



Transportation Trades Department, AFL-CIO

July 10, 2024

Ms. Carolyn Hayward-Williams
Director, Office of Railroad Systems and Technology
Federal Railroad Administration
1200 New Jersey Avenue SE
Washington DC, 20590

**RE: Railroads' Joint Request to Amend Their Positive Train Control Safety Plans
Docket Nos. FRA-2010-0028, -0029, -0039, -0042, -0043, -0045, -0048, -0049, -
0051, -0054, -0056, -0057, -0058, -0059, -0060, -0061, -0062, -0064, -0065, and -
0070, and FRA-2011-0104**

Dear Ms. Hayward-Williams,

On behalf of the Transportation Trades Department, AFL-CIO (TTD), I am pleased to respond to the Federal Railroad Administration's (FRA) notice regarding a joint Request for Amendment (RFA) received from 21 rail carriers to modify their FRA-approved Positive Train Control Safety Plans (PTCSP) for their Interoperable Electronic Train Management Systems (I-ETMS). TTD consists of 37 affiliated unions representing the totality of rail labor, including the conductors and locomotive engineers who utilize Positive Train Control (PTC) systems in their day to day work.¹ We therefore have a vested interest in this matter. Additionally, we note that our affiliates, the Transportation Division of the International Association of Sheet Metal, Air, Rail and Transportation Workers (SMART-TD) and the Brotherhood of Locomotive Engineers and Trainmen (BLET), have filed comments on this matter. We urge the FRA to thoughtfully consider their input.

Changes to the Human-Machine Interface

The joint RFA requests a number of PTC revisions, which include changes to the human-machine interface (HMI). Specific changes include the addition of a check prior to the on-board segment displaying the "Cut-In" key and updates to the switch icon colors on the track map to clearly represent to the crew which track they are authorized to proceed on. The petition argues that these changes will not impact safety, but that statement cannot be verified given the breadth of redactions contained in the document. Of particular concern is, according to the petition itself, these changes will "require amendments to PTC training for train crews."² If crews will need additional training to utilize the updated PTC software, they should have access to the complete, unredacted document detailing the requested changes.

¹ Attached is a complete list of the unions affiliated with TTD.

² https://downloads.regulations.gov/FRA-2010-0039-0091/attachment_1.pdf

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Greg Regan, President / Shari Semelsberger, Secretary-Treasurer

Redacted Filings

While not infallible, PTC systems provide a crucial level of additional safety for all rail workers. It is therefore essential that stakeholders, including rail labor organizations, have the opportunity to fully examine changes to the HMI of these critical systems. The filing submitted as part of this amendment request contains extensive redactions and is technical in nature. These redactions make it virtually impossible for stakeholders and the public to fully assess the request and subsequently provide meaningful comments. This is especially impactful given that the request has been submitted by 21 rail carriers, which could result in a widespread change should it be granted by the FRA.

Accordingly, the FRA should deny without prejudice this and any future PTCSP RFAs until a system is in place to allow unrestricted review of the filings by rail labor unions. If the railroads or the FRA are unable or unwilling to release the unredacted documentation, we strongly encourage the FRA to adopt guidance allowing for confidential undertakings modeled on the system that the Surface Transportation Board (STB) successfully utilizes. Unions need to be able to review all safety information to provide the FRA with accurate comments, and a confidential undertaking system would allow for this while also protecting legitimate confidential business information and safeguarding data security. TTD and its affiliates have consistently asked the FRA to invoke its authority to address these redactions so that stakeholders and the public can access the information they need to provide substantive comments. This filing is yet another example of why TTD reiterates that request here.

Finally, TTD and our affiliated rail unions received no proactive outreach from the rail carriers involved in this filing. This lack of communication, in conjunction with the substantial redactions contained in the document raises serious concerns with regard to transparency and the true nature of the requested changes to the HMI.

As the regulatory agency, FRA has a duty to not only ensure that railroad operations are conducted safely, but that the public has opportunities to engage and be assured that railroad safety is being actively enforced. We respectfully request that the FRA take our feedback on this matter into consideration. We appreciate the opportunity to provide public comment and we look forward to working with the FRA in the future.

Sincerely,

A handwritten signature in black ink, appearing to read "Greg Regan", with a circular flourish at the end.

Greg Regan
President