

## 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 2002 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): 40,000.00

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:

Department of Transportation and Related Agencies Appropriations Act, 2002. Provisions related to railroad user fees to fund the Federal Railroad Administration and the Surface Transportation Board. Provisions related to funding highway-railroad grade crossing programs and rail research.

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.

Client is wholly owned by Canadian Pacific Railway. Legislation which affects U.S. railroad industry affects Canadian Pacific Railway's U.S. interests.

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: ENG (one per page)

16. Specific lobbying issues:

S. 517 and H.R. 4, Energy Policy Act. Provisions related to funding clean coal technology and locomotive fuel and emissions. Provisions reauthorizing the Price-Anderson Act concerning nuclear waste transportation liability.

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.

Client is wholly owned by Canadian Pacific Railway. Legislation which affects U.S. railroad industry affects Canadian Pacific Railway's U.S. interests.

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

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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: RRR (one per page)

16. Specific lobbying issues:

S. 1550, Rail Security Act. Provisions related to freight rail security. S. 2245, Railroad Competition, Arbitration and Service Act, S. 1103, Railroad Competition Act, and H.R. 141, Surface Transportation Board Reform Act. Provisions dealing with regulation of the railroad industry. H.R. 2654, Transit Rail Accommodation Improvement and Needs Act for the 21st Century. Provisions granting transit authorities enhanced access to freight rail lines. S. 1991, National Defense Rail Act, S. 1958, Rail Passenger Service Improvement Act, H.R. 4545, Amtrak Reauthorization Act, and H.R. 2950, Rail Infrastructure Development and Expansion Act for the 21st Century. Provisions related to funding intercity and high speed rail and the Railroad Rehabilitation and Improvement Financing program. S. 1669, Hazardous Material Transportation Safety Reauthorization Act, and H.R. 4761, Railroad Safety Reform Act. Provisions relating to railroad operations.

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.

Client is wholly owned by Canadian Pacific Railway. Legislation which affects U.S. railroad industry affects Canadian Pacific Railway's U.S. interests.

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: TAX (one per page)

16. Specific lobbying issues:

H.R. 4, Energy Policy 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.

Client is wholly owned by Canadian Pacific Railway. Legislation which affects U.S. railroad industry affects Canadian Pacific Railway's U.S. interests.

Signature: ON FILE Date: Jul 23, 2002

Printed Name and Title: JOHN R. BRIMSEK - PARTNER