

# NYTimes: Unions Ask Agency to Oppose Union Pacific on Inspections

**December 2, 2004**

Citing a string of recent derailments and other safety and national security concerns, five labor unions are asking the federal transportation secretary to oppose a request by the nation's largest railroad, Union Pacific, to allow its trains to skip inspections after entering the country from Mexico.

The company has asked the Federal Railroad Administration to waive federal rules so its trains, about nine each day, can be inspected by Mexican railroad workers. It said this would reduce rail traffic congestion in the United States.

In a letter last week, the unions - including the transportation trades division of the A.F.L.-C.I.O. and the International Brotherhood of Teamsters - asked Transportation Secretary Norman Y. Mineta to intercede on their behalf with the railroad agency, which is reviewing Union Pacific's request.

The unions said they approached Mr. Mineta because of their concerns that the agency, part of the Transportation Department, could not impartially reach a decision on the waiver request.

"Given the alarming rise of accidents involving U.P. and renewed questions about the relationship between the F.R.A. and the industry it regulates, we wanted to bring this matter directly to your attention," the unions said in a statement.

Since May there have been nine derailments or accidents involving Union Pacific in the San Antonio area, one in which poisonous gas was released. Four people died in those accidents. Several weeks ago, a delegation of Texas officials visited federal regulators in Washington to express concern about Union Pacific's safety record and whether the railroad agency might be too close to the company.

The question of the agency's impartiality was raised after an article last month in The New York Times that examined its regulation of Union Pacific. The article reported that Betty Monroe, the agency's acting administrator, had vacationed several times on Nantucket, Mass., with Union Pacific's chief lobbyist, Mary E. McAuliffe. Ms. Monroe supports the agency's "partnership" approach to regulation, which emphasizes working with railroads, rather than punishing them, as the best way to deal with safety problems.

A spokesman for the agency declined to comment on the waiver request while it is being reviewed. The agency said it could not say when it would rule on the waiver.

Union Pacific "shouldn't be allowed to outsource important safety functions like the inspections of trains," Edward Wytkind, president of the A.F.L.-C.I.O.'s transportation trades department, said in an interview.

The unions' letter also cited national security concerns for opposing the waiver.

Kathryn Blackwell, a Union Pacific spokeswoman, said the Mexican train inspections would be "exactly the same" as those in this country.

*The article originally appeared in the New York Times on December 2, 2004 and was written by Walt Bogdanich.*