



June 13, 2023

The Honorable Joseph R. Biden
President of the United States
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Biden:

On behalf of the Transportation Trades Department, AFL-CIO (TTD) and the totality of rail labor as represented by our affiliated unions, I write to reaffirm our strong support for Surface Transportation Board (STB or Board) Chair Marty Oberman and Board Member Robert Primus. We vehemently object to the sentiments expressed by Freedom Bloc, Revolving Door Project, and RootsAction (the coalition) in a May 17th [letter](#) urging you to relieve Chair Oberman and replace him with Member Primus. We firmly believe that removing Chair Oberman or failing to reappoint him would undermine the significant progress the Board has made during his tenure.

The coalition's request for Chair Oberman's removal is in direct response to the Chair's authorization of a merger between Canadian Pacific Railway (CP) and Kansas City Southern Railroad (KCS). The Chair's vote in favor of the transaction is no reason to remove him from his position or to not re-nominate him. Compared to the four railroads that dominate the U.S. freight rail network, CP and KCS are comparatively minor players. It must be recognized that the merger was literally "end-to-end"; CP and KCS had one point of connection and they did not compete head-to-head for business. There was no compelling evidence of a real decrease in competition. Further, rejection of the transaction would not have enhanced competition or decreased concentration in the industry in any significant way.

The primary issue plaguing the freight rail industry is not corporate concentration, but rather the implementation of an operating business model known as Precision Scheduled Railroading (PSR). PSR prioritizes profits above all other goals, including rail safety, reliable freight rail service, and workplace dignity. Recent high-profile derailments like the one in East Palestine, Ohio are a direct consequence of rail operations under the PSR model. Simply put, PSR is well on its way to destroying the freight rail industry and poses a direct threat to the safety of our communities and economic well-being of our country.

Chair Oberman recognizes the scope of these problems and champions real solutions to them. The call for his removal over the CP and KCS merger is not only unjustified but would be counterproductive to creating a safer, more effective freight rail system. To be clear, our objection to replacing Chair Oberman in no way diminishes our support for Board Member Primus. Mr. Primus has been an aggressive critic of the industry's practices and we fully support his continued service on the Board as well.

The actions and approach of the current Board are a refreshing change from its predecessors, and Chair Oberman is due much credit for that change. We look forward to the Board's continued attention to freight rail service issues exacerbated by the scourge of PSR.

Sincerely,
Greg Regan
President