

# Federal Advisory Committee (FAC) Membership Balance Plan

Please read the [Federal Advisory Committee Membership Balance Plan Guidance](#) prior to completing this form

<b>SURFACE TRANSPORTATION BOARD</b>
<b>(1) FEDERAL ADVISORY COMMITTEE NAME</b> <i>State the legal name of the FAC</i>
Rail Energy Transportation Advisory Committee (RETAC)
<b>(2) AUTHORITY</b> <i>Identify the authority for establishing the FAC</i>
RETAC was established by the Surface Transportation Board (Board) on September 24, 2007, and in accordance with the provisions of the Federal Advisory Committee Act (FACA), as amended, 5 U.S.C. 10.
<b>(3) MISSION/FUNCTION</b> <i>Describe the mission/function of the FAC</i>
The purpose of RETAC is to provide advice and guidance to the Board, on a continuing basis, and to provide a forum for the discussion of emerging issues and concerns regarding the transportation by rail of energy resources, particularly but not necessarily limited to coal, ethanol, and other biofuels. RETAC functions solely as an advisory body, and will comply with the provisions of FACA and its implementing regulations.
<b>(4) POINTS OF VIEW</b> <i>Based on understanding the purpose of the FAC,</i> <i>(a) describe the process that will be used to ensure the committee is balanced, and identify the categories (e.g. individual expertise or represented interests) from which candidates will be considered;</i> <i>(b) consider identifying an anticipated relative distribution of candidates across the categories; and</i> <i>(c) explain how a determination was made to appoint any individuals as Special Government Employees or Representative members</i>
The Committee shall consist of approximately 27 voting members (excluding the governmental representatives). There shall be a balanced representation of individuals experienced in issues affecting the transportation of energy resources, including no fewer than: 4 representatives from the Class I railroads; 3 representatives from Class II and III railroads; 3 representatives from coal producers; 5 representatives from electric utilities (including at least one rural electric cooperative and one state- or municipally-owned utility); 4 representatives from biofuel feedstock growers or providers and biofuel refiners, processors, and distributors; 2 representatives from private car owners, car lessors, or car manufacturers; 1 representative from the petroleum shipping industry; 2 representatives from renewable energy sources; and 1 representative from a labor organization. The Committee may also include up to 2 members with relevant experience but not necessarily affiliated with one of the aforementioned industries or sectors. All voting members of the Committee shall serve on the Committee in a representative capacity on behalf of their respective industry or stakeholder group. The members of the Board shall serve as ex officio (non-voting) members of the Committee and serve as regular government employees. ix. The Committee

members will consist of representatives, regular government employees, and, in some circumstances, special government employees.

**(5) OTHER BALANCE FACTORS**

*List any other factors your agency identifies as important in achieving a balanced FAC*

By considering geographical location and size, the agency seeks to maintain diversity among its members.

**(6) CANDIDATE IDENTIFICATION PROCESS**

*Summarize the process intended to be used to identify candidates for the FAC, key resources expected to be tapped to identify candidates and the key persons (by position, not name) who will evaluate FAC balance. The summary should:*

- (a) describe the process*
- (b) identify the agency key staff involved (by position, not name)*
- (c) briefly describe how FAC vacancies, if any, will be handled by the agency; and*
- (d) state the membership term limit of FAC members, if applicable*

The Chair of the Board shall solicit nominations for the Committee from interested parties and the general public. Members of the Committee shall be selected by the Chair of the Board, with the concurrence of a majority of the Board. In selecting members of RETAC, the Chair of the Board acknowledges that certain individuals and communities have historically had less opportunity to participate in government stakeholder groups such as RETAC than others. As a result, in making membership selections, the Chair of the Board is committed to having a committee reflecting diverse communities and viewpoints, and to having RETAC members from diverse backgrounds. The voting members of the Committee shall be invited to serve three-year staggered membership terms. Members of the Committee may be reappointed for an additional term by the Chair of the Board. Any member of the Committee who has served for two or more consecutive terms will be required to be renominated for membership and appointed by the Chair of the Board should they wish to serve for additional terms. If reappointed, any such member may serve two additional terms before being required to again be renominated. The Chair of the Board may invite representatives from the U.S. Departments of Agriculture, Energy, and Transportation, and the Federal Energy Regulatory Commission to serve on the Committee in advisory capacities as ex officio (non-voting) members.

**(7) SUBCOMMITTEE BALANCE**

*Subcommittees subject to FACA\* should either state that the process for determining FAC member balance on subcommittees is the same as the process for the parent FAC, or describe how it is different*

*\*This is relevant to those agencies that require their subcommittees to follow all FACA requirements.*

RETAC subcommittees report to the full committee, not directly to the agency. Therefore, the agency does not require these subcommittees to follow FACA balance requirements.

**(8) OTHER**

*Provide any additional information that supports the balance of the FAC*

Not applicable

**(9) DATE PREPARED/UPDATED**

*Insert the actual date the Membership Balance Plan was initially prepared, along with the date(s) the Plan is updated*

September 20, 2023