

LOBBYING REPORT

Lobbying Disclosure Act of 1995 (Section 5) - **All Filers Are Required To Complete This Page**

1. Registrant Name:

MULLENHOLZ & BRIMSEK

2. Address:

1150 CONNECTICUT AVE NW #700, WASHINGTON, DC 20036

3. Principal place of business (if different from line 2):

4. Contact Name: JOHN R. BRIMSEK

Telephone: 202-296-8000

E-mail (optional): jrb@mblawyers.com

Senate ID #: 26147-51

House ID #: 30665003

7. Client Name: Self

DELAWARE & HUDSON RAILROAD D/B/A CANADIAN PACIFIC RAILWAY

TYPE OF REPORT

8. Year 2004 Midyear (January 1 - June 30): **OR** Year End (July 1 - December 31):

9. Check if this filing amends a previously filed version of this report:

10. Check if this is a Termination Report: => Termination Date: _____ 11. No Lobbying Activity:

INCOME OR EXPENSES

Complete Either Line 12 **OR** Line 13

12. Lobbying Firms

INCOME relating to lobbying activities for this reporting period was:

Less than \$10,000:

\$10,000 or more: => Income (nearest \$20,000): 60,000.00

Provide a good faith estimate, rounded to the nearest \$20,000, of all lobbying related income from the client (including all payments to the registrant by any other entity for lobbying activities on behalf of the client).

13. Organizations

EXPENSES relating to lobbying activities for this reporting period were:

Less than \$10,000:

\$10,000 or more: => Expenses (nearest \$20,000): _____

14. Reporting Method.

Check box to indicate expense accounting method. See instructions for description of options.

- Method A.** Reporting amounts using LDA definitions only
 Method B. Reporting amounts under section 6033(b)(8) of the Internal Revenue Code
 Method C. Reporting amounts under section 162(e) of the Internal Revenue Code

Registrant Name: MULLENHOLZ & BRIMSEK Client Name: DELAWARE & HUDSON RAILROAD D/B/A
CANADIAN PACIFIC RAILWAY

LOBBYING ACTIVITY

Select as many codes as necessary to reflect the general issue areas in which the registrant engaged in lobbying on behalf of the client during the reporting period. Using a separate page for each code, provide information as requested. Attach additional page(s) as needed.

15. General issue area code: BUD (one per page)

16. Specific lobbying issues:

HR 4567 and S 2537, Department of Homeland Security Appropriations Act, FY 2005. Provisions related to providing funding to the Coast Guard for alteration of Canadian Pacific bridge between Lacrosse, Wisconsin and Minnesota. Provisions related to railroad security. Transportation-Treasury Appropriations Act, FY 2005. Provisions related to railroad user fees, railroad research, highway-railroad grade crossings, Amtrak and other passenger rail.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES

SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: BRIMSEK, JOHN R.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above.

Delaware and Hudson is wholly owned by Canadian Pacific Railway. Legislation which affects the U.S. railroad industry affects Canadian Pacific Railway's U.S. interests.

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CANADIAN PACIFIC RAILWAY

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15. General issue area code: HCR (one per page)

16. Specific lobbying issues:

S. 1125, The Fairness in Asbestos Injury Resolution Act. Provisions related to inclusion of the railroad industry in the legislation.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES

SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: BRIMSEK, JOHN R.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above.

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15. General issue area code: ROD (one per page)

16. Specific lobbying issues:

H.R. 3550, Transportation Equity Act A Legacy for Users, and Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004. Provisions related to Tradeway Truck Tunnel.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: BRIMSEK, JOHN R.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above.

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15. General issue area code: RRR (one per page)

16. Specific lobbying issues:

S 919 Railroad Competition Act, HR 2192 Surface Transportation Board Reform Act and related bills. Provisions related to regulation of the railroad industry. H.R. 2572, Amtrak Reauthorization Act and related bills. Provisions related to reauthorization of Amtrak. H.R. 3550, Transportation Equity Act A Legacy for Users, and Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004. Provisions related to funding freight and passenger rail infrastructure. S. 2273, Rail Security Act; H.R. 4604, Protecting Railroads against Enemy Efforts through Modernization, Planning and Technology Act and related bills. Provisions related to railroad security.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: BRIMSEK, JOHN R.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above.

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15. General issue area code: TAX (one per page)

16. Specific lobbying issues:

H.R. 6, Energy Policy Act; H.R. 3550, Transportation Equity Act A Legacy for Users, and Safe, Accountable, Flexible, and Efficient Transportation Equity Act of 2004; H.R. 4520, American Jobs Creation Act; S. 1637, JOBS Act and other bills to eliminate deficit reduction fuel tax applied to railroads.

17. House(s) of Congress and Federal agencies contacted:

HOUSE OF REPRESENTATIVES
SENATE

18. Name of each individual who acted as a lobbyist in this issue area:

Name: BRIMSEK, JOHN R.

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above.

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Signature: ON FILE Date: Jan 21, 2005

Printed Name and Title: JOHN R. BRIMSEK - PARTNER