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November 20, 2025

The Honorable Patrick J. Fuchs
Chairman
Surface Transportation Board
395 E Street SW
Washington, D.C. 20423

Via email

Re: Proposed Merger of Union Pacific and Norfolk Southern

Dear Chairman Fuchs:

The undersigned Attorneys General, on behalf of our respective States, write to express our support of the proposed merger between Union Pacific and Norfolk Southern. We hope the Board will give regulatory approval to the merger in a timely fashion.

America's freight rail system is the envy of the world. Our more than 140,000 miles of freight rail track power the nation's vibrant economy, safely moving raw materials, helping farmers access distant markets, and giving consumers easy and cost-effective access to goods from coast to coast. Freight rail is both economically efficient and environmentally sustainable. America's freight rail ships more six times as many ton-miles of freight each year as the 27 member-states of the European Union *combined*.¹ Indeed, America's railways move more than 5,000 ton-miles of freight per person per year, which is ten times the amount moved in Europe and twenty-five times the amount moved in Japan.² This massive volume drives more

¹ Randal O'Toole, *Why the United States Has the Most-Advanced Rail System in the World*, MasterResource (Nov. 5, 2018), <https://perma.cc/V75U-XBZG>.

² *U.S. Freight Rail: The Envy of the World*, TrackRecord (Sept. 8, 2020), <https://perma.cc/QL9J-V5GK>.

than \$230 billion of economic output and supports more than 750,000 good-paying jobs.³ And even though freight rail accounts for roughly 40% of the long-distance shipping in the United States, it accounts for less than 2% of the transportation-related emissions.⁴ It only takes a single gallon of fuel to move one ton of freight nearly 500 miles; thus, on average, freight rail is between three to four times more fuel efficient than trucks.⁵ That means freight rail, already “one of the most efficient ways we can move freight,”⁶ can “play a significant role in reducing the transportation sector’s emissions.”⁷ Factor in a bevy of technology-driven improvements that are even further reducing emissions and limiting other environmental impacts⁸ and it becomes undeniable: There simply is no better combination of economic vitality and environmental sustainability than freight rail.

The merger of Union Pacific and Norfolk Southern will only further strengthen the efficiency, reliability, and effectiveness of our freight rail system. This merger will create the first unified⁹ transcontinental railroad, bringing more than 50,000 miles of track under one umbrella, directly connecting 100 North American ports, and expanding operational access to 43 States.¹⁰ By eliminating car touches and interchange delays, even more freight will be moved faster than ever and at a lower cost. The resulting synergies and efficiency gains will also allow for the opening of new routes and an expansion of intermodal services. These improvements are likely to lower supply chain costs for shippers, which ultimately means lower prices for

³ Mary McKeller, *New Report Underscores Massive Impact of U.S. Freight Rail*, GoRail (Mar. 11, 2025), <https://perma.cc/BB4M-2VXM>.

⁴ *Environmental Impact: Rail is the Most-Environmentally-Friendly Way to Move Freight Over Land*, American Short Line and Regional Railroad Association, <https://perma.cc/844C-V65A>.

⁵ *The Environmental Benefits of Moving Freight by Rail*, Association of American Railroads (July 2019), <https://perma.cc/SA8V-CDPN>.

⁶ Alexander Laska, *Freight Rail’s Role in a Net-Zero Economy*, Third Way (June 7, 2021), <https://perma.cc/H2FW-633Z>.

⁷ Sohail Husain, *Freight Rail for the 21st Century: Opportunities for Mode Shift to Improve Efficiency and Resiliency: A Route Map for Policymakers*, Eno Center for Transportation (July 31, 2025), <https://perma.cc/3KD8-MAQL>. Full report available at <https://perma.cc/RZ5N-8RFA>.

⁸ *Freight railroads are decarbonizing their networks*, Association of American Railroads, <https://perma.cc/Q7GS-SRVK>.

⁹ Since the “Golden Spike” was hammered home at Promontory Summit in 1869, America has had a transcontinental rail system. See Remarks of Secretary of Transportation Elaine Chao, *150th Anniversary of the Golden Spike Ceremony Marking the Completion of the First Transcontinental Railroad* (May 10, 2019), <https://perma.cc/9CE7-DRT8>. The proposed merger, however, will “bring about the first transcontinental railroad under one company in the United States.” Sohail Husain, *Eno Releases Report on Freight Rail*, Eno Center for Transportation (Aug. 1, 2025), <https://perma.cc/NYD9-E79R>.

¹⁰ Jim Vena, *The Union Pacific Transcontinental Railroad: Pursuing What’s Possible and Making it Happen* (July 29, 2025), <https://perma.cc/E8U7-TMV3>.

consumers.¹¹ And it is projected that all this will increase freight rail demand and thus *increase the number of jobs* at the newly-formed company, which is one reason why the nation's largest railroad union has announced its support for the merger.¹² Finally, as demand for freight rail increases, more trucks can be taken off our highways and other roadways, reducing congestion and further lowering emissions.

In short, the proposed merger, like our freight rail system itself, will promote economic growth and environmental sustainability. It will be good for our individual States and for the Nation as a whole. We know that President Trump agrees; when recently asked about the merger plan, he declared that it “sounds good to me.”¹³ The President's enduring commitment to securing, advancing, and revitalizing America's infrastructure is well-known. It is evident that the proposed merger is consistent with the President's vision of Making (or, in this particular instance, Keeping) America Great.

On behalf of our States, we urge you to give regulatory approval to the proposed merger of Union Pacific and Norfolk Southern.

Sincerely,



Mike Hilgers
Nebraska Attorney General



J.B. McCuskey
West Virginia Attorney General



Chris Carr
Georgia Attorney General

¹¹ See Mario H. Lopez, *Rail Merger Holds Promise for the Economy*, The Fulcrum (Oct. 9, 2025), <https://perma.cc/AK2Z-NN55>.

¹² See Sabrina Valle, *Largest US Rail Union Endorses Union Pacific, Norfolk Southern Merger*, Reuters (Sept. 22, 2025), <https://perma.cc/BFD3-BENU>.

¹³ David Shepardson, *Trump Says Union Pacific Merger With Norfolk Southern 'Sounds Good'*, Reuters (Sept. 19, 2025), <https://perma.cc/ET4P-GGQ5>.