

Senate Commerce Committee Nominee Questionnaire, 116th Congress

A. BIOGRAPHICAL INFORMATION AND QUALIFICATIONS

1. Name (Include any former names or nicknames used):


Robert Edmund Primus

2. Position to which nominated:

Member, Surface Transportation Board

3. Date of Nomination: **July 21, 2020**

4. Address (List current place of residence and office addresses):

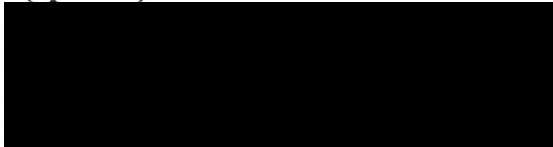

**2438 Rayburn House Office Building, Washington, DC 20515
(office)**

5. Date and Place of Birth:

October 25, 1969 – Denville, New Jersey

6. Provide the name, position, and place of employment for your spouse (if married) and the names and ages of your children (including stepchildren and children by a previous marriage).

**Gladys Barcena, Clerk – House Committee on Appropriations,
Subcommittee on Transportation, HUD and Related Agencies
(spouse)**



7. List all college and graduate degrees. Provide year and school attended.

**Bachelors of Science, Marketing - Hampton University, Hampton,
Virginia, 1991**

8. List all post-undergraduate employment, and highlight all management-level jobs held and any non-managerial jobs that relate to the position for which you are nominated.

Chief of Staff, The Honorable Tony Cardenás, United States House of Representatives, Washington, DC – March 2020-Present

Senior Advisor, The Honorable Tony Cardenás, United States House of Representatives, Washington, DC – February 2020-March 2020

Senior Advisor, The Honorable Tim Ryan, United States House of Representatives, Washington, DC - November 2019- February 2020

Chief of Staff, The Honorable Nanette Diaz Barragan, United States House of Representatives, Washington, DC - January 2019-October 2019

Chief of Staff, The Honorable Michael E. Capuano, United States House of Representatives, Washington, DC - September 2002-January 2019

Legislative Director, The Honorable Michael E. Capuano, United States House of Representatives, Washington, DC - March 1999-August 2002

Registered Lobbyist, Van Scoyoc Associates, Inc., Washington, DC - January 1995 – February 1999

Legislative Assistant, The Honorable Mel Reynolds, U.S. House of Representatives, Washington, DC January 1994 - December 1994

Legislative Assistant The Honorable Carrie P. Meek, U.S. House of Representatives, Washington, DC July 1993 - January 1994

Staff Assistant, The Honorable Frank R. Lautenberg, U.S Senate, Washington, DC, November 1991 - July 1993

**Intern, The Honorable Frank R. Lautenberg, U.S. Senate,
Washington, DC, August 1991 -November 1991**

9. Attach a copy of your resume.

Attached.

10. List any advisory, consultative, honorary, or other part-time service or positions with Federal, State, or local governments, other than those listed above, within the last ten years.

None.

11. List all positions held as an officer, director, trustee, partner, proprietor, agent, representative, or consultant of any corporation, company, firm, partnership, or other business, enterprise, educational, or other institution within the last ten years.

None.

12. Please list each membership you have had during the past ten years or currently hold with any civic, social, charitable, educational, political, professional, fraternal, benevolent or religiously affiliated organization, private club, or other membership organization. (For this question, you do not have to list your religious affiliation or membership in a religious house of worship or institution.). Include dates of membership and any positions you have held with any organization. Please note whether any such club or organization restricts membership on the basis of sex, race, color, religion, national origin, age, or disability.

Congressional Black Associates 1991-Present

The 116 Club, Member, 2016-Present

The National Democratic Club, Member, 2015-2018

None of these organizations restrict membership on the basis of sex, race, color, religion, national origin, age or disability.

13. Have you ever been a candidate for and/or held a public office (elected, non-elected, or appointed)? If so, indicate whether any campaign has any outstanding debt, the amount, and whether you are personally liable for that debt.

Yes. I was elected to serve as Correspondence Secretary for the Ward 7 Democrats in Washington, DC. The campaign did not have any outstanding debt.

14. List all memberships and offices held with and services rendered to, whether compensated or not, any political party or election committee within the past ten years. If you have held a paid position or served in a formal or official advisory position (whether compensated or not) in a political campaign within the past ten years, identify the particulars of the campaign, including the candidate, year of the campaign, and your title and responsibilities.

2010 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Michael E. Capuano – Served as liaison between the Congressman’s official office and campaign.

2012 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Michael E. Capuano-Served as liaison between the Congressman’s official office and campaign.

2014 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Michael E. Capuano-Served as liaison between the Congressman’s official office and campaign.

2016 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Michael E. Capuano-Served as liaison between the Congressman’s official office and campaign.

2018 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Michael E. Capuano- Served as liaison between the Congressman’s official office and campaign.

2020 Congressional Election Cycle - Chief of Staff and Political Designee to U.S. Representative Tony Cárdenas - Serve as liaison between the Congressman's official office and campaign.

15. Itemize all political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more for the past ten years.

I have never made any political contributions to any individual, campaign organization, political party, political action committee, or similar entity of \$500 or more.

16. List all scholarships, fellowships, honorary degrees, honorary society memberships, military medals, and any other special recognition for outstanding service or achievements.

Youth for Tomorrow Mentoring (Chicago) Excellence in Service Award

Washington Government Relations Group Augustus F. Hawkins Award

Congressional Black Associates Trailblazer Award

Honorary Citizen of Louisville, Kentucky

Honorary Kentucky Colonel

17. Please list each book, article, column, Internet blog posting, or other publication you have authored, individually or with others. Include a link to each publication when possible. Also list any speeches that you have given on topics relevant to the position for which you have been nominated. Do not attach copies of these publications unless otherwise instructed.

I have not authored, individually or with others, any books, articles, columns, Internet blog postings, or other publications, neither have I given any speeches on topics relevant to the position for which I have been nominated.

18. List digital platforms (including social media and other digital content sites) on which you currently or have formerly operated an account, regardless of whether or not the account was held in your name or an alias. Include the name of an “alias” or “handle” you have used on each of the named platforms. Indicate whether the account is active, deleted, or dormant. Include a link to each account if possible.

Linkedin: <https://www.linkedin.com/in/robert-primus-a651ab2/>

19. Please identify each instance in which you have testified orally or in writing before Congress in a governmental or non-governmental capacity and specify the date and subject matter of each testimony.

I have never testified before Congress.

20. Given the current mission, major programs, and major operational objectives of the department/agency to which you have been nominated, what in your background or employment experience do you believe affirmatively qualifies you for appointment to the position for which you have been nominated, and why do you wish to serve in that position?

I had the distinct pleasure of serving under former Congressman Michael E. Capuano while he was a member of the House Transportation and Infrastructure Committee’s Subcommittee on Railroads, Pipelines and Hazardous Materials. The Congressman served on the Subcommittee from 2013 to 2018 and was its Ranking Member from 2015 through the end of 2018. As the Congressman’s Chief of Staff, I was afforded the opportunity to work directly with the various sectors of the rail community and gained a more complete understanding of the legislative and regulatory policies that governs our national rail network. During his tenure as Ranking Member, the Subcommittee held hearings and briefings, and the Congressman had a number of individual meetings specifically related to the Surface Transportation Board, and in particular, the Surface Transportation Board Reauthorization Act of 2015. Accordingly, I developed a deeper knowledge and appreciation of Board’s functions and oversight and became very familiar with industry

and stakeholder issues within the freight and passenger railroad community.

My desire to join the Surface Transportation Board is borne from the idea that I want to continue my career in public service assisting in the oversight of an industry that is of great interest to me and significant importance to the nation. I want to bring my success solving complex and multi-dimensional problems at the Congressional level into a regulatory environment where I believe an unbiased, thoughtful and, at times, an unconventional approach and perspective will lead to fresh ideas and ultimately contribute to highly effective solutions to some of the challenges the Board is tasked to resolve. Fairness, reasonableness and equity are principles that have guided me throughout my career. Over my nearly twenty-five years of public service, I have sought to build a reputation centered on objectivity and fairmindedness, which in turn have allowed me to become a strong consensus builder and problem solver. When considering the responsibilities of a Surface Transportation Board Member, I believe these attributes are not only relevant, but necessary.

21. What do you believe are your responsibilities, if confirmed, to ensure that the department/agency has proper management and accounting controls, and what experience do you have in managing a large organization?

First and foremost, I believe it would be my responsibility and duty to support Chairman Ann Begeman in her role as the administrator of the agency's operations. It is incumbent upon me and other Board Members to assist her in her efforts to properly oversee administration functions within the Agency and effectively address all identified deficiencies. With respect to proper management and accounting controls, I believe special attention should be given to Congressional directives outlined in the Surface Transportation Board Reauthorization Act of 2015, as well recommendations brought forth by the Department of Transportation's Inspector General.

For the past eighteen years, I have had the honor of serving as a Chief of Staff to three different Members of Congress. In this

capacity, I have been responsible for overseeing not only Capitol Hill offices, but district and political offices as well. In addition to being senior policy and political advisor for each Member, I was also the primary human resource officer, compliance officer, budget/finance officer and ethics officer. I strongly believe my successful tenure as a senior manager on Capitol Hill will serve me well on the Board as it relates to the oversight and operation of the Agency.

22. What do you believe to be the top three challenges facing the department/agency, and why?

- 1) **The Board needs to continue its work related to the Surface Transportation Board Reauthorization Act of 2015. Congress was very clear in its desire to see the Board address deficiencies associated with rate case processes. Chairman Begeman, along with Board Members Fuchs and Oberman, have made considerable strides to address this issue. I look forward to working with them to fully implement a rate reform model that will streamline the rate case process, consistent with sound economic principles, to reduce costs and timelines and ultimately enhance the Board's effectiveness in handling such cases.**
- 2) **The Board must continue to make headway with respect to its pending proceedings. There are a number of key issues that have major implications for both the railroad and shipping communities. Again, the current Board membership, under the leadership of Chairman Begeman has made great strides in tackling many of these issues and I hope that I can help to contribute to the resolution of these pending matters in a way that is both timely and appropriate.**
- 3) **The Board must continually evaluate how its oversight and investigatory responsibilities can ensure a fair and balanced relationship between the railroad and shipping communities, and it must assert its responsibilities where appropriate. Changing business models within the railroad industry raise new and important issues. The Board should continue its active engagement with its advisory committees and the public, and it**

should consider use of its new authority, endowed by Congress, to investigate issues of national and regional significance as appropriate.

B. POTENTIAL CONFLICTS OF INTEREST

1. Describe all financial arrangements, deferred compensation agreements, and other continuing dealings with business associates, clients, or customers. Please include information related to retirement accounts.

As a federal employee, I participate in the Federal Employees Retirement System and the Thrift Savings Plan.

2. Do you have any commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during your appointment? If so, please explain.

I have no commitments or agreements, formal or informal, to maintain employment, affiliation, or practice with any business, association or other organization during my appointment.

3. Indicate any investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

As reflected in my Ethics Agreement with the STB, my spouse has a small home business called Happies Closet. For as long as my spouse continues to work in this business, I will not participate personally and substantially in any particular matter involving specific parties in which I know my spouse is a party unless I am first authorized to participate pursuant to 5 C.F.R. § 2635.502 (d). I do not have any other investments, obligations, liabilities, or other relationships which could involve potential conflicts of interest in the position to which I have been nominated.

4. Describe any business relationship, dealing, or financial transaction which you have had during the last ten years, whether for yourself, on

behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated. Explain how you will resolve each potential conflict of interest.

I have not had any business relationship, dealing, or financial transaction during the last ten years that could in any way constitute or result in a possible conflict of interest in the position to which I have been nominated.

5. Identify any other potential conflicts of interest, and explain how you will resolve each potential conflict of interest.

I do not have any other potential conflicts of interest.

6. Describe any activity during the past ten years, including the names of clients represented, in which you have been engaged for the purpose of directly or indirectly influencing the passage, defeat, or modification of any legislation or affecting the administration and execution of law or public policy.

Over the past ten years, in my capacity as a Chief of Staff and Senior Advisor to four different Members of Congress, it was often my responsibility to develop, coordinate and execute strategies on behalf of the respective Members that would directly influence the passage, defeat or modification of legislation that came before the House of Representatives.

C. LEGAL MATTERS

1. Have you ever been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group? If yes:
 - a. Provide the name of agency, association, committee, or group;
 - b. Provide the date the citation, disciplinary action, complaint, or personnel action was issued or initiated;

- c. Describe the citation, disciplinary action, complaint, or personnel action;
- d. Provide the results of the citation, disciplinary action, complaint, or personnel action.

I have never been disciplined or cited for a breach of ethics, professional misconduct, or retaliation by, or been the subject of a complaint to, any court, administrative agency, the Office of Special Counsel, professional association, disciplinary committee, or other professional group.

- 2. Have you ever been investigated, arrested, charged, or held by any Federal, State, or other law enforcement authority of any Federal, State, county, or municipal entity, other than for a minor traffic offense? If so, please explain.

Yes. In 1992, while my parents were out of town, I had accidentally locked myself out of their townhouse, located in a gated community in Washington, DC. An individual living in their gated community thought I was trespassing and aggressively confronted me, which resulted in a physical altercation between the two of us. I was subsequently arrested and charged with a misdemeanor simple assault. I plead not guilty and requested a jury trial before the DC Superior Court. I was found not guilty by a jury of my peers and my arrest record was sealed and ultimately expunged.

- 3. Have you or any business or nonprofit of which you are or were an officer ever been involved as a party in an administrative agency proceeding, criminal proceeding, or civil litigation? If so, please explain.

No.

- 4. Have you ever been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation other than a minor traffic offense? If so, please explain.

No, I have never been convicted (including pleas of guilty or *nolo contendere*) of any criminal violation.

5. Have you ever been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis? If so, please explain.

No, I have never been accused, formally or informally, of sexual harassment or discrimination on the basis of sex, race, religion, or any other basis.

6. Please advise the Committee of any additional information, favorable or unfavorable, which you feel should be disclosed in connection with your nomination.

I have no further information that I wish to provide.

D. RELATIONSHIP WITH COMMITTEE

1. Will you ensure that your department/agency complies with deadlines for information set by congressional committees, and that your department/agency endeavors to timely comply with requests for information from individual Members of Congress, including requests from members in the minority?

Yes.

2. Will you ensure that your department/agency does whatever it can to protect congressional witnesses and whistle blowers from reprisal for their testimony and disclosures?

Yes.

3. Will you cooperate in providing the Committee with requested witnesses, including technical experts and career employees, with firsthand knowledge of matters of interest to the Committee?

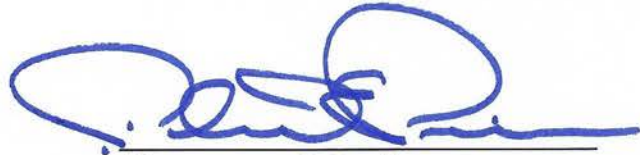
Yes.

4. Are you willing to appear and testify before any duly constituted committee of the Congress on such occasions as you may be reasonably requested to do so?

(Nominee is to include this signed affidavit along with answers to the above questions.)

F. AFFIDAVIT

Robert E. Primus, being duly sworn, hereby states that he has read and signed the foregoing Statement on Biographical and Financial Information and that the information provided therein is, to the best of his knowledge, current, accurate, and complete.



Signature of Nominee

Subscribed and sworn before me this 28 day of July, 2020.



Notary Public

District of Columbia: SS
The foregoing instrument was acknowledged before me
this 28 day of July, 2020
by Mary Pritschau

Mary Pritschau, Notary Public, D.C.
My commission expires February 29, 2024

Robert E. Primus



SUMMARY

A team-oriented, senior professional with over twenty-five years of substantive experience in the legislative and advocacy fields; adept at researching and analyzing complex legislative and public policy issues while working in demanding environments; possesses excellent written and oral skills; results-oriented, with a solid record of legislative and policy accomplishments built upon proven abilities in strategic planning, administration and project management.

PROFESSIONAL EXPERIENCE

OFFICE OF THE HONORABLE TONY CÁRDENAS, (CA-29) U.S. House of Representatives, Washington, DC

Chief of Staff

March 2020 - Present

Primary responsibilities

Chief advisor and administrator; develop and execute political and policy agendas; oversee the office's day-to-day operations and management; hire staff and implement personnel policies and procedures.

OFFICE OF THE HONORABLE TONY CÁRDENAS, (CA-29) U.S. House of Representatives, Washington, DC

Senior Advisor

February 2020- March 2020

Primary responsibilities

Advised the Member and Chief of Staff on legislative and political matters.

OFFICE OF THE HONORABLE TIM RYAN, (OH-13) U.S. House of Representatives, Washington, DC

Senior Advisor

November 2019- February 2020

Primary responsibilities

Provide legislative background and expertise to the Member and Chief of Staff in the areas of healthcare, transportation, budget and appropriations, and national security. Drafted an updated Office Employee Handbook that included a number of modifications as directed by the Chief of Staff and Deputy Chief of Staff. Provided formal and informal guidance to members of the Congressman's legislative team.

OFFICE OF THE HONORABLE NANETTE DIAZ BARRAGÁN, (CA-44) U.S. House of Representatives, Washington, DC

Chief of Staff

January 2019- November 2019

Primary responsibilities

Responsible for the day-to-day operations and management of the Congresswoman's office. Primary staff liaison to the Democratic leadership, as well as the Energy and Commerce Committee and the Congressional Hispanic Caucus. Provide legislative background and expertise in the areas of healthcare, transportation, budget and appropriations, and national security. Serve as the Congresswoman's staff liaison to her Washington-and California-based fundraisers and works with the fundraisers to coordinate fundraising events.

OFFICE OF THE HONORABLE MICHAEL E. CAPUANO, (MA-7)
U.S. House of Representatives, Washington, DC

Chief of Staff

September 2002 – Present

Primary responsibilities

Chief advisor and administrator; develop and execute political and policy agendas; oversee the office's day-to-day operations and management; hire staff and implement personnel policies and procedures; manage legislative portfolio related to health care, national security, transportation, homeland security and national intelligence; primary staff contact for the Congressional Community Health Center Caucus, of which the Congressman is a co-chair; chief liaison to the House Leadership and the Massachusetts Congressional delegation; primary point-of-contact with the Congressman's Washington-based fundraiser and works with the fundraiser to develop and coordinate all fundraising events in Washington; develop, coordinate, and manage all district- and state-specific appropriations projects.

Leadership Accomplishments/ Roles

- Staff point-of-contact for the Democratic Steering and Policy Committee
- Chief liaison for Chairman Capuano's Democratic Caucus' Organization, Study and Review Committee during the 2006 overview of Caucus rules and procedures
- Staff liaison for Chairman Capuano's Transition for Incoming House Democratic Majority in 2006
- Liaison and special advisor to the Committee on House Administration 2007-2010
- Supported Mr. Capuano's efforts to elect Congressman John Larson Vice Chair of the Democratic Caucus
- Managed the healthcare portfolio within the most health-centric congressional district in the country
- Worked directly with the Commonwealth of Massachusetts during the implementation of the Affordable Care Act
- On the Massachusetts delegation team assisting 1115 Medicaid waiver applications to CMS
- Worked closely with leading Massachusetts health care institutions on critical health care issues including Medicaid waivers, the Area Wage Index, the PACE program, the 340B drug program, the Graduate Medical Education program, the dual-eligible program, community health center funding, and issues surrounding behavioral health
- Secured more than \$400 million in Congressionally directed federal funding for the district
- Organized, coordinated, and staffed CODEL Capuano to Afghanistan and Pakistan, which was the first American delegation to meet with then newly elected Pakistani Prime Minister Syed Yousaf Raza Gillani

Notable Misc.

- Deep personal ties to an extensive list of Democrat and Republican members and staff
- Strong relationships with House Leadership and Committee staff
- Strong relationships with members and staff of the Congressional Black Caucus, Congressional Hispanic Caucus, and the Congressional Asian Pacific American Caucus
- Possess an active Top-Secret Security clearance

Legislative Director

March 1999 – September 2002

Served as senior policy advisor, responsible for the coordination and oversight of all legislative activities; oversaw the constituent correspondence operation; managed all district- and state- specific appropriations projects; responsible for the Congressman's legislative portfolio related to national and homeland security and intelligence.

In this capacity, acted as the primary staff contact for the House Democratic Whip Team during the Congressman's tenure as a regional whip; served as the Congressman's associate committee staff during his time on House Budget Committee; and researched and drafted the Juvenile and Young Adult Witness Protection bill of 1999, which was later included in a comprehensive juvenile justice bill that was subsequently signed into law.

VAN SCOYOC ASSOCIATES, INC., WASHINGTON, DC

Registered Lobbyist

January 1995 – February 1999

Represented major corporate, not-for-profit, healthcare, academic, and state government clients before the United States Congress and the Executive Agencies.; responsible for the development and execution of client strategies;

provided drafted client testimony, report language, and briefing materials; coordinated and conducted briefings with Members of Congress and their staff; provided legislative research and analysis for clients.

OFFICE OF THE HONORABLE MEL REYNOLDS, (IL-2)
U.S. House of Representatives, Washington, DC

Legislative Assistant

January 1994 - December 1994

Briefed and advised the member on legislation and the impacts to the district; served as staff representative to the White House Conference on Small Business and the Democratic Health Care Seminars; served as a Team Captain on the Democratic Leadership's Message Board; drafted and analyzed legislation individually and in collaboration with colleagues in other member offices.

OFFICE OF THE HONORABLE CARRIE P. MEEK, (FL-17)
U.S. House of Representatives, Washington, DC

Legislative Assistant

July 1993 - January 1994

Briefed and advised the member on legislation related to national security, telecommunications, trade, and agriculture policy; drafted Dear Colleagues, constituent letters and floor statements; met with industry representatives and constituents.

OFFICE OF THE HONORABLE FRANK R. LAUTENBERG, (NJ)
U.S. Senate, Washington, DC

Staff Assistant

November 1991 - July 1993

Assisted the Administrative Assistant, Legislative Director and State Director with time sensitive and sometimes confidential mail inquires; assisted senior staff with tracking and researching legislation; drafted briefing memos for legislative fellows.

EDUCATION

HAMPTON UNIVERSITY - Hampton, Virginia
Bachelor of Science Degree in Marketing
Graduated *Cum Laude*

May 1991

HARVARD UNIVERSITY - Cambridge, Massachusetts
John F. Kennedy School of Government
Senior Managers in Government – Certificate Program

Summer 2007