



**October 22, 2010**

## **Legislation**

Members of Congress are back in their respective states in advance of this year's midterm elections. Both the Senate and House of Representatives will reconvene in Washington, DC, for a lame duck session on November 15. The lame duck session is expected to last four to six weeks.

## **Surface Transportation Board**

**Nottingham will not seek second STB term.** Surface Transportation Board Commissioner and former Chairman Charles D. Nottingham announced on October 18 he will not seek a second term on the Board when his current term expires Dec. 31.

"It has been a great honor to serve on the Surface Transportation Board," Nottingham said. "I am deeply grateful to President Bush for nominating me and appointing me to the position of Chairman. It has been a pleasure serving alongside my current and former colleagues on the Board: Chairman Elliott, Vice Chairman Mulvey, and former Commissioner Doug Buttrey. I owe a special thank you to the dedicated men and women of the STB staff; it has been a real privilege to work closely with this highly professional and dedicated team of public servants."

Nottingham, the lone Republican on the three-member Board, was appointed chairman by President George W. Bush and joined the Board on Aug. 14, 2006 following his Senate confirmation. He served as STB chairman until March 12, 2009. During Nottingham's tenure as chairman the Surface Transportation Board was ranked first among small federal agencies by the Partnership for Public Service and American University in their survey of the Best Places to Work in the Federal Government. The agency also earned the top rating for "Effective Leadership."

Under Nottingham's leadership, the Board strengthened its Rail Customer and Public Assistance Program, established the Rail Energy Transportation Advisory Committee and made it easier for small businesses to challenge railroad rates.

"Chip's leadership and expertise will be missed," said STB Chairman Daniel R. Elliott III. "I join all Board members and employees in wishing him only the best in his future endeavors."

Vice Chairman Francis P. Mulvey said: "Chip Nottingham has been an invaluable member of the Board since he came in as Chairman in 2006. At times, Chip and I were the only Board members, and we always worked cooperatively and productively to accomplish the STB's

mission. I will miss his intelligence and thoughtful insights. I wish him all the success possible as he embarks on a new career."

Nottingham will announce a specific departure date at a later time. The Board's governing statute permits a Board member to serve for up to one year after the end of his or her term, until a successor is appointed.

**STB to hold hearing on revisiting commodity, boxcar and intermodal regulatory exemptions.** The Surface Transportation Board announced a public hearing for Thursday, Dec. 9, 2010, to review existing exemptions from railroad-transportation regulations for certain commodities, boxcar and intermodal freight.

Beginning in 1979, the STB's predecessor agency, the Interstate Commerce Commission, removed the federal protections requiring reasonable service and rates from certain classes of freight, including certain commodities, boxcar movements and intermodal services.

"At the time, most of those shippers supported the exemptions," said STB Chairman Daniel R. Elliott III. "But some of those same shippers now say that these exemptions have outlived their usefulness. This hearing is a good way to explore whether those exemptions still make good policy sense."