



ASSOCIATION OF
AMERICAN RAILROADS



American Short Line and
Regional Railroad Association

August 30, 2018

The President
The White House
1600 Pennsylvania Avenue NW
Washington, D.C. 20500

Dear Mr. President:

On behalf of the Association of American Railroads (AAR) and the American Short Line and Regional Railroad Association (ASLRRA), we hereby recommend Thomas Jayne for nomination to serve as a member of the Railroad Retirement Board (RRB), to replace Steven J. Anthony whose term expires this month. Established in 1937, the RRB performs the critically important function of administering retirement and disability benefits for railroad workers and their families. Mr. Jayne is a senior attorney with broad experience and expertise in railroad law, including the programs and governing provisions of the RRB, and is an outstanding candidate for this position. Mr. Jayne's CV is attached for your reference.

Mr. Jayne presently serves as a senior general attorney with BNSF Railway Company and was previously a long-time partner at a respected law firm where he represented multiple Class I railroads in various legal and regulatory matters. He has written, spoken, and appeared in court on numerous issues relating to railroad law and has worked with the RRB on issues concerning, among other matters, the appropriate interpretation of the Railroad Retirement Tax Act and the Railroad Retirement Act. Mr. Jayne has also worked with rail labor representatives on negotiated rulemaking efforts before the Federal Railroad Administration, which administers railroad safety laws.

Under the terms of the Railroad Retirement Act, the Management Member "shall be appointed from recommendations of employers ...so as to provide representation on the Board satisfactory to the largest number ... of employers concerned." Together, AAR and ASLRRA represent nearly every freight railroad in the United States, as well as Amtrak. AAR's freight railroad members (which include several regional railroads) operate approximately 83 percent of the line-haul mileage, employ 95 percent of the workers, and account for 97 percent of the freight revenues of all railroads in the United States. AAR's passenger members account for 100 percent of the intercity passenger service in the country. ASLRRA represents over 450 short line and regional railroads that operate and maintain 30 percent of the American railroad industry's route mileage, and account for nine percent of the rail industry's freight revenue and 12 percent of railroad employment.

We submit Mr. Jayne for your consideration and note that he enjoys the confidence and full support of the railroad employers who will be affected by his appointment. Thank you for your consideration and please do not hesitate to contact me to discuss this matter further.

Edward R. Hamberger
President and Chief Executive Officer
Association of American Railroads

Judy Petry
Chairman of the Board
American Short Line and Regional Railroad
Association