



Brotherhood of Maintenance of Way Employees Division of the International Brotherhood of Teamsters

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RE: AAR Told Congress to Follow the Data. We Did.

On June 9, 2026, the Association of American Railroads sent its President and CEO before the Senate Commerce Subcommittee on Surface Transportation, Freight, Pipelines, and Safety to make the railroads' case for a dangerous trade off: fewer federally required inspections by trained track inspectors and greater reliance on automated track inspection systems.

AAR told Congress that policy should be guided by data, not "prescriptive, legacy regulations."

BMWED agrees that the data should guide the decision. The problem for AAR is that the data does not support the reduction of human visual track inspections.

The railroads have now submitted their first round of performance reports under the Automated Track Inspection waiver program. This is the first real look at what happens when required visual inspections are reduced and railroads rely more heavily on automated inspection technology.

The results do not support the case AAR made to Congress.

AAR claimed automated inspections would detect track defects earlier. The first-month data does not show that. BNSF and Union Pacific both reported defects found by human inspectors after ATI equipment had already moved over the same territory. That is not earlier detection by ATI. That is human inspectors finding defects the machine did not resolve.

AAR also claimed this technology would move the industry away from reactive maintenance and toward a predictive model. The data does not prove that either. Human inspectors continued to identify the overwhelming majority of defects. ATI results still required field verification, engineering review, and follow-up by trained railroad employees. That is not a replacement for human inspection. That is a tool that still depends on human inspection.

The numbers are not close. In the first month, human inspectors identified approximately 3573 defects. ATI identified approximately 454. Human inspectors found about 7.9 times more defects than ATI.

AAR has relied on prior claims that automated inspections identified 200 defects for every one found by visual inspection. That claim has been repeated in policy discussions and by some members of Congress. But this first-month waiver data does not show anything close to that result. On actual railroad territory, during the first month of this program, human inspectors found far more defects than ATI.

The data also shows serious coverage problems. BNSF reported more than 1,000 untested miles. Union Pacific reported more than 100 untested miles and submitted coverage calculations that still need to be reconciled. If the premise is monthly automated inspection, then the track has to be tested. Untested territory undercuts the argument that monthly TGMS coverage is enough.

BMWED supports technology when it is used properly. ATI can measure geometry. It can identify alignment, cross-level, gauge, surface, and similar conditions. Those measurements have value. But a geometry system does not walk a switch. It does not inspect a frog the way a trained inspector does. It does not evaluate ballast, fasteners, joints, crossties, rail conditions, drainage, or the other physical conditions that determine whether track is safe for the next train. **That work is done by a qualified track inspector.**

AAR also claimed that reducing visual inspections would improve employee safety by reducing exposure to trackside hazards. The first-month reports do not provide an approved injury-reduction metric showing that this benefit was actually achieved. The railroads cannot ask the federal government to reduce required safety inspections, point to employee safety as the reason, and then fail to provide the data proving that safety benefit exists.

There are also warning signs on Union Pacific territory. UP Route 2, Route 4, and Route 6 exceeded the FRA's multiclass defect threshold in the first month of reported data. In just over one month of implementation, three derailments were reported on Union Pacific ATI waiver territory.

BNSF's first-month submission did not include derailment data. These railroads are operating under a federal waiver that reduced required inspections in communities across the country. The public has a right to know what is happening on that territory. Congress has a right to know. First responders have a right to know.

The AAR CEO told Congress to follow the data.

We are.

The reported data does not validate the main assumptions behind the waiver. It does not show that ATI consistently detects defects earlier than human inspectors. It does not show that railroads have moved to a predictive maintenance model. It does not show that ATI is outperforming human inspectors in the field. It does not show complete territory coverage. It does not prove the claimed injury-reduction benefit. And in some areas, it raises serious concern.

There is another issue the waiver data does not address and the AAR ignores. A track inspector in the field is not simply checking boxes or recording measurements. Inspectors make performance-based decisions every day based on the conditions they observe, the type of traffic moving over the territory, recent weather, known problem locations, and the interaction between multiple track conditions. They evaluate what requires immediate attention, what requires monitoring, and what presents the greatest risk to safe operations.

An automated system does not exercise that judgment. It generates data. What happens next is determined by railroad management and engineering personnel who decide which exceptions will be addressed first, which will be monitored, and which can remain in service. The result is that defect prioritization shifts away from the trained inspector physically examining the track and toward a process driven by computer-generated reports and management discretion. Technology can provide information. It cannot replace the experience, judgment, and accountability of a qualified track inspector standing on the ground evaluating the track in real time.

The data points in one direction: **Pass the Secure Tracks Act.**

BMWED has never opposed the use of ATI. We oppose using ATI as an excuse to reduce or eliminate the inspections performed by the men and women who keep America's rail infrastructure intact.

The Secure Tracks Act, introduced by Senators Tammy Baldwin and Josh Hawley, with companion legislation in the House led by Representatives Dina Titus and Jeff Van Drew would require visual inspections by qualified human inspectors on main line track and keep ATI where the evidence shows it belongs, as a supplemental tool.

Freight trains carrying hazardous materials move through neighborhoods, past schools, alongside farms, and over rivers every day. The people in those communities deserve more than a geometry reading. They deserve trained inspectors on the ground, technology used the right way, and a Congress willing to act on the evidence in front of it.

Pass the Secure Tracks Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony D. Cardwell". The signature is fluid and cursive, with the first name being the most prominent.

Tony D. Cardwell
President – BMWED