

LOBBYING REPORT

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

1. Registrant Name:

KIRKPATRICK & LOCKHART PRESTON GATES ELLIS (K & L GATES)

2. Address:

1735 NEW YORK AVENUE, N.W. SUITE 500, WASHINGTON, DC 20006

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

4. Contact Name: TERRI ALDER

Telephone: 2026613881

E-mail (optional): terri.alder@klgates.com

Senate ID #: 32098-113

House ID #:

7. Client Name: ☐ Self

BNSF RAILWAY CO. (FORMERLY BURLINGTON NORTHERN SANTA FE CORP)

TYPE OF REPORT

8. Year 2006 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): 120,000.00

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: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS (K & L GATES) Client Name: BNSF RAILWAY CO. (FORMERLY BURLINGTON NORTHERN SANTA FE CORP)

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: RRR (one per page)

16. Specific lobbying issues:

HR 4939, Emergency Supplemental Appropriations Act for Defense, the Global War on Terror, and Hurricane Recovery 2006, clarification of funding for overlay train control project. HR 2047 and S 919, Railroad Competition Act of 2003, lobbied against bill. HR 2830, Pension Protection Act of 2005, at-risk pensions. P.L.109-59, Safe, Accountable, Flexible, and Efficient Transportation Equity-LU Act of 2005, Public Private Partnerships. HR 913, FASB, monitored bill dealing with FASB's treatment of stock options. Monitored plans for high-level waste to Yucca Mountain repository. Monitored proposals to encourage the production and use of alternative fuels. Monitored trade developments. HR 5441, Department of Homeland Security Appropriations Act, 2007 HR 5576, Transportation, Treasury, Housing and Urban Development, the Judiciary, the District of Columbia and Independent Agencies Appropriations Act, 2007 CONTINUED ON NEXT PAGE

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

Federal Railroad Administration
HOUSE OF REPRESENTATIVES
Intl Trade Administration (ITA)
Labor, Dept of (DOL)
SENATE
Transportation Security Administration (TSA)
Transportation, Dept of (DOT)
White House Office

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

Name: ALIFERIS, SCOTT
Covered Official Position (if applicable): N/A
Name: ARCOS, CRIS
Covered Official Position (if applicable): N/A
Name: EVANS, MICHAEL
Covered Official Position (if applicable): N/A
Name: FLACHBART, AMY
Covered Official Position (if applicable): CHIEF OF STAFF FOR CONGRESSMAN NETHERCUTT
Name: GARVIE, PAMELA
Covered Official Position (if applicable): N/A
Name: GORTON, SLADE
Covered Official Position (if applicable): N/A
Name: KIRK, WILLIAM
Covered Official Position (if applicable): N/A
Name: LIVINGSTON BEHAN, ELLEN
Covered Official Position (if applicable): N/A
Name: NELSON, SCOTT
Covered Official Position (if applicable): N/A
Name: PASSMORE, ANDREW
Covered Official Position (if applicable): STAFF ASSISTANT TO REP. MCMORRIS
Name: PECKINPAUGH, TIM
Covered Official Position (if applicable): N/A
Name: PUNKE, TIMOTHY
Covered Official Position (if applicable): CHIEF INTERN'L TRADE COUNSEL, SENATE FIN. COMM
Name: ROGAN, JAMES
Covered Official Position (if applicable): N/A
Name: ROUVELAS, EMANUEL
Covered Official Position (if applicable): N/A
Name: SEE, CHAD
Covered Official Position (if applicable): N/A
Name: STEPHENS, DENNIS
Covered Official Position (if applicable): N/A
Name: THOMAS, W. DAVID
Covered Official Position (if applicable): N/A
Name: VALENTINE, STEVEN

Registrant Name: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS (K & L GATES) Client Name: BNSF RAILWAY CO. (FORMERLY BURLINGTON NORTHERN SANTA FE CORP)

Covered Official Position (if applicable): N/A
Name: WISSMAN, YVETTE
Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Registrant Name: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS (K & L GATES) Client Name: BNSF RAILWAY CO. (FORMERLY BURLINGTON NORTHERN SANTA FE CORP)

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:

Monitored proposals to reform the U.S. tax system, and HR 4297 and S 2020, the "Tax Relief Extension Reconciliation Act of 2005." S 3742, Freight Rail Infrastructure Capacity Expansion Act of 2006

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

Federal Highway Administration (FHA)

HOUSE OF REPRESENTATIVES

SENATE

Transportation, Dept of (DOT)

White House Office

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

Name: EVANS, MICHAEL

Covered Official Position (if applicable): N/A

Name: GARVIE, PAMELA

Covered Official Position (if applicable): N/A

Name: MORSE, ROGER

Covered Official Position (if applicable): N/A

Name: NELSON, SCOTT

Covered Official Position (if applicable): N/A

Name: ROUVELAS, EMANUEL

Covered Official Position (if applicable): N/A

Name: WISSMAN, YVETTE

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Registrant Name: KIRKPATRICK & LOCKHART PRESTON GATES ELLIS (K & L GATES) Client Name: BNSF RAILWAY CO. (FORMERLY BURLINGTON NORTHERN SANTA FE CORP)

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

16. Specific lobbying issues:

S 852, FAIR Act of 2005, provisions affecting railroads.

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

HOUSE OF REPRESENTATIVES

Justice, Dept of (DOJ)

SENATE

White House Office

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

Name: GARVIE, PAMELA

Covered Official Position (if applicable): N/A

Name: GORTON, SLADE

Covered Official Position (if applicable): N/A

Name: MORSE, ROGER

Covered Official Position (if applicable): N/A

Name: PECKINPAUGH, TIM

Covered Official Position (if applicable): N/A

Name: ROUVELAS, EMANUEL

Covered Official Position (if applicable): N/A

Name: VALENTINE, STEVEN

Covered Official Position (if applicable): N/A

Name: WISSMAN, YVETTE

Covered Official Position (if applicable): N/A

19. Interest of each foreign entity in the specific issues listed on line 16 above. **None**

Signature: ON FILE Date: Feb 12, 2007

Printed Name and Title: PAMELA GARVIE, PARTNER -

Information Update Page:

Complete ONLY where registration information has changed.

LOBBYIST UPDATE

23. Name of each previously reported individual who is NO LONGER expected to act as a lobbyist for the client

Name: PUNKE, TIMOTHY

Name: ROGAN, JAMES

ISSUE UPDATE

24. General lobbying issues previously reported that NO LONGER pertain

AFFILIATED ORGANIZATIONS

25. Add the following organization(s)

26. Name of each previously reported organization that is NO LONGER affiliated with the registrant or client

FOREIGN ENTITIES

27. Add the following foreign entities

28. Name of each previously reported foreign entity the NO LONGER owns, OR controls, OR is affiliated with the registrant, client or affiliated organization

Signature: ON FILE Date: Feb 12, 2007

Printed Name and Title: -