

S 772

Railroad Antitrust Enforcement Act of 2007

Congress: 110 (2007–2009, Ended)

Chamber: Senate

Policy Area: Commerce

Introduced: Mar 6, 2007

Current Status: Placed on Senate Legislative Calendar under General Orders. Calendar No. 551.

Latest Action: Placed on Senate Legislative Calendar under General Orders. Calendar No. 551. (Dec 19, 2007)

Official Text: <https://www.congress.gov/bill/110th-congress/senate-bill/772>

Sponsor

Name: Sen. Kohl, Herb [D-WI]

Party: Democratic • **State:** WI • **Chamber:** Senate

Cosponsors (11 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Coleman, Norm [R-MN]	R · MN		Mar 6, 2007
Sen. Feingold, Russell D. [D-WI]	D · WI		Mar 6, 2007
Sen. Rockefeller, John D., IV [D-WV]	D · WV		Mar 6, 2007
Sen. Vitter, David [R-LA]	R · LA		Mar 6, 2007
Sen. Harkin, Tom [D-IA]	D · IA		Mar 21, 2007
Sen. Dorgan, Byron L. [D-ND]	D · ND		Sep 5, 2007
Sen. Leahy, Patrick J. [D-VT]	D · VT		Sep 6, 2007
Sen. Biden, Joseph R., Jr. [D-DE]	D · DE		Sep 19, 2007
Sen. Schumer, Charles E. [D-NY]	D · NY		Sep 20, 2007
Sen. Klobuchar, Amy [D-MN]	D · MN		Mar 4, 2008
Sen. Lincoln, Blanche L. [D-AR]	D · AR		Mar 12, 2008

Committee Activity

Committee	Chamber	Activity	Date
Commerce, Science, and Transportation Committee	Senate	Hearings By (subcommittee)	Oct 23, 2007
Judiciary Committee	Senate	Hearings By (subcommittee)	Oct 3, 2007

Subjects & Policy Tags

Policy Area:

Commerce

Related Bills

Bill	Relationship	Last Action
110 HR 1650	Identical bill	Sep 18, 2008: Placed on the Union Calendar, Calendar No. 556.

Railroad Antitrust Enforcement Act of 2007 - Amends the Clayton Act to grant the United States exclusive authority to bring suit for injunctive relief against a common carrier that is not a rail common carrier subject to the jurisdiction of the Surface Transportation Board (STB).

Revises provisions prohibiting anticompetitive transactions except for those approved by specified federal agencies acting under certain statutes to eliminate the exemption for certain STB approved transactions.

Provides that, in any civil action against a rail common carrier, the U.S. district court shall not be required to defer to the primary jurisdiction of the STB.

Empowers the Federal Trade Commission (FTC) to regulate, and engage in antitrust enforcement regarding, collective rate agreements and certain transactions, including railroad mergers and acquisitions.

Permits treble damages against a railroad common carrier in an antitrust suit to parties injured by antitrust violations without regard to whether such railroads have filed rates or whether a complaint challenging rates has been filed.

Amends federal transportation law to terminate the exemptions from antitrust laws for collective ratemaking agreements.

Requires the STB, when reviewing a proposed agreement, to take into account its impact upon shippers, consumers, and affected communities.

Revises STB authority to provide that a rail carrier, corporation, or a person participating in an approved transaction is not exempt from specified antitrust laws. Provides an exception with respect to any transaction relating to the pooling of railroad cars approved by the STB or its predecessor agency.

Actions Timeline

- **Dec 19, 2007:** Committee on the Judiciary. Reported by Senator Leahy with amendments. With written report No. 110-252.
- **Dec 19, 2007:** Placed on Senate Legislative Calendar under General Orders. Calendar No. 551.
- **Oct 23, 2007:** Committee on Commerce, Science, and Transportation Senate Subcommittee on Surface Transportation and Merchant Marine Infrastructure, Safety, and Security. Hearings held. With printed Hearing: S.Hrg. 110-886.
- **Oct 3, 2007:** Committee on the Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights. Hearings held. With printed Hearing: S.Hrg. 110-199.
- **Sep 20, 2007:** Committee on the Judiciary. Ordered to be reported with an amendment favorably.
- **Mar 7, 2007:** Committee on the Judiciary Subcommittee on Antitrust, Competition Policy and Consumer Rights. Hearings held.
- **Mar 6, 2007:** Introduced in Senate
- **Mar 6, 2007:** Sponsor introductory remarks on measure. (CR S2708)
- **Mar 6, 2007:** Read twice and referred to the Committee on the Judiciary. (text of measure as introduced: CR S2708-2709)