Administration
1200 New Jersey Avenue S.E.
Washington, DC 20590

Dear Mr. Batory:

This references the emergency relief requests from certain railroads and associations (including, but not limited to the Association of American Railroads, the American Short Line and Regional Railroad Association, and the American Public Transportation Association) recently approved by FRA under Docket No. FRA-2020-0002, pursuant to 49 C.F.R. Part 211.

As you are already aware, SMART Transportation Division, Brotherhood of Locomotive Engineers and Trainmen, and other rail labor Organizations take strong exception to certain aspects of FRA's seemingly absolute and unconditional approval of such requests. We find the sweeping nature of these approvals alarming, especially in view of the fact that the rules waived are written with the safety of our members, and the general public, in mind.

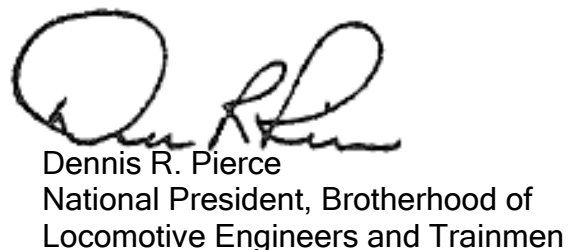
Notwithstanding the unfounded nature of some of the carriers' claims in their applications, our immediate concerns are founded in our firm belief that if the carriers understand and apply FRA's waiver to be carte blanche invitation to ignore rules, it will have a substantial chilling effect on safety. There is also a concern that the carriers would use the excuse of a "downturn in business" to artificially create a shortage of manpower to exploit the use of the waivers.

Please provide clarification with regard to FRA's spirit and intent regarding the carriers' operations under the purview of these waivers.

Looking forward to your prompt response to this important matter, we remain

Sincerely yours,


Jeremy R. Ferguson
President, SMART Transportation Division


Dennis R. Pierce
National President, Brotherhood of
Locomotive Engineers and Trainmen

cc: E. L. Pruitt, BLET First Vice President
B. C. Leonard, Vice President - SMART Transportation Division
S. J. Bruno, BLET National Secretary-Treasurer
G. K. Hynes, National Legislative Director - SMART Transportation Division
J. P. Tolman, BLET Vice President and National Legislative Representative
C. J. Cassity, Alternate National Legislative Director - SMART Transportation Division
V. G. Verna, BLET Director of Regulatory Affairs
J. L. Gibson, Jr., Chief of Staff - SMART Transportation Division