



Freight Rail Customer Alliance

October 5, 2018

The Honorable Donald J. Trump
The White House
1600 Pennsylvania Avenue, NW
Washington, DC 20500

Dear President Trump:

The Freight Rail Customer Alliance (FRCA) – an umbrella organization including trade associations representing more than 3,500 manufacturing, agriculture and alternative fuels companies, electric utilities, and their customers – strongly supports the nomination of Ms. Deb Miller of Kansas to serve for a second term as a Member of the Surface Transportation Board (STB or Board).

At the same time, FRCA strongly supports the swift confirmation of your other pending nominees to the Board: Mr. Patrick Fuchs (R) of Wisconsin, Ms. Michelle Schultz (R) of Pennsylvania, and Mr. Martin Oberman (D) of Illinois. Our hope is that the nomination and confirmation of the four nominees together, under the continued leadership of STB Chairman Ann Begeman (R), will result in a Board that is able to address a growing backlog of important matters at the agency.

The ***STB Reauthorization Act of 2015 (Act)***, P.L. 114-110, was signed into law in December 2015 after passing the U.S. Senate by Unanimous Consent and clearing the U.S. House of Representatives with strong bipartisan support. The ***Act*** marks the first time since 1998 that the Board was reauthorized. The reauthorizing law: (1) provides much-needed reforms to the Board's process to address numerous historical shortcomings experienced by the Board and industry stakeholders; (2) improves the Board's transparency; (3) helps the Board to operate more expeditiously and efficiently; and (4) better enables the Board to strike a more equitable balance among the interests of its diverse stakeholders. The ***Act*** also expands the size of the Board from three Members to five Members, with no more than three Members from the same political party, to allow the agency to become more functional and collaborative.

Despite the five slots established by the ***Act***, the Board currently has been functioning with only two members, Chairman Begeman and Vice Chairman Miller, for now over a year. With only two members, from different parties, and three open slots, it has been difficult for the agency to reach consensus. In contrast, a full complement of Board members, with three Republicans and two Democrats, will enable the agency to move on matters that are important to shippers, railroads, and the public at large.

A viable and competitive railroad industry is vital for the United States economy as a whole. Farmers rely on rail both for fertilizer to grow their crops and to deliver those crops to market, coal-burning utilities and propane suppliers rely on rail to receive the fuel they need to serve their customers, manufacturers rely on rail for both raw inputs and finished goods, substantial volumes of crude oil, ethanol, and related products are shipped by rail, and very large volumes of exports are shipped to ports by rail. Freight rail thus promotes the growth of our economy and our global competitiveness.

While the three pending nominees are all distinguished, Ms. Miller is uniquely qualified to be nominated to serve for a second term as a Member of the Board. During her service on the Board, Ms. Miller helped to achieve consensus support among diverse stakeholders, and she has accumulated the knowledge, background, and



Freight Rail Customer Alliance

President Donald J. Trump
October 5, 2018
Page Two

experience to see that the law is successfully implemented. Her noteworthy service on the Board is complemented by her earlier distinguished tenure as the longest serving Secretary of the Kansas Department of Transportation, serving three successive Governors of Kansas, both Republican and Democrat. Her skills and achievements demonstrated during her public service tenure promise to continue during your Administration in helping to ensure government oversight is equitable and effective for all affected stakeholders. Her experience running a large government agency is particularly useful.

The matters before the Board are technical, complex, challenging, and contested. Ms. Miller's contributions to the Transportation Research Board (including serving as its Chair), combined with her senior level corporate experience, provides her with valuable insights and perspectives that will continue to be helpful in serving as a Board Member for a second term.

For these reasons, FRCA strongly supports Ms. Miller for a second term as a Member of the STB and asks that you nominate her to serve in this vital role along with your other nominees. FRCA also asks the confirmation process for Mr. Fuchs, Ms. Schultz, and Mr. Oberman proceed without further delays. There has been no substantial action on major rulemakings – some of which have been pending before the Board for years – that would reform existing STB processes.

Thank for your consideration.

Sincerely,

Ann Warner
Spokesperson for FRCA

About FRCA

An umbrella membership organization, the Freight Rail Customer Alliance (FRCA) includes large trade associations representing more than 3,500 electric utility, agriculture, chemical, and alternative fuel companies and their consumers. Through a growing coalition of industries and associations, the mission of FRCA is to obtain changes in Federal law and policy that will provide all freight shippers with reliable rail service at competitive prices. www.railvoices.org
