

# As National Rail Strike Looms, The Biggest Railroads Are Profiting From The Supply Chain Crisis After Cutting Costs, Spending Billions On Shareholder Handouts, And Lobbying On Competition Issues Since 2021

**SUMMARY:** The likelihood of the "[first national rail strike in 30 years](#)" [increased this week](#) after the nation's third largest railroad union rejected a deal with employers, threatening a "[crippling blow to the economy](#)" and widespread price increases after a [tentative agreement](#) was reached in September 2022. As workers struggled with "[grueling schedules and poor working conditions](#)," the rail industry, which carries about [30%](#) of U.S. freight, is dominated by just seven major railways.

These few companies collected a [record \\$1.18 billion](#) in fees for freight stuck in supply chain bottlenecks in just the first nine months of 2021 and saw "[a flurry of lawsuits](#)" over these charges. By the end of 2021, demurrage and detention charges bloated by [104%](#). Yet before the rail industry's fees set a record during the pandemic, these charges had already increased by [over 30%](#) since 2000, all while railroads' costs have only [increased by 3%](#).

A key culprit for railroad profiteering has been the industry's power to limit competition on the nation's [privately-owned](#) freight railroads while enjoying a unique [exemption](#) from antitrust laws. A July 2021 executive order from President Biden sought to confront the industry's "[aggressive pricing](#)" and anticompetitive behavior, enabled by its "[monopoly power over sections of the country](#)."

One of the most notable criticisms of railroads abusing their market power at the expense of American consumers and shippers has come from a key federal rail regulator, Surface Transportation Board Chairman Martin Oberman. In September 2021, Oberman condemned the industry's "[pursuit of the almighty OR](#)"—referring to railroads' efforts to slash their operating ratios by cutting costs. Oberman estimated that since 2010, the industry spent [\\$46 million more](#) on stock buybacks and dividends than on maintenance and equipment investments, which would have increased the rail system's resilience against the kind of supply chain shocks that are currently [straining](#) consumers' wallets and access to everyday necessities.

An Accountable.US review has found that nearly all of the seven [Class I](#) railroads have enjoyed high profits amid the supply chain crisis while cutting costs, increasing shareholder handouts, and spending millions on federal lobbying:

- **BNSF**—A [Subsidiary](#) Of Billionaire Warren Buffett's Berkshire Hathaway Which [Raised](#) Its Freight Rates And [Cut](#) Its Operating Ratio In 2021:
  - Saw Its [Net Income](#) Jump By 16% To [\\$5.9 Billion](#) In FY 2021 And By 4% To [\\$4.4 Billion](#) In The First Nine Months Of FY 2022 While Its Parent Company Spent [\\$27.1 Billion](#) On Stock Buybacks In FY 2021 And An Additional [\\$5.25 Billion](#) In The First Nine Months Of FY 2022
  - Since 2021, Has Spent Over \$4.5 Million While Lobbying The Federal Government, Including At Least \$190,000 While Influencing Policymakers On "Rail Competition Issues" And "Anti-Trust."
- **Union Pacific**—Whose Increased Fees "[More Than Offset](#)" Lower Freight Volume And Which Touted "[Records](#)" For Cutting Operating Ratio In 2021:
  - Had Its "[Most Profitable Year Ever](#)" In FY 2021 Due In Part To Price Increases
  - Touted "[Quarterly Records](#)" In Its Q2 2022 As Net Income Climbed 10%
  - Saw Its Net Income [Climb](#) 11% To \$5.36 Billion In The First Nine Months Of 2022
  - Has [Spent](#) Over \$7.7 Billion On Shareholder Handouts In the First Nine Months Of 2022 After [Spending](#) \$10.1 Billion on Handouts in 2021

- Since 2021, Has Spent \$6.3 Million While Lobbying The Federal Government, On Issues Pertaining To Antitrust, Competition, And Biden's Executive Order.
- **Canadian National**—Which Has Touted [Gains](#) From Demurrage Fees And A [Record Low](#) For Its Operating Ratio In 2021:
  - Increased Its FY 2021 Net Income By 37% To About [\\$3.8 Billion USD](#)
  - Reported Approximately \$2.7 Billion USD In Earnings In The First Nine Months Of Its FY 2022
  - Has Spent About \$972 Million USD On Dividends And \$2.71 Billion USD On Stock Buybacks In The First Nine Months Of 2022
  - Since 2021, Has Spent Over \$1.26 Million Lobbying The Federal Government, Including At Least \$330,000 To Outside Firms Lobbying On Issues Related To Mergers And Acquisitions.
- **CSX**—Which Credited [Higher Fees](#) For Increased Profits And [Cut](#) Its Operating Ratio In 2021:
  - Saw A 37% Jump In FY 2021 Net Earnings to Nearly [\\$3.8 billion](#)
  - In The First Nine Months Of FY 2022, [Saw](#) Net Earnings Continue To Rise 11% To Over \$3.1 Billion
  - [Increased](#) Stock Buybacks By 60% In The First Nine Months Of FY 2022 To Over \$3.7 Billion
  - Since 2021, Has Spent Over \$3.3 Million Lobbying The Federal Government, Including At Least \$1.2 Million While Lobbying On Issues Related To "Rail Labor" And "Collective Bargaining."
- **Norfolk Southern**—Which [Increased Freight Rates](#) While Touting An "[All-Time Record](#)" Low For Its Operating Ratio In 2021:
  - Saw Net Income Surge 27% To A Record [\\$3 Billion](#) In FY 2021
  - Further [Rose](#) Net Income By 10% In The First Nine Months Of FY 2022
  - Has [Spent](#) \$881 Million On Dividends And Over \$2.2 Billion On Stock Buybacks In The First Nine Months Of FY 2022 After [Spending](#) Over \$4.4 Billion On Shareholder Handouts In 2021.
  - Since 2021, Has Spent Over \$2.7 Million While Lobbying The Federal Government On "Railroad Economic And Antitrust Relations"
- **Canadian Pacific Railway**—Which Has Been Subject To A [Federal Inquiry](#) Into Demurrage Fees And Was Trying To Acquire Another Class I Railway For [\\$25 Billion](#):
  - Saw FY 2021 Net Income Climb 17% To About [\\$2.2 Billion USD](#)
  - Made An Additional [\\$1.67 Billion USD](#) In Net Income In The First Nine Months Of 2022
  - In FY 2021, Canadian Spent About [\\$368 Million](#) USD On Dividends And In The First Nine Months Of FY 2022, About [\\$395 Million](#) On Dividends
  - Since 2021, Has Spent At Least \$670,000 Lobbying The Federal Government, Including \$370,000 While Lobbying On Merger And Acquisition, And Other Issues
- **Kansas City Southern**—Which Has Claimed That Demurrage Fees Are "[Not A Revenue Source That We Seek To Increase](#)" While Subject To A [Federal Inquiry](#) About Fees:
  - Reported [\\$527 Million](#) In Net Income In Its FY 2021 And [\\$515.7 Million](#) In Net Income In The First Nine Months Of Its FY 2022
  - Kansas City Southern Spent [\\$188 Million](#) On Shareholder Dividends In Its FY 2021 And [\\$465 Million](#) In The First Nine Months Of Its FY 2022.
  - Since 2021, Has Spent At Least \$345,500 On Lobbying The Federal Government, Including At Least \$160,000 While Lobbying On Mergers

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**As “The First National Rail Strike In 30 Years” Looms, The Rail Industry—Which Carries About 40% Of U.S. Freight—Is Dominated By Just Seven Major Railways Exempt From Antitrust Law That Have Been Sued For “Excessive Fees” Which Have Increased 30% Since 2000, Far Outpacing Industry’s Costs.**

**“The First National Rail Strike In 30 Years” Could Begin If Rail Industry Management Fails To Reach A Deal With Two Unions Representing About Half Of Unionized Workers At Major Rail Companies, Threatening A “Crippling Blow To The Economy” And Widespread Price Increases.**

**September 2022: “The First National Rail Strike In 30 Years” Could Begin If Railroad Industry Management Fails To Reach A Deal With “The Two Most Important Unions” Representing Rail Industry Engineers And Conductors.** “A freight railroad strike, and the economic upheaval it could cause, is getting closer and closer to reality. While two more rail unions reached tentative agreements with railroad management on new contracts Tuesday, the two most important unions — representing the engineers and conductors who make up the two-person crews on each train — remain at loggerheads in negotiations. If they don’t resolve their differences, the first national rail strike in 30 years could start early Friday.” [CNN, [09/14/22](#)]

- **The Two Unions Represented About Half Of The 100,000 Unionized Workers At The Major Freight Railroad Companies.** “Those engineers and conductors unions represent roughly half of the more than 100,000 unionized workers at the nation’s major freight railroads.” [CNN, [09/14/22](#)]
- **The Strike Could Begin As Early As 12:01 a.m. EST On Friday, September 16, 2022 If A Deal Is Not Reached By Then.** “Biden prevented a strike two months ago by imposing a cooling off period during which a panel he appointed, known as a Presidential Emergency Board, looked at the disputed issues in the negotiations and issued a recommended settlement. That 60-day cooling off period is due to expire at 12:01 a.m. ET Friday, and Biden does not have the power to prevent a strike at that time.” [CNN, [09/12/22](#)]

**Major Railroads Including Union Pacific, BNSF, And Norfolk Southern Must Reach Tentative Deals With The Unions.** “Railroads, including Union Pacific (UNP.N), Berkshire Hathaway’s (BRKa.N) BNSF, CSX (CSX.O), and Norfolk Southern, have until a minute after midnight on Friday to reach tentative deals with hold out unions representing about 60,000 workers.” [Reuters, [09/12/22](#)]

**The Rail Workers Were “Close To Striking Over Claims That Grueling Schedules And Poor Working Conditions” Were Causing Employees To Leave The Industry.** “US freight railroad workers are close to striking over claims that grueling schedules and poor working conditions have been driving employees out of the industry over the past several years.” [The Guardian, [09/14/22](#)]

**A Railroad Strike Would Be “A Crippling Blow” To The Economy, Since About 30% Of U.S. Freight Moves By Rail.** “A strike would be a crippling blow to the US economy, which is still struggling with supply chain problems. Roughly 30% of the nation’s freight moves by rail.” [CNN, [09/14/22](#)]

**The Biden Administration Has “Grown Increasingly Concerned About The Possibility Of A Strike,” With President Biden Personally Calling Unions And Rail Companies And The White House “Urgently Discussing Contingency Plans” To Keep Supply Chains Operational.** “Administration officials have grown increasingly concerned about the possibility of a strike in recent days. President Joe Biden personally called rail unions and companies on Monday while visiting Boston in an attempt to avert a rail shut down, White House press secretary Karine Jean-Pierre told reporters. CNN reported earlier Tuesday that the White House is urgently discussing contingency plans, with agencies across the federal government working through how they could potentially use federal authority to keep critical supply chains operational as labor talks continue to sit at an impasse.” [CNN, [09/14/22](#)]

**The Supply Chain Has “No Alternatives” To Freight Rail—It Would Require Over 460,000 Additional Long-Haul Trucks To Make Up For The Shortfall Created By A Railroad Strike.** “But there are no alternatives to move the freight carried on rail. The American Trucking Associations issued a statement saying that it would require more than 460,000 additional long-haul trucks every day, which it said ‘is not possible based on equipment availability and an existing shortage of 80,000 drivers.’” [CNN, [09/14/22](#)]

**A Strike Could Raise The Prices Of Food, Gas, Consumer Goods, Cars And Truck, And Would Halt “Many Commuter And Amtrak Trains That Run Over Freight Rail Lines”:**

- **A Railroad Strike Would Threaten To Raise The Prices Of Gasoline, Food, Consumer Goods, And Cars And Trucks.**
  - Gasoline: Without freight railroads, oil refineries would have trouble producing their current volumes of gasoline, which could send gas prices higher, ending a string of three months of [falling prices at the pump](#).
  - Food: It could disrupt the [nation’s food supplies](#), preventing recently harvested crops to move to food processors and disrupting the supply of fertilizer needed for upcoming plantings.
  - Consumer goods: According to the National Retail Federation, Any rail strike could have long-lasting negative effects on the import of goods for the holiday shopping season, causing shortages and higher prices.
  - Cars and trucks: [Car prices](#) have already hit record prices this year due to the limited supply of new vehicles caused by a shortage of computer chips and other parts. A rail strike would further choke supplies, cutting off the delivery of auto parts to auto assembly plants, which could force temporary shutdowns at some plants. It would also disrupt the flow of completed new cars and trucks, 75% of which move by rail.

[CNN, [09/14/22](#)]

- **A Railroad Strike Would Also Halt “Many Commuter And Amtrak Trains That Run Over Freight Rail Lines.”** “Without them on the job those trains will not run, nor will many commuter and Amtrak trains that run over freight rail lines. Indeed, Amtrak has already suspended some of its routes.” [CNN, [09/14/22](#)]

**October 10, 2022: The Third Largest Rail Workers Union In The U.S. Rejected A Labor Agreement With Rail Corporations, Renewing Threat Of An Industry-Wide Strike “That Could Cripple The Economy”...**

**October 10, 2022: The Brotherhood Of Maintenance Of Way Employes Division, The Third Largest Rail Workers Union In The Country, Rejected A Deal With Railroad Management And Renewed The Possibility Of “A Strike That Could Cripple The Economy.”** “The U.S.’s third largest railroad union rejected a deal with employers Monday, renewing the possibility of a strike that could cripple the economy. Both sides

will return to the bargaining table before that happens. Over half of track maintenance workers represented by the Brotherhood of Maintenance of Way Employees Division who voted opposed the five-year contract despite 24% raises and \$5,000 in bonuses.” [Associated Press, [10/10/22](#)]

**A Union Official Called The Rejection A “Big Deal,” Since It Could Cause “A Strike That Other Unions Would Honor.”** “The rejection is a ‘big deal,’ a union official told Axios. If the parties can’t come to terms, then there could be a strike that other unions would honor — or Congress might step in.” [Axios, [10/10/22](#)]

**If The Unions Reject The Deal, Congress Could Have To Force A Deal And Block A Strike In A Lame-Duck Session.** “If the unions vote down the deal, it could be left to a lame-duck Congress to step in. That would give Democrats more cover to force workers into a deal, Bascome Majors, a railroad analyst at Susquehanna, wrote in a recent note.” [Axios, [10/10/22](#)]

- **Congress Could Vote To Block A Strike Since The Rail Industry Is So Crucial To The Economy.** “Many businesses also urged Congress to be ready to intervene in the dispute and block a strike if an agreement wasn’t reached because so many companies rely on railroads to deliver their raw materials and finished products.” [Associated Press, [10/10/22](#)]

**...However, A Labor Expert And Rail Company Representatives Emphasized That There Was No Immediate Threat Of A Strike, Since There Is Still Over A Month To Reach A Deal By Mid-November 2022, When All 12 Rail Unions Must Ratify Their New Labor Contracts.**

**October 2022: Labor Relations Professor Todd Vachon Told The Associated Press That “He’s Not Too Worried” About A Strike Yet, Since There Is Still Over A Month To Negotiate A New Agreement.** “Rutgers University professor Todd Vachon, who teaches labor relations classes, said he’s not entirely surprised the contract was rejected given how emboldened union members feel to fight for better working conditions amidst the current worker shortage. [...] Although a strike is now possible, Vachon said he’s not too worried yet because both sides have more than a month to reach a new agreement.” [Associated Press, [10/10/22](#)]

**October 2022: Railroad Company Representatives Told The Associated Press That “No Immediate Threat Of A Strike Exists Because The Union Agreed To Keep Working For Now.”** “The group that represents the railroads in negotiations said they were disappointed the union rejected the agreement, but emphasized that no immediate threat of a strike exists because the union agreed to keep working for now.” [Associated Press, [10/10/22](#)]

**Voting For The Agreement Will Be Completed In Mid-November 2022, And “All 12 Unions Representing 115,000 Workers Must Ratify Their Contracts To Prevent A Strike.”** “Four other railroad unions have approved their agreements with freight railroads including BNSF, Union Pacific, Kansas City Southern, CSX and Norfolk Southern, but all 12 unions representing 115,000 workers must ratify their contracts to prevent a strike. Another union, the International Association of Machinists and Aerospace Workers, initially rejected its deal but has since renegotiated a new contract. Voting will be completed in mid-November.” [Associated Press, [10/10/22](#)]

- **Voting For The Contract Will Conclude November 17, 2022.** “The two largest unions that represent conductors and engineers — making up about half the total rail workforce — aren’t set to conclude voting until November 17.” [Axios, [10/10/22](#)]

## **In Late November 2022, The SMART Transportation Division Union Became The Latest Union To Reject A Proposed Contract "Brokered By The White House," Due To Work Policies It Says Are "Destroying" The Livelihoods Of Its Conductors, Setting Up A Potential National Rail Strike As Early As December 5.**

**November 21, 2022: SMART Transportation Division, "Representing Roughly 28,000 Rail Conductors," Rejected A Proposed Union Contract "Brokered By The White House" Which Raises The Possibility Of A Nationwide Rail Strike Significantly.** "One of the largest railroad unions narrowly voted to reject a contract deal brokered by the White House, bringing the country once again closer to a rail strike that could paralyze much of the economy ahead of the holidays, union officials announced on Monday. The union representing roughly 28,000 rail conductors, SMART Transportation Division, voted the deal down by 50.9 percent, the union said." [Washington Post, [11/21/22](#)]

**Three Railroad Unions Have Rejected Contracts In Recent Weeks And Are Now "Back In Negotiations."** "Already seven of 12 unions have voted to approve their contracts. But in recent weeks, three of the smaller unions, including the Brotherhood of Maintenance of Way Employees and the Brotherhood of Railroad Signalmen, have also rejected their contracts and are back in negotiations." [Washington Post, [11/21/22](#)]

**All Rail Unions Are Expected To Join Those Rejecting New Contract Deals In A Strike As A Show Of Solidarity.** "But unless Congress intervenes or a new deal is reached, workers at the Brotherhood of Maintenance of Way Employees and the Brotherhood of Railroad Signalmen would be allowed to strike and companies would be able to impose a lockout even sooner, right after midnight Dec. 5. If those unions strike on Dec. 5, all of the unions would likely move in solidarity, provoking an industry-wide work stoppage." [Washington Post, [11/21/22](#)]

**A National Rail Strike Could As Soon As December 5<sup>th</sup> And Would Cost The U.S. Economy \$2 Billion A Day While Also "Threaten[ing] The Nation's Coal Shipments And Its Supply Of Drinking Water."** "A national rail strike, which could happen as early as Dec. 5, could threaten the nation's coal shipments and its supply of drinking water and shut down passenger rail. The U.S. economy could lose \$2 billion a day if railroad workers strike, according to the Association of American Railroads." [Washington Post, [11/21/22](#)]

**In Discussing The Potential Strike, An Official With SMART Transportation Stated, "'This Vote Is About The Frustration That The Railroads Have Created With [Their Attendance Policies] And The Deterioration Of Quality Of Life As A Result For Our Conductors,'" And Adding That "'It's Destroying Their Livelihoods.'"** "The main sticking points for rank-and-file members have been points-based attendance policies that penalize workers for taking time off when they are sick, and contribute to grueling, unpredictable schedules that weigh on workers' mental and physical health, they say. 'Honestly, this vote is about the frustration that the railroads have created with [their attendance policies] and the deterioration of quality of life as a result for our conductors,' Jared Cassity, the national legislative director at SMART Transportation and a conductor. 'It's about attendance policies, sick time, fatigue, and the lack of family time. A lot of these things that cannot be seen but are felt by our membership. It's destroying their livelihoods.'" [Washington Post, [11/21/22](#)]

## **U.S. Freight Railroads Are Privately Owned, Dominated By Just Seven Major Class I Companies With \$900 Million Or More In Operating Revenue, Which Together Generate 94% Of All Rail System Revenue.**

**U.S. Freight Railroads Are Privately Owned.** "Unlike roadways, U.S. freight railroads are privately owned. As independent businesses they are responsible for the maintenance and efficiency of their railways as well as for selecting competitive rates (tariffs) and formulating contracts." [American Farm Bureau Federation, [09/08/21](#)]

**About 94% Of Rail System Revenue Is Generated By Seven Class I Railroad Companies, Each Of Which Have Operating Revenues Of \$900 Million Or More.** "Approximately 94% of the revenue generated

by the rail system belongs to seven Class I railroad-operating firms. Class I rail firms are defined as having inflation-adjusted annual carrier operating revenue of \$900 million or more and include: Burlington Northern and Santa Fe Railway (BNSF), Canadian National Railway (CN), Canadian Pacific Railway (CP), CSX Transportation, Kansas City Southern Railway (KCS), Norfolk Southern Railway (NS) and Union Pacific Railroad (UP)." [American Farm Bureau Federation, [09/08/21](#)]

- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

## **The Number Of Class I Railways Has Dramatically Fallen From 33 In 1980 To Just Seven In 2021, And There Could Be Just Six Of These Railways If A Recently Proposed Merger Is Completed.**

**The Number Of Major Class I Railways Has Fallen From 33 In 1980 To Just Seven In 2021.** "There are currently seven Class I, or major, rail companies in the U.S. that own and operate train cars and railways, down from 33 in 1980, according to an April statement from the House Committee on Transportation and Infrastructure." [Bloomberg Law, [07/16/21](#)]

- **"Class I Rail Firms Are Defined As Having Inflation-Adjusted Annual Carrier Operating Revenue Of \$900 Million Or More [...]"** [American Farm Bureau Federation, [09/08/21](#)]

**March 2021: Class I Company Canadian Pacific Railway Began The Process Of Acquiring Another Class I Company, Kansas City Southern Railway, For \$25 Billion, Which Would "Create The First Single-Line Rail Network Linking The U.S., Mexico And Canada."** "Canadian Pacific Railway Ltd. agreed to acquire Kansas City Southern in a transaction valued at about \$25 billion that would create the first freight-rail network linking Mexico, the U.S. and Canada. The combination, which faces a lengthy regulatory review, is a long-term wager on an interconnected North American economy." [The Wall Street Journal, [03/21/21](#)]

- **Canadian Pacific Railway And Kansas City Southern Railway Were Two Of The Seven Class I Rail Companies.** "Class I rail firms are defined as having inflation-adjusted annual carrier operating revenue of \$900 million or more and include: Burlington Northern and Santa Fe Railway (BNSF), Canadian National Railway (CN), Canadian Pacific Railway (CP), CSX Transportation, Kansas City Southern Railway (KCS), Norfolk Southern Railway (NS) and Union Pacific Railroad (UP)." [American Farm Bureau Federation, [09/08/21](#)]
- **December 14, 2021: The Merger Was Approved By Canadian Pacific's And Kansas City Southern's Shareholders And The Surface Transportation Board (STB) Was Expected To Issue A Decision On The Merger In Q4 2022.** "CANADIAN Pacific (CP) completed its acquisition of rival Class 1 Kansas City Southern (KCS) on December 14, following the approval of the merger by CP and KCS shareholders on December 8 and 10, respectively. KCS shares have been placed into a voting trust until the Surface Transportation Board (STB) issues a decision on the Class 1's proposed merger, Canadian Pacific Kansas City (CPKC), which is expected in the fourth quarter of 2022." [International Railway Journal, [12/15/21](#)]

## **Railroads, Which Are Exempt From Antitrust Laws, Have Been Subject To Lawsuits Over "Excessive Fees," Which Have Risen Over 30% Since 2000 Even Though Rail Companies' Costs Have Only Increased 3%.**

**Railroads Are "Uniquely Exempted From The Nation's Antitrust Laws."** "Railroads are uniquely exempted from the nation's antitrust laws, falling under the STB's regulatory authority instead." [Bloomberg Law, [07/16/21](#)]

**"There Have Been A Flurry Of Lawsuits Against Railroads Alleging Excessive Fees."** "There have been a flurry of lawsuits against railroads alleging excessive fees, and shippers commonly complain that the STB's process for bringing rate grievances against carriers is expensive and cumbersome." [Bloomberg Law, [07/16/21](#)]

**Rail Rates Have Risen Over 30% Since 2000, Adjusted For Inflation, Even Though Rail Companies' Real Costs Have Increased Only 3%.** "Rail companies' shipping rates, adjusted for inflation, have risen more than 30% since 2000, despite real costs born by carriers increasing by 3%, according to RCC data." [Bloomberg Law, [07/16/21](#)]

**Since 2016, Rail Shipping Rates For Grain Have Increased As Much As 13% And 18% For Ethanol.** "Over the last five years, the cost of shipping grain on railways has increased. Rail rates on corn, soybeans and wheat, including fuel surcharges, have gone up 13%, 11% and 7%, respectively, since 2016. Similarly, rates to transport ethanol via rail have increased 18%, or about \$0.04/gallon." [American Farm Bureau Federation, [09/08/21](#)]

**While Supply Chain Problems Escalated In 2021, Railways Limited Service To Major Ports While Collecting A Record \$1.18 Billion In Demurrage Fees For Freight Stuck In Supply Chain Bottlenecks.**

**As Supply Chain Issues Escalated In 2021, Railways Suspended And Limited Service To The "Twin Ports" Of Los Angeles And Long Beach, Which Handle 40% Of The U.S.'s Imported Goods.**

**Terminals At Los Angeles And Long Beach Were "Bracing For An Increase In Their Rail Container Backlogs" After Railways Suspended And Limited Service In 2021.** "In a sign of how maxed out the Western rail system feeding the Chicago area has become, Union Pacific Railroad has temporarily suspended service from the coast to its Global IV terminal in Joliet, Illinois, while BNSF is metering cargo to LPC. As a result, terminal operators at the ports of Los Angeles and Long Beach are bracing for an increase in their rail container backlogs." [Journal of Commerce, [07/23/21](#)]

**The Port Of Los Angeles Became "A Poster Child Of The Nationwide Supply Chain Crisis, Which Has Contributed To Shortages And Inflation."** "The bottleneck at the Port of Los Angeles is beginning to clear after it became a poster child of the nationwide supply chain crisis, which has contributed to shortages and inflation." [Forbes, [11/16/21](#)]

**January 2022: The Port Of Los Angeles' Executive Director Said The Supply Chain Crisis Was Not Over And The Long Beach Port Was Still Experiencing Congestion, With 60 Cargo Ships Waiting Offshore.** "On Tuesday, as Buttigieg praised local officials for moves that eased bottlenecks around the holiday period, 60 cargo ships idled offshore near the Long Beach port, waiting for their turn to dock. The supply-chain crisis is not over, Gene Seroka, executive director of the Port of Los Angeles, said while touring the Long Beach port with Buttigieg." [Los Angeles Times, [01/11/22](#)]

**The "Twin Ports" Of Los Angeles And Long Beach "Account For Almost 40% Of The Country's Imported Goods" And Have Been Known As "The Most Essential Gateways For The American Economy Over The Past Century."** "The twin ports of Los Angeles and Long Beach became the most essential gateways for the American economy over the past century as the country expanded its economic reach beyond Europe and more toward Asia. But recently, you name a supply-chain issue, and the two West Coast hubs that account for almost 40% of the country's imported goods are likely suffering from it." [Bloomberg, [11/23/21](#)]



## **Demurrage Fees—Which Are Charged For Freight Stuck In Supply Chain Bottlenecks—Rose By Over 100% At The World’s Biggest Ports From 2020 To 2021 And Class I Railroads Collected A Record \$1.18 Billion In These Fees Just In The First Nine Months Of 2021,**

**Railroads Charge Demurrage Fees For Cargo That Stays At A Terminal Beyond A Certain Amount Of Time.** "Railroads argue demurrage fees — which take effect when cargo stays beyond a specified time at a terminal — are an essential tool to keep cargo moving." [SupplyChainDive, [01/12/22](#)]

**Headline: 'Insult to injury': Record rail demurrage adds to shipper costs** [SupplyChainDive, [01/12/22](#)]

**Demurrage And Detention Charges At The World’s Biggest Ports Rose 104% From 2020 To 2021.**

"Demurrage and detention charges increased 104% from 2020 to 2021 across the world’s 20 largest ports, a Container xChange report found." [SupplyChainDive, [06/16/22](#)]

**Demurrage Revenue Increased By 33% From 2020 To 2021.** "Demurrage revenue reported to the STB grew 33% between 2020 and 2021, the second-highest YoY increase over the past decade (the highest was between 2017 and 2018)." [SupplyChainDive, [01/12/22](#)]

**Class I Railroads Collected \$1.18 Billion In Demurrage Fees In The First Nine Months Of 2021, The "Highest Annual Figure Recorded Since At Least 2011."** "The seven Class I railroads that operate in the United States collected \$1.18 billion in revenues from demurrage fees during the first three quarters of 2021. That's the highest annual figure recorded since at least 2011, according to data reported to the Surface Transportation Board. And shippers often ended up on the receiving end of the bill." [SupplyChainDive, [01/12/22](#)]

**Demurrage "Fees Quickly Added Up" During 2021's "Flood Of Imports" And Subsequent Supply Chain Issues.** "Railyards were overwhelmed with a flood of imports coming from West Coast ports last summer. Carriers said shippers would leave their cargo at railyards due to warehouse space constraints, a lack of truck drivers and shortages in equipment such as chassis. Storage fees quickly added up as yards remained backlogged with containers." [SupplyChainDive, [01/12/22](#)]

**Amid "Record Asian Imports" That Began Overwhelming Marine Terminals In 2020, Importers Were Unable To Pick Up Their Cargo Before They Began Incurring Demurrage Fees.** "Record Asian imports that began in the spring of 2020 have overwhelmed marine terminals and rail ramps, preventing importers from picking up cargo before their so-called free time runs out, exposing them to demurrage billing." [Journal of Commerce, [07/23/21](#)]

**Inland Rail Ramps Also Experienced Congestion And Railway Clients "Racked Up Thousands Of Dollars In Charges In Some Cases."** "Shippers and consignees face similar issues at inland rail ramps, where they've racked up thousands of dollars in charges in some cases." [Journal of Commerce, [07/23/21](#)]

**In Recent Years, Railroads Have Reduced The Amount Of Free Storage Time That Shippers Have At Terminals Before Demurrage Fees Start Taking Effect.** "In recent years, railroads have reduced how much free time containers can stay at the terminal before storage fees kick in, arguing such moves are needed to increase cargo flow for all users." [Journal of Commerce, [07/23/21](#)]

**Railroads Have Used Market Power To Cut Costs—Known As Lowering Their Operating Ratios—Spending About \$46 Billion More On Shareholder Handouts Than On Maintenance And Equipment Since 2010.**

**Railroads Have Used Their Market Power To Lower Their Operating Ratios (ORs)—A Federal Regulator Has Criticized Industry For Its "Pursuit Of The Almighty OR" And Spending \$46 Billion Less On Maintenance And Equipment Than On Stock Buybacks And Shareholder Dividends Since 2010.**

**Railroads Have Driven Down Their Operating Ratios, "Or Operating Expenses As A Percentage Of Revenue" In Order To Spend "Less Money Running The Railroad And More On Stock Buybacks Or Dividends."** "THE RAIL SUPPLY CHAIN CRISIS was decades in the making, based on two fundamental sources—excessive consolidation and the railroads' version of just-in-time, called precision scheduled railroading (PSR). [...] Today, using PSR [precision scheduled railroading], railroad management's job is to drive down the 'operating ratio,' or operating expenses as a percentage of revenue. In other words, Wall Street judges railroads' success based in part on spending less money running the railroad and more on stock buybacks or dividends." [The American Prospect, [02/04/22](#)]

**Due To Railroads' Market Power, They Can Lower Operating Ratios To Do "Less With Less" Instead Of Increasing Efficiency And Doing "More With Less."** "Theoretically, focusing on lowering operating ratios pushes railroads to be more efficient, to do more with less. But when railroads have the market power they have today, they can instead 'do less with less,' as shippers and workers put it." [The American Prospect, [02/04/22](#)]

**In September 2021, Surface Transportation Board (STB) Chairman Martin Oberman "Criticized Railroads For Their 'Pursuit Of The Almighty OR'" While Noting That They Have Spent \$196 Billion On Stock Buybacks And Dividends Since 2010 While Investing Only \$150 Billion On Maintenance And Equipment.** "In a September speech, STB Chairman Martin Oberman criticized railroads for their 'pursuit of the almighty OR' and estimated that U.S. railroads have paid out \$196 billion in stock buybacks or dividends to shareholders since 2010. In comparison, over that same period according to Oberman, railroads spent \$150 billion actually maintaining the physical rail and equipment they need to run their railroad." [The American Prospect, [02/04/22](#)]

**A Biden Executive Order Has Sought To Combat Railways' Consolidation And "Aggressive Pricing" By Increasing Competition And Giving Shippers More Affordable Rail Route Options.**

**In July 2021, President Biden Issued An Executive Order To Confront The Railroad Industry's Consolidation And "Aggressive Pricing" Enabled By Its "Monopoly Power Over Sections Of The Country."**

**July 2021: President Biden Issued An Executive Order To "Confront Consolidation And Perceived Anticompetitive Pricing" In The Rail Industry To Address "Aggressive Pricing."** "The Biden administration will push regulators to confront consolidation and perceived anticompetitive pricing in the ocean shipping and railroad industries as part of a broad effort to blunt the power of big business to dominate industries, according to a person familiar with the situation. The administration, in a sweeping executive order expected this week, will ask the Federal Maritime Commission and the Surface Transportation Board to combat what it calls a pattern of consolidation and aggressive pricing that has made it onerously expensive for American companies to transport goods to market." [The Wall Street Journal, [07/08/21](#)]

**The Biden Administration Argued The Small Number Of Major Railroads "Has Enabled Companies To Charge Unreasonable Fees."** "The administration says the relatively small number of major players in the ocean-shipping trade and in the U.S. freight rail business has enabled companies to charge unreasonable fees." [The Wall Street Journal, [07/08/21](#)]

**"Consolidation Has Given Railroads Monopoly Power Over Sections Of The Country Where Theirs Are The Only Freight Tracks."** "In the case of the seven Class 1 freight railroads, consolidation has given railroads monopoly power over sections of the country where theirs are the only freight tracks, the person said." [The Wall Street Journal, [07/08/21](#)]

**President Biden's July 2021 Executive Order Encouraged The Surface Transportation Board (STB) To Introduce More Competitiveness Into The Rail System And Reduce Overcharging.** "In the Order, the President: [...] Encourages the Surface Transportation Board to require railroad track owners to provide rights of way to passenger rail and to strengthen their obligations to treat other freight companies fairly." [The White House, [07/09/21](#)]

### **The Biden Executive Order Encouraged The Federal Surface Transportation Board (STB) To Advance A Proposed Rule Allowing Shippers To Switch Their Freight To Competing And Potentially Less Expensive Railways.**

**The Executive Order Encouraged The STB To Advance A "Longstanding Proposed Rule" On Reciprocal Or Competitive Switching, Where Shippers With Access To Only One Railroad Can Request That Shipments Be Switched To Potentially Less Expensive Competing Railroads En Route To Their Destination.** "The executive order will encourage the STB to take up a longstanding proposed rule on so-called reciprocal or competitive switching, the practice whereby shippers served by a single railroad can request bids from a nearby competing railroad if service is available. The competitor railroad would pay access fees to the monopoly railroad, but could win the shipper's business by offering a lower price, using the rival railroad's tracks and property." [The Wall Street Journal, [07/08/21](#)]

- **Switching Is Only Allowed If The STB Finds That It Would Prevent Anticompetitive Behavior, "A High Bar For Shippers To Meet."** "Currently, switching only is allowed if the STB determines it necessary to prevent anticompetitive conduct, a high bar for shippers to meet." [Bloomberg Law, [07/16/21](#)]
- **Switching Would Allow Shippers To Find Competitive Bids From Competing Rail Companies And To Lower Their Freight Rates.** "Shippers argue that switching would allow them to get competing bids for service, thus lowering rates. 'So, you're still captive to a railroad but only for maybe 10 miles instead of 500,' Jensen said." [Bloomberg Law, [07/16/21](#)]

**Shippers Have Been In A "Decadeslong Fight" Against The Rail Industry's Rate Hikes.** "The order emphasizes remedies that compel railroads to allow shippers more flexibility in switching carriers, such as being able to switch carriers mid-route. For shippers, it's a step forward in their decadeslong fight against a rail industry they argue has hiked rates and neglected reliable service since deregulation in the 1990s." [Bloomberg Law, [07/16/21](#)]

### **The STB Has Warned Railroads They Would Be Subject To Audits And Issued Rules To Increase Transparency On Demurrage Fees And, But Railroads Have Complained They "Encourage Unnecessary Litigation."**

**July 2021: The STB Sent A Letter To Each Of The Seven Class I Railroads Seeking Information On Their Demurrage And Detention Practices.** "US rail regulators want the seven Class I railroads to explain their policies and practices for demurrage charges, acknowledging pleas from shippers to intervene as intermodal containers pile up at inland rail ramps and accrue storage fees. A July 22 letter sent to each of the railroads from US Surface Transportation Board Chairman Martin Oberman came just two days after the Federal Maritime Commission (FMC) told the top nine container lines operating on US trades it will immediately begin auditing how they bill customers for demurrage and detention." [Journal of Commerce, [07/23/21](#)]

**In The Letter, STB Chairman Martin J. Oberman Expressed Concern About Fees Charged Even When Receivers Had "No Means" To Keep Their Shipments Moving.** "Complaints of demurrage have come from shippers, both large and small, in addition to third- party logistics providers. I am particularly troubled about reports that Class I railroads are continuing to impose these charges even in circumstances when the receivers, as a practical matter, have no means to facilitate the release of their containers,' Oberman wrote the railroads." [Journal of Commerce, [07/23/21](#)]

**Oberman Added, "Demurrage Fails To Provide Any Constructive Incentives, And Perversely Results In Massive Charges That Can Exceed The Commercial Value Of The Shipment."** "Under these circumstances, demurrage fails to provide any constructive incentives, and perversely results in massive charges that can exceed the commercial value of the shipment." [Journal of Commerce, [07/23/21](#)]

**The Surface Transportation Board (STB), The Federal Agency Which Oversees Freight Rail, Issued Rules In 2020 And 2021 Which Increased The Transparency Of Rail Companies' Demurrage Fees.** "New rules from the STB could make it easier for shippers to audit and dispute bills. Class I railroads now have to charge shippers demurrage fees directly instead of sending bills to terminal operators or third-party logistics providers, according to an STB rule that went into effect in 2020. Another rule, enacted Oct. 6, requires railroads to provide machine-readable access to minimum information on billing, including details on the billing cycle covered by the invoice, the car involved, the commodity being shipped, and railroads' original estimated time of arrival for the cargo in question." [SupplyChainDive, [01/12/22](#)]

- **"The Surface Transportation Board Is An Independent Federal Agency That Is Charged With The Economic Regulation Of Various Modes Of Surface Transportation, Primarily Freight Rail."** [Surface Transportation Board, accessed [02/02/22](#)]

**Some Railroads, Such As CSX And Canadian National, Have Claimed The New STB Rules Would "Encourage Unnecessary Litigation And Push Shippers To Challenge Invoices Based On Technical Issues."** "Railroads including CN and CSX argued the new requirements would encourage unnecessary litigation and push shippers to challenge invoices based on technical issues, not the validity of a demurrage charge. Shippers disagree, saying disputing charges are costly and take a significant amount of time." [SupplyChainDive, [01/12/22](#)]

**"Despite The New Rules, Railroads Say Demurrage Remains One Of The Biggest Levers They Can Pull To Get Shippers To Pick Up Their Cargo And Prevent Further Congestion."** [SupplyChainDive, [01/12/22](#)]

**BNSF—A Subsidiary Of Billionaire Warren Buffett's Berkshire That Raised Its Freight Rates And Cut Its Operating Ratio In 2021—Saw Its Net Income Jump By 16% To \$5.9 Billion In FY 2021, Has Seen Earnings Further Increase In The First Nine Month Of FY 2022, And Has Spent Over \$4.5 Million On Lobbying Since 2021 All While Its Parent Spent \$27.1 Billion On Stock Buybacks In FY 2021 And \$5.25 Billion On Buybacks In The First Nine Months Of 2022.**

**Class I Railway BNSF—A Subsidiary Of Warren Buffet's Berkshire Hathaway—Was The Biggest North American Railroad Company In 2020.**

**Class I Railway BNSF Was "The Largest Railroad Company In North America, With Over 35,000 Employees" As Of February 2022.** "BNSF is the largest railroad company in North America, with over 35,000 employees." [NBC Montana, [02/01/22](#)]

- **BNSF "Operates 32,500 Miles Of Track In 28 Western States."** "BNSF, one of the nation's largest railroads, operates 32,500 miles of track in 28 western states." [Associated Press, [01/19/22](#)]
- **BNSF Was The Top U.S. Railroad Company In 2020, With A Revenue Of \$29 Billion.** [Sounding Maps, accessed [02/11/22](#)]
- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

**BNSF Is A Subsidiary Of Berkshire Hathaway, Which Is The "Investing Conglomerate" Of Warren Buffet, One Of The World's Richest People.** [Berkshire Hathaway, accessed [02/02/22](#)]

- **Berkshire Hathaway Owner Warren Buffett Was The World's 6th Richest Person In 2021, With A Net Worth Of \$96 Billion.** [Forbes, accessed [02/02/22](#)]
- **Berkshire Hathaway Is "Warren Buffett's Investing Conglomerate."** "Shares of billionaire Warren Buffett's investing conglomerate, Berkshire Hathaway, continued to their new year rally on Thursday, bringing the company's market value to a new high of over \$700 billion—and putting it within reach of the trillion-dollar milestone." [Forbes, [01/06/22](#)]

### **BNSF Credited 5% Higher Rates For A 12% Revenue Increase In Its Q3 2021, It Has Cut The Amount Of Time Before It Started Imposing Demurrage Fees And Has Been Asked To Provide Information For The STB Chairman's Probe Into "Sizeable" Demurrage Fees.**

**November 2021: BNSF Credited 5% Higher Rates And Increased Fuel Surcharges For A 12% Revenue Increase In Its Q3 2021, Which Ended On September 30, 2021.** "For third-quarter 2021, BNSF posted revenue of \$5.790 billion, up 12% from the prior-year period, reflecting a 4% increase in volumes, led by the Industrial Products and Coal business units, the Class I railroad reported. The revenue increase included volumes of 2.537 million units. The average revenue per car/unit increased 5% for the three months ending Sept. 30, 2021 vs. the same point last year, according to BNSF. 'Higher rates per car/unit and increased fuel surcharges principally from higher fuel prices were offset by business mix changes,' the railroad reported." [Railway Age, [11/10/21](#)]

- **BNSF's Q3 2021 Ended On September 30, 2021.** "Source: Amounts derived from the GAAP results in the Burlington Northern Santa Fe, LLC Forms 10-Q for the period ended September 30, 2021." [BNSF Railway Company, accessed [02/02/22](#)]

**As Railways Cut The Amount Of Time Before Imposing Demurrage Fees On Shippers, BNSF Eliminated An Industry-Standard Cutoff Time And Tightened The Window Of Free Storage Time That Shippers Have.** "In recent years, railroads have reduced how much free time containers can stay at the terminal before storage fees kick in, arguing such moves are needed to increase cargo flow for all users. [...] BNSF Railway eliminated the industry-standard 5 p.m. cutoff time when determining what is the 'Day of Notification,' which tightens the free window for any container made available in the evening." [Journal of Commerce, [07/23/21](#)]

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To BNSF Southern And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "Numerous Reports" About Railways' "Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments."** "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers." [Railway Age, [07/23/21](#)]
- **The Letter Was Addressed To BNSF And Other Railways.** "Railway Age provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

**BNSF Lowered Its Operating Ratio In 2021.**

**BNSF Lowered Its Operating Ratio From 61.6% In 2020 To 60.9% In 2021:**

Statement of Income (in millions)	Q4 - 2021	Q4 - 2020	Q/Q % Change	2021 YTD	2020 YTD	Y/Y % Change
[...]						
Operating ratio (a)	60.0 %	60.3 %		60.9 %	61.6 %	

[BNSF Railway Company, accessed [09/14/22](#)]

**BNSF's FY 2021 Net Income Was \$5.99 Billion, 16% More Than In Its FY 2020—And Its Net Income In The First Three Quarters Of Its FY 2022 Was Over \$4.4 Billion, A Slight Increase Over The Same Period Of FY 2021.**

**BNSF's FY 2021 Net Income Was \$5.99 Billion, A 16% Increase Over Its FY 2020 Net Income:**

Statement of Income (in millions)	Q4 - 2021	Q4 - 2020	Q/Q % Change	2021 YTD	2020 YTD	Y/Y % Change
[...]						
Net income	\$ 1,685	\$ 1,493	13 %	\$ 5,990	\$ 5,161	16 %

[BNSF Railway Company, accessed [09/14/22](#)]

**In The First Nine Months Of 2022, BNSF Has Reported Over \$4.4 Billion In Net Income, A Slight Increase Over The Same Period Of 2021:**

## BNSF's Third Quarter 2022 Financial Performance: Volumes, Revenues and Expenses

Statement of Income (in millions)	Q3 - 2022	Q3 - 2021	Q/Q % Change	2022 YTD	2021 YTD	Y/Y % Change
Total revenues	\$ 6,693	\$ 5,790	16 %	\$ 19,301	\$ 17,000	14 %
Operating expenses	4,585	3,528	30 %	12,773	10,631	20 %
Operating income	2,108	2,262	(7)%	6,528	6,369	2 %
Other (income) expense, Interest expense and Income tax expense	666	724	(8)%	2,051	2,064	(1)%
Net income	\$ 1,442	\$ 1,538	(6)%	\$ 4,477	\$ 4,305	4 %
Operating ratio (a)	67.7 %	59.5 %		65.2 %	61.2 %	

Source: Amounts derived from the GAAP results in the Burlington Northern Santa Fe, LLC Forms 10-Q for the period ended September 30, 2022.

(a) Operating ratio excludes impacts of BNSF Logistics.

[BNSF Railway Company, accessed [11/21/22](#)]

### **BNSF Parent Berkshire Hathaway Spent \$27.1 Billion On Stock Buybacks In 2021 And Has Spent An Additional \$5.25 Billion On Buybacks In The First Nine Months Of 2022.**

During The First Nine Months Of FY 2022, BNSF's Parent Company Berkshire Hathaway Spent \$5.25 Billion On Stock Buybacks. " Approximately \$1.05 billion was used to repurchase Berkshire shares during the third quarter bringing the nine month total to approximately \$5.25 billion." [Berkshire Hathaway, [11/05/22](#)]

In Its FY 2021, Berkshire Hathaway Spent \$27.1 Billion On Stock Buybacks. "Berkshire paid \$27.1 billion in 2021 to repurchase shares of its Class A and B common stock." [Berkshire Hathaway, [02/26/22](#)]

- **BNSF Is A Subsidiary Of Berkshire Hathaway.** [Berkshire Hathaway, accessed [02/02/22](#)]

### **Since 2021, BNSF Has Spent Over \$4.5 Million On Lobbying The Federal Government, Including At Least \$190,000 To Influence Congress And The Department Of Transportation On "Rail Competition Issues" And "Anti-Trust."**

**BNSF Paid \$190,000 To Various Lobbying Firms To Lobby Congress On "Rail Competition Issues" "Antitrust" And Other Matters Since 2021:**

- **Q3 2022: BNSF Railroad Company Paid \$20,000 to Alpine Group Partners, LLC To Lobby Congress On "Rail Competition Issues" And Other Matters.** [Alpine Group Partners, LLC LD-2 Lobbying Disclosure, [10/17/22](#)]
- **Q2 2022: BNSF Railroad Company Paid \$30,000 To K&L Gates, LLP To Lobby Congress, The Department Of Transportation, And The Federal Railroad Administration On "The Build Back Better Act," The Administration's Executive Order On Competition" And Issues Related To Supply Chain Delays," And Other Matters.** [K&L Gates, LLP, LD-2 Lobbying Disclosure, [07/19/22](#)]
- **Q1 2022: BNSF Railroad Company Paid \$30,000 To K&L Gates, LLP To Lobby Congress, The Department Of Transportation, And Environmental Protection Agency On Issues Pertaining To "The Administration's Executive Order On Competition," The "Build Back Better Act,"**

"Issues Related To Supply Chain Delays," And Other Matters. [K&L Gates, LLP, LD-2 Lobbying Disclosure, [04/16/22](#)]

- **Q2 2022: BNSF Railroad Company Paid \$15,000 To The Madison Group To Lobby Congress On "Issues Pertaining To Anti-Trust," And Other Matters.** [The Madison Group, LLC LD-2 Lobbying Disclosure, [07/20/22](#)]
- **Q1 2022: BNSF Railroad Company Paid \$15,000 To The Madison Group To Lobby Congress On "Issues Pertaining To Anti-Trust," And Other Matters.** [The Madison Group, LLC LD-2 Lobbying Disclosure, [04/20/22](#)]
- **Q4 2021: BNSF Railroad Company Paid \$20,000 To Alpine Group Partners, LLC To Lobby Congress On "Rail Competition Issues" And Other Matters.** [Alpine Group Partners, LLC LD-2 Lobbying Disclosure, [01/19/22](#)]
- **Q3 2021: BNSF Railroad Company Paid \$20,000 To Alpine Group Partners, LLC To Lobby Congress On "Rail Competition Issues" And Other Matters.** [Alpine Group Partners, LLC LD-2 Lobbying Disclosure, [10/18/21](#)]
- **Q2 2021: BNSF Railroad Company Paid \$20,000 To Alpine Group Partners, LLC To Lobby Congress On "Rail Competition Issues" And Other Matters.** [Alpine Group Partners, LLC LD-2 Lobbying Disclosure, [07/19/21](#)]
- **Q1 2021: BNSF Railroad Company Paid \$20,000 To Alpine Group Partners, LLC To Lobby Congress On "Rail Competition Issues" And Other Matters.** [Alpine Group Partners, LLC LD-2 Lobbying Disclosure, [04/14/21](#)]

**Meanwhile, BNSF Has Spent A Total Of \$4,575,000 On Lobbying Since 2021:**

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	3rd Quarter - Report	\$700,000.00	2022
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	2nd Quarter - Report	\$725,000.00	2022
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	1st Quarter - Report	\$670,000.00	2022
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	4th Quarter - Report	\$630,000.00	2021
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	3rd Quarter - Report	\$650,000.00	2021
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	1st Quarter - Report	\$520,000.00	2021
<a href="#">BNSF Railway Company</a>	BNSF Railway Company	2nd Quarter - Report	\$680,000.00	2021
<b>Total:</b>			<b>\$4,575,000</b>	

**January 2022: BNSF Asked A Federal Judge To Block Two Unions From Striking Over Its Attendance Policy That Harshly Penalized Workers For Missing Work, Which The Unions Said Violated Labor Contracts, Pushed Employees To Work While Sick, And Penalized Union Officials For Taking Time To Represent Workers.**

**January 19, 2022: BNSF Wanted A Federal Judge To Block About 17,000 Workers From Two Unions From Going On Strike Over The Company's Attendance Policy "That Would Penalize Employees For Missing Work."** "BNSF railroad wants a federal judge to prevent two of its unions from going on strike next month over a new attendance policy that would penalize employees for missing work. The Fort Worth, Texas-based railroad went to court after the Brotherhood of Locomotive Engineers and Trainmen, and the



Transportation Division of the International Association of Sheet Metal, Air, Rail, and Transportation union both threatened to strike over the new policy that is set to go into effect on Feb. 1." [Associated Press, [01/19/22](#)]

- **Nearly 17,000 BNSF Employees Threatened To Strike.** "On Tuesday, a federal judge in Fort Worth granted BNSF, one of the nation's largest freight companies, a temporary restraining order, blocking nearly 17,000 employees from striking over the company's new attendance policy." [KCEN, [01/25/22](#)]

**The Union Heads Said BNSF's Attendance Policy Would Violate Their Labor Contracts And Push Employees To Work Even When They Are Sick During The Pandemic.** "The heads of the two unions, BLET National President Dennis Pierce and SMART-TD President Jeremy Ferguson, said in a joint statement that the new policy would violate their contracts with BNSF and could provide an incentive for workers to show up when they are sick in the middle of the coronavirus pandemic." [Associated Press, [01/19/22](#)]

- **The Attendance Policy Relied On A Points System That Penalized Workers For Taking Certain Days Off—One Worker Noted They Could Face Disciplinary Action For Taking Two "High-Impact" Days Off, Such As Christmas Eve And Christmas Day.** "The call to strike comes after BNSF changed its attendance policy. One employee reached out to NBC Montana, stating that, under the new policy, BNSF trainmen will get around 22 days off a year and, depending on the days they miss, it could result in termination. That's because the company switched to a Hi-Viz system starting Tuesday. Basically, it means that an employee starts with 30 points. They can lose points depending on the different situations such as no-shows or missed calls but can get points back if they work 14 days straight. The current BNSF employee explained to us there are high-impact days, such as holidays, that can cost 15 points apiece. For example, if an employee takes off Christmas Eve and Christmas Day, there goes the 30 points, and disciplinary actions are taken." [NBC Montana, [02/01/22](#)]

**BNSF Argued That A Strike "Can Cause Devastating And Irreparable Harm To Carriers, Their Customers, Other Railroads, And The General Public."** "The railroad maintains that this issue is a minor dispute that the unions wouldn't be allowed to strike over under federal law, and a strike shouldn't be allowed because it would hurt the economy too much. 'Rail strikes — even if brief or localized — can cause devastating and irreparable harm to carriers, their customers, other railroads, and the general public. The threatened strike in this case would strain an already overburdened supply chain, potentially causing wide-ranging harm to the national economy,' BNSF said in its lawsuit." [Associated Press, [01/19/22](#)]

**January 25, 2022: The Federal Judge Granted BNSF A Temporary Restraining Order Blocking The Unions From Striking.** "A U.S. district court judge on Tuesday granted Fort Worth-based rail company BNSF a temporary restraining order blocking two of its unions from striking." [Fort Worth Star-Telegram, [01/25/22](#)]

**The Unions Argued That BNSF's Attendance Policy Violated The Labor Relations Act And Penalized Union Officials From Missing Work To Represent Employees In Disputes.** "BNSF Railway's plans to institute a new attendance policy while a new labor agreement is under negotiation is contrary to the terms of the Railway Labor Act, the Brotherhood of Locomotive Engineers and Trainmen argues in a new court filing. [...] Instead, the filing says, BNSF unilaterally imposed the new attendance policy. The union also claims the new policy penalizes union officials who lay off work to attend to union business, including representation of employees in disciplinary proceedings, contrary to existing agreements." [Trains, [01/28/22](#)]

**Unions Argued That The Attendance Policy Punished Workers "For Missing Work For Any Reason."** "BNSF's two largest unions are raising concerns about a new attendance policy that went into effect at the railroad Tuesday. That's because they say it penalizes employees for missing work for any reason and encourages sick employees to report for duty." [West Dakota Fox, [02/01/22](#)]

**January 31, 2022: The Unions Requested Help From The U.S. Departments Of Transportation And Labor.** "Two unions representing railroad workers sent a letter Monday pleading for help from the U.S.

Department of Transportation and Labor. It's one of many documents filed after the U.S. District Court issued a temporary restraining order against two groups of employees -- the International Association of Sheet Metal, Air, Rail and Transportation Workers and the Brotherhood of Locomotive Engineers and Trainmen." [NBC Montana, [02/01/22](#)]

**Union Pacific—Whose Increased Fees "More Than Offset" Lower Freight Volume While It Touted "Records" For Cutting Operating Ratio In 2021—Had Its "Most Profitable Year Ever" In FY 2021 Due To Price Increases, Touted "Quarterly Records" In Its Q2 2022, Saw Its Net Income Climb 11% To \$5.36 Billion In The First Nine Months Of 2022, And Has Spent Over \$6.3 Million On Lobbying Since 2021 While Spending Billions On Shareholder Handouts.**

### **Class I Railway Union Pacific Was The Second Biggest U.S. Railroad Company As Of 2020, Operating Across 23 States In The Western U.S.**

Class I Railway Union Pacific Was The Second Biggest U.S. Railroad Company In 2020, Based On Its Revenue Of \$19.53 Billion. [Sounding Maps, accessed [02/11/22](#)]

- The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific. [American Farm Bureau Federation, [09/08/21](#)]

**Union Pacific Operates Across 23 States In The Western U.S., With 32,200 Route Miles And 31,000 Employees As Of 2020.** "Union Pacific Corporation (NYSE:UNP) is one of America's leading transportation companies. Its principal operating company, Union Pacific Railroad, is North America's premier railroad franchise, covering 23 states across the western two-thirds of the United States." [Union Pacific, accessed [02/04/22](#)]

#### Union Pacific Railroad Fast Facts

(For Full Year 2020)

Route Miles	32,200
Employees	31,000

[Union Pacific, accessed [02/04/22](#)]

### **Union Pacific Reported Collecting More Demurrage Revenue In 2021 With Its Increased Fees "More Than Offset[ting]" Its Lower Shipping Volume During The Supply Chain Crisis—In July 2021, The Company Was Asked To Provide Information As Part Of The Surface Transportation Board (STB) Chairman's Probe Into "Sizeable" Demurrage Fees.**

January 2022: Union Pacific Reported Collecting More Demurrage Revenue In 2021 "After Seeing A 40% Increase In Container Dwell Times In Its Yards And A 20% Increase In The Time It Takes Shippers To Return Equipment." "In an emailed statement to Supply Chain Dive, Union Pacific said it collected more demurrage revenue in 2021 after seeing a 40% increase in container dwell times in its yards and a 20% increase in the time it takes shippers to return equipment in 2021." [SupplyChainDive, [01/12/22](#)]

**Union Pacific Increased Its Prices And Imposed Fuel Surcharges In Its Q4 2021.** "Revenue grew 12% to \$5.73 billion, which also surpassed Street forecasts, as it increased prices and imposed fuel surcharges in response to rising diesel prices." [Associated Press, [01/20/22](#)]

**July 2021: Union Pacific Increased Rates On Low-Volume Shippers To "Match The Record Amount Set Only A Year Ago."** "Union Pacific Railroad (UP) will increase rates across hundreds of lanes in the western US and Mexico over the next two weeks, including another hike in surcharges out of California that will raise rates for low-volume shippers to match the record amount set only a year ago. UP said in a statement it will raise its surcharge on low-volume shippers out of California from \$3,000 to \$5,000 per container on loads that exceed contracted volume, effective Aug. 8." [Journal of Commerce, [07/29/21](#)]

**Union Pacific Also Saw A Positive Impact From Demurrage Fees, Including For Freight "Sitting On A Port Due To Congestion," According To An Independent Analysis.** "The second positive impact is the demurrage fee, the charge for extended use of freight cars (e.g., sitting on a port due to congestion)." [Seeking Alpha, [01/17/22](#)]

**As Of January 2022, The Supply Chain Crisis Was "A Larger Positive Impact On Revenue Growth Than Negative Impact" For Union Pacific, According To An Independent Analysis.** "Ongoing supply chain issues decrease transportation volume, and the decrease in volume could have the potential to negatively impact Union Pacific's revenue and profit. However, the supply chain disruption is actually creating a larger positive impact on revenue growth than negative impact." [Seeking Alpha, [01/17/22](#)]

- **Union Pacific Saw A Positive Impact From Increased Freight Fees, Which "More Than Offset" Its Decreased Shipping Volume.** "The first positive impact is the increase in freight fee, which has more than offset the decrease in transporting volume so far." [Seeking Alpha, [01/17/22](#)]

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To Union Pacific Southern And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "'Numerous Reports'" About Railways' "'Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments.'"** "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers." [Railway Age, [07/23/21](#)]
- **The Letter Was Addressed To Union Pacific And Other Railways.** "Railway Age provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

**In 2021, Union Pacific Touted "Records" For Lowering Its Full Year Operating Ratio, Which Fell 2.7 Points Year-Over-Year, As Well As Record Earnings.**

**Union Pacific Touted "Records For Operating Income, Operating Ratio, Net Income, And Earnings Per Share" In Its FY 2021:**

## 2021 Full Year Summary

### Financial Results: Revenue Growth and Margin Improvement Drives Records for Operating Income, Operating Ratio, Net Income, and Earnings Per Share Full Year 2021 Compared to Adjusted Full Year 2020\*

[Union Pacific Corporation, [01/20/22](#)]

#### Union Pacific Reduced Its Operating Ratio From 59.9% In Its FY 2020 To 57.2% In Its FY 2021:

Millions, Except Per Share Amounts and Percentages, For the Periods Ended December 31,	4th Quarter			Full Year		
	2021	2020	%	2021	2020	%
	[...]					
<b>Operating Ratio</b>	<b>57.4%</b>	<b>61.0%</b>	<b>(3.6)pts</b>	<b>57.2%</b>	<b>59.9%</b>	<b>(2.7)pts</b>

[Union Pacific Corporation, [01/20/22](#)]

### Union Pacific's CEO Lauded FY 2021 As Its "Most Profitable Year Ever," Due In Part To "Core Pricing Gains, "With Its Net Income Growing 16% To \$6.5 Billion.

Union Pacific CEO Lance Fritz Touted The Company's FY 2021 As "Its Most Profitable Year Ever," Due In Part To "Core Pricing Gains." "The Union Pacific team concluded its most profitable year ever in 2021. We produced double digit fourth quarter revenue growth by leveraging our great rail franchise to generate positive business mix and core pricing gains, despite ongoing global supply chain challenges that impacted volumes," said Lance Fritz, Union Pacific chairman, president and chief executive officer." [Union Pacific Corporation, [01/20/22](#)]

Union Pacific Touted "Records For Operating Income, Operating Ratio, Net Income, And Earnings Per Share" In Its FY 2021. "2021 Full Year Summary [...] Financial Results: Revenue Growth and Margin Improvement Drives Records for Operating Income, Operating Ratio, Net Income, and Earnings Per Share Full Year 2021 Compared to Adjusted Full Year 2020\*" [Union Pacific Corporation, [01/20/22](#)]

Union Pacific's FY 2021 Net Income Was \$6.5 Billion, 16% Higher Than Its FY 2020 Net Income Of \$5.6 Billion. "Reported net income for the full year 2021 was \$6.5 billion, or \$9.95 per diluted share. These full year results compare to adjusted full year 2020 net income of \$5.6 billion, or \$8.19 per diluted share, which excludes the impairment charge." [Union Pacific Corporation, [01/20/22](#)]

### In Its Q2 2022, Union Pacific Touted "Quarterly Records" For Net Income And Operating Income As Its CEO Credited Pricing And Higher Fuel Surcharge Revenue For Offsetting Inflation—The Company's Net Income Then Climbed 11% To \$5.36 Billion In The First Nine Months Of 2022 As Its Q3 2022 Net Income Rose 13% To Nearly \$1.9 Billion.

July 2022: In Its Q2 2022 Earnings Release, Union Pacific Touted "Quarterly Records for Operating Revenue, Operating Income, Net Income, and Earnings Per Share." "Union Pacific Corporation (NYSE: UNP) today reported 2022 second quarter net income of \$1.8 billion, or \$2.93 per diluted share. This compares to 2021 second quarter net income of \$1.8 billion, or \$2.72 per diluted share." [Union Pacific Corporation, [07/21/22](#)]

- Union Pacific Touted "Quarterly Records for Operating Revenue, Operating Income, Net Income, and Earnings Per Share."

**Financial Results: Topline Growth Produces Quarterly Records for Operating Revenue, Operating Income, Net Income, and Earnings Per Share  
Second Quarter 2022 Compared to Second Quarter 2021**

[Union Pacific Corporation, [07/21/22](#)]

**Union Pacific CEO Lance Fritz Said That During The Quarter, Inflation Was Offset By “Higher Fuel Surcharge Revenue, Solid Core Pricing, A Positive Mix, And Continued Train Size Initiatives.”** “As anticipated, the Second Quarter was a tough one as we limited carloadings and increased expenses to recover network fluidity,’ said Lance Fritz, Union Pacific chairman, president, and chief executive officer. ‘We also experienced record high fuel prices and increasing inflation, adding pressure to our total costs. Offsetting the cost pressures were higher fuel surcharge revenue, solid core pricing, a positive mix, and continued train size initiatives. The result was operating revenue and income growth. Our network fluidity improved through the quarter, and we are positioned to grow volumes in the back half of 2022 while continuing to improve our service product.’” [Union Pacific Corporation, [07/21/22](#)]

**Union Pacific Reported \$5.36 Billion In Net Income In The First Nine Months Of Its FY 2022, A 11% Increase Over The Same Period Of 2021, Including Nearly \$1.9 Billion In Net Income In Its Q3 2022, A 13% Increase Over Q3 2021:**

<i>Millions, Except Per Share Amounts and Percentages, For the Periods Ended September 30,</i>	<i>3rd Quarter</i>			<i>Year-to-Date</i>		
	<i>2022</i>	<i>2021</i>	<i>%</i>	<i>2022</i>	<i>2021</i>	<i>%</i>
	[...]					
<b>Net Income</b>	<b>\$ 1,895</b>	<b>\$ 1,673</b>	<b>13%</b>	<b>\$ 5,360</b>	<b>\$ 4,812</b>	<b>11%</b>

[Union Pacific Corporation, [10/20/22](#)]

**Union Pacific Spent \$7.3 Billion On Stock Buybacks And \$2.8 Billion On Shareholder Dividends In 2021, With \$1.4 Billion On Stock Buybacks In Q4 2021 Alone— In The First Nine Months Of 2022, Union Pacific Spent Over \$5.4 Billion On Stock Buybacks And Over \$2.3 Billion On Shareholder Dividends.**

**In Its Q4 2021, Union Pacific Spent \$1.4 Billion On Stock Buybacks And \$7.3 Billion Total On Buybacks In Its FY 2021.** “The company repurchased 5.8 million shares in fourth quarter 2021 at an aggregate cost of \$1.4 billion.” [Union Pacific Corporation, [01/20/22](#)]

- **"The Company Repurchased 33.3 Million Shares In 2021 At An Aggregate Cost Of \$7.3 Billion."** [Union Pacific Corporation, [01/20/22](#)]

**Meanwhile, Union Pacific Spent \$2.8 Billion On Shareholder Dividends In Its FY 2021:**

<i>Millions, For the Periods Ended December 31,</i>	<i>Full Year</i>	
	<i>2021</i>	<i>2020</i>
	[...]	
<b>Dividends paid</b>	<b>(2,800)</b>	<b>(2,626)</b>

[Union Pacific Corporation, [01/20/22](#)]

**In The First Nine Months Of 2022, Union Pacific Spent Over \$5.4 Billion On Stock Buybacks And Over \$2.3 Billion On Dividends:**

**UNION PACIFIC CORPORATION AND SUBSIDIARY COMPANIES**  
*Condensed Consolidated Statements of Cash Flows (unaudited)*

Millions, for the Periods Ended September 30,	Year-to-Date	
	2022	2021
[...]		
<b>Financing Activities</b>		
Debt issued	6,080	3,901
Share repurchase programs	(5,497)	(5,846)
Dividends paid	(2,362)	(2,045)

[Union Pacific Corporation, [10/20/22](#)]

**Since 2021, Union Pacific Has Spent \$6.3 Million Lobbying The Federal Government, On Issues Pertaining To Antitrust, Competition, And Biden's Executive Order On Competition.**

Since 2021, Union Pacific Has Spent At Least \$6,320,626 Lobbying Congress And The Surface Transportation Board On Issues Pertaining To Biden's Executive Order On Competition, Antitrust Legislation, And Railroad Competition In General:

- **Q3 2022: Union Pacific Corp Spent \$913,141 Lobbying Congress, The Federal Railroad Administration, And The Surface Transportation On "Issues Related To Presidential Emergency Board And National Rail-Labor Negotiations Under The Railway Labor Act," And "SJ Res 61/HJ Res 95 - To Provide For The Resolution Of Issues In A Railway Labor-Management Dispute And For Other Purposes," Among Other Issues.** [Union Pacific Corporation, LD-2 Lobbying Disclosure, [10/20/22](#)]
- **Q2 2022: Union Pacific Corporation Spent \$843,192 Lobbying Congress, The Federal Railroad Administration, And The Surface Transportation On "Executive Order 14036 - On Promoting Competition In The American Economy (Sec. 5, N)," "S 225 - Competition And Antitrust Law Enforcement Reform Acct Of 2021," Issues Related To The STB," And "S.3580 - The Ocean Shipping Reform Act," And Other Issues.** [Union Pacific Corporation, LD-2 Lobbying Disclosure, [07/20/22](#)]
- **Q1 2022: Union Pacific Corporation Spent \$1,078,263 Lobbying Congress, The Federal Railroad Administration, And The Surface Transportation Board On "Executive Order 14036 - On Promoting Competition In The American Economy (Sec. 5 N)," "S 225- Competition And Antitrust Law Enforcement Reform Acct Of 2021," "Issues Related To The STB," And "Issues Related To Economic Regulation," Among Other Issues.** [Union Pacific Corporation, LD-2 Lobbying Disclosure, [04/20/22](#)]
- **Q4 2021: Union Pacific Corporation Spent \$936,169 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Executive Order 14036 - On Promoting Competition In The American Economy (Sec. 5, N)," " S 225 - Competition And Antitrust Law Enforcement Reform Acct Of 2021," "Issues Related To The STB," And "Issues Related To Switching Operations" And Other Issues.** [Union Pacific Corporation LD-2 Lobbying Disclosure, [01/19/22](#)]
- **Q3 2021: Union Pacific Corporation Spent \$930,599 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Executive Order 14036 - On Promoting Competition In The American Economy (Sec. 5, N)," " S 225 - Competition And Antitrust Law Enforcement Reform Acct Of 2021," "Issues Related To The STB," And "Issues**

**Related To Switching Operations" And Other Issues.** [Union Pacific Corporation LD-2 Lobbying Disclosure, [10/20/21](#)]

- **Q2 2021: Union Pacific Corporation Spent \$842,021 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Executive Order 14036 - On Promoting Competition In The American Economy (Sec. 5, N)," " S 225 - Competition And Antitrust Law Enforcement Reform Act Of 2021," "Issues Related To The STB," And "Issues Related To Switching Operations" And Other Issues** [Union Pacific Corporation LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q1 2021: Union Pacific Corporation Spent \$777,241 Lobbying The Senate On " S 225 - Competition and Antitrust Law Enforcement Reform Acct of 2021"—As Well As Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Issues Related To The STB," Among Other Issues.** [Union Pacific Corporation LD-2 Lobbying Disclosure, [04/20/21](#)]
- **Q3 2021: Union Pacific Paid \$50,000 To Fierce Government Relations To Lobby Congress On "Railroad Competition Issues" And Other Matters.** [Fierce Government Relations LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q4 2021: Union Pacific Paid \$30,000 To Stewart Strategies And Solutions LLC To Lobby The U.S. House On Surface Transportation Board Regulations And Other Issues.** [Stewart Strategies And Solutions LLC, [01/20/22](#)]
- **Q3 2021: Union Pacific Paid \$30,000 To Stewart Strategies And Solutions LLC To Lobby The U.S. House On Surface Transportation Board Regulations.** [Stewart Strategies And Solutions LLC, [10/20/21](#)]
- **Q4 2021: Union Pacific Paid \$50,000 To Tiber Creek Group To Lobby Congress And The U.S. Transportation Department On " Issues pertaining to the Surface Transportation Board" And Other Issues.** [Tiber Creek Group, [01/16/22](#)]
- **Q3 2021: Union Pacific Paid \$50,000 To Tiber Creek Group To Lobby Congress And The U.S. Transportation Department On " Issues pertaining to the Surface Transportation Board" And Other Issues.** [Tiber Creek Group, [10/15/21](#)]
- **Q4 2021: Union Pacific Paid \$20,000 To Van Scoyoc Associates To Monitor "Surface Transportation Board Issues" And Other Matters.** [Van Scoyoc LD-2 Lobbying Disclosure, [01/19/22](#)]
- **Q3 2021: Union Pacific Paid \$20,000 To Van Scoyoc Associates To Monitor "Surface Transportation Board Issues" And Other Matters.** [Van Scoyoc LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q2 2021: Union Pacific Paid \$20,000 To Van Scoyoc Associates To Monitor "Surface Transportation Board Issues" And Other Matters.** [Van Scoyoc LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q1 2021: Union Pacific Paid \$20,000 To Van Scoyoc Associates To Monitor "Surface Transportation Board Issues" And Other Matters.** [Van Scoyoc LD-2 Lobbying Disclosure, [04/20/21](#)]

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	3rd Quarter - Report	\$913,141.00	2022
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	2nd Quarter - Report	\$843,192.00	2022
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	1st Quarter - Amendment	\$1,078,263.00	2022
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	4th Quarter - Report	\$936,169.00	2021

<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	3rd Quarter - Report	\$930,599.00	2021
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	1st Quarter - Report	\$777,241.00	2021
<a href="#">Union Pacific Corporation</a>	Union Pacific Corporation	2nd Quarter - Report	\$842,021.00	2021
<b>Total:</b>			<b>\$6,320,626.00</b>	

**In 2021, Canadian National—Which Touted Gains From Demurrage Fees And A Record Low For Its Operating Ratio In Q4 2021—Increased Its 2021 Net Income By 37%, Reported Approximately \$2.7 Billion USD In Earnings In The First Nine Months Of Its FY 2022, Has Spent About \$972 Million USD On Dividends And \$2.71 Billion USD On Stock Buybacks In The First Nine Months Of 2022, And Has Spent At Least \$1.26 Million On Lobbying Since 2021.**

### **Canadian National Was The Third Biggest Railroad Company In 2020 And Is "The Only Transcontinental Railway In North America" With A 19,600 Mile Rail Network.**

**Class I Railroad Canadian National Railway Was The Third Biggest U.S. Railroad Company In 2020, Based On Its Revenue Of \$10.9 Billion.** [Sounding Maps, accessed [02/11/22](#)]

- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

**Canadian National Is "The Only Transcontinental Railway In North America," With A 19,600 Mile Network That Spans Canada And Mid-America.** "CN is a world-class transportation leader and the only transcontinental railway in North America. Our 19,600-mile network spans Canada and Mid-America, connecting three coasts: the Atlantic, the Pacific and the Gulf of Mexico." [Canadian National Railway Company, accessed [02/03/22](#)]

- **Canadian National's Principal Executive Offices Are In Quebec.** "935 de La Gauchetiere Street West Montreal, Quebec Canada H3B 2M9 (514) 399-7091 (Address, including zip code, and telephone number including area code, of Registrant's principal executive offices)" [Canadian National Railway Company SEC Form 40-F, [02/01/22](#)]

### **Canadian National Fought An "Often Bitter, High-Profile, Multibillion-Dollar Battle" To Acquire Another Class I Railroad But Was Unanimously Rejected By The STB Because It Would Have Created A "Mega-Railroad."**

**2021: Canadian National "Fought An Often Bitter, High-Profile, Multibillion-Dollar Battle" With Canadian Pacific To Acquire Kansas City Southern (KCS)—The Surface Transportation Board (STB) Unanimously Rejected Canadian National's Plan To Operate KCS Through A "'Voting Trust'" Because It Would Have Consolidated Too Many Routes Into A "Mega-Railroad."** "CP and rival Canadian National Railway fought an often bitter, high-profile, multibillion-dollar battle in 2021 for the control of KCS, when the U.S. Surface Transportation Board rejected on a bipartisan 5-0 vote CN's plan to create a 'voting trust' to operate KCS during the merger process. The STB said in its decision that a CN-KCS merger would not create additional competition and would consolidate too many routes, in too much of the country under the control of one mega-railroad." [Transport Topics, [01/28/22](#)]



- **"However, A Similar 'Voting Trust' Was Approved For The Merger Of The Two Smaller Railroads, CP And KCS."** [Transport Topics, [01/28/22](#)]
- **Canadian Pacific Has Been In The Process Of Acquiring Kansas City Southern Railway For \$25 Billion, Which Would ""Create The First Single-Line Rail Network Linking The U.S., Mexico And Canada."** "Canadian Pacific Railway Ltd. agreed to acquire Kansas City Southern in a transaction valued at about \$25 billion that would create the first freight-rail network linking Mexico, the U.S. and Canada. The combination, which faces a lengthy regulatory review, is a long-term wager on an interconnected North American economy." [The Wall Street Journal, [03/21/21](#)]
- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

## **Canadian National Defended Its Demurrage Fees As Being The Result Of ""Logistics Challenges"" After It Was Asked To Provide Information For The Surface Transportation Board (STB) Chairman's Probe Into ""Sizeable"" Demurrage Fees.**

**August 2021: Canadian National Defended Its Demurrage Fees To The STB By Claiming That Congestion Was Due To ""Logistics Challenges"" Among Intermodal Shippers.** "In an emailed statement to Supply Chain Dive, Union Pacific said it collected more demurrage revenue in 2021 after seeing a 40% increase in container dwell times in its yards and a 20% increase in the time it takes shippers to return equipment in 2021. Canadian National made a similar claim in an August letter to the STB, in which it wrote congested yards were 'primarily the result of logistics challenges affecting intermodal shippers' access to, and decisions on how to allocate, the resources (chassis, draymen, loading dock space, etc.) needed to handle inbound intermodal shipments." [SupplyChainDive, [01/12/22](#)]

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To Canadian National And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received ""Numerous Reports"" About Railways' ""Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments.""** "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers.'" [Railway Age, [07/23/21](#)]
- **The Letter Was Addressed To Canadian National And Other Railways.** "*Railway Age* provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

## **Canadian National Declared "The Best Measure Of Price Is... Price," As It Touted Gains From Demurrage Fees.**

Canadian National's Q4 2021 And FY 2021 Financial Results Touted "Yield Gains Through Demurrage," "Driving Strong Price," And Stated, "The Best Measure Of Price Is... Price":

Yield gains through demurrage and storage

[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

## Driving strong price and yield

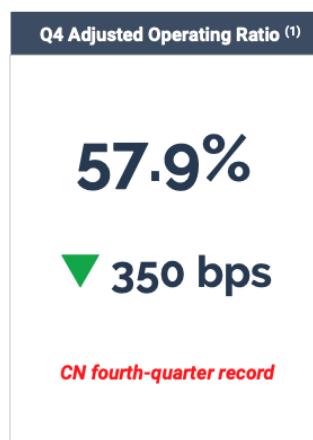
[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

**The best measure of price is... price**

[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

**In January 2022, Canadian National Touted A "Fourth-Quarter Record" For Its Operating Ratio And Cut 3.1 Percentage Points From Its FY 2021 Operating Ratio—In Its Most Recent Quarter, The Company Touted Lowering Its Operating Ratio By 5.5 Percentage Points From The Same Period Of 2021.**

January 2022: Canadian National Touted A "Fourth-Quarter Record" For Its Operating Ratio And Also Reduced Its Operating Ratio From 61.4% In Its FY 2020 To 58.3% In Its FY 2021:



[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

<i>In millions of Canadian dollars, except EPS data, unless otherwise indicated</i>	2021	2020	Change Favorable (Unfavorable)
	[...]		
Operating ratio	58.3%	61.4%	3.1 pts

[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

**October 2022: In Its Q3 2022 Earnings Release, Canadian National Highlighted Lowering Its Operating Ratio By 5.5 Percentage Points:**

**Financial results and operating highlights**

**Third-quarter 2022 compared to third-quarter 2021**

- Record revenues of C\$4,513 million, an increase of C\$922 million or 26%, mainly due to higher fuel surcharge revenue driven by higher fuel prices, freight rate increases and the positive translation impact of a weaker Canadian dollar.
- Record operating income of C\$1,932 million, an increase of 44%, or an increase of 31% on an adjusted basis. <sup>(1)</sup>
- Diluted EPS of C\$2.13, a decrease of 10%, mainly due to a merger termination fee received in the third quarter of 2021.
- Diluted EPS increased by 40% on an adjusted basis, which represents a quarterly record. <sup>(1)</sup>
- Operating ratio, defined as operating expenses as a percentage of revenues, of 57.2%, an improvement of 5.5-points, or an improvement of 1.8-points on an adjusted basis. <sup>(1)</sup>
- Free cash flow for the first nine months of 2022 was C\$2,924 million compared to C\$2,034 million for the same period in 2021. <sup>(1)</sup>
- Injury frequency rate <sup>(3)</sup> decreased by 29% and the accident rate <sup>(4)</sup> decreased by 19%.
- Car velocity improved by 5% and dwell improved by 9%.
- Fuel efficiency improved by 1% to 0.838 US gallons of locomotive fuel consumed per 1,000 gross ton miles (GTMs).
- Origin train performance averaged 87%, an improvement of 12% compared to 78% for the same period in 2021. <sup>(5)</sup>

[Canadian National Railway Company, [10/25/22 \(PDF\)](#)]

**Canadian National's 2021 Net Income Increased About 37% To About \$3.8 Billion USD Year-Over-Year And In The First Nine Months Of Its FY 2022, Canadian National Reported Approximately \$2.7 Billion USD In Earnings.**

**In Its Q4 2021, Canadian National Reported "Outstanding" Results, With An 11% Increase In Its Operating Earnings And Projected Its Diluted Earnings Per Share To Increase By 20% In 2022.**

"Canadian National also reported fourth-quarter earnings Tuesday, including a 3% increase in revenue and an 11% increase in operating earnings. It said it expects adjusted diluted earnings per share to increase 20% in 2022." [The Wall Street Journal, [01/25/22](#)]

- **"Outstanding Q4 results demonstrating strong execution and momentum"** [Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

**Canadian National's Q4 2021 Net Income Was \$1.199 Billion CAD—About \$946 Billion USD As Of February 2, 2022—While Its FY 2021 Net Income Was \$4.892 Billion CAD, (~\$3.86 Billion USD) About 37% More Than Its FY 2020 Net Income Of \$3.562 Billion CAD:**

	Three months ended December 31		Year ended December 31	
	2021	2020	2021	2020
Net income (\$ millions)	1,199	1,021	4,892	3,562

[...] [Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

- **Amounts Are In Canadian Dollars.** "Amounts expressed in Canadian dollars and prepared in accordance with United States generally accepted accounting principles (GAAP), unless otherwise noted." [Canadian National Railway Company, [01/25/22 \(PDF\)](#)]
- **As Of February 3, 2022, 1 Canadian Dollar Was Equivalent To 0.7889 American Dollars.** [Yahoo! Finance, accessed [02/03/22](#)]

**In Its Q2 2022 Earnings Release, Canadian National Touted "Record Adjusted Diluted Earnings Per Share."** "CN (TSX: CNR) (NYSE: CNI) today reported its financial and operating results for the second quarter

ended June 30, 2022. Financial performance improved year-over-year with record adjusted diluted earnings per share (EPS) of C\$1.93, up 30%." [Canadian National Railway Company, [07/26/22 \(PDF\)](#)]

**In The First Nine Months Of Its FY 2022, Canadian National Reported Nearly \$3.7 Billion CAD In Net Income, Or Approximately \$2.7 Billion USD.**

	Three months ended September 30		Nine months ended September 30	
	2022	2021	2022	2021
<b>Financial measures</b>				
<b>Key financial performance indicators <sup>(1)</sup></b>				
Total revenues (\$ millions)	4,513	3,591	12,565	10,724
Freight revenues (\$ millions)	4,366	3,427	12,169	10,302
Operating income (\$ millions)	1,932	1,341	4,928	4,050
Adjusted operating income (\$ millions) <sup>(2)(3)</sup>	1,932	1,471	4,950	4,043
Net income (\$ millions) <sup>(4)</sup>	1,455	1,686	3,698	3,698

[Canadian National Railway Company, [10/25/22 \(PDF\)](#)]

- **Amounts Are In Canadian Dollars.** "Amounts expressed in Canadian dollars and prepared in accordance with United States generally accepted accounting principles (GAAP), unless otherwise noted." [Canadian National Railway Company, [10/25/22 \(PDF\)](#)]
- **As Of October 25, 2022, 1 Canadian Dollar Was Equivalent To About 0.74 American Dollars.** [Canadian Dollar To US Dollar Conversion For 10/25/22, Oanda, accessed [11/21/22](#)]

**Canadian National Increased Its Stock Buybacks By 317% To About \$1.2 Billion USD And Spent About \$1.3 Billion USD On Dividends In Its FY 2021, And Has Spent About \$972 Million USD On Dividends And \$2.71 Billion USD On Stock Buybacks In The First Nine Months Of 2022, An Increase of \$2.32 Billion USD From The Same Period Of 2021.**

In Its FY 2021, Canadian National Spent \$1.582 Billion CAD (~\$1.248 Billion USD) On Stock Buybacks, 317% More Than The \$379 Million CAD (\$299 Million USD) It Spent On Buybacks In FY 2020:

	Three months ended December 31		Year ended December 31	
	2021	2020	2021	2020
[...]				
Share repurchases (\$ millions)	1,059	—	1,582	379

[Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

- **Amounts Are In Canadian Dollars.** "Amounts expressed in Canadian dollars and prepared in accordance with United States generally accepted accounting principles (GAAP), unless otherwise noted." [Canadian National Railway Company, [01/25/22 \(PDF\)](#)]
- **As Of February 3, 2022, 1 Canadian Dollar Was Equivalent To 0.7889 American Dollars.** [Yahoo! Finance, accessed [02/03/22](#)]

In Its FY 2021, Canadian National Spent \$1.740 Billion CAD (~\$1.372 Billion USD) On Shareholder Dividends:

<i>In millions</i>	<i>Year ended December 31,</i>	<b>2021</b>
[...]		

## Dividends paid

(1,740)

[Canadian National Railway Company, [02/01/22 \(PDF\)](#)]

- **As Of February 3, 2022, 1 Canadian Dollar Was Equivalent To 0.7889 American Dollars.**  
[Yahoo! Finance, accessed [02/03/22](#)]
- **Canadian National's Board Approved A 19% Increase To Its Quarterly Shareholder Dividend, Effective In Q1 2022.** "The Company's Board of Directors approved a 19 per cent increase to CN's 2022 quarterly cash dividend, effective for the first quarter of 2022. This is the 26th consecutive year of dividend increases, demonstrating our confidence in the long- term financial health of the Company." [Canadian National Railway Company, [01/25/22 \(PDF\)](#)]

**In The First Nine Months Of 2022, Canadian National Spent \$1.37 Billion CAD On Dividends, About \$972 Million USD:**

<i>In millions</i>	Three months ended September 30		Nine months ended September 30	
	2022	2021	2022	2021
Dividends paid	(498)	(435)	(1,511)	(1,307)

[Canadian National Railway Company, [10/25/22 \(PDF\)](#)]

- **As Of October 25, 2022, 1 Canadian Dollar Was Equivalent To About 0.74 American Dollars.**  
[Canadian Dollar To US Dollar Conversion For 10/25/22, Oanda, accessed [11/21/22](#)]

**In The First Nine Months Of Its FY 2022, Canadian National Spent \$3.6 Billion CAD On Stock Buybacks, About \$2.71 Billion USD, For An Increase Of \$3.12 Billion CAD Or \$2.32 Billion Year-Over-Year.** "Share repurchases for the third quarter and first nine months of 2022 were \$1,178 million and \$3,644 million, respectively, an increase of \$1,069 million and \$3,121 million, respectively, compared to the same periods in 2021." [Canadian National Railway Company, [10/25/22 \(PDF\)](#)]

- **As Of October 25, 2022, 1 Canadian Dollar Was Equivalent To About 0.74 American Dollars.**  
[Canadian Dollar To US Dollar Conversion For 10/25/22, Oanda, accessed [11/21/22](#)]

## **Since 2021, Canadian National Has Spent At Least \$1,260,000 Lobbying The Federal Government, Including At Least \$330,000 Paid To Outside Firms Lobbying On Issues Related To Mergers And Acquisitions.**

**Canadian National Railway Company Has Spent Over \$1.2 Million Lobbying On Issues Related To Mergers And Acquisitions And Other Issues Since 2021:**

- **Q1 2022: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And Federal Railroad Administration On "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company," And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [07/18/22](#)]
- **Q1 2022: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And Federal Railroad Administration On "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company," And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [04/14/22](#)]

- **Q4 2021: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On " Proposed acquisition by CN of KCS," "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company" And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [01/14/22](#)]
- **Q3 2021: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On " Proposed acquisition by CN of KCS," "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company" And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [10/07/21](#)]
- **Q2 2021: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On " Proposed acquisition by CN of KCS," "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company" And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [07/16/21](#)]
- **Q1 2021: Canadian National Railway Company Spent \$180,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Implementation Of CN's Acquisition Of The Major Portion Of The Elgin, Joliet & Eastern Railway Company" And Other Issues.** [Canadian National Railway Company LD-2 Lobbying Disclosure, [04/15/21](#)]
- **Q4 2021: Canadian National Railroad Paid \$50,000 To BGR Government Affairs To Lobby Congress, The Surface Transportation Board, And The U.S. Transportation Department On "Mergers And Acquisitions" And Other Issues.** [BGR Government Affairs LD-2 Lobbying Disclosure, [01/20/22](#)]
- **Q3 2021: Canadian National Railroad Paid \$50,000 To BGR Government Affairs To Lobby Congress, The Surface Transportation Board, And The U.S. Transportation Department On "Mergers And Acquisitions" And Other Issues.** [BGR Government Affairs LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q2 2021: Canadian National Railroad Paid \$50,000 To BGR Government Affairs To Lobby Congress, The Surface Transportation Board, And The U.S. Transportation Department On "Mergers And Acquisitions" And Other Issues.** [BGR Government Affairs LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q1 2021: Canadian National Railroad Paid \$50,000 To BGR Government Affairs To Lobby Congress, The Surface Transportation Board, And The U.S. Transportation Department On "Mergers And Acquisitions" And Other Issues.** [BGR Government Affairs LD-2 Lobbying Disclosure, [04/20/21](#)]
- **Q3 2021: Canadian National Railroad Paid \$50,000 To Blank Rome Government Relations To Lobby Congress On "Issues Relating To CN And KC Railroad Proposed Merger" And "Informational Discussion The Rail Regulatory Policy Landscape."** [BGR Government Affairs LD-2 Lobbying Disclosure, [10/19/21](#)]
- **Q2 2021: Canadian National Railroad Paid \$80,000 To Blank Rome Government Relations To Lobby Congress On "Issues Relating To CN And KC Railroad Proposed Merger."** [BGR Government Affairs LD-2 Lobbying Disclosure, [04/20/21](#)]

**Overall, Canadian National Has Spent \$1,260,000 On Lobbying Since 2021:**

<b>Lobbying Entity</b>	<b>Lobbying Client</b>	<b>Report Quarter</b>	<b>Amount</b>	<b>Year</b>
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	3rd Quarter - Report	\$180,000.00	2022
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	2nd Quarter - Report	\$180,000.00	2022
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	1st Quarter - Report	\$180,000.00	2022
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	4th Quarter - Report	\$180,000.00	2021
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	3rd Quarter - Report	\$180,000.00	2021
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	1st Quarter - Report	\$180,000.00	2021
<a href="#">Canadian National Railway Company</a>	Canadian National Railway Company	2nd Quarter - Report	\$180,000.00	2021
<b>Total:</b>			<b>\$1,260,000</b>	

**CSX—Which Credited Higher Fees For Its Profits And Cuts To Its Operating Ratio In 2021—Saw FY 2021 Net Income Jump 37% To \$3.7 Billion And An Additional 11% To Over \$3.1 Billion In The First Nine Months Of FY 2022, Has Spent Over \$8 Billion On Shareholder Handouts Since The Beginning Of FY 2021, And Has Spent Over \$3.3 Million On Lobbying Since 2021.**

**Class I Railway CSX Was The Fourth Biggest Railroad Company In 2020 And "Nearly Two-Thirds Of Americans Live Within Its Service Territory, Which Includes About 20,000 Route Miles In 23 States.**

Class I Railway CSX Was The Fourth Biggest U.S. Railroad Company In 2020, Based On Its Revenue Of \$10.6 Billion. [Sounding Maps, accessed [02/11/22](#)]

- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

**CSX's Network Includes "About 20,000 Route Miles Of Track In 23 States, The District Of Columbia And The Canadian Provinces Of Ontario And Quebec."** "CSX Corporation, together with its subsidiaries based in Jacksonville, Fla., is one of the nation's leading transportation suppliers. The company's rail and intermodal businesses provide rail-based transportation services including traditional rail service and the transport of intermodal containers and trailers. Overall, the CSX Transportation network encompasses about 20,000 route miles of track in 23 states, the District of Columbia and the Canadian provinces of Ontario and Quebec." [CSX Corporation, accessed [02/04/22](#)]

**"Nearly Two-Thirds Of Americans Live Within CSX's Service Territory."** "Our transportation network serves some of the largest population centers in the nation. Nearly two-thirds of Americans live within CSX's service territory." [CSX Corporation, accessed [02/04/22](#)]

## **CSX Credited Higher Demurrage Fees For Driving Income And Revenue In 2021 While It Complained That Eliminating Or Capping Demurrage Fees Would Make It "A Cost-Free Storage Facility" For Freight.**

**In Its Q4 2021, CSX Credited "Higher Demurrage" Fees For Contributing To Its "Revenue Gains Across All Major Lines Of Business."** "Revenue gains across all major lines of business led by coal and intermodal growth [...] Other Revenue increased due to higher intermodal storage and equipment usage revenue as well as higher demurrage and affiliate revenue." [CSX, [01/20/22](#)]

**In Its Q3 2021, CSX's CFO "Told Investors Demurrage And Related Fees Were Among The Biggest Drivers Of Income."** "Sean Pelkey, acting CFO of CSX, told investors demurrage and related fees were among the biggest drivers of income for CSX in Q3, for example." [SupplyChainDive, [01/12/22](#)]

**CSX Complained To The STB That Eliminating Or Capping Demurrage Fees Would Make The Company "A Cost-Free Storage Facility During Times Of High Demand."** "If demurrage were eliminated or capped, making storage effectively free at a certain point, we would stand-out as a cost-free storage facility during times of high demand and our terminals would quickly reach capacity,' CSX wrote in a letter to the STB." [SupplyChainDive, [01/12/22](#)]

**In January 2022, CSX Said Demurrage Fees "Helped Keep The Network Fluid In An Environment Where Shippers Are Facing Scarce Storage Space And Labor Challenges."** "In a statement to Supply Chain Dive, CSX spokesperson Cindy Schild said the company expects demurrage revenue to decrease as supply chain congestion eases, but noted the fees have helped keep the network fluid in an environment where shippers are facing scarce storage space and labor challenges. 'CSX's preference is that our terminals and yards operate with consistent and efficient throughput without the need to charge demurrage, but it's nonetheless a vital and effective way of furthering fluidity within our terminals and throughout our rail network,' Schild said." [SupplyChainDive, [01/12/22](#)]

## **In Its FY 2021, CSX Lowered Its Operating Ratio By 3.5 Percentage Points From FY 2020.**

**CSX Lowered Its Operating Ratio From 58.8% In Its FY 2020 To 55.3% In Its FY 2021:**

	Quarters Ended				Years Ended			
	Dec. 31, 2021 <sup>(a)</sup>	Dec. 31, 2020	\$ Change	% Change	Dec. 31, 2021 <sup>(a)</sup>	Dec. 31, 2020	\$ Change	% Change
				[...]				
Operating Ratio	60.1 %	57.0 %			55.3 %	58.8 %		

[CSX Corp., [01/20/22](#)]

## **CSX Has Been Asked To Provide Information For The Surface Transportation Board (STB) Chairman's Probe Into "Sizeable" Demurrage Fees.**

**July 2021: STB Chairman Martin J. Oberman Wrote To CSX And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "Numerous Reports" About Railways' "Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release**



**Of Containers Bearing Their Shipments.**" "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers." [Railway Age, [07/23/21](#)]

- **The Letter Was Addressed To Canadian Pacific And Other Railways.** "Railway Age provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

## **CSX's FY 2021 Net Earnings Jumped 37% To \$3.78 Billion Year-Over-Year, And In The First Nine Months Of Its FY 2022, Its Net Earnings Climbed 11% To \$3.1 Billion.**

**January 2022: CSX Corporation's FY 2021 Net Earnings Were \$3.78 Billion, 37% Higher Than Its FY 2020 Net Earnings Of \$1.02 Billion:**

	Quarters Ended				Years Ended			
	Dec. 31, 2021 <sup>(a)</sup>	Dec. 31, 2020	\$ Change	% Change	Dec. 31, 2021 <sup>(a)</sup>	Dec. 31, 2020	\$ Change	% Change
			[...]					
<b>Net Earnings</b>	<b>\$ 934</b>	<b>\$ 760</b>	<b>\$ 174</b>	<b>23 %</b>	<b>\$ 3,781</b>	<b>\$ 2,765</b>	<b>\$ 1,016</b>	<b>37 %</b>

[CSX Corp., [01/20/22](#)]

- **Net Earnings Are Also Known As Net Income.** "Net income (NI), also called net earnings, is calculated as sales minus cost of goods sold, selling, general and administrative expenses, operating expenses, depreciation, interest, taxes, and other expenses. [...] This number appears on a company's income statement and is also an indicator of a company's profitability." [Investopedia, accessed [02/03/22](#)]

**In The First Nine Months Of Its FY 2022, CSX's Net Earnings Rose By 11% To Over \$3.1 Billion:**

	Quarters Ended <sup>(a)</sup>				Nine Months Ended <sup>(a)</sup>			
	Sep. 30, 2022	Sep. 30, 2021	\$ Change	% Change	Sep. 30, 2022	Sep. 30, 2021	\$ Change	% Change
			[...]					
<b>Net Earnings</b>	<b>\$ 1,111</b>	<b>\$ 968</b>	<b>\$ 143</b>	<b>15 %</b>	<b>\$ 3,148</b>	<b>\$ 2,847</b>	<b>\$ 301</b>	<b>11 %</b>

[CSX Corp., [10/20/22](#)]

- **July 2022: In Its Q2 2022 Earnings Release, CSX Touted A 28% Increase In Revenue "Driven By Pricing Gains, Fuel Surcharge, And The Addition Of Quality Carriers."** "Second Quarter Financial Highlights [...] Revenue reached \$3.82 billion for the quarter, increasing 28% year-over-year, due to higher revenue in nearly all markets driven by pricing gains, fuel surcharge, and the addition of Quality Carriers." [CSX Corp., [07/20/22](#)]

**In 2021, CSX Increased Its Buybacks By 233% To Over \$2.8 Billion And Spent \$839 Million On Shareholder Dividends—In The First Nine Months Of Its FY 2022, CSX Spent \$645 Million On Dividends And \$3.7 Billion On Buybacks, A 60% Increase From The Same Period Of 2021.**

In 2021, CSX Corporation Spent Over \$2.8 Billion On Stock Buybacks, A 233% Increase From 2020, And \$839 Million On Shareholder Dividends:

	Years Ended	
	Dec. 31, 2021 <sup>(a)</sup>	Dec. 31, 2020
[...]		
Shares Repurchased <sup>(a)</sup>	(2,886)	(867)
Dividends Paid	(839)	(797)

[CSX Corp., [01/20/22](#)]

In The First Nine Months Of 2022, CSX Has Spent \$645 Million On Dividends And \$3.7 Billion On Stock Buybacks, A Nearly \$1.4 Billion Or 60% Increase in Buybacks:

	Nine Months Ended	
	Sep. 30, 2022 <sup>(a)</sup>	Sep. 30, 2021
<b>OPERATING ACTIVITIES</b>		
[...]		
Dividends Paid	(645)	(633)
Shares Repurchased <sup>(a)</sup>	(3,710)	(2,316)

[CSX Corp., [10/20/22](#)]

**Since 2021, CSX Has Spent Over \$3.3 Million Lobbying The Federal Government, Including At Least \$1.2 Million In 2022 While Lobbying On Issues Related To "Rail Labor" And "Collective Bargaining."**

Since 2021, CSX Corporation Has Spent At Least \$3,372,122 On Lobbying, Including At Least \$1.2 Million In 2022 While Lobbying On Issues Related To "Rail Labor" And "Collective Bargaining."

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">CSX Corporation</a>	CSX Corporation	3rd Quarter - Report	\$25,900.00	2022
<a href="#">CSX Corporation</a>	CSX Corporation	2nd Quarter - Report	\$530,000.00	2022
<a href="#">CSX Corporation</a>	CSX Corporation	1st Quarter - Report	\$758,000.00	2022
<a href="#">CSX Corporation</a>	CSX Corporation	1st Quarter - Amendment	\$600,000.00	2021
<a href="#">CSX Corporation</a>	CSX Corporation	3rd Quarter - Report	\$523,000.00	2021
<a href="#">CSX Corporation</a>	CSX Corporation	2nd Quarter - Amendment	\$535,222.00	2021
<a href="#">CSX Corporation</a>	CSX Corporation	2nd Quarter - Report	<del>\$535,222.00*</del>	2021
<a href="#">CSX Corporation</a>	CSX Corporation	1st Quarter - Report	<del>\$600,000.00*</del>	2021
<a href="#">CSX Corporation</a>	CSX Corporation	4th Quarter - Report	\$400,000.00	2021
<b>Total:</b>			<b>\$3,372,122</b>	

*\*Total Excludes Reports That Have Been Replaced By Amended Reports*

- **Q2 2022: CSX Corporation Spent \$530,000 Lobbying Congress, The Surface Transportation Board, The Federal Railroad Administration, And The White House Office On "Issues Related To Modal Equity, Transportation Funding And User Fees," "Issues Related To Rail Labor, PEB, And Collective Bargaining" "Issues Related To Economic Regulation," And Other Matters.** [CSX Corporation LD-2 Lobbying Disclosure, [07/20/22](#)]
- **Q1 2022: CSX Corporation Spent \$758,000 Lobbying Congress And The Surface Transportation Board On "Issues Related To Modal Equity, Transportation Funding And User Fees," "Issues Related To Rail Labor," "Issues Related To Economic Regulation," And Other Matters.** [CSX Corporation LD-2 Lobbying Disclosure, [04/20/22](#)]

**Norfolk Southern—Which Increased Freight Rates While Touting An "All-Time Record" Low For Its Operating Ratio In 2021—Saw Net Income Surge 27% To \$3 Billion In FY 2021, Further Rose Net Income By 10% In The First Nine Months Of FY 2022, Has Spent Nearly \$7.6 Billion On Shareholder Handouts Since The Beginning Of FY 2022, And Has Spent Over \$2.7 Million On Lobbying Since 2021.**

**Class I Railway Norfolk Southern Was The Fifth Biggest U.S. Railroad Company In 2020, Operating About 19,300 Route Miles In 22 States And The District Of Columbia.**

**Norfolk Southern Was The Fifth Biggest North American Railroad Company In 2020, Operating In 22 Eastern States Plus The District Of Columbia.** "Norfolk Southern is one of the nation's largest railroads, and it operates about 19500 miles (31382.21 kilometers) of track in 22 Eastern states and the District of Columbia." [ABC News, [01/26/22](#)]

**Norfolk Southern Was The Fifth Biggest U.S. Railroad Company In 2020, Based On Its Revenue Of \$9.79 Billion.** [Sounding Maps, accessed [02/11/22](#)]

- **The Seven Class I Rail Companies Are BNSF, Canadian National Railway, Canadian Pacific Railway, CSX, Kansas City Southern Railway, And Union Pacific.** [American Farm Bureau Federation, [09/08/21](#)]

**Norfolk Southern Operates About "19,300 Route Miles In 22 States And The District Of Columbia."** "Norfolk Southern Corporation (NYSE: NSC) is one of the nation's premier transportation companies. Its Norfolk Southern Railway Company subsidiary operates approximately 19,300 route miles in 22 states and the District of Columbia, serves every major container port in the eastern United States, and provides efficient connections to other rail carriers." [Norfolk Southern, accessed [02/04/22](#)]

**Norfolk Southern Not Only Had A "Fourth-Quarter Record" For Its Operating Ratio In Q4 2021 But Also "An All-Time Record" For Operating Ratio In Its Full FY 2021...**

**Norfolk Southern Touted Operating Ratio Records For Its Q4 2021 And FY 2021—FY 2021 Was "An All-Time Record" For The Company.** "Norfolk Southern Corporation (NYSE: NSC) today reported fourth-quarter and full-year 2021 financial results which included fourth-quarter and full-year records for income from railway operations and operating ratio." [Norfolk Southern Corporation, [01/26/22](#)]

- **Norfolk Southern's Q4 2021 Operating Ratio Was "A Fourth-Quarter Record."** "Fourth-quarter summary [...] The railway operating ratio was 60.4%, a fourth-quarter record." [Norfolk Southern Corporation, [01/26/22](#)]
- **Norfolk Southern's FY 2021 Operating Ratio Was "An All-Time Record And An Improvement Of 920 Basis Points Over 2020."** "2021 summary [...] Railway operating ratio was 60.1%, an all-time record and an improvement of 920 basis points over 2020." [Norfolk Southern Corporation, [01/26/22](#)]

### **...All While Its CEO Touted Cutting Its Operating Ratio As Part Of Its "Industry-Leading Total Shareholder Return."**

**January 2022: Norfolk Southern's CEO Said The Company "Reduced [Its] Operating Ratio By 530 Basis Points" In The Previous Three Years As Part Of Its "Industry-Leading Total Shareholder Return."** "Jim Squires -- Chairman and Chief Executive Officer [...] In the past three years, we've produced industry-leading total shareholder return. We've grown EPS by 27%, reduced our operating ratio by 530 basis points and returned nearly \$10 billion back to our shareholders in the form of share repurchases and dividends." [The Motley Fool, [01/26/22](#)]

### **Norfolk Southern Enjoyed "Favorable Price Conditions" And Increased Rates As Its Profits Increased 13% To \$760 Million In Its Q4 2021—Even As Its Freight Volume Fell.**

**Norfolk Southern's Chief Marketing Officer Credited "Favorable Price Conditions" And Strong Demand For An 11% Increase In Q4 2021 Revenue.** "Ed Elkins -- Chief Marketing Officer [...] Total revenue improved 11% year over year to \$2.9 billion as strong demand and favorable price conditions more than offset the 4% volume decline in the fourth quarter." [The Motley Fool, [01/26/22](#)]

**Norfolk Southern Saw "Record Revenue Per Unit Less Fuel" And A 15% Increase In Revenue Per Unit Due To "Pricing And Strength Across All Markets."** "Volume was impacted by the continuation of the extraordinary global supply chain disruptions and slower network velocity. Pricing and strength across all markets contributed to the 15% increase in revenue per unit, and we reached record revenue per unit less fuel across all of our markets." [The Motley Fool, [01/26/22](#)]

**Norfolk Southern Also Saw "Record Intermodal Revenue," Which Increased 14% In Its Q4 2021 Due In Part To "Price Gains."** "Ed Elkins -- Chief Marketing Officer [...] But despite these headwinds, we achieved record intermodal revenue in the quarter, up 14% year over year, and that was driven by increased fuel revenue, storage revenue, and price gains." [The Motley Fool, [01/26/22](#)]

**In Its Q4 2021, Norfolk Southern Saw A 13% Profit Increase To \$760 Million Due To Increased Rates, Despite A Decline In Its Cargo Volume.** "Norfolk Southern railroad delivered 13% greater profit in the fourth quarter even though the amount of cargo it transported declined because it was able to raise rates. The Atlanta-based company said it earned \$760 million, or \$3.12 per share, in the quarter. That's up from \$671 million, or \$2.64 per share, a year earlier." [ABC News, [01/26/22](#)]

- **Norfolk Southern Moved 4% Fewer Shipments In Its Q4 2021.** "Norfolk Southern said it hauled 4% fewer shipments as auto production continued to be hurt by the ongoing shortage of computer chips and supply chain challenges slowed shipments of containers of imported and domestic goods." [ABC News, [01/26/22](#)]

**May 2021: As Railways Cut The Amount Of Time Before Imposing Demurrage Fees On Shippers, Norfolk Southern "Tightened [Its] Free Time Clocks."** "In recent years, railroads have reduced how much free time containers can stay at the terminal before storage fees kick in, arguing such moves are needed

to increase cargo flow for all users. Norfolk Southern Railway tightened free time clocks in May to 'Day of Notification' plus 24 hours from 'Day of Notification' plus 48 hours at all Tier 1 terminals for ocean containers, and BNSF Logistics Park Chicago will become a Tier 1 terminal on Aug. 2." [Journal of Commerce, [07/23/21](#)]

## **Norfolk Southern Has Been Asked To Provide Information For The STB Chairman's Probe Into "Sizeable" Demurrage Fees.**

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To Norfolk Southern And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "Numerous Reports" About Railways' "Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments."** "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers.'" [Railway Age, [07/23/21](#)]
- **The Letter Was Addressed To Norfolk Southern And Other Railways.** "*Railway Age* provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

## **Norfolk Southern's FY 2021 Income "Surged 27% To \$3 Billion," Even Though Freight Volume Declined In Its Q4 2021—In Its Most Recent Quarter, Norfolk Southern Reported A 10% Increase In Net Income For the First Nine Months of 2022 After Reporting "Quarterly Records" For Operating Revenues And Income From Railway Operations in Q2 2022.**

**Norfolk Southern's FY 2021 Income "Surged 27% To \$3 Billion," From Its FY 2020 Income Of \$2.37 Billion.** "For the year, income surged 27% to \$3 billion, or \$12.11 a share compared with an adjusted \$2.37 billion, adjusted \$9.25. The railroad said the 2020 adjusted numbers reflected the sale of 703 locomotives it deemed as excess and were no longer needed for its ongoing operations." [Transport Topics, [01/27/22](#)]

**Norfolk Southern Had A "Record" Q4 2021 And FY 2021, With A 13% Increase In Its Profit In Its Q4 2021 Even Though Its Freight Volume Declined.** "Norfolk Southern Corp. reported record fourth-quarter and full-year net income from railway operations and operating ratio when the Class I railroad released its results Jan. 26. The Atlanta-based company said it delivered an overall 13% increase in profit in the final three months of the year, even as the amount of freight it transported declined." [Transport Topics, [01/27/22](#)]

- **January 2022 Headline: Norfolk Southern railroad's Q4 profit up 13% on higher rates** [ABC News, [01/26/22](#)]

**Norfolk Southern's Railway Operations Income Saw "A Fourth-Quarter Record Of \$1.1 Billion, An Increase Of 15%, Or \$145 Million."** "Income from railway operations was a fourth-quarter record of \$1.1 billion, an increase of 15%, or \$145 million, year-over-year." [Norfolk Southern Corporation, [01/26/22](#)]



**In The First Nine Months Of Its FY 2022, Norfolk Southern Spent \$881 Million On Shareholder Dividends—A 15.3% Increase Over FY 2021—And Over \$2.2 Billion on Stock Buybacks:**

**Consolidated Statements of Cash Flows**

(\$ in millions)

	First Nine Months	
	2022	2021
[...]		
<b>Cash flows from financing activities</b>		
Dividends	(881)	(764)
Common stock transactions	(5)	8
Purchase and retirement of common stock	(2,284)	(2,460)

[Norfolk Southern Corporation, accessed [11/22/22](#)]

**Since 2021, Norfolk Southern Has Spent Over \$2.7 Million Lobbying The Federal Government On Issues Pertaining To "Railroad Economic And Antitrust Relations," And More.**

**Norfolk Southern Has Spent Over \$2.7 Million Lobbying On Antitrust, Railroad Economic Regulation, And Other Issues Since 2021:**

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	3rd Quarter - Report	\$460,000.00	2022
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	2nd Quarter - Report	\$420,000.00	2022
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	1st Quarter - Report	\$280,000.00	2022
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	4th Quarter - Report	\$530,000.00	2021
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	1st Quarter - Report	\$350,000.00	2021
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	2nd Quarter - Report	\$360,000.00	2021
<a href="#">Norfolk Southern Corporation</a>	Norfolk Southern Corporation	3rd Quarter - Report	\$360,000.00	2021
<b>Total:</b>			<b>\$2,760,000</b>	

*\*Total Excludes Reports That Have Been Replaced By Amended Reports*

- **Q2 2022: Norfolk Southern Corporation Spent \$280,000 On Lobbying Congress, The Federal Railroad Administration, And The Surface Transportation Board On "Issues Related To Railroad Economic And Antitrust Regulations," And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [07/20/22](#)]
- **Q1 2022: Norfolk Southern Corporation Spent \$280,000 On Lobbying Congress, The Federal Railroad Administration, And The Surface Transportation Board On "Issues Related To Railroad Economic And Antitrust Regulations," And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [04/20/22](#)]

- **Q4 2021: Norfolk Southern Corporation Spent \$530,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Issues Related To Railroad Economic And Antitrust Regulations" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [01/20/22](#)]
- **Q3 2021: Norfolk Southern Corporation Spent \$360,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Issues Related To Railroad Economic And Antitrust Regulations" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q2 2021: Norfolk Southern Corporation Spent \$360,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Issues Related To Railroad Economic And Antitrust Regulations" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q1 2021: Norfolk Southern Corporation Spent \$350,000 Lobbying Congress, The Surface Transportation Board, And The Federal Railroad Administration On "Issues Related To Railroad Economic And Antitrust Regulations" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [04/20/21](#)]
- **Q4 2021: Norfolk Southern Corporation Paid \$50,000 To Crossroads Strategies LLC To Lobby Congress On "Rail Antitrust" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [01/19/22](#)]
- **Q3 2021: Norfolk Southern Corporation Paid \$50,000 To Crossroads Strategies LLC To Lobby Congress On "Rail Antitrust" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q2 2021: Norfolk Southern Corporation Paid \$50,000 To Crossroads Strategies LLC To Lobby Congress On "Rail Antitrust" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q1 2021: Norfolk Southern Corporation Paid \$50,000 To Crossroads Strategies LLC To Lobby Congress On "Rail Antitrust" And Other Issues.** [Norfolk Southern Corporation LD-2 Lobbying Disclosure, [04/19/21](#)]

**Canadian Pacific Railway—Which Has Been Subject To A Federal Inquiry Into Demurrage Fees And Is Trying To Acquire Another Class I Railway For \$25 Billion—Saw Its FY 2021 Net Income Climb 17% To About \$2.2 Billion, With An Additional \$1.67 Billion USD In Net Income In The First Nine Months Of FY 2022, And Spent About \$763 Million USD On Dividends Since 2021, While Spending At Least \$590,000 On Lobbying Since 2021.**

### **Class I Railway Canadian Pacific Has A "Transcontinental" Presence And "Direct Links To Major Ports On The West And East Coasts."**

**Canadian Pacific Is A Class I Railway.** "Class I rail firms are defined as having inflation-adjusted annual carrier operating revenue of \$900 million or more and include: Burlington Northern and Santa Fe Railway (BNSF), Canadian National Railway (CN), Canadian Pacific Railway (CP), CSX Transportation, Kansas City Southern Railway (KCS), Norfolk Southern Railway (NS) and Union Pacific Railroad (UP)." [American Farm Bureau Federation, [09/08/21](#)]



**"Canadian Pacific Is A Transcontinental Railway In Canada And The United States With Direct Links To Major Ports On The West And East Coasts."** [Canadian Pacific, accessed [02/04/22](#)]

## **Canadian Pacific Has Been In The Process of Acquiring Kansas City Southern Railway—The Seventh Biggest North American Rail Company—For \$25 Billion.**

**Canadian Pacific Has Been In The Process Of Acquiring Kansas City Southern Railway For \$25 Billion, Which Would "Create The First Single-Line Rail Network Linking The U.S., Mexico And Canada."**

"Canadian Pacific Railway Ltd. agreed to acquire Kansas City Southern in a transaction valued at about \$25 billion that would create the first freight-rail network linking Mexico, the U.S. and Canada. The combination, which faces a lengthy regulatory review, is a long-term wager on an interconnected North American economy." [The Wall Street Journal, [03/21/21](#)]

- **In Recent Years, Canadian Pacific Has Tried To Acquire Two Other Major U.S. Railroads But Failed Due To Resistance From Those Companies, As Well As "Rivals, Shippers And U.S. Regulators."** "It marks the third major U.S. railroad that the Canadian company has targeted in its quest to create a transcontinental network. Canadian Pacific abandoned the two prior efforts—in 2014 and 2016—amid resistance from the takeover targets themselves as well as opposition from rivals, shippers and U.S. regulators." [The Wall Street Journal, [03/21/21](#)]
- **Canadian Pacific Said The Merger, If Approved, Would "Create The First Single-Line Rail Network Linking The U.S., Mexico And Canada."** "This quarter we also reached a crucial milestone in our journey to create the first single-line rail network linking the U.S., Mexico and Canada by combining with Kansas City Southern, which closed into voting trust Dec. 14," said Creel." [Canadian Pacific Railway Limited, [01/27/22](#)]
- **December 14, 2021: The Merger Was Approved By Canadian Pacific's And Kansas City Southern's Shareholders And The Surface Transportation Board (STB) Was Expected To Issue A Decision On The Merger In Q4 2022.** "CANADIAN Pacific (CP) completed its acquisition of rival Class 1 Kansas City Southern (KCS) on December 14, following the approval of the merger by CP and KCS shareholders on December 8 and 10, respectively. KCS shares have been placed into a voting trust until the Surface Transportation Board (STB) issues a decision on the Class 1's proposed merger, Canadian Pacific Kansas City (CPKC), which is expected in the fourth quarter of 2022." [International Railway Journal, [12/15/21](#)]

**Kansas City Southern Was The Seventh Biggest North American Railroad Company In 2020, Based On Its Operating Revenue Of \$2.63 Billion.** [Statista, [02/02/22](#)]

## **Canadian Pacific Has Been Asked To Provide Information For The STB Chairman's Probe Into "Sizeable" Demurrage Fees.**

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To Canadian Pacific And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "Numerous Reports" About Railways' "Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments."** "In identical letters (see below), dated July 22,

Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers." [Railway Age, [07/23/21](#)]

- **The Letter Was Addressed To Canadian Pacific And Other Railways.** "Railway Age provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

## **Canadian Pacific's Operating Ratio Worsened In FY 2021, Largely Due To \$36 Million It Spent On Its Effort To Acquire Kansas City Southern.**

**Canadian Pacific's Operating Ratio Worsened In Its Q4 2021 And Its FY 2021, Largely Due To \$36 Million In Costs Related To Its Acquisition Of Kansas City Southern Railway.** "CP's operating ratio worsened to 59.2 from 53.9 a year ago. The operating ratio in the fourth quarter includes C\$36 million in costs related to the Kansas City Southern acquisition. For the full year the railroad's operating ratio also declined to 59.9 from 57.1 in 2020. Operating ratio measures a company's expenses as a percentage of revenue and determines efficiency. The lower the ratio, the more ability the company has to make a profit." [Transport Topics, [01/28/22](#)]

## **Canadian Pacific's FY 2021 Net income Climbed 17% To About \$2.2 Billion, Including About \$539 Billion USD In Q4 2021 Net Income Despite Negative Impacts From Severe Weather And Acquisition Costs—Canadian Pacific Has Since Reported About \$1.67 Billion USD In Net Income In The First Nine Months Of Its FY 2022.**

In FY 2021, Canadian Pacific's Net Income Of \$2.85 Billion CAD (~\$2.25 Billion USD) Was 17% Higher Than Its FY 2020 Net Income Of \$2.44 Billion CAD (~\$1.93 Billion USD). "For the year, net income increased to C\$2.85 billion, or \$C4.21, from 2020's C\$2.44 billion, or C\$3.61." [Transport Topics, [01/28/22](#)]

- **As Of February 3, 2022, 1 Canadian Dollar Was Equivalent To 0.7889 American Dollars.** [Yahoo! Finance, accessed [02/03/22](#)]

**Canadian Pacific Saw \$683 Million CAD (\$539 Million USD) In Net Income In Its Q4 2021, Despite Negative Impacts From "Severe Winter Weather" And Costs Associated With Its Proposed Merger With Kansas City Southern.** "Severe winter weather along part of its network and increased costs with the proposed merger of Canadian Pacific Railway with Kansas City Southern impacted fourth-quarter financial results. CP announced Jan. 27 that quarterly net income fell to C\$683 million, or C74 cents a share, a decline of 45% from C\$997 million, C\$1.19, in the same period the year before. Revenue increased 1.5% to C\$2.04 billion when measured against 2020's C\$2.01 billion." [Transport Topics, [01/28/22](#)]

**July 2022: Canadian Pacific Touted "Strong Q2 Results":**

# **CP REPORTS STRONG Q2 RESULTS; MOMENTUM ACCELERATING IN SECOND HALF OF THE YEAR**

[Canadian Pacific, [07/28/22](#)]

**In The First Nine Months Of Its FY 2022, Canadian Pacific's Net Income Was \$2.246 Billion CAD, About \$1.67 Billion USD As Of November 22, 2022:**

(in millions of Canadian dollars, except share and per share data)	For the three months ended September 30		For the nine months ended September 30	
	2022	2021	2022	2021
[...]				
<b>Net income</b>	<b>\$ 891</b>	<b>\$ 472</b>	<b>\$ 2,246</b>	<b>\$ 2,320</b>

[Canadian Pacific, [10/26/22](#)]

**In FY 2021, Canadian Spent About \$368 Million USD On Dividends And In The First Nine Months Of FY 2022, About \$395 Million On Dividends.**

**In Its FY 2021, Canadian Pacific Spent \$467 Million CAD On Dividends, About \$368 Million USD:**

(in millions of Canadian dollars)	For the three months ended December 31		For the year ended December 31	
	2021	2020	2021	2020
[...]				
Dividends paid	(127)	(128)	(507)	(467)

[Canadian Pacific, [01/27/22](#)]

- **As Of February 3, 2022, 1 Canadian Dollar Was Equivalent To 0.7889 American Dollars.**  
[Yahoo! Finance, accessed [02/03/22](#)]

**In The First Nine Months Of 2022, Canadian Pacific Spent \$353 Million CAD On Dividends, About \$395 Million USD As Of November 22, 2022:**

(in millions of Canadian dollars)	For the three months ended September 30		For the nine months ended September 30	
	2022	2021	2022	2021
[...]				
Dividends paid	(177)	(127)	(530)	(380)

[Canadian Pacific, [10/26/22](#)]

**Since 2021 Canadian Pacific Has Spent At Least \$670,000 Lobbying The Federal Government, Including At Least \$370,000 While Lobbying On Mergers And Acquisitions, And Other Issues.**

**Canadian Pacific Spent \$370,000 Lobbying On Merger Issues Since 2021:**

- **Q2 2022: Canadian Pacific Limited Paid \$60,000 To Arent Fox Schiff LLP On "Merger And Related Issues."** [Arent Fox LLP LD-2 Lobbying Disclosure, [07/17/22](#)]
- **Q2 2022: Canadian Pacific Limited Paid \$50,000 To Mehlman Castagnetti Rosen & Thomas, Inc. On "Issues Related To Proposed CP KS Merger" And Other Matters.** [Mehlman Castagnetti Rosen & Thomas, Inc. LD-2 Lobbying Disclosure, [07/20/22](#)]
- **Q1 2022: Canadian Pacific Limited Paid \$60,000 To Arent Fox LLP To Lobby On "Merger And Related Issues."** [Arent Fox LLP LD-2 Lobbying Disclosure, [04/16/22](#)]

- **Q1 2022: Canadian Pacific Railway Limited Paid \$50,000 To Mehlman Castagnetti Rosen & Thomas, Inc. On "Issues Related To Proposed CP KS Merger" And Other Matters.** [Mehlman Castagnetti Rosen & Thomas, Inc. LD-2 Lobbying Disclosure, [04/20/22](#)]
- **Q4 2021: Canadian Pacific Railway Limited Paid \$60,000 To Arent Fox LLP To Lobby On "Merger And Related Issues."** [Arent Fox LLP LD-2 Lobbying Disclosure, [01/20/22](#)]
- **Q2 2021: Canadian Pacific Railway Limited Paid \$50,000 To Arent Fox LLP To Lobby On "Merger And Related Issues."** [Arent Fox LLP LD-2 Lobbying Disclosure, [07/20/21](#)]
- **Q3 2021: Canadian Pacific Railway Limited Paid \$60,000 To Arent Fox LLP To Lobby On "Merger And Related Issues."** [Arent Fox LLP LD-2 Lobbying Disclosure, [10/20/21](#)]
- **Q4 2021: Canadian Pacific Railway Paid \$50,000 To Mehlman Castagnetti Rosen & Thomas, Inc. To Lobby Congress On "Issues Related To Proposed CP KS Merger" And Other Matters.** [Mehlman Castagnetti Rosen & Thomas, Inc. LD-2 Lobbying Disclosure, [01/19/22](#)]
- **Q3 2021: Canadian Pacific Railway Paid \$50,000 To Mehlman Castagnetti Rosen & Thomas, Inc. To Lobby Congress On "Issues Related To Proposed CP KS Merger" And Other Matters.** [Mehlman Castagnetti Rosen & Thomas, Inc. LD-2 Lobbying Disclosure, [10/18/21](#)]

**Canadian Pacific Has Spent At Least \$670,000 On Lobbying Since 2021:**

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">Arent Fox Schiff, LLP</a>	Canadian Pacific Railway Limited	3rd Quarter - Report	\$30,000.00	2022
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	3rd Quarter - Report	\$50,000.00	2022
<a href="#">Arent Fox Schiff, LLP</a>	Canadian Pacific Railway Limited	2nd Quarter - Report	\$60,000.00	2022
<a href="#">Arent Fox Schiff, LLP</a>	Canadian Pacific Railway Limited	1st Quarter - Report	\$60,000.00	2022
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	2nd Quarter - Report	\$50,000.00	2022
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	1st Quarter - Report	\$50,000.00	2022
<a href="#">Arent Fox LLP</a>	Canadian Pacific Railway Limited	4th Quarter - Report	\$60,000.00	2021
<a href="#">Arent Fox LLP</a>	Canadian Pacific Railway Limited	2nd Quarter - Report	\$50,000.00	2021
<a href="#">Arent Fox LLP</a>	Canadian Pacific Railway Limited	Registration		2021
<a href="#">Arent Fox LLP</a>	Canadian Pacific Railway Limited	3rd Quarter - Report	\$60,000.00	2021
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	4th Quarter - Report	\$50,000.00	2021
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	3rd Quarter - Report	\$50,000.00	2021
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	1st Quarter - Report	\$50,000.00	2021
<a href="#">Mehlman Castagnetti Rosen &amp; Thomas, Inc.</a>	Canadian Pacific Railway	2nd Quarter - Report	\$50,000.00	2021
<b>Total:</b>			<b>\$670,000</b>	

**Kansas City Southern—Which Has Claimed That Demurrage Fees Are "Not A Revenue Source That We Seek To Increase" While Subject To A Federal Inquiry About Fees—Reported \$527 Million In Net Income In Its FY 2021 And \$583.8 Million In Net Income In The First Nine Months Of FY 2022. Meanwhile The Company Has Spent \$653 Million On Shareholder Dividends Since 2021.**

## **Kansas City Southern Is A Class I Rail Company, With 6,700 Route Miles In The U.S. And Mexico.**

**Kansas City Southern Is A Class I Railway.** "Class I rail firms are defined as having inflation-adjusted annual carrier operating revenue of \$900 million or more and include: Burlington Northern and Santa Fe Railway (BNSF), Canadian National Railway (CN), Canadian Pacific Railway (CP), CSX Transportation, Kansas City Southern Railway (KCS), Norfolk Southern Railway (NS) and Union Pacific Railroad (UP)." [American Farm Bureau Federation, [09/08/21](#)]

"Kansas City Southern Has 6,700 Miles Of Track In The U.S. And Mexico." [NPR, [12/13/21](#)]

## **Kansas City Southern Has Said That Demurrage Fees Are "An Important Tool To Keep The Railroad Fluid And Moving" And Claimed That The Fees Are "Not A Revenue Source That We Seek To Increase."**

**Kansas City Southern Said That It "Sees Demurrage As An Important Tool To Keep The Railroad Fluid And Moving," And "Not A Revenue Source That We Seek To Increase."** "KCS sees demurrage as an important tool to keep the railroad fluid and moving and avoid equipment positioning issues for better customer service, not a revenue source that we seek to increase," the railroad said in an emailed statement. [SupplyChainDive, [01/12/22](#)]

## **Kansas City Southern Has Been Asked To Provide Information For The STB Chairman's Probe Into "Sizeable" Demurrage Fees.**

**July 2021: Surface Transportation Board (STB) Chairman Martin J. Oberman Wrote To Kansas City Southern And The Six Other Class I Railways Requesting More Information About Supply Chain Congestion And Complaints About Demurrage Fees.** "Surface Transportation Board (STB) Chairman Martin J. Oberman has called on the CEOs of the seven North American Class I's to provide information on the extent of congestion at key U.S. container terminals and on their policies and practices for assessing container demurrage fees, citing reports of 'substantial charges being levied by the railroads for container storage at these terminals.'" [Railway Age, [07/23/21](#)]

- **Oberman Said The STB Received "Numerous Reports" About Railways' "Sizeable Storage Fees ('Demurrage') Some Customers Have Been Required To Pay In Order To Obtain Release Of Containers Bearing Their Shipments."** "In identical letters (see below), dated July 22, Oberman wrote that 'in recent months, the Board has received numerous reports related to the length of time that containers are being held in rail yards, and the sizeable storage fees ('demurrage') some customers have been required to pay in order to obtain release of containers bearing their shipments. These reports have come from shippers, both large and small, in addition to third-party logistics providers.'" [Railway Age, [07/23/21](#)]
- **The Letter Was Addressed To Kansas City Southern And Other Railways.** "Railway Age provides the July 22, 2021, letter—submitted to Katie Farmer, BNSF; Keith Creel, Canadian

Pacific; JJ Ruest, CN; James Foote, CSX; Patrick Ottensmeyer, Kansas City Southern; James Squires, Norfolk Southern; and Lance Fritz, Union Pacific—in its entirety below." [Railway Age, [07/23/21](#)]

**Kansas City Southern Reported \$527 Million In Net Income In Its FY 2021 And \$583.8 Million In Net Income In The First Nine Months Of Its FY 2022—\$515.7 Million More Than Its \$68.1 Million Loss In 2021:**

**Kansas City Southern Saw \$527 Million In Net Income In Its FY 2021:**

	Three Months Ended		Years Ended	
	December 31,		December 31,	
	2021	2020	2021	2020
Revenues	\$ 747.8	\$ 693.4	\$ 2,947.3	\$ 2,632.6
Net income	595.1	166.3	527.0	619.1

[Kansas City Southern, accessed [02/03/22](#)]

**In The First Nine Months Of Its FY 2022, Kansas City Southern Had A Net Income Of \$583.8 Million, \$515.7 Million More Than Its \$68.1 Million Loss In 2021:**

	Three Months Ended		Nine Months Ended	
	September 30,		September 30,	
	2022	2021	2022	2021
Net income (loss)	201.7	156.5	583.8	(68.1)

[Kansas City Southern, [10/25/22](#)]

**Kansas City Southern Spent \$188 Million On Shareholder Dividends In Its FY 2021 And \$465 Million In The First Half Nine Months Of Its FY 2022.**

**FY 2021: Kansas City Southern Spent \$188 Million On Shareholder Dividends:**

(in millions) (Unaudited)

	Years Ended	
	December 31,	
	2021	2020
Dividends paid	(188.0)	(152.3)

[Kansas City Southern, accessed [02/03/22](#)]

**In The First Nine Months Of Its FY 2022, Kansas City Southern Spent \$465 Million On Shareholder Dividends, 235% More Than the \$138.4 Million Spent In 2021:**

	Nine Months Ended	
	September 30,	
	2022	2021

[...]

**Financing activities:**

Repayment of long-term debt	(7.7)	(5.7)
Dividends paid	(465.0)	(138.4)
Proceeds from employee stock plans	—	4.2
Net cash used for financing activities	(472.7)	(139.9)

[Kansas City Southern, [10/25/22](#)]

**Kansas City Southern Had Over \$339 Million In Cash And Cash Equivalents At The End Of 2021, \$151 Million More Than 2020.**

**Kansas City Southern Had \$339.3 Million In Cash And Cash Equivalents At The End Of 2021 Compared To \$188 Million At The End Of 2020:**

	December 31, 2021	December 31, 2020
<b>ASSETS</b>		
Current assets:		
Cash and cash equivalents	\$ 339.3	\$ 188.2

[Kansas City Southern, accessed [02/03/22](#)]

**Kansas City Southern Has Spent At Least \$345,500 On Lobbying The Federal Government Since 2021, Including At Least \$160,000 While Lobbying On A Proposed Merger.**

**Since 2021, Kansas City Southern Has Spent \$345,500 On Lobbying, Including At Least \$160,000 While Lobbying on A Proposed Merger**

Lobbying Entity	Lobbying Client	Report Quarter	Amount	Year
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	2nd Quarter - Termination	\$6,000.00	2022
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	1st Quarter - Report	\$17,500.00	2022
<a href="#">CR Federal</a>	Kansas City Southern Railway Company	2nd Quarter - Report	\$12,000.00	2022
<a href="#">CR Federal</a>	Kansas City Southern Railway Company	Registration		2022
<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	2nd Quarter - Report	\$40,000.00	2022
<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	1st Quarter - Report	\$40,000.00	2022
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	4th Quarter - Report	\$17,500.00	2021
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	2nd Quarter - Report	\$17,500.00	2021
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	3rd Quarter - Report	\$17,500.00	2021
<a href="#">Capitol Resources, LLC</a>	Kansas City Southern Railway Company	1st Quarter - Report	\$17,500.00	2021
<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	4th Quarter - Report	\$40,000.00	2021

<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	2nd Quarter - Report	\$40,000.00	2021
<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	3rd Quarter - Report	\$40,000.00	2021
<a href="#">Slattery Strategy LLC</a>	Kansas City Southern Railway	1st Quarter - Report	\$40,000.00	2021
<b>Total:</b>			<b>\$345,500.</b>	

**Kansas City Southern Has Spent At Least \$160,000 On Lobbying About Mergers In 2021:**

- **Q2 2022: Kansas City Southern Railway Paid \$40,000 To Slattery Strategy LLC To Lobby The Federal Railroad Administration On "Issues Related To Certified Rail Crews," "Issues Related To Proposed Kansas City Southern Railway Merger With Canadian Pacific Railroad," And Other Matters.** [Slattery Strategy LLC Ld-2 Lobbying Disclosure, [04/19/22](#)]
- **Q4 2021: Kansas City Southern Railway Paid \$40,000 To Slattery Strategy LLC To Lobby The Federal Railway Administration On "Issues Related To Proposed Kansas City Southern Railway Merger With Canadian Pacific Railroad" And Other Matters.** [Slattery Strategy LLC Ld-2 Lobbying Disclosure, [01/20/22](#)]
- **Q2 2021: Kansas City Southern Paid \$40,000 To Slattery Strategy LLC To Lobby The Federal Railway Administration On "Issues Related To Proposed Kansas City Southern Railway Merger With Canadian Pacific Railroad," "Issues Related To Subsequent Kansas City Southern Railway Merger With Canadian National Railroad," And Other Matters.** [Slattery Strategy LLC Ld-2 Lobbying Disclosure, [07/19/21](#)]
- **Q3 2021: Kansas City Southern Paid \$40,000 To Slattery Strategy LLC To Lobby The Federal Railway Administration On "Issues Related To Proposed Kansas City Southern Railway Merger With Canadian Pacific Railroad," "Issues Related To Subsequent Kansas City Southern Railway Merger With Canadian National Railroad," And Other Matters.** [Slattery Strategy LLC Ld-2 Lobbying Disclosure, [10/20/21](#)]