

**The following email details a review of Amtrak's post accident-testing record:**

**From:** lamar.allen@dot.gov [lamar.allen@dot.gov]  
**Sent:** Thursday, January 17, 2008 9:19 AM  
**To:** grady.cothen@dot.gov; Bonds, Bobby  
**Subject:** Amtrak Post-Accident Data

Bobby your statement to me the other day that Amtrak had not had a post-accident positive since 1988 (which was essentially when you implemented your Peer Prevention Programs) was such a HUGE safety statement that Kathy and I were compelled to check our own data on the issue. Our data documents some activity but still supports your point that Safety is enhanced by adding this component to your tool-box. I plan to support this position and to hold Amtrak's program up as evidence of that Safety Enhancement.

Our records show Amtrak had 57 events involving testing of about 200 Amtrak employees from 1989 through 2007 with the following test results:

Use of Illegal Drugs or Refusals:

- 2004: 1 Amtrak employee refused a post-accident test (verified refusal)
- 1991: Amtrak employee tested positive for Opiates (verified positive)
- 1989: Amtrak deceased employee tested positive for Alcohol (0.073)
- 1989: Amtrak employee tested positive for Cocaine (verified positive)

Lab Positives Downgraded to Negative Due to Use of Prescription Medication:

- 2006: Amphetamine
- 2002: Benzo
- 1999: Benzo
- 1992: Opiate

Note---Although these laboratory positives were downgraded to verified negatives they remain a safety concern that these employees were in covered positions utilizing legal medication which could have adversely affected job performance. If all the provisions of 219.103 were complied with then the safety risk would be lower but the status of such compliance is unknown---that is why they remain a safety concern.

**Now having said all this I know no other major railroad program comes close to having Post-Accident data this good! Congratulations!**

---

The following bullets present the context of the FRA's comments:

- RedBlock was not fully implemented system wide until 1992, after which NO positive post accident drug test occurred.
- The drug refusal in 2004 was a conductor who walked off the job directly after an accident, and was never heard from again. The local opinion from labor and management was that his leaving the scene of an accident, non-appearance at the investigation and trial gave everyone the indication that the employee was reluctant to challenge his responsibility in the accident, and dispute his guilt or innocence. We uncovered no evidence that the employee had a drug or alcohol problem.
- The last Amtrak in the line of duty death occurred in New England prior to the implementation in the New England Division of RedBlock in 1990. Since that time we have had 40 Amtrak lives lost while working none of fatality injured autopsy reports indicated any drugs or alcohol.
- As noted: although the FRA views prescription medication as a safety risk. Each of the downgraded tests during this period was legally prescribed medications.