



ASSOCIATION OF AMERICAN RAILROADS
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Washington, D.C. 20024

Antonio Robles
Chair, Transborder Committee

July 6, 2020

CBP Paperwork Reduction Act Officer
U.S. Customs and Border Protection
Office of Trade Regulations and Rulings
Economic Impact Analysis Branch
90 K Street NE
10th Floor
Washington DC 20229-1177

CBP_PRA@cbp.dhs.gov

OMB Control Number 1651-0088

Dear Chief Renkema:

The Association of American Railroads' (AAR) Transborder Committee is composed of representatives from all major US freight railroads, several Mexican railroads, the major Canadian railroads and a representative of the short line railroads with transborder business.¹ In general, the Transborder Committee actively supports the automation of data collection activities.

In a Federal Register Notice published May 15, 2020, CBP notified of its intent to expand an existing pilot program to collect rail passenger and crew data electronically. Currently, a variety of collection methods are used that vary and are unique by rail carrier and port of entry. It is not clear from the notice whether the pilot program is intended to cover the passengers and crews on passenger rail trains *only*, or if it is intended to include the crews of freight rail trains as well. Freight railroads do not carry passengers, however, they do have crews that cross international borders. Assuming the notice is intended to apply to crews of freight rail trains, the Transborder Committee makes the following comments on the notice.

The notice requested public comment on: (1) whether the proposed collection of information is necessary for the proper performance of the functions of the agency; (2) the accuracy of the agency's estimate of the burden of the proposed collection; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on trade representatives.

¹ The Transborder Committee's membership does not include Amtrak or any passenger rail providers. Therefore, these comments represent the views of freight railroads and not passenger railroad members of AAR.

The AAR's Transborder Committee agrees that the information to be collected is necessary for CBP to properly perform its functions.

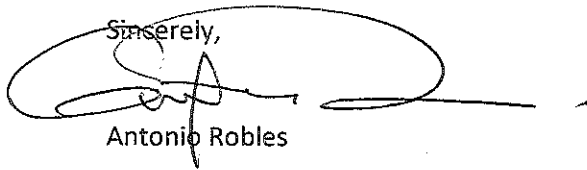
At this point in the development process, the Transborder Committee cannot comment on the accuracy of the estimated costs of the proposed collection efforts. There is not sufficient information available on the proposed collections systems to fully understand the costs of the collection effort. The Transborder Committee are concerned that the collections efforts could be prohibitively expensive for the rail industry to implement if significant development is required.

The Transborder Committee have proposed to CBP in the past an automated system for collecting information on freight rail train crews entering the United States. The system proposed by the freight rail industry would require train crew members to supply CBP with the information required for entry. This data would be supplied separately from the rail companies to protect employee privacy. CBP would review and confirm the information supplied. An identification card would be supplied by CBP to the train crew members. When entering the US, the identification would be presented to CBP.

The Transborder Committee stands ready to revisit this proposal with CBP and to more thoroughly develop the requirements of an automated system to collect the required information.

Thank you for the opportunity to comment on the notice. If you have any further questions, please feel free to contact me at (956) 721-5751 or arobles@kcsouthern.com or James Pinson at (919) 622-9363 or james.pinson@railinc.com.

Sincerely,

A handwritten signature in black ink, appearing to be 'Antonio Robles', with a large, sweeping flourish that extends to the right and loops back under the name.

Antonio Robles