

# 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>
Passenger Rail Advisory Committee (PRAC)
<b>(2) AUTHORITY</b> <i>Identify the authority for establishing the FAC</i>
The Chair of the Surface Transportation Board (Board) having determined, with the concurrence of the Members of the Board, that, pursuant to the Board's passenger rail oversight responsibilities under 49 U.S.C. § 24101 and 49 U.S.C. § 1321, it is in the public interest, hereby establishes the PRAC pursuant to 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 PRAC is to provide advice and guidance to the Board, on a continuing basis, and to provide a forum to address passenger rail transportation issues in a manner that balances the interests of intercity and commuter rail passengers, and operators, government entities, freight rail shippers and carriers, railway labor, and the general public. PRAC 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 indentifying 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>
<b>Membership.</b> i. The PRAC members will consist of representatives, regular government employees, and, in some circumstances, special government employees. ii. The PRAC shall include approximately 18 voting members, who will be appointed to serve as representative members (excluding federal governmental representatives). Among the voting members, there shall be a balanced representation of individuals knowledgeable regarding passenger rail transportation, freight rail transportation, commuter rail operations, and transportation public policy. The PRAC shall include no fewer than: 1. 2 representatives from the National Railroad Passenger Corporation (Amtrak). 2. 2 representatives from commuter rail operators whose operations use facilities owned and/or utilized by (i) Amtrak, (ii) other intercity passenger rail operators, or (iii) rail freight operators. For purposes of ensuring geographic diversity within PRAC's membership, these representatives

cannot be from the same State as any of the representatives described in Paragraphs 4 and 5 of this section and cannot be from the same State as each other.

3. 2 representatives from existing intercity passenger rail operators other than Amtrak or developers of new intercity passenger rail lines other than Amtrak.

4. 1 representative from a state that provides funding for intercity passenger rail. For purposes of ensuring geographic diversity within PRAC's membership, this representative cannot be from the same State as any of the representatives described in Paragraphs 2 and 5 of this section.

5. 1 representative from a state in which the intercity passenger rail stations are served only by long-distance trains (i.e., passenger trains serving the entirety of routes of more than 750 miles between endpoints). For purposes of ensuring geographic diversity within PRAC's membership, this representative cannot be from the same State as any of the representatives described in Paragraphs 2 and 4 of this section.

6. 2 representatives from Class I freight railroads.

7. 1 representative from a Class II or Class III freight railroad.

8. 1 representative from an organized rail labor association.

9. 2 representatives from rail passenger advocacy organizations.

10. 1 representative from a rail shipper or customer advocacy organization or an individual shipper or customer.

11. 3 at-large representatives with relevant experience (including, but not limited to, individuals involved in the design or construction of passenger rail equipment or infrastructure, in the provision of passenger rail analytic or consulting services, in transportation planning, or in transportation-related public policy work).

iii. The Members of the Board shall serve as ex officio (non-voting) members of the PRAC.

#### **(5) OTHER BALANCE FACTORS**

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

By considering geographical location and connection to passenger rail, the agency seeks to maintain diversity among its members. Additionally, the Chairman of the Board is committed to having a committee reflecting diverse communities and viewpoints, and to having PRAC members from diverse backgrounds.

#### **(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 PRAC from interested parties and the general public. Members of the PRAC shall be selected by the Chair of the Board with the concurrence of a majority of the Members of the Board. In selecting members of the PRAC, the Chair of the Board acknowledges that certain individuals and communities have historically had less opportunity to participate in government stakeholder groups 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 PRAC members from diverse backgrounds.

The voting members of the PRAC shall be invited to serve for a term of 3 years, except that of the members first appointed, approximately half shall be appointed for a term of 2 years, as

designated by the Chair of the Board at the time of appointment. Members may serve an additional term with approval from the Chair of the Board, without needing to be renominated for that additional term. Any member of the PRAC who has served for two 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, they may serve two additional terms before being required to be renominated.

The Chair of the Board may invite representatives from the U.S. Department of Transportation to serve on the PRAC in advisory capacities. These representatives shall serve 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.*

**PRAC 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*

**August 11, 2023**