



KEVIN BRADY
MEMBER OF CONGRESS
8TH DISTRICT OF TEXAS

DEPUTY WHIP

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES
WASHINGTON, D.C.

CHAIRMAN
COMMITTEE ON
WAYS AND MEANS
JOINT COMMITTEE ON TAXATION

May 13, 2016

Surface Transportation Board
395 E Street, S.W.
Washington, DC 20423

RE: F.D. No 36025, Texas Central Railroad and Infrastructure, Inc. & Texas Central Railroad, LLC—Authority to Construct and Operate—Petition for Exemption from 49 U.S.C. § 10901 and Subtitle IV – Passenger Rail Line between Dallas, TX and Houston, TX

Dear Chairman Elliott and Board Members,

I write to you regarding the Texas Central Railroad and Infrastructure, Inc. and Texas Central Railroad, LLC (TCR) filings with the Surface Transportation Board (STB) concerning their proposed Dallas-to-Houston high-speed rail project.

I am a strong proponent of infrastructure projects that increase mobility and economic development for communities in the 8th Congressional District of Texas. However, I strongly oppose the proposed route of the Texas Central Railroad's high-speed rail project, as well as federal financial guarantees that could lead to taxpayer losses should the project prove unsustainable.

The proposed route of the TCR will greatly impact the rural communities and landowners in my congressional district. My constituents - especially those in Grimes, Madison and Leon counties – fear this project will fracture our rural lifestyle without direct economic or transportation benefits to our communities, families and businesses.

The Texas high-speed rail project is widely promoted as a privately-financed state project which rejects all taxpayer bailouts. It is situated entirely within Texas and while it may have the tenuous potential to impact interstate passenger rail travel in the future, upon completion it will simply be an intrastate railroad between two Texas cities. Therefore, jurisdiction and eminent domain matters should reside with and be determined by the State of Texas. I strongly urge the STB to deny the recent filings which seek to designate TCR as a federal project, permit the project to commence preliminary steps leading to eminent domain of private property, or receive federal loan guarantees.

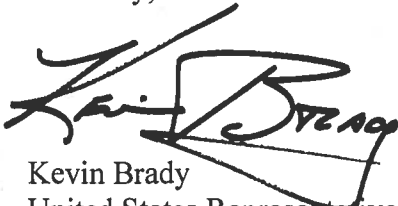
I am also opposed to TCR's petition that would allow the use of eminent domain as laid out in Texas law to establish the condemnation value of properties along the proposed route.

Landowners – especially those whose lands have been passed down from generation to generation - should not be forced into the stress of a condemnation process that saddles them with legal fees, clouds title to their property and injects uncertainty into the market value of their remaining property for a project with neither an approved route nor a permit to construct. The fact that TCR does not intend to take immediate possession of the property in no way mitigates the damage caused to a landowner forced into a costly condemnation fight.

TCR further states in its filing they are currently acquiring property from willing sellers and are prepared to accept the risk of lost capital investment in properties that may not be included in the final route alignment, which is an appropriate and responsible policy. However, while willing sellers may agree to sell land that ultimately is not included in the project, it is an entirely different proposition to use the power of eminent domain to force landowners into an adversarial process without an approved route and certainty that the project will be built.

Other proposed lines have enjoyed significant public support and participation from state and local governments, even going so far in the California High-Speed Rail as being affirmed by voters who approved the State's decision to issue bonds in order to fund the project. However, the proposed Texas Central High-Speed Rail project has yet to demonstrate significant support from communities along the proposed route. Therefore, if the STB chooses to exercise jurisdiction in this case I would request the STB ensure the full application process be adhered to so that the public has ample opportunity to weigh in on this very complicated and important issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Kevin Brady", with a stylized flourish extending from the end of the name.

Kevin Brady
United States Representative
Eighth District of Texas