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*"Rummaging in the government's attic"*

Description of document: Correspondence relating to fee waivers granted private railroad cars at the Amtrak headquarters and final results of the March/April 2009 Amtrak management audit of Private Car accounts

Requested date: 24-August-2010

Released date: 28-September-2012

Posted date: 15-October-2012

Source of document: Freedom of Information Act Request  
Amtrak FOIA Office  
60 Massachusetts Avenue, N.E.  
Washington, D.C. 20002  
Fax: 202-906-3285  
Email: [foiarequests@amtrak.com](mailto:foiarequests@amtrak.com)

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September 28, 2012



Re: Freedom of Information Act Request  
Tracking Number: 10-FOI-00187

We are further responding to your August 24, 2010 request for information made under the Freedom of Information Act (FOIA), which was received by Amtrak's FOIA Office on August 16, 2010.

Your request seeks the records described below:

1. Fee waiver correspondence relating to fee waivers granted private cars (private railroad cars) at the Amtrak headquarters that manages such activities for the time period of 2006 through the present. You have indicated in your letter that if the search is burdensome that the correspondence can be limited to what is located in a "quick search of the applicable Amtrak headquarters office..." To further clarify your request, you have stated that what you are seeking are "requests from owners of private rails cars for waivers of the standard Amtrak charges and fees, due to special events and other circumstances."
2. A copy of the final results of the Amtrak management audit of Private Car accounts performed in March/April 2009.

A search was conducted and the enclosed records have been determined to be responsive to your request.

The names, telephone numbers and other personal identifying information of Amtrak mid level employees and private individuals have been redacted from the enclosed records pursuant to exemption 6 of the FOIA on the basis that the disclosure of this information would constitute a clearly unwarranted invasion of their personal privacy.

Internal notations have also been redacted based on the deliberative process privilege of exemption 5.

Pursuant to Amtrak's FOIA regulations (49 CFR 701.10), if you wish to appeal Amtrak's decision to withhold the above-referenced information, you may file an appeal with Eleanor D. Acheson, Vice President, General Counsel and Corporate Secretary, within thirty days of the date of this letter, specifying the relevant facts and the basis for your appeal. Your appeal may be sent to Ms. Acheson at the above address. The President and CEO of Amtrak have delegated authority to the General Counsel and Corporate Secretary for the rules and compliance to the FOIA.



September 28, 2012  
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There is no charge for processing your request.

If you have any questions regarding your request, please feel free to contact me at (202) 906-3741 or via e-mail at [Hawkins@amtrak.com](mailto:Hawkins@amtrak.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Sharron Hawkins". The signature is fluid and cursive, with the first name "Sharron" being more prominent than the last name "Hawkins".

Sharron Hawkins  
FOIA Officer

Enclosures

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:23 AM  
**To:** [REDACTED]  
**Subject:** FW: Obama Trip

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**From:** [REDACTED]  
**Sent:** Tuesday, January 27, 2009 2:27 PM  
**To:** Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** RE: Obama Trip

Don-

Charges to First Coast Rail, Mr. [REDACTED] INV 0109162 for \$3,158.40 shall be removed today.

Best regards,

[REDACTED]  
AMTRAK - Finance

[REDACTED] or [REDACTED]

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**From:** Cushine, Don  
**Sent:** Tuesday, January 27, 2009 12:54 PM  
**To:** [REDACTED]@aol.com  
**Cc:** [REDACTED]  
**Subject:** FW: Obama Trip

[REDACTED]

Thank you for the detailed e-mail regarding the invoice that you received for movement to and from Washington for the Presidential Inaugural Train. Upon review of all the facts, you should not have received this invoice, due to [REDACTED] agreement with you when the move was initially set up. This is also consistent with prior campaign trains in which you operated your car.

Sorry for any confusion that this may have caused and once again, thank you for all your help in making this such a successful event.

Don

[REDACTED]

Please see the note above. Mr. [REDACTED] move was a part of the Obama/Biden Inaugural Charter and should not be charged as a private car move.

Thanks,  
Don

9/30/2010

**From:** [REDACTED]@aol.com [mailto:[REDACTED]@aol.com]  
**Sent:** Monday, January 26, 2009 7:09 PM  
**To:** Cushine, Don  
**Subject:** Obama Trip

Don,

I am writing you with no copy to anyone. I have been concerned about this statement all afternoon. As you know, I have never owed Amtrak any bill or disputed a bill in my 24 years of operating the Georgia 300.

I got home and looked at several of my notes:

1. The contract with the Presidential Inaugural Committee states the following verbage under attachment A:

The equipment shall include the following:

CAR: Georgia 300, Amtrak #800111.

Itinerary shall be as follows:

1/13/09 Tue Lv. Jax tr 98 Silver Meteor 5 23 pm

1/14/09 Wed ar. Was tr 98 Silver Meteor 7 30 am

Release to Amtrak for Inaugural Special WAS-PHL-WAS

1/18/09 Sun Lv. Was tr 91 Silver Star 3 05 pm

1/19/09 Mon Ar. Jax tr.91 Silver Star 6 55 am

The trip package contracted hereunder includes the following:

The Lease of the railroad car for six (6) days/ Local and destination switching fees/ Linen and Laundry costs/ Generator fuel & Miscellaneous related trip, car preparation & cleanup expenses/ Trip arrangement and handling fees. Mileage and parking to be paid by Amtrak and Food and Beverage service to be provided by the Presidential Inaugural Committee..

2. According to my notes with [REDACTED] on several previous calls he stated that the mileage and parking and food and beverage service will be furnished by Amtrak to move the car Jax-Was-Jax. The chef might or might not be needed as Amtrak would probably furnish a chef as with the previous Obama campaign trip. When I asked about the per day lease fee and switching, he said that he would rather (than the previous Obama campaign trip) that I contract that with the Presidential Inaugural Committee.

3. When you and [REDACTED] called about moving the car you told me that [REDACTED] had left Amtrak and all of this was now with [REDACTED]. She only called me once and that was to see if all was ready and to let me know the food and beverage would now be catered by PIC and that my chef was not necessary.

4. I told [REDACTED] that I could not charge any less than the daily rate nor any more than the daily rate and he agreed this was the norm. I told him that I had been instructed by Amtrak that they would bill him for the movement and food and beverage and chef fees. His assistant [REDACTED] called and told me that we would not need the Chef or furnish food and beverages. I told him [REDACTED] had already informed me of this. He then asked that I would send a standard contract to him and he responded with his own contract which included most of the verbage from my contract including the above. On Friday in Philadelphia [REDACTED] presented the contract signed by [REDACTED] and I signed it and [REDACTED] gave me a check for the amount.

5. You and [REDACTED] called me to let me know the car was to move on Tuesday instead of Wednesday and I shifted all around so I could depart Tuesday. I asked you if I needed to submit a move request since Amtrak was moving the car and you told me that I did "just to make it legal". The next day I received the PNR and it did not have any charges at the bottom.

Don, in short, I would have been glad to pay the Amtrak charges to move the car in place for the special and

9/30/2010

return it to Jacksonville and I would have removed the verbage and stated that the charges were a part of the contract and recovered that amount in the contract and subsequent check and forwarded to Amtrak. The problem is that I was told different and led to believe same all along. The contract is finalized and I cannot recover the charges from the Presidential Inaugural Committee.

I do not feel that it is fair for me to absorb these charges when I was led to believe that I was not responsible for them.

Regards,



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**A Good Credit Score is 700 or Above. See yours in just 2 easy steps!**

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:23 AM  
**To:** [REDACTED]  
**Subject:** FW: Union Station Event - April 20, 2009

---

**From:** Mchugh, Joe  
**Sent:** Friday, March 06, 2009 11:43 AM  
**To:** Cushine, Don  
**Cc:** Boardman, Joseph  
**Subject:** Union Station Event - April 20, 2009

Per my conversation yesterday, the National Association of Railroad Passengers (NARP) is holding an event in Union Station on the private car Dover Harbor on the evening of April 20. Joe Boardman and I have been invited to participate in this event which honors individuals who have made significant contributions to the railroad industry. Given that we are helping NARP sponsor this event, I am asking you to waive the \$250 parking fee.

Please let me know if there are any issues with this. Thanks.

-Joe

9/30/2010

Exemption 6

Page 1 of 1

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:24 AM  
**To:** [REDACTED]  
**Subject:** FW: Private Car Moves - WAS Centennial  
**Attachments:** Memo to Don Cushine.pdf

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**From:** Mchugh, Joe  
**Sent:** Thursday, March 19, 2009 12:18 PM  
**To:** Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** Private Car Moves - WAS Centennial

9/30/2010



NATIONAL RAILROAD PASSENGER CORPORATION

80 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 908.3000 fax 202 908.3306

# Memo

## Exemption 6

AMTRAK



Date March 19, 2009  
To Don Cushine

From Joe McHugh  
Department VP-Govt Affairs and Corp Comm.  
Subject Private Car Moves-WAS Centennial  
cc [REDACTED]

Message As you will recall, on August 4 and August 25, 2008, I wrote letters to all of the museums providing equipment including the Potomac Eagle Scenic Railroad, regarding the use of their private cars and locomotive and the Smithsonian Institute for the Southern RPO car (800 designated). The letters were to formally request the utilization of their respective equipment for the Washington Union Station Centennial Celebration held on October 1-5, 2008. As noted in each letter I state that, "Amtrak will provide a letter of self-insurance, work directly with the host railroad to arrange for the equipment movement, and cover all costs associated with any required inspections and transportation of the locomotive to/from Washington, DC." Aside from participation on the calls, you and [REDACTED] were copied on all correspondence.

Written notes from conference calls held the week of August 25, 2008, refer repeatedly that there will be no charge for private car owners and that the moves will be gratis, parking gratis, and switching moves gratis, for time here for the open house Saturday/Sunday."

[REDACTED] letters of September 5, 2008, to all of the private car owners reference my letters requesting use of the private cars for the Centennial Celebration.

A Centennial communications plan was released with wide distribution on September 12 and the Amtrak Board of Directors was briefed on the event on September 18 (attached) as well as being invited to participate in the celebration. Donna McLean, our Board Chair at the time made welcoming remarks. The Board was very supportive of this event.

While no specific note or e-mail that we can locate was sent to you directly--since the matter was exhaustively discussed via several phone calls and was the subject of Executive Committee and Board discussions--in the future we will make certain that any requests to waive fees for the movement, parking or services of private cars be sent to you in writing by me as an officer of the

Page 2

company. It was obvious from the discussions, briefing and supporting correspondence that the intent was not to have any charges applied to any of the private car moves and that all fees and costs associated with their participation in the event would be waived. The Centennial was an Amtrak sponsored event and the owners were our guests who made their cars available for tours to the over 7,000 guests, including a private reception for our Board and honored guests on Sunday, October 5.

All of the documents referenced in this memo are on file should you need them.

The event was an incredible success for the company. It could not have been accomplished without the support of the museums and the private car owners.

Again, thank you and your office for all the help in this terrific celebration. If you have any questions, please don't hesitate to ask.

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:25 AM  
**To:** [REDACTED]  
**Subject:** FW: Here is the original letter  
**Attachments:** Thank You Letter - [REDACTED].doc

---

**From:** [REDACTED]  
**Sent:** Thursday, March 19, 2009 2:10 PM  
**To:** Cushine, Don  
**Subject:** Here is the original letter

9/30/2010

Exemption 6

January 14, 2008

[REDACTED]  
[REDACTED]  
[REDACTED]  
Washington Crossing, PA 18977

Dear Mr. [REDACTED]

I hope that you had a nice holiday and best wishes for a safe and prosperous New Year! I wanted to take this opportunity to thank you for your assistance in moving an Amtrak Locomotive and 3 cars to the equipment display in Steamtown, PA late this fall. When CP Rail turned down Amtrak's request to operate a separate charter to Steamtown, I had asked you if you would consider moving the Amtrak equipment with your charter train to that destination and you agreed without hesitation. This truly saved the day for us and we are most appreciative.

As a result, I have been authorized to give you a \$4,185 private car movement credit. This covers the \$1,800 that you had to pay the Delaware and Lackawanna for adding these cars to your original consist as well as \$2,385 for movement of our cars. This credit is good towards any future private car travel; however, it cannot be used for charter train purposes.

Thank you again for all your help with this move and special thanks for your continued support of Amtrak and private car travel. I look forward to seeing you traveling with us in the near future.

Sincerely,

Don Cushine  
Senior Director  
System Operations

cc: B. Crosbie  
J. McHugh  
[REDACTED]  
[REDACTED]  
[REDACTED]

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:25 AM  
**To:** [REDACTED]  
**Subject:** FW: Waiver of Private Car fees for Participation in National Train Day

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**From:** [REDACTED]  
**Sent:** Friday, March 27, 2009 9:17 AM  
**To:** [REDACTED] Cushine, Don  
**Cc:** Fremaux, Emmett; [REDACTED] Mchugh, Joe; Crosbie, William  
**Subject:** RE: Waiver of Private Car fees for Participation in National Train Day

Thanks for clarifying this. [REDACTED] We will comply.

---

**From:** [REDACTED]  
**Sent:** Friday, March 27, 2009 9:09 AM  
**To:** [REDACTED] Cushine, Don  
**Cc:** Fremaux, Emmett; [REDACTED] Mchugh, Joe; Crosbie, William  
**Subject:** RE: Waiver of Private Car fees for Participation in National Train Day

All – The IG has determined that this request MUST come directly from an Executive Staff member and include the names of the cars and specify what charges are to be waved. The Private Cars will not be moved without that authorization. – [REDACTED]

---

**From:** [REDACTED]  
**Sent:** Friday, March 27, 2009 8:45 AM  
**To:** [REDACTED] Cushine, Don  
**Cc:** Fremaux, Emmett; [REDACTED]  
**Subject:** Waiver of Private Car fees for Participation in National Train Day

The Marketing and Product Management Department authorizes the waiver of all fees associated with moving, parking, servicing, and storing private rail cars used to support National Train Day activities.

National Train Day is intended and designed to showcase rail travel and transportation, generally, and in our case, Amtrak service specifically. Having private cars available at key stations as part of the activities broadens the reach of these activities by bringing people to our stations who would otherwise not participate. This gives us the opportunity to promote the services Amtrak offers and gain future customers. The cost of reaching these potential customers through traditional media outlets far exceeds the deferred revenue that would have been gained through handling these private cars.

While there is some promotional value to the individual private car owners, most would not participate if they had to pay the costs of moving and parking their cars. It is clearly Amtrak that benefits the most from having the cars available.

This in no way suggests waiving or relaxing Amtrak's mechanical standards for private cars operating on Amtrak trains; these standards are to be maintained and the cost of compliance is the responsibility of the car owner.

If there are particular situations that we should discuss, please let me know.

[REDACTED]  
[REDACTED]  
[REDACTED]  
National Railroad Passenger Corporation  
Washington Union Station  
60 Massachusetts Avenue NE  
Washington, D.C. 20002  
Direct: [REDACTED]  
Mobile: [REDACTED]  
[REDACTED]@Amtrak.com

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:25 AM  
**To:** [REDACTED]  
**Subject:** FW: Waive Private Car Fees for Watauga Valley  
**Attachments:** Revised Fremaux memo to Tainow re waive pvt car charges 04\_09\_09.doc

**From:** [REDACTED]  
**Sent:** Thursday, April 09, 2009 3:57 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Cushine, Don; [REDACTED]  
**Subject:** Waive Private Car Fees for Watauga Valley

[REDACTED]

Attached is the revised memo to [REDACTED] for Emmett's signature regarding the waiving of private car charges for the Watauga Valley charter. If you can't get to it today, Monday is ok.

Thank you!!!!!!

[REDACTED]  
Charter Services  
[REDACTED]

9/30/2010

## Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:26 AM  
**To:** [REDACTED]  
**Subject:** FW: Waiver of Fees for Private Cars for National Train Day  
**Attachments:** EF Delegation of Authority.pdf; 2009 NTD Pvt Car Fee Waiver.pdf

**From:** [REDACTED]  
**Sent:** Thursday, May 07, 2009 2:04 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Stadtler, DJ; Cushine, Don; [REDACTED]; Fremaux, Emmett  
**Subject:** Waiver of Fees for Private Cars for National Train Day

[REDACTED]

Attached is the PDF of a signed memo from Emmett to you authorizing the waiver of fees associated with the use of private cars and locomotives for 2009 National Train Day events. The schedule attached has been developed with Don Cushine. The memo is signed by Matt Hardison, who is acting for Emmett, but I reviewed it with Emmett before he left.

The text of the memo says:

"In conjunction with the 2009 National Train Day activities, arrangements have been made for the display of privately owned rail cars and locomotives at several stations around the country, including Washington, Philadelphia, Chicago, Los Angeles, New Orleans, and Portland, Oregon. I have been advised that the cost for the moves and support associated with these displays is in the range of \$25,000 to \$35,000.

The public relations and promotional value associated with having this equipment on display for National Train Day is easily several times this cost. Therefore, I authorize the waiver of the fees for moves and services associated with the equipment displays at the locations identified on the attached schedule."

Let me know if help with any additional information.

[REDACTED]

[REDACTED]

National Railroad Passenger Corporation  
Washington Union Station  
60 Massachusetts Avenue NE  
Washington, D.C. 20002  
Direct: [REDACTED]  
Mobile: [REDACTED]

9/30/2010



NATIONAL RAILROAD PASSENGER CORPORATION

60 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 906.3000 fax 202 906.3306

Memo

Exemption 6



Date April 9, 2009

To Jon Tainow

From Emmett Fremaux

Department Marketing & Product Management

Subject Private Car charges

cc

Don Cushine

**Message** The Charter Services department operated a charter for the Spencer (NC) Railroad Museum called the Watauga Valley Charter November 1 and 2, 2008. The charter consisted of both Amtrak equipment and privately owned rail cars.

The charter and museum sponsors were erroneously advised by the former Director of Charter Services [REDACTED] that mileage charges to return the privately owned rail cars to Chicago or their home base in the Northeast would be waived. Unfortunately, the correct approval process to waive the charges was not followed resulting in the Spencer Railroad Museum receiving invoices for movement of the private rail cars.

I ask now that you waive the following charges:

Invoice #120822	Vista Dome	\$1,266.30
		\$ 25.33
Invoice #120819	Wisconsin Valley	\$2,886.00
	Milwaukee	\$ 88.58
Invoice #010912	Southern Hospitality	\$ 145.14
Invoice #020918	Birken	\$ 40.00
Invoice #030961	Powhatan Arrow	\$ 336.00

As information, the charter sponsor and the Spencer Railroad Museum have been advised that private cars used on the 2009 Watauga charter will be charged and invoiced as they normally would for privately owned rail cars that operate as a private car on Amtrak to their home base.

Thank you.

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:26 AM  
**To:** [REDACTED]  
**Subject:** FW: REVISED Information - Private Car Charges  
**Attachments:** Private Car Charges.pdf

**From:** [REDACTED]  
**Sent:** Monday, April 13, 2009 3:03 PM  
**To:** [REDACTED]  
**Cc:** Fremaux, Emmett; [REDACTED] Cushine, Don; [REDACTED]  
**Subject:** REVISED Information - Private Car Charges

Emailing on behalf of Emmett Fremaux.....

[REDACTED] The attachment replaces the one sent, same subject, on April 8.

[REDACTED]

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*Office of the Vice President  
Marketing & Product Management*

[REDACTED]  
[REDACTED] (fax)  
ATS 777-

 Please consider the environment before printing this e-mail

9/30/2010

## Exemption 6

NATIONAL RAILROAD PASSENGER CORPORATION  
60 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 908.3000 fax 202 908.3306

### Memo



Date April 13, 2009

To [REDACTED]

From Emmett Fremaux

Department Marketing & Product Management

Subject Private Car charges

cc [REDACTED]

Don Cushine  
[REDACTED]

Message The Charter Services department operated a charter for the Spencer (NC) Railroad Museum called the Watauga Valley Charter November 1 and 2, 2008. The charter consisted of both Amtrak equipment and privately owned rail cars.

The charter and museum sponsors were erroneously advised by the former Director of Charter Services ([REDACTED]) that mileage charges to return the privately owned rail cars to Chicago or their home base in the Northeast would be waived. Unfortunately, the correct approval process to waive the charges was not followed resulting in the Spencer Railroad Museum receiving invoices for movement of the private rail cars.

I ask now that you waive the following charges:

Invoice #120822	Vista Dome	\$1,266.30 \$ 25.33
Invoice #120819	Wisconsin Valley Milwaukee	\$2,886.00 \$ 88.58
Invoice #010912	Southern Hospitality	\$ 145.14
Invoice #020918	Birken	\$ 40.00
Invoice #030961	Powhatan Arrow	\$ 336.00

As information, the charter sponsor and the Spencer Railroad Museum have been advised that private cars used on the 2009 Watauga charter will be charged and invoiced as they normally would for privately owned rail cars that operate as a private car on Amtrak to their home base.

Thank you.

Exemption 6

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:26 AM  
**To:** [REDACTED]  
**Subject:** FW: Waiver of Fees for Private Cars for National Train Day  
**Attachments:** EF Delegation of Authority.pdf; 2009 NTD Pvt Car Fee Waiver.pdf

**From:** [REDACTED]  
**Sent:** Thursday, May 07, 2009 2:04 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] Stadtler, DJ; Cushine, Don; [REDACTED] Fremaux, Emmett  
**Subject:** Waiver of Fees for Private Cars for National Train Day

[REDACTED]

Attached is the PDF of a signed memo from Emmett to you authorizing the waiver of fees associated with the use of private cars and locomotives for 2009 National Train Day events. The schedule attached has been developed with Don Cushine. The memo is signed by [REDACTED], who is acting for Emmett, but I reviewed it with Emmett before he left.

The text of the memo says:

"In conjunction with the 2009 National Train Day activities, arrangements have been made for the display of privately owned rail cars and locomotives at several stations around the country, including Washington, Philadelphia, Chicago, Los Angeles, New Orleans, and Portland, Oregon. I have been advised that the cost for the moves and support associated with these displays is in the range of \$25,000 to \$35,000.

The public relations and promotional value associated with having this equipment on display for National Train Day is easily several times this cost. Therefore, I authorize the waiver of the fees for moves and services associated with the equipment displays at the locations identified on the attached schedule."

Let me know if help with any additional information.

[REDACTED]

[REDACTED]

National Railroad Passenger Corporation  
Washington Union Station  
60 Massachusetts Avenue NE  
Washington, D.C. 20002  
Direct: [REDACTED]  
Mobile: [REDACTED]

9/30/2010

## Exemption 6


### NATIONAL RAILROAD PASSENGER CORPORATION

60 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 906.2027 fax 202 906.2866

# Memo



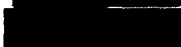


Date May 5, 2009  
To Executive Committee

From   
Emmett Fremaux  
Department Marketing & Product Management  
Subject Delegation of Authority  
cc Direct Reports

Message I will be out of the office on business travel, beginning Thursday, May 7, 2009, returning to the office on Monday, May 11, 2009.

My following direct report will have full responsibility, including signature authority for personnel actions, during my absence:

 Chief Sales Distribution and Customer Service  
 (office)  
 (mobile)

NATIONAL RAILROAD PASSENGER CORPORATION

60 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 906.2027 fax 202 906.2866

Memo

Exemption 6



Date May 7, 2009

To [REDACTED]

From Emmett H. Fremaux *h. fremaux*

Department Marketing and Product Management

Subject Waiver of Fees for NTD

cc [REDACTED]

DJ Statler

Message

In conjunction with the 2009 National Train Day activities, arrangements have been made for the display of privately owned rail cars and locomotives at several stations around the country, including: Washington, DC, Philadelphia, Chicago, Los Angeles, New Orleans, and Portland, Oregon. I have been advised that the cost for the moves and support associated with these displays is in the range of \$25,000 to \$35,000.

The public relations and promotional value associated with having this equipment on display for National Train Day is easily several times this cost. Therefore, I authorize the waiver of the fees for moves and services associated with the equipment displays at the locations identified on the attached schedule.

Please contact me if there are any questions.

Attachment

# 2009 National Train Day - Private Equipment for Public Display

## Tariff Waiver List

revised 2009.05.04

Location/Equipment	Type	Cost Range		Comments
		Low	High	
<b>Washington</b>				
Dover Harbor	Private Car	\$ 1,400	\$ 1,600	The costs associated with this car's participation include approximately 14 days of parking (\$1,400) since they will have to layover in WAS from their trip prior to this event so that they do not incur the costly CSX switching fees that would be required if we were to have them come in from Jessup Yard. The normal CSX switching fee that they pay is approximately \$3,000 (\$1,500 for the switch to and from WAS). There are no mileage charges associated with this car since it is switched to us right from CSX. However, a car wash or septic dumps may be required.
Georgia 300	Private Car	\$ 6,278	\$ 6,500	The costs associated with this Car's participation include a round trip CSX switching fee at JAX of approximately \$3,120 (\$1,560 for switch to and for switch from JAX). Mileage fees would be \$3,158.40 (752 miles each way @ \$2.10 per mile). A car wash or septic dumps may also be required.
<b>Philadelphia</b>				
Epicuris	Private Car	\$ 1,000	\$ 1,000	This car will be coming from Hudson Yard to Philadelphia. There would be a \$500 switching fee from Hudson Yard (\$250 move each way). Mileage fees would be \$382.20 (91 miles each way a \$2.10 per mile). I don't believe that any other services would be required. Of course, no parking fees would be charged as well.
<b>Chicago</b>				
Warren & Evelyn Henry	Private Cars	\$ 1,400	\$ 1,800	The costs associated with these car's participation include approximately 7 days of parking for both cars (\$1,400) since they are laying over in CHI between trips. There are no mileage charges associated with these cars, however, a car wash or septic dumps may be required.
<b>Los Angeles</b>				
Overland Trail	Private Car	\$ -	\$ 125	Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.
Scottish Thistle	Private Car	\$ -	\$ 125	Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.
GM&O 50	Private Car	\$ -	\$ 125	Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.
Steam Locomotive 3571	Private Locomotive	\$ -	\$ 125	Minimal to no costs since this car parks near LAX and can be switched by a yard crew.

<b>New Orleans, LA</b>				
San Marino	Private Car	\$ 833	\$ 1,266	All three pieces of equipment ( San Marino, Southern Hospitality and Pacific Union) are currently located at the KCS Yard in New Orleans. They will be delivered to Amtrak on Friday, May 8th or early Saturday, May 9th. Upon completion of the event, only two of the cars will be returning to the KCS Yard. The cost of switching is approximately \$1,000 for each move for a total of approximately \$2,000 and associated parking, septic and car wash charges will also be waived if required (approximately \$1,300).
Southern Hospitality	Private Car	\$ 833	\$ 1,266	see San Marino
Pacific Union	Private Car	\$ 333	\$ 766	The Pacific Union is a car based in STL. It is currently at the KCS Yard in NOL and at the conclusion of the event, it will be moved to Chicago and then back to STL. Since the operator has allowed us to use the Royal Street and this additional car, he has requested to move this second car back to STL at the second car rate of \$1.60 per mile which is a reasonable request. Further, no parking fees will be charged in NOL (see itemized list above). The operator will incur all other associated costs regarding the return movement of this car.
Jane Marie	Private Car	\$ 250	\$ 500	Minimal to no cost since this car parks at NOL currently. A car wash or septic dump may be required and parking may be credited for the weekend for the display. Approximate costs should not exceed \$500.
Promontory Point	Private Car	\$ 250	\$ 500	Minimal to no cost since this car parks at NOL currently. A car wash or septic dump may be required and parking may be credited for the weekend for the display. Approximate costs should not exceed \$500.
Royal Street	Private Car	\$ 8,500	\$ 14,500	This car was requested to be used for this event since it was an Amtrak car that operated on the City of New Orleans many years ago. The festivities in NOL also include the thirtieth anniversary of Amtrak's operation of that train. As a result, this car is moving from STL – CHI – NOL – CHI – STL for this event. Amtrak will cover the cars switching costs at STL (\$1,210 in each direction = \$2,410) as well as the mileage and parking fees for this move. Mileage fees would be \$5,082 and parking fees would be approximately \$760. In the event that an additional locomotive would have to be added due to consist restrictions, those fees would be waived as well between CHI – NOL – CHI which would be \$6,019. Finally, any septic or car wash fees will also be waived.
<b>Portland, OR</b>				
SP 4449	Steam Locomotive	\$ 508	\$ 508	All three pieces of equipment are currently located at the UP Brooklyn Yard approximately 1.5 miles from the Portland Station. This equipment will be moved to and from the display using an Amtrak pilot. Parking will be waived for Friday night and they will be returning on Saturday after the event. The cost for parking would be \$675 and an Amtrak pilot will be approximately \$850.
SP&S 600	Lounge Car	\$ 508	\$ 508	see SP4449
GN X – 40	Caboose	\$ 508	\$ 508	see SP4449

<b>Total Fee Range</b>		<b>\$ 22,602</b>	<b>\$ 31,723</b>
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Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:28 AM  
**To:** [REDACTED]  
**Subject:** FW: Watauga Valley Private Car Charges from 2007  
**Attachments:** Memo to waive 2007 private car charges.doc

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**From:** [REDACTED]  
**Sent:** Wednesday, August 19, 2009 7:56 AM  
**To:** Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** FW: Watauga Valley Private Car Charges from 2007

Don - Use the attached memo and emails to settle this account. - [REDACTED]


---

**From:** [REDACTED]  
**Sent:** Tuesday, August 18, 2009 2:08 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Watauga Valley Private Car Charges from 2007

[REDACTED] I am forwarding this to you on behalf of Marketing & Product Management. Emmett has approved the memo. [REDACTED]

[REDACTED]  
Office of the Vice President  
Marketing & Product Management

[REDACTED] fax  
ATS 777-

 Please consider the environment before printing this e-mail

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**From:** [REDACTED]  
**Sent:** Monday, August 10, 2009 2:40 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED] Cushine, Don; [REDACTED]  
**Subject:** Watauga Valley Private Car Charges from 2007

[REDACTED]  
I have drafted the attached memo from Emmett to [REDACTED] regarding the 2007 private car charges for the

9/30/2010

Watauga Valley charter sponsors. During our review and subsequent waiver of the 2008 private car charges, it came to our attention that the sponsors had not been charged for 2007. This will cause a hardship for this small museum and rail enthusiast society as their books have already been closed for 2007.

I have advised the sponsors and my contact that future private car charges for their charters will be billed accordingly but I ask that you approve this particular waiver for 2007 and ask that you convey your approval to Emmett.

Thanks and please call if you should have a question.

[REDACTED]  
Charter Services  
[REDACTED]

**NATIONAL RAILROAD PASSENGER CORPORATION**

60 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 906.3000 fax 202 906.3306

Memo

Exemption 6



Date August 10, 2009

To



From Emmett Fremaux

Department Marketing & Product Management

Subject Watauga Private Car Charges

cc



Don Cushine



**Message**

The Charter Services department operated a charter for the Spencer, NC Railroad Museum call the Watauga Valley Charter on November 3 and 4, 2007. The charter consisted of both Amtrak equipment and privately owned rail cars.

The charter and museum sponsors were erroneously advised by the former Director of Charter Services that mileage charges to return the privately owned rail cars to Chicago or their home base in the Northeast would be waived. Unfortunately, the correct approval process to waive the charges was not followed resulting in the Spencer Railroad Museum receiving invoices for movement of the private rail cars. This did not come to light until just recently when the same situation was being reviewed for 2008 private car charges (2008 charges have since been waived).

Since the sponsor was given incorrect information and have only now received invoices for the 2007 charges, I ask that you waive the following charges:

Invoice #030955	Wisconsin Valley and Super Dome	\$4,373.40
Invoice #050916	late fees for above	\$ 87.47
Invoice #030930	Vista Dome	\$1,266.30
Invoice #050913	late fees for above	\$ 25.33

As information, the charter sponsor and the Spencer Railroad Museum have been advised that private cars used on the 2009 Watauga charter will be charged and invoiced as they normally would for privately owned rail cars that operate as a private car on Amtrak to their home base.

Thank you.

[REDACTED]

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:29 AM  
**To:** [REDACTED]  
**Subject:** FW: 800228 Ohio River  
**Attachments:** 800228 Ohio River.TIF

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**From:** [REDACTED]  
**Sent:** Wednesday, September 02, 2009 12:45 PM  
**To:** Cushine, Don  
**Subject:** 800228 Ohio River

Here you go.

[REDACTED]

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:29 AM  
**To:** [REDACTED]  
**Subject:** FW: Patrick Henry Damages - Private Car Credit

---

**From:** Crosbie, William  
**Sent:** Tuesday, September 22, 2009 8:20 AM  
**To:** [REDACTED]  
**Cc:** Cushine, Don  
**Subject:** RE: [REDACTED] Damages - Private Car Credit

I concur.

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**From:** [REDACTED]  
**Sent:** Monday, September 21, 2009 1:52 PM  
**To:** Crosbie, William  
**Cc:** Cushine, Don  
**Subject:** Fw: [REDACTED] Damages - Private Car Credit

Bill,

I concur with Don's assessment for proposed handling of [REDACTED] bad experience with Amtrak. He truly has been a good customer and has donated his cars many times for Amtrak sponsored events. It will not be precedent setting and a mileage credit of \$5,000.00 is not unreasonable. This will all be documented for the record in case of any audit by anyone.

Thanks,

[REDACTED]

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**From:** Cushine, Don  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Sent:** Mon Sep 21 13:27:50 2009  
**Subject:** [REDACTED] Damages - Private Car Credit

As we previously discussed, one of our best private car customers and Amtrak supporters had a very challenging trip several weeks ago while he was on a trip with his family including his elderly mother. [REDACTED] was making a trip with his two private cars from San Antonio – Los Angeles – Kansas City and he had several very bad experiences. First, his car was scheduled to have wheel work done in Los Angeles prior to his LAX – KCY trip but due to some miscommunication, his cars were not worked on causing him to have to push back his trip by one day. This resulted in him having to fly one of his sisters home from Albuquerque as she could not spend the additional day on the train. Further, while in Los Angeles, when the switch crew came to pick up his car to place it on the Southwest Chief, they had an extremely rough coupling which knocked his mother to the floor as well as causing about \$10,000 worth of damages. The glass top stove was shattered when debris fell on it and quite a bit of china and glassware was also destroyed along with various other items.

9/30/2010

I ran this by legal and risk management ([REDACTED] and [REDACTED]) to be sure that our private car tariff held us harmless from these damages and both gentlemen agreed that we were not liable. However, in light of the annual income that [REDACTED] generates along with the countless times that he volunteers the use of his car for Amtrak events, we could issue him a credit for a future trip due to the poor service that he received. If approved, this would not set a precedent by paying for damages. In order to give this credit, I would need the approval of yourself and Mr. Crosbie along with an amount which you deem appropriate. I know that we had discussed a \$5,000 credit when we initially discussed this issue, however, if you agree, please let me know if this is still an appropriate figure.

If you agree, please forward to Mr. Crosbie for his approval.

Thanks for your consideration,  
Don

9/30/2010

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:29 AM  
**To:** [REDACTED]  
**Subject:** FW: second engine credit

-----Original Message-----

**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Saturday, November 14, 2009 4:07 AM  
**To:** Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** second engine credit

Don

Would like you to investigate the possibility of a credit or not be charged for the second engine on my trip from Chicago to San Antonio.

The engine was number 500 and did not work for most of the trip. I beleive it was working when we left Chicago but died afetr Joliet. Crew played with it but had no success as far as I know. All we did was drag it along with us. The yard job in San Antonio was not happy when it came in dead.

The lead engine was number 83 and although we pulled a couple hills at less than track speed we were on time arriving Fort Worth and only 20 minutes late into San Antonio. It basically pulled 12 passenger cars and the dead engine.

I am writing this from San Antonio. Train 1 arrived early and we have been switched ond are ready for departure to Tucson. I hope the report on Monday says we did well on the move at the Port of Tucson.

Thanks  
Bart

Thanks  
[REDACTED]

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:30 AM  
**To:** [REDACTED]  
**Subject:** FW: Invoice

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**From:** [REDACTED]  
**Sent:** Tuesday, December 01, 2009 7:08 AM  
**To:** [REDACTED] Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** RE: Invoice

[REDACTED]

You should receive an amended bill from [REDACTED]. I did check on the engine as we discussed and you were 100% correct.

The charges have been removed from your invoice.

Have a Wonderful Day,

[REDACTED]

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**From:** [REDACTED] [mailto:[REDACTED]]  
**Sent:** Monday, November 30, 2009 6:47 PM  
**To:** [REDACTED] Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** Invoice

[REDACTED] & Don

Received the invoice today for the trip from Chicago to Tucson.  
It contained the extra engine charges from Chicago to San Antonio and return to Chicago.  
Indeed we carried an extra engine with us but it was dead before we got to St. Louis.  
All we did was drag it with us. They cut the engine off at San Antonio because it was dead  
But at some time must have moved it back.

I would like you to consider some type of price break for this fiasco as there was no fuel consumption but  
Perhaps some wheel wear.

Thanks

9/30/2010



Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:30 AM  
**To:** [REDACTED]  
**Subject:** FW: "Georgia 300" repairs

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**From:** [REDACTED]  
**Sent:** Tuesday, February 23, 2010 6:53 PM  
**To:** Cushine, Don: [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: "Georgia 300" repairs

Don – I concur with your email to credit \$296.10 to the invoice for the Georgia 300.

[REDACTED]  
Amtrak  
[REDACTED]  
60 Massachusetts Ave N.E.  
Washington, DC, 20002  
[REDACTED]

[x]

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**From:** Cushine, Don  
**Sent:** Tuesday, February 23, 2010 3:43 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: "Georgia 300" repairs

[REDACTED]

Per our discussion regarding this outstanding invoice yesterday, [REDACTED] should not have been charged for this work. His car was used by Amtrak for the Obama – Biden Inauguration Train that operated on January 17, 2009. The pipe work repair was necessary as a result of the extremely cold weather that they encountered during this trip. [REDACTED] and [REDACTED] are both aware of this repair work and agree that [REDACTED] should not be charged this \$296.10.

Please credit this amount accordingly and by copy of this e-mail, I am asking [REDACTED] to concur with this e-mail.

Please feel free to contact me should you have any questions.

Thanks,  
Don

9/30/2010

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**From:** [REDACTED]  
**Sent:** Monday, February 22, 2010 2:42 PM  
**To:** Cushine, Don  
**Subject:** "Georgia 300" repairs

Don, attached is "Georgia 300" invoice for repairs to frozen water pipe during Obama inauguration last year.

[REDACTED]  
525 W Van Buren St. - 2nd Fl  
Chicago, IL 60607

Office: [REDACTED] or [REDACTED]  
Fax: [REDACTED] or ATS [REDACTED]



[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:30 AM  
**To:** [REDACTED]  
**Subject:** FW: Request to waive fees for private car

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**From:** Mchugh, Joe  
**Sent:** Wednesday, April 21, 2010 5:22 PM  
**To:** Cushine, Don  
**Subject:** Request to waive fees for private car

Don—

I am writing to request that parking fees be waived in connection with the arrival of the private car Dover Harbor at Washington Union Station on or around April 26. As you know, the Dover Harbor is owned and operated by a non-profit group, the Washington Chapter of the National Railway Historical Society. The Dover Harbor will be used the night of April 26 for a reception to which Joe Boardman and I have been invited and at which we will be asked to offer some remarks. This reception is part of the National Association of Railroad Passengers' annual meeting, in which we are playing a direct role. The reception will "honor some people whose support has been important in the campaign to strengthen the passenger train industry." I will send you, under separate cover, the letter from NARP outlining the purpose of this reception.

Thanks as always, Don, for your help with our many requests for assistance.

--Joe

## **Amtrak Board of Directors Executive Summary**

**Title:** Resolutions Authorizing Operation Lifesaver Demonstration Train

**Background:**

Amtrak was asked by the Montana Operation Lifesaver (OL) program in June 2009 to support operation of a demonstration train as part of a major safety campaign to educate the public and community leaders in the Pacific Northwest on grade crossing and trespasser safety ("Project"). The track route to be covered by this demonstration train has had a significant number of grade crossing and trespasser collisions with Amtrak and freight trains. Amtrak, working with OL, has found that public awareness and education is an effective means to reduce such incidents.

Amtrak, along with the FRA and all Class I freight railroads, support the OL educational and outreach program. Amtrak has over 25 employees that serve as Presenters of the grade crossing and trespasser safety message performing over 200 presentations each year – especially in areas that have the potential for higher risks.

The purposes of the proposed trip are to:

- Increase public awareness of highway/rail grade crossing safety and trespass dangers;
- Increase public safety as a result of the general public and target audiences making wiser decisions at highway/rail grade crossing because of the educational presentations made in conjunction with the Project; and
- Have the State OL programs advertise the event so that key local stakeholders (e.g. law enforcement and local officials) participate in the Project.

In addition to Amtrak, supporters of the Project include the State OL programs in Montana, Oregon and Washington; the Federal Railroad Administration (FRA), BNSF and Montana Rail Link (MRL).

Amtrak will be providing equipment (e.g., locomotive, sleeper and diner) and up to six crew members for the 14 day trip along with Amtrak OL managers for parts of the trip. Attached is the operating schedule for the trip. At each location, a series of OL safety presentations will be made by the State OL teams. Originally, a steam locomotive was to be used to pull the train. However the steam locomotive, owned by the City of Portland, Oregon, was inspected and found not to be road-worthy.

The cost of the two week demonstration train is estimated to be \$308,000. Most of this cost will be paid for by Amtrak out of the Environmental, Health and Safety Department budget.

**Recommendation:**

Management recommends that the Board approve the attached resolutions authorizing the operation of the Operation Lifesaver demonstration train in conjunction with the Project.

**RESOLUTIONS AUTHORIZING  
OPERATION LIFESAVER DEMONSTRATION TRAIN**

WHEREAS, Amtrak has been asked by the Montana Operation Lifesaver (OL) program to participate in the operation of a demonstration train to support a major safety campaign to educate the public and community leaders in the Pacific Northwest on grade crossing and trespasser safety; and

WHEREAS, The demonstration train will increase public awareness of highway/rail grade crossing safety and trespass dangers; and

WHEREAS, The train should also increase public safety as a result of the general public and target audiences making wiser decisions at highway/rail grade crossing because of the educational presentations made in conjunction with the Project; and

WHEREAS, The supporters of the Project include the State Operation Lifesaver programs in Montana, Oregon and Washington; the Federal Railroad Administration (FRA), BNSF and Montana Rail Link (MRL); and

WHEREAS, The route of this train has had a significant number of grade crossing and trespasser collisions with Amtrak and freight trains; and

WHEREAS, Operation Lifesaver has found that public awareness and education is an effective means to help reduce incidents; therefore, be it

RESOLVED, That the Corporation is authorized to operate and support the proposed Operation Lifesaver demonstration train, scheduled to operate in April 2010; and

FURTHER RESOLVED, That the President and Chief Executive Officer or the Chief Operating Officer is hereby authorized to take any and all actions to execute and deliver any and all documents and instruments necessary to effectuate the operation of the demonstration train.

National Railroad Passenger Corporation  
Board of Directors  
Adopted March 18, 2010

Exemption 6

[REDACTED]

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**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:31 AM  
**To:** [REDACTED]  
**Subject:** FW: Operation Lifesaver Resolution

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**From:** [REDACTED]  
**Sent:** Tuesday, May 04, 2010 3:47 PM  
**To:** Cushine, Don  
**Subject:** Operation Lifesaver Resolution

Don,  
I understand the need for a chain of approval.  
Thank you for keeping things organized.

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Tuesday, May 04, 2010 3:25 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** RE: Operation Lifesaver Resolution

Thank you [REDACTED] I just wanted to be sure that everything was covered appropriately.

Don

---

**From:** [REDACTED]  
**Sent:** Tuesday, May 04, 2010 3:13 PM  
**To:** Cushine, Don  
**Cc:** [REDACTED]  
**Subject:** Operation Lifesaver Resolution

Don,  
I thought even better than an Executive Committee member note; here is a copy of the official Amtrak Board of Directors' Resolution authorizing the project. Note the approval date at the bottom of the first page and email from [REDACTED] below.  
Please let me know if this works for you.  
Thank you.

[REDACTED]

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**From:** [REDACTED]  
**Sent:** Tuesday, May 04, 2010 3:06 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Operation Lifesaver Resolution

As requested, I am sending a copy of the Operation Lifesaver executive summary and resolution adopted by the Board at its March meeting. I am also sending you a paper copy via interoffice mail.

9/30/2010

Please let us know if you need additional information.

Exemption 6

[REDACTED]

I will be happy to do it and [REDACTED] is going to get me the correct function etc. to charge it to. However, I still need an authorization from an Executive Committee member for use of these cars as we discussed so that we can waive the Amtrak movement/parking charges. A simple e-mail works as authorization.

Thanks for all your help and I am delighted that this event was such a success.

Don

9/30/2010



Hawkins, Sharron

From: Cushine, Don  
 Sent: Wednesday, September 08, 2010 11:32 AM  
 To: [REDACTED]  
 Subject: FW: Private Car Cost Estimate - National Train Day

## Exemption 6

From: [REDACTED]  
 Sent: Friday, May 07, 2010 2:09 PM  
 To: Cushine, Don; Fremaux, Emmett; [REDACTED]  
 Cc: [REDACTED]  
 Subject: Re: Private Car Cost Estimate - National Train Day

Don,

Following up on our conversation, Marketing and Product Development approves the private car costs associated with National Train Day. Since most of the staff involved are currently in travel status, I will forward a more formal written approval signed by the VP, M+PD early next week.

From: Cushine, Don  
 To: Fremaux, Emmett; [REDACTED]  
 Cc: [REDACTED]  
 Sent: Fri May 07 13:24:19 2010  
 Subject: Private Car Cost Estimate - National Train Day

Attached you will find the estimated costs for the 20 private cars at the four major venues and the three additional historic cars at Portland, OR. I was hoping to get this to you much quicker, however, due to the last minute changes and the coordination of moving all of the equipment, it made it difficult to get this to you sooner. As you will see, it averages to less than \$3,000 per car for the 20 private cars and a relatively minor cost to move the additional equipment top Portland. It is a great collection of all types of cars and some great owners who are dedicated to Amtrak's success.

To close the loop, I need a note from Emmett stating that he authorizes this. As always, you are a pleasure to work with and I am sure that this will be our best event to date. Thanks for all your help.

Don

### Washington (7 Private Cars)

Approximate Total - Washington \$22,615 - \$25,000

Wisconsin & Golden Tower - Private Cars (2) CLT - WAS - CLT (\$10,508.60)

The costs associated with these cars participation include approximately 3 days of parking for both cars (\$600) and (\$6,364) in switching charges from the NS at Charlotte. Normal mileage fees for these cars would be (\$3,544.60). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

Kitchi Gammi Club & Mount Vernon - Private Cars (2) NYP - WAS - NYP (\$2,765)

The costs associated with these cars participation include approximately 3 days of parking for both cars (\$600) and (\$500) in switching charges from Amtrak at Hudson Yard. Normal mileage fees for these cars would be (\$1,665). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

Chapel Hill, Vista Dome & Observatory - Private Cars (3) CIN - WAS - CIN (\$9,341.80)

The costs associated with these cars participation include approximately 2 days of parking for all three cars (\$600) and (\$2,350) in switching charges from the I & O Railroad at Cincinnati. Normal mileage fees for these cars would be (\$6,391.80). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

### Philadelphia (4 Private Cars)

Approximate Total - Philadelphia \$9,418 - \$10,000

Dover Harbor - Private Car Jessup - PHL - Jessup (\$4,962.80)

The costs associated with this car's participation include approximately 14 days of parking (\$1,400) since they will have to layover in WAS from their trip prior to this event so that they do not incur the costly CSX switching fees that would be required if we were to have them come in from Jessup Yard. The normal CSX switching fee that they pay is approximately \$3,000 (\$1,500 for the switch to and from WAS). Normal mileage fees for these cars would be (\$562.80). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

9/30/2010

The costs associated with these cars participation include approximately 3 days of parking for both cars (\$600) and (\$6,364) in switching charges from the NS at Charlotte. Normal mileage fees for these cars would be (\$3,544.60). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

**Epicuris - Private Car**

SSY - PHL - SSY

(\$1,182.20)

This car will be coming from Sunnyside Yard to Philadelphia. There would be a \$500 switching fee to and from Sunnyside Yard (\$250 move each way). Mileage fees would be \$382.20 (91 miles each way a \$2.10 per mile). The costs associated with this cars participation include approximately 3 days of parking (\$300) Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

**NYC 38 & Hickory Creek - (2 Private Cars)**

Hudson Yd - PHL - Hudson Yd

(\$3,273.40)

The costs associated with these car's participation include approximately 3 days of parking for both cars (\$600) The normal NJT switching fees that they pay is approximately \$2,000 (\$1,000 for the switch to and from Hudson Yard). Normal mileage fees for these cars would be (\$673.40). Also, a car wash or septic dumps may be required and is not reflected in the above pricing estimate.

**Chicago (6 Private Cars)**

Approximate Total - Chicago \$13,684 - \$16,000

[REDACTED] - Private Cars (2)

CHI

(\$3,200)

The costs associated with these cars participation include approximately 16 days of parking for both cars (\$3,200) since they are laying over in CHI between trips before taking another private car charter. There are no mileage charges associated with these cars, however, a car wash or septic dumps may be required.

**Cedar Rapids, Super Dome, St. Croix Valley & MKT 403 - Private Cars (4) MSP - CHI - MSP**

(\$10,368)

The costs associated with these cars participation include the normal mileage fees for these cars which would be (\$5,768.40). Also, to minimize expenses to Amtrak (avoiding costly freight switch moves) and the car owner, we are covering the parking fees in Chicago for the St. Croix Valley as it will be used in a private car charter approximately two weeks after this event which totals about 16 nights of parking (\$1,600). This is cheaper than transporting the cars back and forth between Chicago and St. Paul. The remaining three cars currently all pay long term storage fees at MSP (\$1,000 per car per month = \$3,000). To save switching fees, we will also waive this monthly fee for these three cars for May and [REDACTED] will set up another 6 month long term lease at MSP starting on June 1. A car wash or septic dump may be required and is not reflected in the above pricing estimate.

**Los Angeles (3 Private Cars)**

LAX

(\$1,000)

Approximate Total - Los Angeles \$1,000

**Salisbury Beach - Private Car**

Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.

**Scottish Thistle - Private Car**

Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.

**Montana - Private Car**

Minimal to no costs since this car parks at LAX currently. A car wash or septic dump may be required.

**Portland (3 Pieces of Private Equipment)**

PDX

(\$1,600)

Additionally, we are moving a steam locomotive, a dome and a caboose to and from Brooklyn Yard in Portland, OR to the Amtrak Portland Station for NTD events. This is approximately 15 minutes apart and we are waiving the two man crew costs for both days which total \$1,600.

Grand Total Estimate: \$48,000 - \$55,000 \*

This includes the use of 20 great private cars, a steam locomotive, dome car and caboose at 5 locations. This is less than \$3,000 per private car which is an exceptional price for the value that they bring to this event.

\* This estimate only includes private cars at the 4 major locations PHL, WAS, CHI, LAX and PDX

Exemption 6

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:32 AM  
**To:** [REDACTED]  
**Subject:** FW: NTD - Privately Owned Cars  
**Attachments:** 20100521121851436.pdf



2010052112185143  
6.pdf (40 KB)

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Monday, May 24, 2010 8:59 AM  
**To:** Cushine, Don  
**Subject:** FW: NTD - Privately Owned Cars

For your records.

-----Original Message-----

**From:** [REDACTED]  
**Sent:** Friday, May 21, 2010 12:35 PM  
**To:** [REDACTED] Stadtler, DJ; [REDACTED]  
**Subject:** NTD - Privately Owned Cars

Please note the attached memo from Emmett Fremaux regarding the waiver of fees as it relates to privately-owned rail equipment, National Train Day 2010.

[REDACTED] - Amtrak  
Office of the Vice President  
Marketing & Product Development

[REDACTED] - fax  
ATS 777-

P Please consider the environment before printing this e-mail -----Original Message-----  
**From:** 2eCopier@amtrak.com [mailto:2eCopier@amtrak.com]  
**Sent:** Friday, May 21, 2010 12:19 PM  
**To:** [REDACTED]  
**Subject:**

This E-mail was sent from "RNPE603CE" (Aficio MP C6000).

Scan Date: 05.21.2010 12:18:51 (-0400)  
Queries to: 2eCopier@amtrak.com

## Exemption 6

NATIONAL RAILROAD PASSENGER CORPORATION  
60 Massachusetts Avenue, NE, Washington, DC 20002  
tel (202) 906-3960, fax (202) 906-2850

# Memo

Date May 20, 2010  
To Jon Tainow



From Emmett Fremaux  
Department Marketing & Product Development  
Subject 2010 National Train Day - Waiver  
of Fees Associated with Privately  
Owned Rail Equipment  
cc: [REDACTED]  
D.J. Stadtler

**Message** As part of the 2010 National Train Day activities, arrangements were made to support the display of privately owned rail cars and locomotives at several stations around the country, including Washington, Philadelphia, Chicago, Los Angeles, and Portland, Oregon. Our regular tariff charges for the various moves necessary to make these cars and locomotives available for equivalent private purposes is in the range of \$50,000 to \$55,000.

This memorandum is to document my authorization of these services and the waiver of fees for moves and services associated with the equipment and locations identified on the attached schedule. The public relations and promotional value associated with having this equipment on display for National Train Day contributes directly to the ROI for National Train Day and is, therefore, a positive investment for Amtrak.

Please contact me if there are any questions.

Exemption 6

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Wednesday, September 08, 2010 11:32 AM  
**To:** [REDACTED]  
**Subject:** FW: Approved PNR# 11F02F for 800124 Nenanah 511 - 25Apr10

---

**From:** Boardman, Joseph  
**Sent:** Wednesday, June 09, 2010 12:44 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED], Billie; Cushine, [REDACTED]  
**Subject:** Re: Approved PNR# 11F02F for 800124 Nenanah 511 - 25Apr10

Approved. Joe B

---

**From:** [REDACTED]  
**To:** Boardman, Joseph  
**Cc:** [REDACTED], Cushine, Don; [REDACTED]  
**Sent:** Wed Jun 09 12:14:53 2010  
**Subject:** RE: Approved PNR# 11F02F for 800124 Nenanah 511 - 25Apr10

Joe,

We discussed this a few weeks ago. I just need an OK from an Executive Committee member to waive the movement fees for the private car I used to replace the dome car on a west coast charter trip when we used the dome for the FEC trip.

Thanks,

[REDACTED]

---

**From:** Cushine, Don  
**Sent:** Tuesday, May 04, 2010 2:25 PM  
**To:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** FW: Approved PNR# 11F02F for 800124 Nenanah 511 - 25Apr10

[REDACTED]

I am delighted that the FEC trip went so well. At the request of the charter group that initially had requested the 10031, we utilized the private car Nenanah 511 in its place. This was the closest match to the 10031 dome car available but, we had to move it from STL - LAX - STL for this charter. As we discussed, I need authorization from an Executive Committee member to waive the movement, parking and miscellaneous charges for this car. A simple e-mail authorizing this is sufficient.

Thanks again for your help.

Don

---

9/30/2010

**From:** [REDACTED]  
**Sent:** Tuesday, May 04, 2010 2:12 PM  
**To:** Cushine, Don  
**Subject:** Approved PNR# 11F02F for 800124 Nenannah 511 - 25Apr10

Attached is the itinerary for car 800124 Nenannah 511

- 1) Two(2) pages of Approved PNR# 11F02F
- 2) Approved By:

[REDACTED]

- 3) Person-In-Charge:

[REDACTED]

If there are any questions regarding this request, please call.

*Thanks,*

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
*ATS* [REDACTED]  
[REDACTED] *(Fax)*



Exemption 6

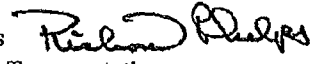
NATIONAL RAILROAD PASSENGER CORPORATION  
15 S. Poplar Street, Wilmington, DE 19801



# Memo



Date: March 26, 2009

From: Richard Phelps   
Vice President Transportation

To: 

Department: Transportation

Subject: OIG Referral -- 3/3/09

This is the formal response for the Private Car Inquiry that was conducted by the Office of the Inspector General which was dated March 3, 2009. Listed below are the responses for the Findings of Fact and Recommendations that were cited in this report.

## ACTIONS

***1. Completing a thorough internal audit of all Private Railroad Car accounts currently listed with Amtrak to determine potential billing errors.***


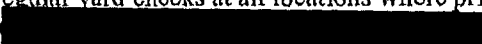
On March 9 - 10, 2009, an audit was done on private car moves that began their trips on or after October 1, 2008 through February 28, 2009. In this audit, several discrepancies were found totaling approximately \$1,920. Once again, the main issue appears to center around incorrect parking charges. Three steps will be taken in an effort to resolve this issue.

First, corrected billing worksheets have been completed and forwarded to Finance in Chicago for invoicing the appropriate parties.

Secondly, it appears that many of the problems that are occurring are the result of errors associated with calculating parking fees. In order to correct this, we have amended the Private Car Billing Worksheet which will alleviate many of the problems that have occurred regarding private car parking fees. Copies of the former and current worksheets are attached along with the e-mail from Don Cushine to his staff regarding the use of this new form.

Former Private Car Billing Worksheet  
Revised Private Car Billing Worksheet  
E-Mail Introducing New Form

(Attachment #1A)  
(Attachment #1B)  
(Attachment #1C)

Don Cushine has met with the following individuals who plan, track and bill private car movements  and discussed the findings of this referral. Together, they will develop any other steps that are necessary to eliminate mistakes in this area in the future, including conducting regular yard checks at all locations where private cars are kept. An additional member of his staff  and she will be updated upon her return.



## Exemption 6

NATIONAL RAILROAD PASSENGER CORPORATION  
16 S. Poplar Street, Wilmington, DE 19801

**2. Strictly adhering to Amtrak guidelines entitled "Conditions for Movement -- Privately Owned Railroad Cars on Amtrak," promulgated in 2007.**

We will insure that there will be adherence to the guidelines outlined in the 2007 tariff.

**3. Immediately invoicing the owners of private cars Greenwich Harbor and Greenwich Estate, in the amount of \$6050.00 for charges not previously applied.**

The initial inquiry regarding this referral centered on whether or not the Greenwich Harbor and/or the Greenwich Estate had been charged for parking in New Haven between the dates of June 28 – October 11, 2008. Upon final review, it was determined that both cars were stored at this location for a combined total of 73 nights of parking fees. During this period, private car parking was charged in the original invoices for a total of 38 nights at New Haven. Therefore, an additional 35 nights of parking fees were billed in two separate invoices which totaled \$3,500. (As information, the private car daily parking fee is \$100 per car).

The two supplemental bills were sent for parking at NHV for this time frame during this past week. The first invoice totaled \$3,100 and included the period from September 1 – October 1, 2008 and the remaining invoice totaled \$400 (2 cars on 6/28, 1 car on 8/2 and 1 car on 8/11).

Additionally, Mr. Cushine, audited all the moves for these two private cars for not only the time frame in question but for the entire calendar year of 2008. This is where the \$6,050.00 figure was initially developed. In an e-mail to you, he cited that he found discrepancies totaling this amount that included not only the parking at New Haven but that he also found several other errors. However, upon final review, the actual total billed to the [REDACTED] will be \$4,900. This is \$1,150 below the figure listed above.

This variance is due to the fact that on the [REDACTED] trip from 11/15-12/6/08, it initially appeared that only one car was charged for parking and septic. However, upon further review, they were indeed charged for both cars. Under the parking charges and Amtrak miscellaneous charge columns of this billing worksheet, it does not identify that 2 cars were charged, however, the totals are correct.

When all these invoices were reviewed in preparation for responding to this referral, it was determined that the former Private Car Billing Worksheet needed to be amended. The former worksheet did not have enough detail regarding actual parking dates and number of cars accommodated. In the new format, this has been addressed and corrected. Although this does not completely eliminate the "human" element of the billing process, it greatly improves this aspect of it. An attachment has also been included showing where the error was made in the initial review of the document. Also, listed below is the breakdown of how the initial figure of \$6,050 resulted in an actual charge of \$4,900.

(Attachment #2)

\$6,050	Initial
<u>\$1,150</u>	Minus the initial extra charges associated to trip of 11/15/08
\$4,500	Sub Total
<u>\$400</u>	Additional Parking Charges Invoiced (Not included in first review)
\$4,900	

## Exemption 6

NATIONAL RAILROAD PASSENGER CORPORATION  
15 S. Poplar Street, Wilmington, DE 19801

The breakdown of the actual \$4,900 charges are as follows:

\$3,100	Parking at NHV from 9/1/08 – 10/1/08 (31 Days)
\$1,000	Parking at NHV & WAS for second car from trip of 3/1/08 (10 Days)
\$400	Parking at NHV on 6/28 – 2 cars, 8/2 – 1 car & 8/11 – 1 car (4 Days)
<u>\$400</u>	Parking at MIA on 11/23 – 2 cars & NHV on 11/30 – 2 cars (4 Days)
\$4,900	

(Attachments #3A-3D)

The invoice numbers from Amtrak Finance have also been included.

(Attachment #4)

**4. Providing OIG-OI with written authorization from an Amtrak Executive Committee member(s) for all fees waived during 2008 in relation to private railroad cars.**

Attached you will find Mr. McHugh's authorization for waiving fees for the Washington Centennial Station event that was held on October 4 – 5, 2008.

(Attachment #5)

Also included is an e-mail from Richard Phelps dated 4/25/08 approving the use of [REDACTED] cars, the Warren Henry & Evelyn Henry (CHI) as well as the Dover Harbor (WAS) for three free nights of parking in return for their use for National Train Day. The approval totaled \$900 worth of complimentary parking for their use for this event. Mr. Phelps has approval authority up to \$1,000 per the approved staff summary.

(Attachment #6)

**5. Implementing all of the responses outlined in [REDACTED] April 29, 2008 memorandum to OIG-OI.**

[REDACTED] will insure that all the responses outlined in the April 29, 2008 memo and the recommendations identified in this document will be followed appropriately.

**6. Administering discipline as appropriate and necessary.**

The System Operations Support staff that handle special movements including private cars will each receive a letter of instruction outlining the failures indicated in your report and insuring future compliance with the provisions of the Private Car Tariff.

(Attachment #7A-7D)

ATTACHMENT 1A

AMTRAK  
PRIVATE CAR BILLING WORKSHEET

Name:  
Address:  
City/State/Zip Code:  
E-Mail Address:  
Movement Date:

Car Number:

Car Name:

PNR:

Transportation Charges

<u>Date</u>	<u>Train #</u>	<u>Miles</u>	<u>Origin</u>	<u>Destination</u>	<u>Rate/Mile</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
<b>TOTAL MILES      0</b>						<b>TOTAL TRANSPORTATION      \$0.00</b>

Parking Charges

<u>Days</u>	<u>Location</u>	<u>Daily Rate</u>	<u>Sub Total</u>
			\$0.00
			\$0.00
			\$0.00
			\$0.00
<b>TOTAL PARKING</b>			<b>\$0.00</b>

Amtrak Miscellaneous Charges

<u>Date</u>	<u>Location</u>	<u>Switching</u>	<u>Septic</u>	<u>Car Wash</u>	<u>Extra Crews</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
<b>TOTAL MISCELLANEOUS CHARGES</b>						<b>\$0.00</b>

Railroad Switching Charges

<u>Date</u>	<u>Location</u>	<u>BNSF</u>	<u>CSX</u>	<u>NS</u>	<u>UP</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
<b>TOTAL RAILROAD CHARGES</b>						<b>\$0.00</b>

Amtrak Car Administrative Fee

<u>PC 1 Date</u>	<u>Amount</u>	<u>Cars</u>	<u>Car #</u>	<u>Sub Total</u>
				\$0.00
				\$0.00
<b>TOTAL ADMINISTRATIVE CHARGES</b>				<b>\$0.00</b>

Summary of Charges

	<u>Sub Totals</u>
Transportation Charges	\$0.00
Parking Charges	\$0.00
Amtrak Miscellaneous Charges	\$0.00
Railroad Charges	\$0.00
Amtrak Car Administrative Fee	\$0.00
<b>GRAND TOTAL</b>	<b>\$0.00</b>

Notes:

Prepared by: Billie J. Ernest      Processed By: \_\_\_\_\_

11:20 AM

SYSTEM OPERATIONS

3/19/2009

**AMTRAK  
PRIVATE CAR BILLING WORKSHEET**

Name:  
Address:  
City/State/Zip Code:  
E-Mail Address:  
Movement Date:

Car Number:

Car Name:

PC-1 Date

PNR

Transportation Charges

<u>Date</u>	<u>Train #</u>	<u>Miles</u>	<u>Origin</u>	<u>Destination</u>	<u>Rate/Mile</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00

TOTAL MILES 0

TOTAL TRANSPORTATION

\$0.00

Parking Charges

<u>Arrival</u>	<u>Departure</u>	<u>Total Days</u>	<u>Cars</u>	<u>Location</u>	<u>Daily Rate</u>	<u>Sub Total</u>
					\$100.00	\$0.00
					\$100.00	\$0.00
					\$100.00	\$0.00
					\$100.00	\$0.00

TOTAL PARKING

\$0.00

Amtrak Crew & Switching Charges

<u>Date</u>	<u>Location</u>	<u>Switching</u>	<u>Extra Crews</u>	<u>Sub Total</u>
				\$0.00
				\$0.00
				\$0.00

TOTAL MISCELLANEOUS CHARGES

\$0.00

Railroad Switching Charges

<u>Date</u>	<u>Location</u>	<u>BNSF</u>	<u>NS</u>	<u>UP</u>	<u>Other</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00

TOTAL RAILROAD CHARGES

\$0.00

Amtrak Miscellaneous Charges

<u>Dates</u>	<u>Cars</u>	<u>Septic</u>	<u>Car Wash</u>	<u>Sub Total</u>
				\$0.00
				\$0.00

TOTAL ADMINISTRATIVE CHARGES

\$0.00

Summary of ChargesSub Totals

Transportation Charges	\$0.00
Parking Charges	\$0.00
Amtrak Crew & Switching Charges	\$0.00
Railroad Charges	\$0.00
Amtrak Miscellaneous Charges	\$0.00

**GRAND TOTAL****\$0.00**

Notes:

Prepared By

Date

Reviewed By

Date

**Exemption 6**

Page 1 of 1

**Cushine, Don**

*ATTACHMENT 1C*

---

**From:** Cushine, Don  
**Sent:** Thursday, March 19, 2009 8:43 AM  
**To:** [REDACTED]  
**Cc:** [REDACTED]; Phelps, Richard; Cushine, Don  
**Subject:** Revised Private Car Billing Worksheet  
**Attachments:** Revised Billing Worksheet.xls

In an effort to eliminate errors and to continue to improve our accounting practices, we have amended the Private Car Billing Worksheet. This revised document more clearly breaks out the parking fees so that it will enable us to minimize mistakes that were made on occasion in this area. Please start using this new form immediately and if you have any questions or recommendations, please feel free to contact me.

Thank you in advance for your assistance.

Don

3/19/2009

# Exemption 6

ATTACHMENT 2

## AMTRAK PRIVATE CAR BILLING WORKSHEET

Name:  
Address:  
City/State/Zip Code:  
E-Mail Address:  
Movement Date:

11/15/08

Car Number:  
800738  
800709

Car Name:  
Greenwich Estate  
Greenwich Harbor

PNR:  
08E500

### Transportation Charges

Date	Train #	Miles	Origin	Destination	Rate/Mile	Sub Total
15-Nov-08	401	62	SPG	NHV	\$2.10	\$130.20
15-Nov-08	401	62	SPG	NHV	\$1.60	\$99.20
21-Nov-08	67	301	NHV	WAS	\$2.10	\$632.10
21-Nov-08	67	301	NHV	WAS	\$1.60	\$481.60
22-Nov-08	97	1164	WAS	MIA	\$2.10	\$2,444.40
22-Nov-08	97	1164	WAS	MIA	\$1.60	\$1,862.40
28-Nov-08	98	1164	MIA	WAS	\$2.10	\$2,444.40
28-Nov-08	98	1164	MIA	WAS	\$1.60	\$1,862.40
29-Nov-08	66	301	WAS	NHV	\$2.10	\$632.10
29-Nov-08	66	301	WAS	NHV	\$1.60	\$481.60
6-Dec-08	450	62	NHV	SPG	\$2.10	\$130.20
6-Dec-08	450	62	NHV	SPG	\$1.60	\$99.20
TOTAL MILES		6108	TOTAL TRANSPORTATION			\$11,299.80

### Parking Charges

Days	
5	16,17,18,19,20
4	24,25,26,27
5	1,2,3,4,5

Location	Daily Rate
NHV	\$100.00
MIA	\$100.00
NHV	\$100.00

Sub Total
\$1,000.00
\$800.00
\$1,000.00
\$0.00

Exemption 5  
Deliberative Process

TOTAL PARKING

\$2,800.00

### Amtrak Miscellaneous Charges

Date	Location	Switching	Septic	Car Wash	Extra Crews	Sub Total
21-Nov-08	WAS		\$75.00			\$150.00
29-Nov-08	WAS		\$75.00			\$150.00
						\$0.00
						\$0.00

TOTAL MISCELLANEOUS CHARGES

\$300.00

### Railroad Switching Charges

Date	Location	BNSF	CSX	NS	UP	Sub Total
						\$0.00
						\$0.00
						\$0.00
						\$0.00

TOTAL RAILROAD CHARGES

\$0.00

### Amtrak Car Administrative Fee

PC 1 Date	Amount	Cars	Car #	Sub Total
				\$0.00
				\$0.00
				\$0.00

TOTAL ADMINISTRATIVE CHARGES

\$0.00

### Transportation Charges

### Parking Charges

### Amtrak Miscellaneous Charges

### Railroad Charges

### Amtrak Car Administrative Fee

### GRAND TOTAL

Notes:

Exemption 5  
Deliberative Process

Sub Totals

\$11,299.80

\$2,800.00

\$300.00

\$0.00

\$0.00

\$14,399.80

Prepared by:

Processed By:

10:16 AM

SYSTEM OPERATIONS

11/12/2008

Exemption 5  
Deliberative Process

ATTACHMENT 3A

**AMTRAK**

Greenwich Estate

Revised 3/10/09

3/10/2009

ATTACHMENT 2'D

Name:  
Address:  
City/State/Zip Code:  
E-Mail Address:  
Movement Date:

03/01/08

**Car Number:**  
800709  
800738

**Car Name:**  
Greenwich Harbor  
Greenwich Estate

**PNR:**

086AD6

Revised 3/10/09

### Transportation Charges

Date	Train #	Miles	Origin	Destination	Rate/Mile	Sub Total
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
	TOTAL MILES	0			TOTAL TRANSPORTATION	\$0.00

### Parking Charges

<u>Days</u>	<u>Location</u>	<u>Daily Rate</u>	<u>Sub Total</u>
8	NHV	\$100.00	\$800.00
2	WAS	\$100.00	\$200.00
			\$0.00
			\$0.00
		<b>TOTAL PARKING</b>	<b>\$1,000.00</b>

### Amtrak Miscellaneous Charges

<u>Date</u>	<u>Location</u>	<u>Switching</u>	<u>Septic</u>	<u>Car Wash</u>	<u>Extra Crews</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
					<b>TOTAL MISCELLANEOUS CHARGES</b>	<b>\$0.00</b>

### Railroad Switching Charges

<u>Date</u>	<u>Location</u>	<u>BNSF</u>	<u>CSX</u>	<u>NS</u>	<u>UP</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00
					<b>TOTAL RAILROAD CHARGES</b>	<b>\$0.00</b>

**Amtrak Car Administrative Fee**

<u>PC 1 Date</u>	<u>Amount</u>	<u>Cars</u>	<u>Car #</u>	<u>Sub Total</u>	
				\$0.00	
				\$0.00	
			<b>TOTAL ADMINISTRATIVE CHARGES</b>		<b>\$0.00</b>

### Summary of Charges

Transportation Charges	\$0.00
Parking Charges	\$1,000.00
Amtrak Miscellaneous Charges	\$0.00
Railroad Charges	\$0.00
Amtrak Car Administrative Fee	\$0.00
<b>GRAND TOTAL</b>	<b>\$1,000.00</b>

Notes:

REVISED - 3/10/09 - Parking for one car was omitted on original bill.

Prepared by: \_\_\_\_\_ Processed By: \_\_\_\_\_

11:28 AM

## SYSTEM OPERATIONS

3/10/2009



# Exemption 6

ATTACHMENT 3C

## AMTRAK PRIVATE CAR BILLING WORKSHEET

Name:  
Address:  
City/State/Zip Code:  
E-Mail Address:  
Movement Date:

Various

Car Number:  
800709  
800738

Car Name:  
Greenwich Harbor  
Greenwich Estate

PNR:

08AFEC & 0E12FD  
Revised 3/19/09

### Transportation Charges

Date	Train #	Miles	Origin	Destination	Rate/Mile	Sub Total
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
						\$0.00
TOTAL MILES		0			TOTAL TRANSPORTATION	\$0.00

### Parking Charges

Days			Location	Daily Rate	Sub Total
1	28-Jun	2 CARS	NHV	\$100.00	\$200.00
1	2-Aug	1 CAR.	NHV	\$100.00	\$100.00
1	11-Aug	1 CAR	NHV	\$100.00	\$100.00
					\$0.00
TOTAL PARKING					\$400.00

### Amtrak Miscellaneous Charges

Date	Location	Switching	Septic	Car Wash	Extra Crews	Sub Total
						\$0.00
TOTAL MISCELLANEOUS CHARGES						\$0.00

### Railroad Switching Charges

Date	Location	BNSF	CSX	NS	UP	Sub Total
						\$0.00
						\$0.00
						\$0.00
TOTAL RAILROAD CHARGES						\$0.00

### Amtrak Car Administrative Fee

PC 1 Date	Amount	Cars	Car #	Sub Total
				\$0.00
				\$0.00
TOTAL ADMINISTRATIVE CHARGES				\$0.00

### Summary of Charges

	Sub Totals
Transportation Charges	\$0.00
Parking Charges	\$400.00
Amtrak Miscellaneous Charges	\$0.00
Railroad Charges	\$0.00
Amtrak Car Administrative Fee	\$0.00
<b>GRAND TOTAL</b>	<b>\$400.00</b>

Notes: REVISED - 3/19/09 - Parking fees were not charged appropriately on earlier bills (pnr 08AFEC for June 28th & pnr 0E12FD FOR August 2nd and August 11th).

Prepared by:

Processed By:

9:15 AM

SYSTEM OPERATIONS

3/26/2009

ATTACHMENT 3D

**Name:**  
**Address:**  
**City/State/Zip Code:**  
**E-Mail Address:**  
**Movement Date:**

[REDACTED]

Car Number:  
800709  
800738

**Car Name:**  
Greenwich Harbor  
Greenwich Estate

**Movement Date:** 11/15/08

**PNR:**

08E500

Revised 3/10/09

### Transportation Charges

[illegible]

TOTAL MILES 0

<b>TOTAL TRANSPORTATION</b>	<b>\$0.00</b>
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### Parking Charges

<u>Days</u>			<u>Location</u>	<u>Daily Rate</u>	<u>Sub Total</u>
1	23-Nov	2 CARS	MIA	\$100.00	\$200.00
1	30-Nov	2 CARS	NHV	\$100.00	\$200.00

	\$0.00	
<b>TOTAL PARKING</b>		<b>\$400.00</b>

### Amtrak Miscellaneous Charges

<u>Date</u>	<u>Location</u>	<u>Switching</u>	<u>Septic</u>	<u>Car Wash</u>	<u>Extra Crews</u>	<u>Sub Total</u>
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	\$0.00	
<b>TOTAL MISCELLANEOUS CHARGES</b>		<b>\$0.00</b>

### Railroad Switching Charges

<u>Date</u>	<u>Location</u>	<u>BNSF</u>	<u>CSX</u>	<u>NS</u>	<u>UP</u>	<u>Sub Total</u>
						\$0.00
						\$0.00
						\$0.00

<b>TOTAL RAILROAD CHARGES</b>	<b>\$0.00</b>
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**Amtrak Car Administrative Fee**

<u>PC 1 Date</u>	<u>Amount</u>	<u>Cars</u>	<u>Car #</u>	<u>Sub Total</u>
				\$0.00
				\$0.00
<b>TOTAL ADMINISTRATIVE CHARGES</b>				

<b>TOTAL ADMINISTRATIVE CHARGES</b>	<b>\$0.00</b>
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### Summary of Charges

Transportation Charges	\$0.00
Parking Charges	\$400.00
Amtrak Miscellaneous Charges	\$0.00
Railroad Charges	\$0.00
Amtrak Car Administrative Fee	\$0.00

GRAND TOTAL	\$400.00
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Notes: **REVISED - 3/10/09** - Two cars travelled together - parking fees were not charged for either car for November 23rd & 30th.

Prepared by:

**Processed By:**

3:23 PM

SYSTEM OPERATIONS

3/23/2009

ATTACHMENT 5

NATIONAL RAILROAD PASSENGER CORPORATION  
80 Massachusetts Avenue, NE, Washington DC 20002  
tel 202 908.3000 fax 202 908.3308

Exemption 6

Memo

AMTRAK

Date March 19, 2009  
To Don Cushman

From Joe McHugh  
Department VP-Govt Affairs and Corp. Comm.  
Subject Private Car Moves-WAS Centennial  
cc [REDACTED]

Message As you will recall, on August 4 and August 25, 2008, I wrote letters to all of the museums providing equipment including the Potomac Eagle Scenic Railroad, regarding the use of their private cars and locomotive and the Smithsonian Institute for the Southern RPO car (800 designated). The letters were to formally request the utilization of their respective equipment for the Washington Union Station Centennial Celebration held on October 4-5, 2008. As noted in each letter I stated that, "Amtrak will provide a letter of self-insurance, work directly with the host railroad to arrange for the equipment movement, and cover all costs associated with any required inspections and transportation of the locomotive to/from Washington, DC." Aside from participation on the calls, you and [REDACTED] were copied on all correspondence.

Written notes from conference calls held the week of August 25, 2008, refer repeatedly that there will be no charge for private car owners and that the moves will be gratis, parking gratis, and switching moves gratis, for time here for the open house Saturday/Sunday."

[REDACTED] letters of September 5, 2008, to all of the private car owners reference my letters requesting use of the private cars for the Centennial Celebration.

A Centennial communications plan was released with wide distribution on September 12 and the Amtrak Board of Directors was briefed on the event on September 18 (attached) as well as being invited to participate in the celebration. Donna McLean, our Board Chair at the time made welcoming remarks. The Board was very supportive of this event.

While no specific note or e-mail that we can locate was sent to you directly--since the matter was exhaustively discussed via several phone calls and was the subject of Executive Committee and Board discussions--in the future we will make certain that any requests to waive fees for the movement, parking or services of private cars be sent to you in writing by me as an officer of the

Page 2

company. It was obvious from the discussions, briefing and supporting correspondence that the intent was not to have any charges applied to any of the private car moves and that all fees and costs associated with their participation in the event would be waived. The Centennial was an Amtrak sponsored event and the owners were our guests who made their cars available for tours to the over 7,000 guests, including a private reception for our Board and honored guests on Sunday, October 5.

All of the documents referenced in this memo are on file should you need them.

The event was an incredible success for the company. It could not have been accomplished without the support of the museums and the private car owners.

Again, thank you and your office for all the help in this terrific celebration. If you have any questions, please don't hesitate to ask.

## Exemption 6

( ATTACHMENT 6

Cushine, Don

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From: Phelps, Richard  
Sent: Friday, April 25, 2008 6:10 PM  
To: Cushine, Don  
Cc: [REDACTED]  
Subject: Re: National Train Day - Private Car Question

Don - It appears to be reasonable and as long as the cars are available and accessible to Amtrak during this time frame, I am ok with it. Thanks

----- Original Message -----

From: Cushine, Don  
To: Phelps, Richard  
Cc: [REDACTED]  
Sent: Fri Apr 25 14:55:08 2008  
Subject: National Train Day - Private Car Question

Richard:

As part of National Train Day events, we have a few private cars that have volunteered to participate in Amtrak events; they are Patrick Henry's 2 cars in Chicago and the Dover Harbor in Washington. As a result of our using them for these events, they have requested that they not be charged for parking as a result. I do not have a problem with this request but I need your approval. My recommendation is that any private car used for these festivities be credited for 3 nights of free parking which would include, the day before the event, the day of the event and the day after the event. Currently, I only have requests for the use of these three cars however, if we did get any last minute requests from the division, I would honor those as well.

Please let me know if you are okay with this recommendation so that we can credit them accordingly.

Don

Exemption 6

ATTACHMENT 7A  
NATIONAL RAILROAD PASSENGER CORPORATION  
15 South Poplar Street, Wilmington, DE 19801



March 26, 2009

Dear [REDACTED]

As you are aware, we were recently interviewed by Amtrak's Office of the Inspector General regarding parking fees for the Greenwich Harbor and Greenwich Estate at New Haven between June 28, 2008 and October 11, 2008.

Upon final review, our department missed a total of 35 nights of parking at that location totaling \$3,500. I later audited trips for these cars for the entire calendar year of 2008 and as a result, I found an additional \$1,400 of parking charges that were not billed. This is a total of \$4,900 of missed charges for the year. I also had an internal audit done to review all moves from the start of the fiscal year through the end of February. As a result of this audit, we found nine discrepancies totaling \$1,920 of missed revenue. Once again, the main problem seemed to center around two basic issues, missed parking nights and accounting for the appropriate number of cars. This simply cannot continue.

I believe that part of the problem is that we are not uniformly accounting for parking fees and that everyone in our group accounts for this on the billing worksheets differently. This can lead to mistakes that can add up to quite a bit of missed revenue for Amtrak. To help improve this process, I have changed the Private Car Billing Worksheet so that it makes it more difficult to miss additional days of parking as well as accounting for the correct number of cars that should be billed. However, this does not eliminate the "Human" factor of insuring that all charges are correctly identified and invoiced. In order to avoid these problems in the future, every private car must be accurately tracked while it is on Amtrak property. In addition, regular yard checks are to be conducted at all locations where Amtrak parking fees are charged to insure that private cars are billed correctly.

It is imperative that we bill everything as outlined in the Private Car Tariff and there will be no exceptions allowed unless it is authorized by Mr. Phelps if the total is under \$1,000. If the amount exceeds this figure, an Amtrak executive committee member must authorize that exception.

Your help and cooperation in improving this process and avoiding these issues in the future is expected and appreciated.

A handwritten signature in dark ink, appearing to read "Don Cushine".

Don Cushine  
Senior Director -- System Operations

## Exemption 6

ATTACHMENT 7B  
NATIONAL RAILROAD PASSENGER CORPORATION  
15 South Poplar Street, Wilmington, DE 19801



March 26, 2009

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Don Cushine  
Senior Director -- System Operations

ATTACHMENT 7C

NATIONAL RAILROAD PASSENGER CORPORATION  
15 South Poplar Street, Wilmington, DE 19801

**Exemption 6**



March 26, 2009

Dear [REDACTED]

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Your help and cooperation in improving this process and avoiding these issues in the future is expected and appreciated.

A handwritten signature in dark ink, appearing to read "Don Cushine". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

Don Cushine  
Senior Director - System Operations



ATTACHMENT 7D

## Exemption 6

NATIONAL RAILROAD PASSENGER

CORPORATION

15 South Poplar Street, Wilmington, DE 19801



March 26, 2009

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Don Cushine  
Senior Director -- System Operations