



## Freight Rail Customer Alliance

May 23, 2017

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 Mr. Patrick Fuchs from Wisconsin to serve as a Member of the Surface Transportation Board (STB or Board).

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 bi-partisan 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 to allow the agency to become more functional and collaborative. The ***Act*** specifies that no more than three Members may be of the same political party. As the Board currently has two Democratic Members and only one Republican, your Administration has the opportunity to fill both vacant seats with Republicans.

Selecting the right Republican nominees to serve in your Administration, including these two Board Members, is an important decision. Our country's ever-growing reliance on freight rail commands the Board to provide necessary and effective oversight, especially considering only four Class I railroads control 90% of our nation's freight rail traffic. Freight rail is a vital component of our nation's economy. Farmers rely on rail both for fertilizer to grow their crops and to deliver those crops to market, and coal-burning utilities and propane suppliers rely on rail to receive the fuel they need to serve their customers. Freight rail also enhances the growth of our economy and our global competitiveness.

Mr. Fuchs is uniquely qualified to be nominated to serve as a Member of the Board. He was intimately involved with the crafting and passage of the ***Act*** in his role as a key committee staff member to Senator John Thune (R-SD), Chairman of the Senate Commerce, Science and Transportation Committee. He helped to achieve the consensus support among diverse stakeholders, and he has the knowledge, background, and experience to see that the law is successfully implemented.

Along with implementing the ***Act***, there are several major pending proceedings at the Board – some going back decades – that involve the most substantive issues of great importance to the Board, shippers, railroads, and the general public. These matters require resolution to reflect today's market conditions and freight rail demands.



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Mr. Fuchs's noteworthy service on Capitol Hill is further complimented by his prior experience as an analyst with the White House Office of Management and Budget (OMB). There, Mr. Fuchs was recognized with the Special Achievement Award in 2014 for "tireless efforts and outstanding work in improving regulatory outcomes as well as key and timely contributions in areas outside of his normal areas of responsibility" and in 2013 for "imagination and effectiveness in improving regulatory outcomes and processes." His skills and achievements demonstrated at the OMB promise to serve your Administration and the Board well in helping to ensure government oversight is equitable and effective for all affected stakeholders.

The matters before the Board are technical, complex, and challenging. Mr. Fuchs's notable research assistantships and internships at the Federal and local government levels – the Governmental Accountability Office, National Center for Freight and Infrastructure Research and Education, and the City of Middleton WI – provided him with valuable insights and perspectives that will be helpful in this regard if serving in your Administration as a Board Member.

Again, FRCA strongly views Mr. Fuchs as the appropriate Republican nominee for STB Member to promote the national interest in preserving an efficient and fair freight rail system. Our experience working with Mr. Fuchs has been above par, and we believe that he will excel at being impartial and fair with the ultimate goal of enhancing our nation's transportation system.

Thank you for your consideration.

Sincerely,

Ann Warner  
Executive Director

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### About FRCA

An umbrella membership organization, the Freight Rail Customer Alliance (FRCA) includes large trade associations representing more than 3,500 electric utility, agriculture, 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.

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