



November 14, 2025

The Honorable Patrick Fuchs
Chair
Surface Transportation Board
395 E Street, NW
Washington, DC 20423

The Honorable Michelle Schultz
Vice Chair
Surface Transportation Board
395 E Street, NW
Washington, DC 20423

The Honorable Karen Hedlund
Member
Surface Transportation Board
395 E Street, NW
Washington, DC 20423

Dear Chairman Fuchs, Vice Chair Schultz, and Member Hedlund,

We write to express our concerns that the proposed merger between Union Pacific and Norfolk Southern will result in undue market concentration that stifles competition and therefore creates higher prices, lower reliability, and less innovation at the expense of America's manufacturers and, ultimately, America's consumers. An America First economy will not work if high internal shipping costs kneecap American companies' ability to compete with foreign manufacturers. The downstream impact of the merger poses significant risk not just for our industrial base but also our agricultural producers. Ultimately, then, this merger could compromise our national security.

Given the stakes, we encourage the Surface Transportation Board (STB) to subject this proposed merger to a thorough and exacting review in accordance with the law and STB regulations. Only if these serious concerns are assuaged should the merger be allowed to proceed.

Our states are home to a diverse and dynamic set of industries, including chemical manufacturing, energy production, and agriculture. These key strategic American industries rely heavily on freight rail to move essential goods safely, efficiently and affordably. Yet, as the railroads have consolidated, many shippers have seen rail service suffer while costs have increased dramatically. Further freight rail consolidation could make these problems worse. It is vital that the STB determine how this merger will affect all stakeholders, including farmers, workers, consumers, and manufacturers so that increased monopolistic power does not stifle innovation and productivity in industry, put inflationary pressure on household budgets, or otherwise throttle the economy as a whole with the costs of this merger.

Under federal law, a merger can only be approved if it is “consistent with the public interest.”¹ STB regulations make clear that “mergers serve the public interest only when substantial and demonstrable gains in important public benefits—such as improved service and safety, enhanced competition, and greater economic efficiency—outweigh any anticompetitive effects, potential service disruptions, or other merger-related harms.”²

No approval should be granted unless the merger clearly enhances competition, improves service for rail customers, preserves accountability, and advances safety. A merger that fails to meet these standards would be inconsistent with President Trump’s Executive Orders aimed at promoting American prosperity. A merger against the public interest would undermine the President’s policies to unleash American energy, curb anti-competitive regulations, and prevent monopolistic behavior. We cannot afford a merger that stalls America’s economic momentum.

We respectfully ask the STB to conduct a thorough review of the proposed merger and prioritize the need for a competitive and innovative freight rail system to help support domestic producers, strengthen supply chains, and ultimately reduce the cost of consumer goods in States across the country.

Thank you for your attention to this important matter.



Jonathan Skrmetti
Attorney General of Tennessee



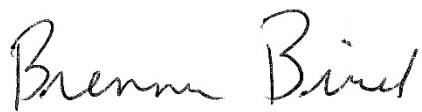
Kris Kobach
Attorney General of Kansas



James Uthmeier
Attorney General of Florida



Lynn Fitch
Attorney General of Mississippi



Brenna Bird
Attorney General of Iowa



Austin Knudsen
Attorney General of Montana

¹ 49 U.S.C. § 11324

² 49 C.F.R. § 1180.1(c)

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Drew Wrigley
Attorney General of North Dakota

A handwritten signature in black ink, appearing to read "Marty Jackley".

Marty Jackley
Attorney General of South Dakota

A handwritten signature in blue ink, appearing to read "Dave Yost".

Dave Yost
Attorney General of Ohio