

**SURFACE TRANSPORTATION BOARD VOTES TO NAME VICE CHAIRMAN BUTTREY
AS CHAIRMAN UPON DEPARTURE OF CHAIRMAN NOBER**

The Surface Transportation Board announced today that the Board has voted unanimously to elect Board Member W. Douglas Buttrey to serve as the agency's Chairman, until President George W. Bush designates a Chairman for the agency, effective upon current Chairman Roger Nober's departure from the Board. Chairman Nober has previously announced that he is resigning and plans to leave the Board on January 3, 2006.

The Board's action, taken pursuant to Section 701(b)(7) of Title 49, *United States Code* [49 U.S.C. 701(b)(7)], which provides that the Board may vote to designate a member to act as Chairman during any period during which there is no Chairman designated by the President, was intended to provide certainty and to avoid any possible ambiguity regarding succession.

The Board also voted unanimously to elect Board Member Francis P. Mulvey to serve as Vice Chairman, effective upon Chairman Nober's departure from the Board.

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