



October 2008

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H.R. 1650

Rep. Bruce Braley (D-IA)

[Click here](#) to thank Rep. Braley for supporting H.R. 1650 to insert competition into the railroad industry.

Rep. Donald Cazayoux (D-LA)

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Rep. John Kline (R-MN)

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Rep. Charlie Melancon (D-LA)

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Rail Reform Bill Clears Another Hurdle

CURE to Build on Successes for Next Congress

As the 110th Congress appears to have ended its legislative activity for the year, rail reform legislation has cleared another hurdle, putting the legislation in prime position for passage when Congress begins its new session in January.

Judiciary Committee Chairman John Conyers(D-MI) filed the committee report Sept. 16 formally asking the full House to pass the Railroad Antitrust Enforcement Act - H.R. 1650 - representing the final procedural hurdle in the House Judiciary Committee.

The fact that both House and Senate Judiciary Committees passed and reported the CURE antitrust legislation to their respective chambers marks the greatest advancement of rail reform legislation in Congress in more than 25 years.

"Of course we're not satisfied with anything less than final passage into law," said Bob Szabo, executive director of CURE. "But we have a solid foundation in place for the next session of Congress to quickly move the railroad antitrust bill through the committee process and get the legislation to a vote of the full House and Senate."

In addition, this session witnessed success on other fronts for rail customers. Pro-CURE Members of Congress added eight separate amendments to various bills. Three separate government studies on rail customer concerns are underway in the executive branch. And almost every Member of Congress and countless Capitol Hill staff members have been briefed on the lack of competition in the national freight rail system.

Szabo said all the momentum from this legislative year, which has likely concluded unless a post-election session is called, has helped to significantly raise the visibility of rail reform. This momentum will put rail reform legislation higher on the agenda when the 111th Session of Congress convenes in January 2009.

Szabo thanked the friends of CURE who called and wrote their Member of Congress; who visited their Representative's offices in their home states or in Washington during Rail Customer Day. He urged CURE members to continue their outreach to lawmakers, to ask them to cosponsor the legislation in the next session of Congress.

Noted and Quoted

"For years the railroads have used their loophole exemption from antitrust laws to raise rates on rail customers and increase costs for U.S. consumer goods. This virtual monopoly by the freight rail industry is unfair and unacceptable and it must end."

Rep. Tammy Baldwin (D-WI), author of the Railroad Antitrust Enforcement Act, in support of a U.S. House vote on her legislation.

Don't Be Fooled by Bogus Go21 Rail Campaign



Members of CURE should take note that they may be asked to participate in an innocuous-sounding effort to promote "economic growth and rail infrastructure," but this phony campaign is actually designed by the big railroads to stop rail reform efforts and protect the railroads' monopoly power.

CURE is warning members not to be fooled by this deceptive campaign and unknowingly hurt the cause of rail reform by participating. CURE members have already received emails from this railroad front group - called Go21 - asking for help to lobby on behalf of the big railroads. They've also received email requests to sign onto a petition against H.R. 2125 - the Railroad Competition and Service Improvement Act that is vigorously supported by CURE. The front group has also pushed for the passage of resolutions in state government organizations and civic groups designed to stop rail reform legislation under the guise of promoting improved rail infrastructure.

This railroad front group is working to mislead the public and our government on these issues. Go to the [CURE website](#) for more information about this bogus railroad campaign.

Steeled for Reform *Birmingham's Nucor Struggles Against Rail's High Prices, Poor Service*



Nucor Corporation is one of the businesses that keeps America in business. A major producer of steel used for construction, Nucor provides more than 700,000 tons of rebar annually that serves as the building block for homes, buildings, bridges and roads across the United States.

The majority of Nucor's steel is shipped from its Birmingham plant via rail. The plant is located close to two rail lines - one owned by Norfolk Southern and one by CSX. Unfortunately, because of a loophole in the law that's all too familiar to CURE members, Norfolk Southern is able to prevent Nucor from accessing CSX. As a result, Nucor can't get service from the nearby CSX lines that could provide an alternative means of shipping, making Nucor solely dependent on Norfolk Southern for transportation.

Nucor is a captive shipper, blocked off from competitive pricing. Norfolk Southern uses its monopoly power to its full advantage, charging Nucor significantly higher shipping rates than it could get were competition available.

In addition to higher rates, Norfolk Southern also has Nucor in a bind on the service front. Late or inadequate arrivals can cause Nucor to miss deadlines, further frustrating customers and putting Nucor jobs at risk.

Nucor is yet another example of the many American businesses that would benefit from passage of legislation ending the railroads' exemption from our nation's antitrust laws that are designed to ensure competitive markets for American products. Thousands of high paying American jobs are being put in jeopardy by the railroad's monopoly practices.

CURE Wants to Hear Your Story

Our coalition has expanded to include an ever-wider array of agriculture and small-community interests, and we want to hear about rural America's struggle with monopoly pricing and unresponsive service from the railroad industry.

If you're a farmer, rancher, grain elevator operator or anyone else in rural or small town America with a story to tell about how your livelihood has been threatened by monopoly rail practices, please [contact us](#). It's these personal accounts that really hit home with Congress and the media, and help counter the rail lobby's efforts in Congress to protect their monopoly power.

Tell us your stories; be part of the CURE.