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October 7, 2019

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The Honorable Ann D. Begeman
Chairman
U.S. Surface Transportation Board
395 E. St., SW
Washington, DC, 20423

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Chairman Begeman,

Docket No. FD 36025

We write to express our opposition to Texas Central Railway's (TCR) petition to re-examine the Surface Transportation Board's authority over the Houston to Dallas high-speed rail project.

In 2016, the Board rightly decided that TCR lacked federal jurisdiction over the proposed Houston to Dallas rail line since the project exists entirely within the State of Texas. Nothing has changed to justify a reversal of that ruling, and the Board should follow precedent and hold that this project does not fall under its jurisdiction.

In their most recent attempt to gain federal status, TCR drafted a preliminary joint ticketing agreement with Amtrak that would allow customers to travel out-of-state. In response, the Board rightfully asked detailed, thoughtful questions to assist its review in considering TCR's petition.

After reviewing TCR's response to this inquiry, we believe nothing in their response suggests there is sufficient rationale to classify this project as part of the national rail system. The proposed connection with Amtrak does not suffice to make it part of the *interstate* rail network, and it remains an *intrastate* passenger rail service. The company has not adequately centered their planning around interconnectivity with Amtrak, nor does the ticketing agreement contain concrete plans that demonstrate extensive interconnectivity with the federal rail network.

Furthermore, a logistical problem exists for travel between the Amtrak and TCR stations. TCR notes that passengers would have to travel considerable distances to reach an Amtrak station from their respective terminals—seven miles in Houston and half a mile in Dallas. Allowing such long distances to qualify would set an unwelcome precedent for ignoring basic geography in determining rail line connectedness.

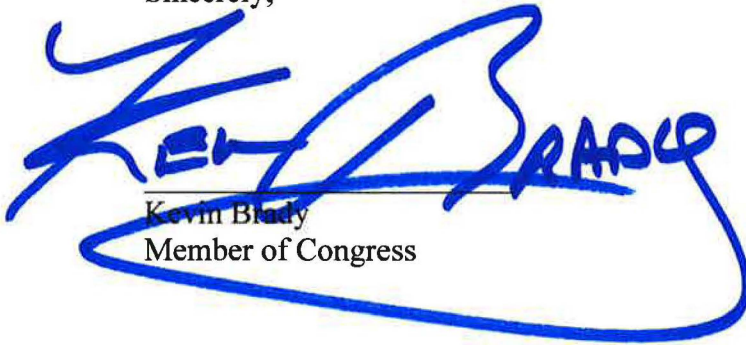
Although TCR repeatedly claimed that the project would be privately funded and Texas-specific, they have inquired about federal funding and Railroad Rehabilitation & Improvement Financing (RRIF) loans. Due to local opposition and funding deficiencies, TCR has chosen to depart from their original intent and instead submit this petition for federal jurisdiction and the associated benefits.

Federal jurisdiction would allow state and local laws to be preempted and eminent domain to be utilized and abused. Granting TCR eminent domain authority would enable the taking of Texans' private property at will, diminishing farms, ranches, and homesteads that have been in landowners' families for generations.

While we agree that Texas needs new infrastructure projects to address the ongoing growth in our state, we remain opposed to federal takeover of this state-centric project. We have long believed that these projects must work *for* our local and rural communities, not *against* them.

We urge the Board to follow precedent and uphold its prior ruling that TCR's project does not warrant federal jurisdiction. We appreciate the kind cooperation of your staff throughout this process, and thank you for your continued leadership at the Board.

Sincerely,



Kevin Brady
Member of Congress



Louie Gohmert
Member of Congress



Ron Wright
Member of Congress