

Howard R. Elliott Statement on Biographical and Financial Information

Instructions for the nominees: The Senate Committee on Commerce, Science, and Transportation asks you to provide typed answers to each of the following questions. It is requested that the nominee type the question in full before each response. Do not leave any questions blank. Type "None" or "Not Applicable" if a question does not apply to the nominee. Return printed answers to Committee. Begin each section (i.e., "A", "B", etc.) on a new sheet of paper.

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):

Howard R. "Skip" Elliott

2. Position to which nominated:

Administrator, Pipeline and Hazardous Materials Safety Administration (PHMSA)

3. Date of Nomination:

September 11, 2017

4. Address (List current place of residence and office addresses):

[REDACTED]

5. Date and Place of Birth:

11/14/1954, Elkhart, IN

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

Spouse: Jacqueline L. Elliott, retired

Children: Joshua B. Elliott, 38

Jessica E. Hughes, 34

7. List all college and graduate degrees. Provide year and school attended.

MS, Columbia Southern University, 2011
BA, Indiana University, 1977

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

2004 to 2017 VP-Public Safety, Health and Environment, CSX, Jacksonville, FL
2003 to 2004 AVP-Public Safety and Environment, CSX, Jacksonville, FL
2002 to 2003 General Mgr.-Environmental and HazMat Systems, CSX, Jacksonville, FL
2002 to 2002 Assistant GM-Hazardous Material Systems, CSX, Jacksonville, FL
1998 to 2002 Director-Hazardous Materials, CSX, Jacksonville, FL
1997 to 1998 Director-Hazardous Material Systems, Conrail, Philadelphia, PA
1995 to 1997 Director-Field Services, Hazardous Materials, Conrail, Philadelphia, PA
1994 to 1995 Senior Environmental Area Manager, Conrail, Mt. Laurel, NJ
1992 to 1994 Environmental Area Manager, Conrail, Mt. Laurel, NJ
1992 to 1998 Emergency Management Coordinator, City of Woodbury, NJ (part time)
1988 to 1992 Supervisor-Hazardous Materials, Conrail, Philadelphia, PA
1985 to 1988 Safety Superintendent-Eastern Region, Conrail, Philadelphia, PA
1984 to 1985 Division Safety Supervisor, Conrail, Chicago, IL
1977 1984 Police Officer, Conrail, Elkhart, IN

9. Attach a copy of your resume.

Copy attached as requested.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

12/2006 to 01/2014: Special Deputy U.S. Marshal

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

03/2014-10/2016: Director, Indiana Chapter, Delta Upsilon Fraternity Alumni Association
11/2007-Present: Trustee of Howard R. Elliott Revocable Trust, and Trustee of Jacqueline L. Elliott Revocable Trust

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religious organization, private club, or other membership organization. Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or handicap.

- *Executive Dean's Advisory Council, College of Arts and Sciences, Indiana University, 2010 to present (educational-member).*
- *Joint FBI-DHS Domestic Security Alliance Council, 2013 to 2017 (professional-member).*
- *American Society of Industrial Security, 2010 (est.) to present (professional-member).*
- *Association of American Railroads, Risk Management Committee, 2007 to 2017 (professional-member).*
- *Association of American Railroads, Security Committee, 2002 to 2015 (professional-member)*
- *Delta Epsilon Tau Honor Society, 2016 to present (educational-member)*
- *Omicron Sigma-Sigma, 2016 to present (professional-member)*
- *Delta Upsilon Fraternity, 1973 to present (social-member).*
- *Cabana Club, Ponte Vedra Beach, FL, 1999 to present (private club-member).*
- *TPC Sawgrass, Ponte Vedra Beach, FL, 2016 to present (private club – social member).*

None of the above organizations restrict membership on the basis of sex, race, color, religion, national origin, age, or handicap.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

1992 to 1998: Emergency Management Coordinator, City of Woodbury, NJ (part time). Appointed position. No campaign or debt incurred.

14. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years. Also list all offices you have held with, and services rendered to, a state or national political party or election committee during the same period.

2017: CSX Good Government Fund - \$1,250.00

*2016: CSX Good Government Fund - \$10,000.00**

06/2016: Angela Corey for State's Attorney - \$1,000.00

02/2016: Representative Jeff Denham - \$500.00

2015: CSX Good Government Fund - \$10,000.00
09/2015: Angela Corey for States Attorney - \$500.00
06/2015: Shuster for Congress - \$500.00
04/2015: Randy Royal for Sheriff - \$500.00

2014: CSX Good Government Fund - \$10,000.00
09/2014: Ken Jefferson for Sheriff - \$500.00

2013: CSX Good Government Fund - \$10,000.00

2012: CSX Good Government Fund - \$5,000.00
10/2012: Peter King for Congress - \$1,000.00

2011: CSX good Government Fund - \$10,000.00
09/2011: Bill Nelson for U.S. Senate - \$500.00

2010: CSX Good Government Fund - \$10,000.00

2009: CSX Good Government Fund - \$2,875.76

2008: CSX Good Government Fund - \$5,000.00

** CSX Good Government Fund contributions were via monthly payroll deduction and a one-time \$5,000.00 contribution from spouse for years 2010 through 2016.*

15. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

- Indiana University, Department of Criminal Justice, Distinguished Alumni Award, 2009
- Association of American Railroads, Lifetime Achievement Award in Hazardous Material Transportation, Safety, 2001.
- President's Circle, Indiana University, 2016

16. Please list each book, article, column, or publication you have authored, individually or with others. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

- An Unlikely Training Partner: CSX Railroad. Tactical Response, 01/2010.
- Getting Tough on Environmental Crimes – Railway Age Magazine, 05/2009.

17. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

U.S. House of Representatives Committee on Homeland Security, May 31, 2012, rail security.

U.S. Senate Committee on Commerce, Science, and Transportation April, 2010, rail security.

18. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I spent the majority of my 40 year professional career striving to improve the safe transportation of hazardous materials. I am a practitioner who has responded to many major hazardous incidents and has seen first-hand the severe impacts to the public and the environment. I have worked tirelessly to ensure that America's emergency responders are prepared to handle such incidents safely because, ultimately, they are the ones we depend upon to protect us when a hazardous material incidents occurs. I understand the hazardous materials transportation and energy supply chain and the efforts being made by manufacturers, shippers and transporters to improve their safety records. And, while I have witnessed significant improvements in hazardous materials transportation safety across all transportation modes during my career, there is more that can be done to improve safety further while, at the same time, ensuring the viability of America's reliance on these commodities. During my career, I have worked closely with many of the federal agencies responsible for hazardous materials transportation safety, policy and regulation and I am now deeply honored to have the opportunity to apply my knowledge, experience and unwavering commitment to safety as the PHMSA Administrator.

19. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

Proven leadership, unwavering integrity, demonstrated accountability and strong financial acumen are critical attributes required of a successful PHMSA Administrator. It is the PHMSA Administrator's responsibility to utilize these skills to lead the Agency and ensure that along with its employees, deliver a strong and sustainable strategic initiative that provides tangible year-over-year improvements in hazardous materials transportation safety across all modes of transportation. A strong PHMSA

Administrator must have proven hands-on experience in hazardous materials transportation safety, regulation and policy; coupled to deep and abiding personal commitment to the safety of the employees involved in the transportation of these products, the communities through which they travel, and our nationwide network of dedicated emergency responders who are there to protect us when an accident occurs.

My 40 year professional business career has allowed me to develop and demonstrate the skills and attributes necessary to lead a vital and critical safety agency such as PHMSA. I was a successful senior executive at a major freight railroad responsible for a multi-faceted organization of over 300 employees and with corporate-wide program responsibilities affecting the company's estimated 18,000 employees. My role was responsible for a diverse range of departments ranging from hazardous materials transportation safety, crisis management and response, the environment, homeland security, railroad police, medical, industrial hygiene, and employee assistance programs.

I have found that it is, in fact, possible to work for a major public corporation with its dependency on profits and meeting shareholder expectations, and still be a strong and vocal advocate for the environment, employee and community safety, and emergency responder readiness, although it sometimes generated criticism from other company leaders. I am proud of my conviction and dedication to public safety and the environment and my record of accomplishments in these areas.

20. What do you believe to be the top three challenges facing the department/agency, and why?

1. Improving the effectiveness and efficiency of PHMSA's safety mission: Each day over one million shipments of hazardous materials traverse the United States by all modes of transportation, and millions of gallons of energy related products move through a network of pipelines extending more than 2.5 million miles. Ultimately, prevention is key and PHMSA must quickly and without hesitation improve its responsiveness in resolving critical hazardous materials transportation safety issues, and in establishing a solid reputation for demanding that all entities that manufacture, ship and transport hazardous materials and energy products are fully accountable to their responsibilities prevent to mitigate the most serious deficiencies before they can escalate into major incidents impacting the public and the environment. Should, however, a serious incident occur, those same stakeholders must also be prepared to meet their obligation to respond quickly, minimize the impact to the public and the environment, and to remain until all impacts are resolved.

2. Enhancing communications and transparency with all PHMSA stakeholders:

To effectively and successfully carry-out the PHMSA mission, the Agency must improve its communications and outreach with all stakeholders and concerned entities at all levels of government, industry and the public. Furthermore, PHMSA must clearly articulate its intentions and priorities with regards to implementing standards and regulations, applying consistent but fair enforcement measures, and setting expectations for tangible and ongoing safety improvements in the transportation of hazardous materials across all transportation modes. To obtain the best possible pathway to enhanced hazardous materials transportation safety in the United States, PHMSA must actively and regularly engage and listen closely to all stakeholders, respecting all points of view, and then act in a prudent, fact-based manner to establish clear expectations that will achieve a higher level of safety.

3. Building a sustainable record of tangible year-over-year safety improvement:

While the United States has seen significant safety improvements in the transportation of hazardous materials, PHMSA must continue to work with manufacturers, shippers and transporters of hazardous commodities to ensure it achieves a reliable and sustainable record of year-over-year safety improvements. PHMSA must also work closely with other transportation agencies at the state and federal level to ensure consistency and clarity of regulatory requirement and enforcement practices. Accomplishing this goal also means ensuring that PHMSA improves its safety inspection mandate working closely with state partners to apply inspection procedures that focus-in on the most critical safety deficient areas.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

I retired from CSX Transportation on March 17, 2017. At the time of my retirement, I held CSX Transportation common stock, vested restricted stock, vested and unvested restricted stock units, unvested performance stock units, and unvested stock options. I do not hold unvested restricted stock, or vested stock options. Pursuant to the company's compensation plan, I was able to retain these financial interests when I retired. Prior to assuming the duties of the position of Administrator, CSX Transportation accelerated the vesting of my unvested performance stock units and unvested restricted stock units, and in lieu of issuing me common stock, I received a lump sum cash payment.

CSX Transportation also accelerated the vesting of my unvested stock options. I will divest the stock options by exercising them, and I will divest the resulting stock within 90 days of my confirmation. I will also receive CSX restricted stock as part of an executive employment retention agreement that began on November 15, 2014 and ended on March 17, 2017. These shares () are governed by IRS Regulation 409A and therefore subject to a six-month delay in distribution. These shares will be distributed on September 17, 2017, and I will divest that stock within 90 days of my confirmation. Furthermore, my vested restricted stock units () are also subject to IRS Regulation 409A. These units will become exercisable on September 17, 2017 or upon CSX's notification of confirmation, whichever occurs first, and I will divest that stock within 90 days of my confirmation.

I also have a deferred compensation plan and defined benefit plan with CSX Transportation. Additionally, as a retired executive of the company, I am entitled to receive health coverage for both me and my spouse for the rest of our lives, but I pay the plan premiums, consistent with the company's practice for retired executives. If confirmed, I will retain those benefits.

At that time of my retirement from CSX Transportation, I held a 401k plan with CSX. In April 2017, I rolled that over to my individual retirement accounts (IRAs). If confirmed, I will retain my IRAs.

I will retain my position as trustee of my revocable living trust. I will not receive any fees for the services that I provide as a trustee during my appointment to the position of Administrator.

I anticipate receiving Federal U.S. Railroad pension payments commencing in 2020. If confirmed, I will retain this Federal benefit.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

No.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

5. Describe any activity during the past ten years in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

During my employment with CSX Transportation I directly or indirectly provided opinion to legal and legislative areas of the company on proposed rail safety and security legislation. I have personally testified at the local, state and federal level in support of or opposition against certain proposed safety and security regulations involving rail transportation.

6. Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.

In connection with the nomination process, I have consulted with the Office of Government Ethics and the Department of Transportation's Designated Agency Ethics Official to identify potential conflicts of interest. Any potential conflicts of interest will be resolved in accordance with the terms of an ethics agreement that I have entered into with DOT's Designated Agency Ethics Official and that has been provided to this Committee. I am not aware of any other potential conflicts of interest.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:
 - a. Provide the name of agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;
 - c. Describe the citation, disciplinary action, complaint, or personnel action;
 - d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

No.

2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

No.

3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

Yes. My former employer, CSX Transportation, as a major freight railroad, was involved in instances of civil litigation. Examples are employees claiming disability due to a work-related illness or injury or wrongful termination, or members of the public involved in a highway-railroad grade crossing collision. However, I was never individually named as a defendant in any action.

4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

None.

RELATIONSHIP WITH COMMITTEE

7. Will you ensure that your department/agency complies with deadlines for information set by congressional committees?

Yes, to the best of my ability.

8. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes.

9. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

Yes.

10. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

Yes.

(Nominee is to include this signed affidavit along with answers to the above questions.)

E. Affidavit

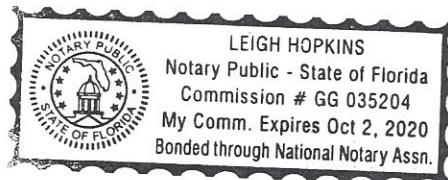
Howard R. Elliott, being duly sworn, hereby states that he/she has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his/her knowledge, current, accurate, and complete.

Howard R. Elliott

Signature of Nominee

Subscribed and sworn before me this 13th day of 9, 2017

[Signature]
Notary Public



Howard R. "Skip" Elliott



SUMMARY

Senior executive with a successful and proven track record spanning 40 years in the areas of public safety, hazardous materials transportation safety, security, occupational health and the environment. A highly respected senior leader at a Fortune 250 freight rail transportation company with a reputation for developing best-in-class organizations and implementing innovative and sustainable solutions. Proven experience in the boardroom, on Capitol Hill, state houses and city halls. Effective in building and leading diverse, multi-functional, high-performing teams, and in developing key talent.

AREAS OF EXPERTISE

- Hazardous materials transportations safety
- Crisis management and emergency planning
- Environmental policy and regulation
- Risk management
- Police and security management
- Occupational health management

BUSINESS ACUMEN

- Strategic planning
- Innovative solution design
- Developing and leading high-performing teams
- Applying financial rigor and accountability
- Business Continuity
- Proven track record of success

PROFESSIONAL EXPERIENCE

CSX Transportation, Jacksonville, FL

Vice President, Public Safety, Health and Environment, 2004 to 2017

Recently retired Vice President of Public Safety, Health and Environment for CSX Transportation (CSX), one of North America's largest freight railroads with operations in 23-states and two Canadian provinces. Responsible for managing a number of critical departments including police, infrastructure protection, hazardous materials transportation safety, environmental, medical, industrial hygiene and employee assistance. Oversaw corporate crisis management, emergency planning and continuity of operations.

EDUCATION

Columbia Southern University, MS in Criminal Justice Administration

Indiana University, BA, double major in English and Forensic Studies

BUSINESS AND PROFESSIONAL AFFILIATIONS

FBI-DHS Domestic Security Alliance Council (DSAC)

American Society of Industrial Security (ASIS)

National Defense Transportation Association (NDTA)

Association of American Railroads (AAR) Risk Management Working Committee

Association of American Railroads Security Committee

Executive Dean's Advisory Council, Indiana University, College of Arts and Sciences

Delta Epsilon Tau Honor Society

Omicron Sigma Sigma Academic and Professional Honor Society

AWARDS AND RECOGNITIONS

AAR Lifetime Achievement Award in Hazardous Materials Transportation Safety

Distinguished Alumni Award, Indiana University, Department of Criminal Justice

President's Circle, Indiana University