

S 638

Railroad Antitrust Enforcement Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** Senate

**Policy Area:** Commerce

**Introduced:** Mar 21, 2013

**Current Status:** Read twice and referred to the Committee on the Judiciary.

**Latest Action:** Read twice and referred to the Committee on the Judiciary. (Mar 21, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/senate-bill/638>

Sponsor

**Name:** Sen. Klobuchar, Amy [D-MN]

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

Cosponsors (5 total)

Cosponsor	Party / State	Role	Date Joined
Sen. Baldwin, Tammy [D-WI]	D · WI		Mar 21, 2013
Sen. Franken, Al [D-MN]	D · MN		Mar 21, 2013
Sen. Leahy, Patrick J. [D-VT]	D · VT		Mar 21, 2013
Sen. Tester, Jon [D-MT]	D · MT		Mar 21, 2013
Sen. Vitter, David [R-LA]	R · LA		Mar 21, 2013

Committee Activity

Committee	Chamber	Activity	Date
Judiciary Committee	Senate	Referred To	Mar 21, 2013

Subjects & Policy Tags

**Policy Area:**

Commerce

Related Bills

No related bills are listed.

Railroad Antitrust Enforcement Act of 2013 - 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 railroad common carriers in antitrust suits 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. Makes such provision inapplicable to any transaction relating to the pooling of railroad cars approved by the STB or its predecessor agency.

### **Actions Timeline**

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- **Mar 21, 2013:** Introduced in Senate
- **Mar 21, 2013:** Read twice and referred to the Committee on the Judiciary.