

December 23, 2025

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

The Honorable Gail Slater
Assistant Attorney General
Antitrust Division
U.S. Department of Justice
950 Pennsylvania Avenue NW
Washington, D.C. 20530

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Office of Chief Counsel
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Public Record

Dear Chairman Fuchs and Assistant Attorney General Slater,

I write with serious concerns about the proposed merger between Union Pacific Railroad and Norfolk Southern Railway. A merger between Union Pacific and Norfolk Southern – two of the four largest railroads in the United States – would further consolidate the nation's rail network, resulting in potential job insecurity for workers, higher costs and less competition for shippers, and safety and community harms. At a time when families are already struggling with the rising cost of groceries, household goods, and other essentials, further consolidation in the rail industry risks driving up consumer prices even more. As the Surface Transportation Board considers the application from Union Pacific and Norfolk Southern, I urge you to oppose this proposed merger.

Railroads are a critical link in the supply chain for everyday consumer goods, including food, fuel, building materials, and household products. When competition in rail transportation is reduced, higher shipping costs are often passed directly on to consumers in the form of higher prices at the checkout counter. With inflation and affordability already top concerns for American families, approving a merger that could further raise the cost of moving goods across the country would worsen financial strain on households nationwide.

The proposed merger also threatens job stability for countless employees at Union Pacific and Norfolk Southern. Together, the two companies have more than 50,000 employees.¹ While the companies have said they will protect all union jobs during a merger, precedent shows us such promises are little more than hollow words.² For example, after Union Pacific and Southern

¹ Stuart Chirls, "Rail merger: Lifetime job is great "until you are stuck in it," *FreightWaves*, September 24, 2025, <https://www.freightwaves.com/news/rail-merger-lifetime-job-is-great-until-youre-stuck-in-it>.

² "Creating America's First Transcontinental Railroad: Union Pacific and Norfolk Southern's STB Merger Application Details Enhancements to Competition and Public Benefits," *Union Pacific*, December 29, 2025, <https://www.up.com/press-releases/growth/stb-merger-application-enhances-competition-251219>; Erik Peinert and Ashley Nowicki, "The New Railroad Barons: Why the Union Pacific/Norfolk Southern Railroad Merger Must Be

Pacific merged in 1996, thousands of employees were laid off or relocated despite assurances to protect workers before the merger went through.³ Instead of trusting these empty promises, you should protect thousands of jobs for hardworking Americans.

In addition, the consolidated transcontinental railroad system that would result from the proposed merger would undoubtedly increase prices and decrease service for shippers. Union Pacific and Norfolk Southern largely serve different markets, and as a result, shippers are able to negotiate with each of them and their competitors for better prices for various portions of their trip. Under the proposed merger, however, Union Pacific and Norfolk Southern would control a transcontinental rail line, which they could then use to preferentially price their services to direct shippers. Additionally, Union Pacific and Norfolk Southern currently have various intermodal partnerships with each other and their competitors to improve access to shipping containers and underserved areas around the country.⁴ The proposed merger between Union Pacific and Norfolk Southern would jeopardize these partnerships. As shipping costs rise, consumers inevitably pay the price through higher costs for everyday goods, and as prices for consumer goods reach record highs, you should be focused on ensuring that shippers have access to affordable, reliable rail service instead of handicapping competition.

Finally, you must consider the impact of the proposed merger on the safety of communities around the country. In recent years, ambulances and emergency service vehicles have been delayed for extended periods of time as long trains roll through highway-rail grade crossings in towns.⁵ Similarly, to get to and from school, kids have been forced to climb under trains stopped at such crossings.⁶ In addition, residents of East Palestine, Ohio, remain concerned about long-term health impacts of the hazardous materials they were exposed to in the 2023 derailment of Norfolk Southern train cars in East Palestine, Ohio.⁷ Historically, cost-cutting efforts implemented by railroads only exacerbate these issues, and you must evaluate the forthcoming Safety Integration Plan and information on addressing blocked highway-rail grade crossings to determine whether this merger would do the same.⁸

Blocked,” *American Economic Liberties Project*, <https://www.economicliberties.us/wp-content/uploads/2025/10/2025-09-30-AELP-Railroad-Brief.pdf>, 11.

³ Peinert and Nowicki, 11.

⁴ “UMAX Domestic Container Program,” *Union Pacific*, <https://www.up.com/shipping/intermodal/umax> (last accessed December 15, 2025); “CSX, CPKC Create Faster Freight Solutions with Southeast Mexico Express,” *CSX*, July 21, 2025, <https://www.csx.com/index.cfm/about-us/media/press-releases/csx-cpkc-create-faster-freight-solutions-with-southeast-mexico-express/>.

⁵ Mike Hendricks, “‘They just don’t care’: Trains blocking roads can be deadly. It’s only getting worse,” *The Kansas City Star*, December 13, 2022, <https://www.kansascity.com/news/business/article268879922.html>.

⁶ Tophers Sanders, Dan Schwartz, and Jove Sterman, “As Rail Profits Soar, Blocked Crossing Force Kids to Crawl Under Trains to Get to School,” *ProPublica* and *Gray Television/Investigate TV*, April 26, 2023, <https://www.propublica.org/article/trains-crossing-blocked-kids-norfolk-southern>.

⁷ “A year after a train derailment in Ohio spilled hazardous chemicals, health fears persist for East Palestine,” *PBS*, February 2, 2024, <https://www.pbs.org/newshour/nation/a-year-after-a-train-derailment-in-ohio-spilled-hazardous-chemicals-health-fears-persist-for-east-palestine>; Julie Grant, “Two years after train derailment and chemical disaster in East Palestine, some residents worry about liver cancer,” *WHYY*, January 30, 2025, <http://whyy.org/segments/two-years-after-east-palestine-train-derailment-health-risks/>.

⁸ Peinert and Nowicki, 9.

To protect workers' jobs, prevent price increases for shippers and consumers, and promote safety for communities surrounding rail lines, I urge you to oppose the proposed merger between Union Pacific and Norfolk Southern. Thank you for your close attention to this matter.

Sincerely,

A handwritten signature in blue ink, reading "Richard Blumenthal". The signature is fluid and cursive, with the first name "Richard" and last name "Blumenthal" clearly legible.

Richard Blumenthal
United States Senate

CC: The Honorable Michelle Schultz, Member, Surface Transportation Board
The Honorable Karen Hedlund, Member, Surface Transportation Board