

Congress of the United States
Washington, DC 20515

May 21, 2019

Mr. Patrick J. Foye
Chairman and CEO
Metropolitan Transit Authority
2 Broadway, 4th floor
New York, NY 10004

Mr. Andy Byford
President
New York City Transit Authority
2 Broadway, 4th floor
New York, NY 10004

Dear Chairman Foye and President Byford:

As representatives of the New York State congressional delegation, we write to raise concerns regarding the safety and security of the Metropolitan Transit Authority's (MTA) transit systems. As you may be aware, critical infrastructure systems around the country have been increasingly targeted in recent years as part of coordinated hacking attempts and other forms of systematic interference, often stemming directly from foreign governments. These actions are part of comprehensive efforts to undermine U.S. economic competitiveness and national security, and we have serious concerns regarding MTA's involvement with some of those same foreign governments and the protections in place to ensure that our subway systems remain safe and secure.

Over the past five years, a Chinese state-owned enterprise has won four major contracts to build metro cars for transit systems across the United States. While we are aware that no U.S. companies currently manufacture transit railcars, the prospect of a government-controlled entity doing so in such a widespread fashion is alarming, and we share the concerns raised by many of our colleagues in cities such as Washington, D.C.

As you know, Governor Cuomo announced on May 23, 2017 that the MTA would launch the "MTA Genius Transit Challenge," a grant program that challenged companies and individuals to develop innovative solutions to improve New York City's subway system. On March 9, 2018, MTA announced that the winners of that grant program would include a Chinese state-owned enterprise, which invested \$50 million of its own funds to develop a new subway car for MTA's transit system, despite the absence of any ongoing procurements. This railcar would include modern train control technology, Wi-Fi, and other systems that could be susceptible to cyber-attack, hacking, or left vulnerable to backdoors in key systems.

While we welcome innovation and continued enhancements to the operations of our subway system, we have serious concerns regarding the intimate involvement of a Chinese state-owned enterprise in these efforts. Moreover, we question the impact that this involvement could have on New York's vibrant rail supply sector, which contributes over \$3 billion in GDP to our state economy every year and supports over 5,000 jobs.

Therefore, we ask that you please provide answers to the following questions as MTA continues to procure new railcars and enhance our subway system:

1. Does a company's intimate involvement in the design of MTA's next generation of railcars compromise the integrity of any future open and competitive bidding processes involving upgrades to MTA's fleet?
2. Has MTA received briefings from the Department of Homeland Security or related agencies regarding the potential risks inherent in contracting with entities closely linked to certain foreign governments, particularly those with a record of industrial and cyber espionage?
3. What specific cybersecurity protocols, if any, has MTA attached to its recent genius grants? Please include any mechanisms in place to ensure that any communications technology being developed is protected from being exploited for surveillance purposes.
4. Are these cybersecurity protocols different than the protocols in place for MTA's procurements of rolling stock?

With millions of passengers riding on the New York City Subway system every day, it is important that we take steps to ensure the integrity of our systems and mitigate any cyber risks before attacks happen.

Thank you for your prompt answers to these questions.

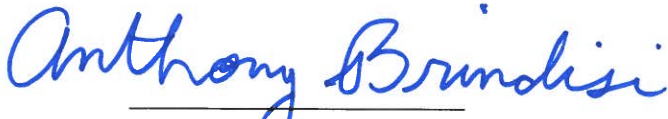
Sincerely,



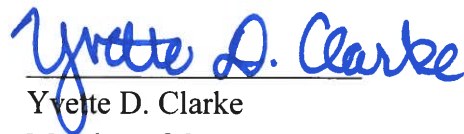
Kathleen M. Rice
Member of Congress



John Katko
Member of Congress



Anthony Brindisi
Member of Congress



Yvette D. Clarke
Member of Congress



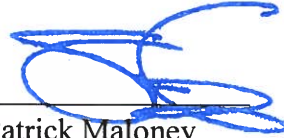
Adriano Espaillat
Member of Congress



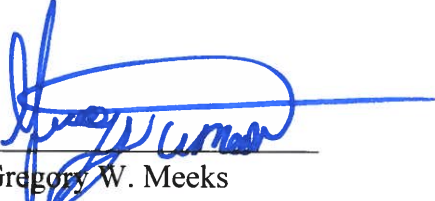
Peter T. King
Member of Congress




Carolyn B. Maloney
Member of Congress



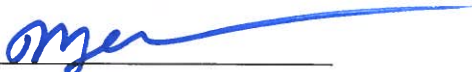
Sean Patrick Maloney
Member of Congress



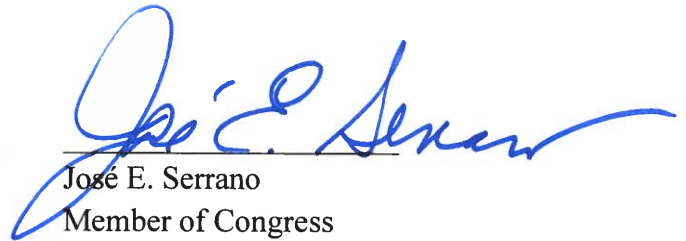
Gregory W. Meeks
Member of Congress



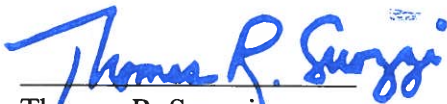
Tom Reed
Member of Congress



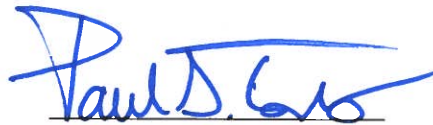
Max Rose
Member of Congress



José E. Serrano
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Thomas R. Suozzi
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Paul Tonko
Member of Congress



Lee Zeldin
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