



Dear Senator,

On behalf of the Board of Directors and Members of the National Industrial Transportation League (League), I am writing concerning the Senate's consideration of S. 146, the Railroad Antitrust Enforcement Act, on Tuesday June 2, 2009. The League is an association of companies that conduct industrial and/or commercial shipping throughout the United States and internationally. Founded in 1907, the League is one of the oldest and largest associations representing some 700 member companies involved with the transport of all kinds of freight, using all modes, in both domestic and international commerce.

Earlier this month, the League's Rail Transportation Committee met in Houston and, among other matters important to shippers and railroads, the Committee discussed S. 146 at length. Their discussion focused on the bill's provisions which would repeal antitrust exemptions in the rail industry and bring the federal government's review of railroad mergers and acquisitions under the purview of the Department of Justice and the Federal Trade Commission.

The Committee also discussed the very important work that is ongoing in the Senate Committee on Commerce, Science and Transportation under Senator Rockefeller's chairmanship to draft a bill to reauthorize the Surface Transportation Board (STB). While drafting of that bill has not yet been completed, the League anticipates the bill will seek to promote competition in the industry and set forth operational and policy mandates to serve as effective guidelines for the STB.

America's freight railroads and their shipper customers will be affected by both S. 146 and Senator Rockefeller's prospective legislation. Accordingly, the League's Board of Directors has voted overwhelmingly to endorse S. 146 and urge the Senate to coordinate any changes in the applicability of antitrust law to the railroads with the forthcoming STB reauthorization bill. The League respectfully recommends that the Senate work cooperatively toward achieving a coherent, rational and comprehensive national policy which will enable our nation's railroads to be in the best position possible to serve their valued customers. Further, the League's Board believes it is imperative that both pieces of legislation be developed in tandem in order to avoid the consequences of taking a piecemeal approach to legislation of such importance to shippers and railroads: uncertainty for both interests, and inevitable conflicts in law and policy direction.

The National Industrial Transportation League's Members and staff stand ready to work with you to achieve these important goals for efficient freight transportation on America's freight rails.

Sincerely,
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