

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): *Ann D. Begeman*

2. Position to which nominated:

Member, Surface Transportation Board

3. Date of Nomination: *December 6, 2016*

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

Residence:



*Office: Surface Transportation Board
395 E Street, SW
Washington, DC 20423*

5. Date and Place of Birth:

*April 18, 1964
Sioux Falls, South Dakota*

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).

Not Applicable

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

*Bachelor of Science, Business Administration
University of South Dakota 1986*

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.

Employment includes:

Office of U.S. Senator Larry Pressler (5/86-3/88)

First American Bankshares, Inc. (3/88-7/92)

Office of U.S. Senator Larry Pressler (7/92-11/94)

Senate Committee on Commerce, Science, and Transportation (11/94-1/04)

Office of U.S. Senator John McCain (1/04-5/09)

Senate Committee on Commerce, Science, and Transportation (5/09-5/11)

Surface Transportation Board (5/11 – present)

Management positions include serving as Deputy Staff Director for the Senate Commerce Committee (1/02-1/04); Legislative Director (1/04-5/09) and Acting Chief of Staff (3/07-2/08) for Senator John McCain; and Staff Director/Acting Staff Director for the Commerce Committee from 8/09 to 5/11. Except for my employment with First American Bankshares, Inc., all other positions held included responsibilities dealing with federal policy matters, including transportation. Since May 2011, I have been a Member of the Surface Transportation Board, during which I served as the Board's Vice Chairman in 2011, 2013-5/2014, and 2015.

9. Attach a copy of your resume.

Attached

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.

Not Applicable

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.

Not Applicable

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.

Not Applicable

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.

No

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.

In a volunteer capacity, I served as a Senior Advisor to the McCain for President Campaign, from February 2008 – November 2008. Also in 2008, I volunteered for the Graham for Senate Campaign.

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

I received an award from the United States Senate in recognition of my 20 years of service.

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.

During my employment in the U.S. Senate, I drafted many speeches and Op-Eds; however, all such items were under my employers' names.

During my service at the Board, I spoke at the Minnesota Regional Railroads Association's Annual Conference (July 2014) and the South Dakota Grain and Feed Association's Transportation Forum (January 2015). At both events, I provided an overview of the STB and gave an update on the Board's activities, particularly its efforts to address the 2013/2014 rail service problems. I also have routinely met informally with small groups of interested stakeholders and provided Board updates.

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.

I have testified before the Senate Committee on Commerce, Science, and Transportation on two occasions:

- *August 11, 2016 – Hearing on Freight Rail Reform: Implementation of the Surface Transportation Board Reauthorization Act of 2015*
- *March 10, 2011 – Hearing on my nomination.*

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?

During my more than 20 years as a Senate staffer, I worked on a wide range of federal transportation policy matters, including the legislation that created the Surface Transportation Board (the ICC Termination Act of 1995) and on several proposed measures to reauthorize the Board.

I have a strong professional interest in public policy matters, and have spent a significant portion of my career working on transportation issues. I have followed the work of the Board since its inception, and know first-hand how important it is for the Board to be comprised of members who are committed to reaching fair, appropriate, and timely decisions in accordance with the governing statute and regulations, and promoting the public interest. The Board is currently working to implement the STB Reauthorization Act of 2015, while at the same time it is considering several proposals to significantly alter long-standing regulatory policies. I hope to be able to continue working on these very important issues and to do all I can to ensure that the Board takes the most appropriate actions on these and other pending matters.

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?

I have served as a Board Member for more than five years and have seen first-hand the inner workings of the agency. I am well aware of the Board's many challenges and the need to properly allocate resources and impose deadlines in an effort to better carry out the agency's responsibilities in a timely manner. Although I recognize that the Board's Chairman holds the foremost responsibilities for proper management and accounting controls, I would continue to work with my Member colleagues and the Board's staff to help ensure proper budgeting and full compliance with all applicable laws, rules, and regulations.

Pertinent management experience includes my work serving as Staff Director and Deputy Staff Director for the Senate Commerce Committee, and as Legislative Director and Acting Chief of Staff for a Senate Office.

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

Implementing the STB Reauthorization Act of 2015. The Reauthorization Act, which reauthorized the Board for the first time, includes several important directives intended to ensure the Board has sufficient authority to address matters under its jurisdiction and to do so in a timely manner. For example, as a result of the Reauthorization Act, the Board now has

transparent timelines for “next actions” on all pending rulemakings. The Board must also process rate cases more expeditiously, a mandate that requires the Board to explore new approaches to expedite cases and hold itself to firm deadlines. And the Board now has authority to investigate matters of national and regional significance. The Board must remain committed to meeting all of the directives of the Reauthorization Act, and be especially vigilant in its efforts to meeting the new timelines, while also processing its large docket of pending cases.

Properly allocating resources. As a small agency with a small budget, it is very important that the Board allocate its resources wisely, and in a manner that best ensures timely Board actions. In this effort, the Board should continue to promote its informal dispute resolution alternatives, which can be very helpful in resolving certain shipper-railroad disputes.

Improving communications between the Board and its stakeholders. The agency’s extreme restriction on ex parte communications should be changed to allow for more interactive, timely, and responsive decision-making. It would be a definite benefit to the Board and the public for Board Members and staff to meet and hear directly from stakeholders during rulemaking proceedings so that we can establish the most informed policies. If the Board were to more broadly engage with its stakeholders, it would be important to do so in a transparent manner. While I am pleased that we have taken a few recent steps in this direction, I think the Board should do so routinely during rulemaking proceedings.

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 am vested in the Federal Employee Retirement System and the Thrift Savings Plan.

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.

Not Applicable

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.

Not Applicable

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.

Not Applicable

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 as a Senate staffer, I was continually engaged in efforts to pass, defeat, or alter legislative initiatives and was also involved in oversight efforts concerning implementation of laws under the Commerce Committee's jurisdiction.

In fulfilling my duties as a Member of the Surface Transportation Board, I have been working to help implement the STB Reauthorization Act of 2015, along with the agency's other enabling statutes, regulations, and policies, as appropriate.

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 Surface Transportation Board's 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 with the Board's ethics official, a copy of which will be provided to this Committee.

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.

No

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.

Not Applicable

D. RELATIONSHIP WITH COMMITTEE

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

Yes

2. 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

3. 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

4. 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.)

F. Affidavit

ANN D. BEGEMAN 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.

Ann D. Begeman
Signature of Nominee

Subscribed and sworn before me this 6 day of December 2016.

[Signature]
Notary Public

