

**OPENING STATEMENT OF
MARTIN J. OBERMAN**

Chairman Thune, Ranking Member Nelson, members of the Committee,

Thank you for this opportunity to appear before you today and for your consideration of my nomination to the Surface Transportation Board.

First, I want to introduce my wife Bonnie without whom, of course, I would not be here— or anywhere for that matter.

Also with me today are our son, Justin, and our daughter, Maren, and our granddaughter, Esmae. Our family also includes our daughter-in-law, Sara, and our grandsons, Meyer and Emmet, who are watching at home.

It is both an honor and an exciting challenge for me to be nominated to serve on the Surface Transportation Board. It has been my commitment from a young age to devote my career to public service and it has been my privilege to have served in several public positions over the years – elected and appointed -- except for a long hiatus when the voters of Illinois decided they would prefer me to work in the private sector.

Five years ago, the Mayor of Chicago appointed me to the Board of Directors of Metra. Metra is the second largest commuter railroad in the country, carrying 300,000 passengers a day. Although I had never worked in the railroad industry, I welcomed the opportunity to help what had been a troubled agency regain its footing and provide honest and efficient transportation to the public. Shortly after my appointment to the board, the other board members elected me chairman, a position which provided the opportunity to work in a bi-partisan manner with my fellow board members to undertake the enormous task of restoring Metra's public credibility and confidence.

While the press has referred to my success in this effort, Metra's turnaround was the result of the hard work of Metra's entire 11 member board and our outstanding CEO, Don Orseno.

Needless to say, my nearly four years at Metra required my total immersion and continuous education in the railroad industry. What better place to learn railroading than the Chicago terminal, the most intense railroad hub in the western hemisphere, maybe the world?

Metra operates 750 trains each day on the same tracks as 500 freights and 100 Amtrak trains. I quickly learned that all aspects of our national rail system are fundamentally interconnected.

I also learned how important the rail system is to the entire national economy and that railroads cannot function, or even survive, if all elements do not work smoothly together, each recognizing the interests and priorities of the other. I remember gently reminding one frustrated Metra commuter who texted to complain about another "freight delay" on his morning commute that his job in Chicago's Loop likely wouldn't have existed but for the contributions to the economy made by the freight railroad which he was complaining about.

At the same time, I learned to value the stellar on-time performance of Metra—better than 95%—despite having to co-exist every minute with the freights and Amtrak. Any passenger service must deliver good on-time performance to survive and thrive. And one cannot lead a commuter railroad—or any railroad—for more than a few hours without coming to grips with the enormous cost of maintaining and improving railroad infrastructure.

Having become knowledgeable about and a champion of the railroad industry during my term at Metra, when a seat later opened up on the STB, my desire to serve was as strong as ever.

The longer I am on this planet, the more aware I become that in our democracy, each of us has both the opportunity and the obligation to contribute to the common good in our own way. In

my case, having gained expertise in the railroad industry, together with my many years in both public office and as a trial lawyer, I believe I have the experience to take advantage of this opportunity to continue to fulfill my obligations as a citizen.

If confirmed, I will bring not only my past experience, but a fresh outlook. At Metra, it became apparent that many aspects of the railroad industry operate on the basis of “that’s always the way we have done it.” Honoring precedent and not changing systems that are not broken are important values to which I adhere and there are often sound reasons to continue operations and policies used in the past, particularly with respect to railroads.

Nevertheless, it is also critical to be willing and able to question practices if they appear to be archaic and ineffective at meeting the changing needs of consumers and businesses or keeping pace with technological advancement and the global economy.

Congress recognized this need in the 2015 Reauthorization Act when it directed the STB to examine “whether current large rate case methodologies are sufficient, not unduly complex, and cost effective” and “whether alternative methodologies exist, or could be developed, to streamline, expedite, and address the complexity of large rate cases.”

Continuing to implement this mandate, along with the STB’s newly granted authority to initiate investigations into service issues, present both the opportunity to improve the regulatory system and the challenge to do it right. To be sure, as the STB continues to move forward under the Reauthorization Act, it should do so judiciously with due regard to protecting the vibrancy of both railroads and shippers.

My entire career has been based on a commitment to well thought-out approaches to setting government policy, pursued only after thorough homework and consultation with available experts

while ensuring the participation of all stakeholders. That is the approach I will follow if confirmed to serve on the STB.

I will work to ensure that all constituents—railroads, shippers, working men and women, communities—and others are treated fairly and are afforded a forum for the constructive resolution of disputes.

Thus, it's a great time to return to public service as a member of the STB to tackle these exciting new missions.

If confirmed, I pledge to you that I will work in the bi-partisan manner in which the STB was designed, and which I experienced with great success at Metra, to continue to bring rational and fair decisions to the railroad industry.

Thank you again for this opportunity. I look forward to your questions.