

<b>REQUEST FOR RECORDS DISPOSITION AUTHORITY</b>		JOB NUMBER <i>NI-134-08-1</i>	
To NATIONAL ARCHIVES and RECORDS ADMINISTRATION (NIR) WASHINGTON, DC 20408		DATE RECEIVED <i>1/13/07</i>	
1 FROM (Agency or establishment) Department of Transportation		NOTIFICATION TO AGENCY  In accordance with the provisions of 44 U S C 3303a, the disposition request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10	
2 MAJOR SUBDIVISION Surface Transportation Board			
3 MINOR SUBDIVISION			
4 NAME OF PERSON WITH WHOM TO CONFER Arlene Jeffcoat	5 TELEPHONE (202) 565-1702	DATE <i>9-2-09</i> <del>12/11/2006</del>	ARCHIVIST OF THE UNITED STATES <i>Adrienne Thomas</i>
6 AGENCY CERTIFICATION I hereby certify that I am authorized to act for this agency in matters pertaining to the disposition of its records and that the records proposed for disposal on the attached ___ page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified, and that written concurrence from the General Accounting Office, under the provisions of Title 8 of the GAO manual for Guidance of Federal Agencies,  <input type="checkbox"/> is not required, <input type="checkbox"/> is attached, or <input type="checkbox"/> has been requested			
DATE <i>12/11/06</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i>		TITLE <i>Records Officer</i>

7 Item No	8 DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9 GRS OR SUPERSEDED JOB CITATION	10 ACTION TAKEN (NARA USE ONLY)
	THIS SCHEDULE SUPERSEDES THE FOLLOWING INTERSTATE COMMISSION <sup>1</sup> SCHEDULES:		
	NC1-134-80-1	NC1-134-83-6	N1-134-93-2
	NC1-134-80-2	NC1-134-83-7	N1-134-93-3
	NC1-134-80-3	NC1-134-83-8	N1-134-95-1
	NC1-134-80-4	NC1-134-84-1	N1-134-96-1
	NC1-134-80-5	NC1-134-84-2	N1-134-96-2
	NC1-134-82-1	NC1-134-84-3	N1-134-96-3
	NC1-134-82-2	N1-134-85-1	N1-134-99-1
	<del>N1-134-83-1</del>	NC1-134-85-2	N1-134-99-2
	<del>N1-134-83-2</del>	N1-134-87-1	N1-134-99-3
	<del>N1-134-83-3</del>	N1-134-90-2	N1-134-99-4
	<del>NC1-134-83-4</del>	N1-134-92-1	

<sup>1</sup> The ICC Termination Act of 1995, Pub. L. No. 104-88, 109 Stat. 803 (the ICCTA), which was enacted on December 29, 1995, and took effect on January 1, 1996, abolished the Interstate Commerce Commission (ICC) and transferred certain functions and proceedings to the Surface Transportation Board (Board). Section 204(b)(1) of the ICCTA provides, in general, that proceedings pending before the ICC on the effective date of that legislation shall be decided under the law in effect prior to January 1, 1996, insofar as they involve functions retained by the ICCTA. This decision relates to a proceeding that was pending with the ICC prior to January 1, 1996, and to functions that are subject to Board jurisdiction pursuant to 49 U.S.C. 10903. Therefore, this decision applies the law in effect prior to the ICCTA, and citations are to the former sections of the statute, unless otherwise indicated.

## SF-115: RECORDS OF THE SURFACE TRANSPORTATION BOARD

Except as noted, this schedule is media neutral.

### 1. RECORDS OF THE CHAIRMAN AND BOARD MEMBERS

(Supersedes NC1-134-83-8, items 1, 2, 4, 7, 12, 17, 18, 19, 20, 24)

These records are official government records created in the conduct of government business. The records are not the personal property of the Chairman and other Board Members and are not to be removed from the Board at the end of his/her term or at any other time except according to the provisions of this schedule. The Chairman or any other Board member may accumulate personal records during his/her term. These should be clearly designated as non-official and kept separately from official government records.

A (N1-134-08-1, item 1) DOCKET WORKING FILE: Chairman or any other Board Member's working file of dockets. Includes applications, pleadings, petitions, correspondence, and decisions. Official copy of the docket is on microform or is digitally stored (Supersedes NC1-134-83-8, item 1)

**Temporary. Cut off file at the end of calendar year. Destroy when no longer needed for reference.**

B. (N1-134-08-1, item 2) INTERNAL CORRESPONDENCE FILE: Chairman and other Board Member's correspondence within the agency. Includes memoranda from the offices, status reports, and copies of studies. (Supersedes NC1-134-83-8, item 4).

**Temporary. Cut off at end of calendar year and destroy when 3 years old or when no longer needed for reference.**

C (N1-134-08-1, item 3) LEGISLATIVE FILE: Chairman's briefing material for Congressional hearings. Includes copies of testimony, correspondence, and comments on legislation. (Supersedes NC1-134-83-8, item 7).

**Temporary. Cut off files at end of Congressional session. Destroy 3 years after cut off.**

D (N1-134-08-1, item 4) BOARD MEMBER SPEECHES. Text of Chairman and other Board Member's prepared formal speeches. (Supersedes NC1-134-83-8, item 12).

**Permanent. If Paper or Hardcopy: Cut off speech file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are five years old.**

**If Electronic: Cut off speech file at end of calendar year. Transfer a "Pre-**

**Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 5 years after-cut-off.**

## **2. RECORDS OF THE OFFICE DIRECTORS**

(Supersedes NC1-134-84-2, item 1, 5,)

A. (N1-134-08-1, item 5) OFFICE DIRECTOR’S CORRESPONDENCE FILE: Director’s internal and external correspondence and memoranda concerning legislation, rail planning, rulemakings, rail carrier policy. Includes correspondence with Board members, consultants, Board’s offices, DOT, USRA, AAR, and others. (Supersedes NC1-134-84-2, item 1)

**Temporary. Cut-off at end of calendar year. Destroy 3 years after cut-off.**

B. (N1-134-08-1, item 6) PROJECT FILES: Correspondence, studies, and reports, concerning projects performed by the Section on the environment. (Supersedes NC1-134-84-2, item 5)

**Temporary. Close file at completion of project. Place in closed project files. Cut off closed project files at the end of calendar year. Destroy 3 years after cut-off, or when no longer needed for reference, whichever is longest.**

## **3. RECORDS OF THE BOARD’S DECISIONS AND NOTICES**

Records documenting Board proceedings and actions taken on applications for rights and benefits, rulemakings, and complaints. A docket is established for each Board proceeding and is the official record of the proceeding. A docket often contains an application or complaint, protests, hearing transcripts and briefs, memoranda, reports, exceptions, petitions, correspondence, and decisions. There are several types of dockets, including:

A EX PARTE DOCKETS (EP): Proceedings of general interest to the transportation industry and those involving rules and regulations. (Supersedes NC1-134-83-1).

1. (N1-134-08-1, item 7) Significant EP Dockets. These are dockets that have been determined by the STB to (a) cover the most important, controversial, and/or historic cases decided by the agency, and (b) contain substantive documentation of research value that does not appear in the STB Decisions (Supersedes NC1-134-83-1, item 1A).

**Permanent. If Paper or Other Hardcopy: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer cut-off files directly to National Archives 10 years after-cut-off.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.**

2. (N1-134-08-1, item 8) All Other EP Dockets (Supersedes NC1-134-83-1, item 1B)

**Temporary. Close docket files at completion of proceedings/STB issues a final decision. Cut off file at end of calendar year. Destroy 25 years after cut-off.**

B. Dockets with the following categories that have been determined by the STB to (a) cover the most important, controversial, and/or historic cases by the agency, and (b) contain substantive documentation of research value that does not appear in the STB Decisions

1. (N1-134-08-1, item 9) Formal Dockets (NOR - Rail): Concerns Board investigation of compliance of rail carriers with provisions of Part I of the Act, rates, fares, charges, classification, regulations, and practices of carriers, investigation of changes in schedules, and general rate matters. (Supersedes NC1-134-83-1, item 2A)

**Permanent. If Paper or Other Hardcopy: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer cut-off files directly to National Archives 10 years after-cut-off.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off. .**

(N1-134-08-1, item 10) Formal Dockets (WCC - Water): Concern inquiries into the activities of water carriers. (Supersedes NC1-134-83-1, item 2A)

**Permanent. If Paper or Other Hardcopy: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer cut-off files directly to National Archives 10 years after-cut-off.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.**

C. Dockets with the following categories that have been determined by the STB to cover neither important, controversial, and/or historic cases by the agency, and do not contain substantive documentation of research value that does not appear in the STB Decisions.

1 (N1-134-08-1, item 11) Formal Dockets (NOR - Rail): Concerns Board investigation of compliance of rail carriers with provisions of Part I of the Act, rates, fares, charges, classification, regulations, and practices of carriers, investigation of changes in schedules, and general rate matters (Supersedes NC1-134-83-1, item 2B)

**Temporary. Close docket files at completion of proceedings. Cut off file at end of calendar year. Destroy files 25 years after-cut-off.**

2. (N1-134-08-1, item 12) Formal Dockets (WCC - Water): Concern inquiries into the activities of water carriers. (Supersedes NC1-134-83-1, item 2B).

**Temporary. Close docket files at completion of proceedings. Cut off file at end of calendar year. Destroy files 25 years after-cut-off.**

D OTHER PUBLIC DOCKETS. (Supersedes N1-134-99-2)

1 (N1-134-08-1, item 13) Public docket, General Finance Dockets (FD)

These dockets consists of applications and subsequent proceedings that concern the issuance of securities by rail carriers and persons holding positions as officers or directors of more than one rail carrier. These dockets also relate to reorganization plans, appointments of trustees, proxy authorizations, and deposit agreements filed under the Uniform Bankruptcy Act, the guarantee by the Commission/Board of loans granted by lending institutions to railroads, the extension of railroad lines or the abandonment of lines and services, and modifications of a railroad's financial status to make the investment in securities safe. An important subject matter of the dockets is the documentation of proceedings for the discontinuance of operations or service by interstate railroads. Other Finance Dockets concern railroad pooling or division of traffic, the purchase, control, merger, lease, or consolidation of operating rights by railroads.

The dockets include applications or petitions by railroad companies, decisions and orders of the Commission/Board, briefs, testimony, exhibits which include maps, charts, and photographs, loan applications and agreements, mortgages, contracts, and leases.

The Finance Docket contains detailed information concerning the organization functions and operations of railroad companies. The authority issued, where applicable, in the form of certificates, licenses, or permits, may describe the extent of routes, stops, and jurisdictions, and types of property to be transported. These dockets extensively detail the financial history of individual railroads from 1920-1995, particularly information concerning the railroad itself. Much of the research interest in records relating to railroads involves a search for information concerning the property, activities and operations of the individual railroad companies. Since many of these railroad companies have gone out of business, many of their records are lost to history. Consequently, there have been a significant amount of research requests for finance Dockets. Also despite the fact that the commission/board decisions and orders of some of the most important Finance Dockets have been published in the ICC/STB Reports, there is much documentation that is useful for researchers in the applications and briefs and particularly in the exhibits. In addition, NARA has custody of Finance Dockets #1-1000, dating from 1920. The finance Dockets currently in the WNRC are an accretion to this series. Interstate Commerce Commission Records that are located at the Surface Transportation Board and stored at the WNRC were transferred to NARA immediately after acceptance of schedule 134-99-2

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**Permanent. If Paper or Other Hardcopy: Close case file upon completion of case. Cut off closed case files at end of calendar year. Transfer to NARA ten years after cut-off.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.**

2. (N1-134-08-1, item 14) Public Dockets, Abandonment Dockets (AB)

These records are the official docket files of applications for certificates of public convenience and necessity authorizing the abandonment of a line of railroad or discontinuance of the operation thereof filed according to the provisions of the ICCTA and decided by the Interstate Commerce Commission/STB. Rail abandonment cases were included with Finance Dockets until 1972 when an ICC ruling separated the rail abandonment cases and resulted in the filing of these formal proceedings under the AB prefix. These case files include significant documents such as applications, petitions or notices of the railroad company for abandonment, the protests against abandonment, briefs, the notice and order of the Commission/STB, testimony, and exhibits which may include maps, charts, and photographs. The Abandonment Dockets are not only an important source of information concerning the financial history of the railroad, but also serve to illustrate the social and economic history of the local area affected by the proposed abandonment. The decline in railroad track mileage since 1920 has been an important facet of U.S. transportation history and has been the subject of research interest among historians interested in transportation and railroad history. **Interstate Commerce Commission Records that are located at the Surface Transportation Board and stored at the WNRC were transferred to NARA immediately after acceptance of schedule 134-99-2.**

**Permanent. If Paper or Hardcopy (includes microform): Close case file upon completion of case. Cut off closed case files at end of calendar year. Transfer to NARA ten years after cut-off.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.**

3. (N1-134-08-1, item 15) ABANDONMENT SUBMISSIONS: Copies of railroad abandonment applications used as reference in preparing analyses of the impact of abandonments. Record copy located in Public Docket (Supersedes NC1-134-84-2, item 10)

**Temporary. Destroy when 3 years old**

4. (N1-134-08-1, item 16) SYSTEM DIAGRAM MAPS: Maps and descriptions of railroad systems indicating potential and pending abandonments. Used in preparing annual mileages of potential abandonments for Federal Railroad Administration funding programs and to inform the public about abandonments. (Supersedes NC1-134-84-2, item 9)

**Temporary. Destroy when no longer used for reference.**

## **E. RECORDS RELATED TO TARIFFS**

1. (N1-134-08-1, item 17) OFFICIAL TARIFF FILES. (Supersedes N1-134-99-3)

Official tariff files, consisting of an official file copy of each tariff filed with the Board by carriers, providing rates, charges, classification, rules, regulations, and practices of the carriers regarding the transportation of property and passengers.

**Temporary. After cancellation, place in cancelled tariff file. Cut off at end of calendar year. Destroy five years after cut-off.**

2. (N1-134-08-1, item 18) RATE BUREAU AGREEMENTS. (Supersedes N1-134-96-3)

Records filed with the Surface Transportation Board under new 49 U.S.C. 10706, Rate agreements; exemption from antitrust laws and 49 U.S.C. 13703, Certain collective activities; exemption from antitrust laws, include railroad and motor carrier rate bureau agreements and amendments submitted for Board approval, confidential transcripts or sound recordings of rate bureau meetings and voting records, and shipper agreements with regard to compensations for the use by rail carriers of shipper-owned or leased rolling stock. Records were formerly filed with the Interstate Commerce Commission under 49 U.S.C. 10706(a) and (b). Section 10706(a) pertained to railroads and section 10706(b) pertained to motor carriers

Prior to 1976, motor and rail agreements were governed by section 5a of the Interstate Commerce Act (ICA). The Railroad Revitalization and Regulatory Reform Act of 1976, Pub L. No. 94-210, 90 Stat. 31, amended section 5a of the ICA, effective November 1, 1976, by deleting reference to railroads, and enacted a new section 5b governing railroad collective rate making agreements. In 1978, sections 5a and 5b were recodified as 49 U.S.C. 10706(a) and 10706(b), respectively.

**Temporary. Cut-off files at the end of fiscal/calendar year. Destroy 30 years after cut-off.**

## **F. ENVIRONMENTAL REVIEW RECORDS**

(Supersedes NC-1-134-84-2, items 6, 7)

1. (N1-134-08-1, item 19) ENVIRONMENTAL ASSESSMENTS: Staff studies of the environmental effect of a proposed action not having a significant impact on the environment.

**Temporary. Close file at completion of EA. Place in closed EA files. Cut off closed EA files at the end of calendar year. Destroy 3 years after cut-off.**

2. (N1-134-08-1, item 20) ENVIRONMENTAL IMPACT STATEMENTS: Environmental impact statements consisting of a complete and comprehensive analysis of a proposed major Federal action affecting the environment.

**Temporary. Close file at completion of EA. Place in closed EA files. Cut off closed EA files at the end of calendar year. Destroy 3 years after cut-off, or when no longer needed for reference, whichever is longest.**

## **G. ENFORCEMENT RECORDS**

1. (N1-134-08-1, item 21) OFFICIAL SERVICE DOCKET FILES. (Supersedes NC1-134-83-2, item 1)

Official service order files, consisting of an official copy served by the Board, describing the transportation to be performed by the carriers and any applicable rates, charges, tariff exceptions, classifications, rules, regulations, service requirements of the order, and specific effective periods.

**Temporary. Close docket files at expiration of service order. Cut off file at end of calendar year. Destroy 10 years after cut-off.**

## **H. ECONOMIC RECORDS**

(Supersedes NC1-134-83-5, items 31, 34, 35, 37B, 37C)

The Board's economists prescribe accounting and reporting rules, develop audit policy planning and evaluation, support the Board's decision-making process through cost and financial analysis, valuation, data collection and publication functions, and perform studies needed to obtain financial and statistical data used by cost and financial analysts and other in determining cost of transportation and service and revenue needed.

1. (N1-134-08-1, item 22) REPORTS REVIEW CORRESPONDENCE: Reports review correspondence with carriers regarding errors, omissions, and inconsistencies in reports; delinquencies; extension of time for filing reports, and authorized changes in reports

**Temporary. Cut off file at end of calendar year. Destroy 3 years after cut-off.**

2. (N1-134-08-1, item 23) CARRIER REPORTS PUBLICATIONS FILE: Publication consisting of monthly, quarterly, and annual reports, bulletins, and summaries compiled from reports submitted by carriers subject to the ICCTA

**Temporary. Cut off annually and destroy when no longer needed.**

3. (N1-134-08-1, item 24) CASES: Analyses of cost evidence prepared for cases involving rate adjustments, divisions, reparations, and other complaints, and intrastate bus cases within Board jurisdiction. Used by the General Counsel and the Office of Proceedings for consideration in decision making.

**Temporary. Close case files at completion of case. Place in closed case files. Cut off file at end of calendar year. Destroy 3 years after cut-off.**

4. COST STUDIES: Cost records showing conclusions and formulas developed in determining carrier costs. Includes published studies and manuscripts showing net costs, operation factors, cost scales, and formulas for determining costs. Consists of rail and special studies.

a. (N1-134-08-1, item 25) Rail-Regional individual studies.

**Temporary. Close file at conclusion of study. Place in closed case files. Cut off file at end of calendar year. Destroy upon publication of next study.**

b. (N1-134-08-1, item 26) Special Studies.

**Temporary. Close file at conclusion of study. Place in closed case files. Cut off file at end of calendar year. Destroy when no longer needed for reference.**

#### 5. REPORTS AND STUDIES

Supersedes (N1-134-84-2, items 8a and 8b)

a. (N1-134-08-1, item 27) Published STB sponsored studies, reports, evaluations, and proceedings of conferences related to regulated surface transportation. Includes information and analyses of economic data used in determining regulatory policy.

**Permanent. If Paper or Hardcopy: Cut off published reports and study file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are ten years old.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a "Pre-Accession" copy of file to NARA at cut-off date.**

**Transfer legal custody of files to National Archives 10 years after-cut-off.**

b. (N1-134-08-1, item 28) Work papers.

**Temporary. Can be destroyed 3 years after completion of study or report.**

6. (N1-134-08-1, item 29) CARRIER ANNUAL REPORTS. (Supersedes N1-134-85-1)

Annual reports filed by carriers under jurisdiction of the Surface Transportation Board on forms prescribed by the Board according to mode of carrier, i e., railroad Reports contain financial and operating data on carriers such as revenues, expenses, income, dividends, interest, tax accruals, investment, capitalization, road track equipment, licenses, employees, and freight carried. Forms prescribing data to be reported vary according to carrier classification, which is based on annual operating revenues. Reports are submitted by Class I railroads.

**Permanent: If Paper or Other Hardcopy (includes microform): Cut off Carrier Annual Report file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are five years old.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a “Pre-Accession” copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 5 years after-cut-off.**

7 (N1-134-08-1, item 30) WAYBILL PUBLIC USE FILES. (Supersedes N1-134-93-2)

These electronic files represent an annual statistical sample of railroad traffic over the nation’s rail system These files are created from master data files by suppressing certain data to protect the business confidentiality of the reporting entity. The traffic information, for each waybill movement, includes the accounting period, number of carloads, American Association of Railroad (AAR) car type, hazardous/bulk material in box car flag, commodity code, billed weight in tons, transit revenues, type of move, origin and termination Business Economic Areas (BEA), origin and termination rate territory. The purpose of the sample is to measure railroad traffic flows and freight rate characteristics on a continuous nation wide basis. [1983 and thereafter]

**Permanent. Cutoff (Take Snapshot of) at end of calendar/fiscal year. Transfer copy to the National Archives in August of the following year.**

## **I. CONGRESSIONAL RECORDS**

1. (N1-134-08-1, item 31) CONGRESSIONAL CORRESPONDENCE: Correspondence with congress concerning questions and complaints of constituents and the STB regulatory role. Includes correspondence on rail abandonments, mergers, and household goods complaints. Arranged alphabetically by name of Congressman or State. (Supersedes NC1-134-83-8, items 9 and 17)

**Temporary. Cut off correspondence at the end of each Congressional session (2-year cycle). Destroy 10 years after cut-off.**

2. (N1-134-08-1, item 32) COMMITTEE FILES: Board member correspondence with congressional committees concerning the regulation of transportation, and legislation affecting the STB. (Supersedes NC1-134-83-8, item 18)

**Temporary. Cut-off files at end of each Congressional session (2-year cycle). Destroy 10 years after cut-off.**

3. (N1-134-08-1, item 33) DECISION FILE: Reference copies of important Board decisions. Arranged by docket numbers within type of decision. (Supersedes NC1-134-83-8, item 19)

**Temporary. Destroy when no longer needed for reference**

4. (N1-134-08-1, item 34) HEARING FILES: Copies of testimony of Board staff before the House or Senate on legislative proposals affecting transportation regulation. Includes testimony of other witnesses and backup material for hearing (Supersedes NC1-134-83-8, items 24, 25, 26)

**Temporary. Cut-off at end of calendar year. Destroy 5 years after cut-off.**

## **J. RECORDS OF THE GENERAL COUNSEL**

(Supersedes NC1-134-84-1, items 1, 2)

1 (N1-134-08-1, item 35) GENERAL COUNSEL'S NUMBERED MEMORANDA: Official file copies of General Counsel's memoranda concerning laws and statues applicable to or affecting the Board and matters involving Board functions and activity. Filed in binders by volume number; therein by consecutive memoranda number

**Permanent. If Paper or Other Hardcopy Cut off Binder/Volume at end of calendar year. Transfer cut-off files to the National Archives in ten year blocks when the most recent records in that block are 20 years old.**

**If Electronic: Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a "Pre-Accession" copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 20 years after-cut-off.**

2 (N1-134-08-1, item 36) BOARD COURT FILES: Court files documenting General Counsel's participation in defending the Board positions and decisions in proceedings to set aside, enjoin, cancel, or annul orders. Includes briefs and pleadings of the Board and other parties to cases.

**Temporary. File in closed case file. Cut-off at end of calendar year. Destroy 20 years after cut-off. Restricted to STB personnel only.**

#### **K. RECORDS RELATED TO PUBLIC FUNCTIONS AND THE MEDIA**

(Supersedes NC1-134-80-4)

1. (N1-134-08-1, item 37) BOARD PRESS RELEASES: Official set of Board press releases on subjects relating to transportation regulations (Supersedes NC1-134-80-4, item 1).

**Permanent. Cut off file at end of calendar year. Transfer cut-off files directly to National Archives 3 years after-cut-off.**

2. (N1-134-08-1, item 38) BOARD CONFERENCE TAPES: Tape, video, and digital recordings of Board Conferences providing documentation of the organization, functions, policies, procedures, and transactions of the Board. (Supersedes NC1-134-80-4, item 2)

**Permanent. Cut off file at end of calendar year. Transfer cut-off files directly to National Archives 2 years after-cut-off in accordance to NARA transfer guidance and regulation.**

3. (N1-134-08-1, item 39) BOARD CONFERENCE FILES. Records produced in preparing for Board conferences. Includes copies of public notice of conferences and staff material given to the public at conferences. (Supersedes NC1-134-80-4, item 5).

**Permanent. Close file of record copy of conference material upon completion of Conference. Cut off closed file at end of calendar year. Transfer cut-off files directly to National Archives 3 years after-cut-off.**

4. (N1-134-08-1, item 40) NEWS CLIPPINGS: News clippings concerning the Board (Supersedes NC1-134-80-4, item 3).

**Temporary. Cut off at end of calendar year. Destroy 2 years after cut-off.**

## **L. ADMINISTRATIVE AND OTHER RECORDS OF THE BOARD**

1. (N1-134-08-1, item 41) CORRESPONDENCE (Other than Congressional): Copies of correspondence with the public primarily concerning household goods complaints and requests for information not related to an existing docket. (Supersedes NC1-134-83-8, item 20)

**Temporary. Cut off annually and destroy one year later.**

### 2. REFERENCE FILES AND WORKING PAPERS

(Supersedes NC1-134-83-3, items 3 and 6)

a. (N1-134-08-1, item 42) REFERENCE FILES. Non-record copies of Board minutes, orders, circulars, manuals, regulations, and comparable publications, official file copies of which are maintained elsewhere; copies of exhibits; copies of transcript of hearings; copies of court briefs; copies of reports; carrier and other commercial publications, publications of other Government agencies; copies of General Counsel's memoranda; printed Congressional hearings and processed issuances concerning hearings; copies of speeches; news clippings and extra copies of news and press releases (including press releases other than those issued by STB); and comparable publications and issuances maintained solely for convenience of reference and not required to document a specific action or case.

**Temporary. Cut off file annually. Destroy when no longer needed for reference use.**

b. (N1-134-08-1, item 43) WORKING PAPERS: Copies of records used in preparing reports, studies, and decisions. Copies of decisions hearing transcripts, rough drafts, and other papers duplicated in official files.

**Temporary. Close file when study completed. Cut-off closed files at end of calendar year. Destroy 3 years after cut-off.**

### 3. FEDERAL REGISTER CITATION FILES and RELATED RECORDS

(Supersedes NC1-134-84-3, items 1, 4 6, 8a, 8b, 9, 12, 13, 14, 15, 16, 17)

a. (N1-134-08-1, item 44) FEDERAL REGISTER CITATIONS FILE: The file is a copy of the STB Form ICC-1007, Federal Register/Clearance Unit Publication Control. This form is prepared for each notice/rule that the Board publishes in the Federal Register. STB Form ICC-1007 contains information relating to the case docket number, title, publication date and Federal Register citation.

**Temporary. Destroy 3 years after publication of FR notice/rule.**

b. CLEARANCES FOR DOCKETED AND UNDOCKETED PROCEEDINGS: Files that contain the clearance memoranda (a recording) of the Entire Board's action on any formal or informal proceeding on which it has voted.

i. (N1-134-08-1, item 45) DIGITAL COPY: Permanent. Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a "Pre-Accession" copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 30 years after-cut-off.

\*Current digital copy of records is PDF format. STB will transfer records to NARA in PDF format in accordance to current NARA guidelines.

ii. (N1-134-08-1, item 46) PAPER COPY: Temporary. Maintain files in paper form for 3 years. Convert paper record to microform in accordance with 36 CFR Part 1230. Destroy paper after verification of the accuracy and readability of microform or digital copy. If digital or microform copies have not been made, apply the same disposition as that applied to the microform copy of the record.

iii. (N1-134-08-1, item 47) MICROFORM COPY: Permanent. Cut off microform file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are ten years old. (Microform records for the calendar years 2000-2005 would be transferred to NARA in 2015).

c. BACKGROUND FILES FOR DOCKETED AND UNDOCKETED PROCEEDINGS.

Files that contain a copy of all background materials for any formal or informal proceeding that has been voted on by the Entire Board. Files consist of a copy of the staff's recommended draft decision, voting-in-progress memorandum, Board members' votes, any separate expressions, and a clearance memorandum (see item 9b).

i. (N1-134-08-1, item 48) PAPER COPY: Temporary. Convert paper record to microform in accordance with 36 CFR Part 1230. Destroy paper after verification of the accuracy and readability of microform. If digital or microform copies have not been made, apply the same disposition as that applied to the microform copy of the record.

ii. (N1-134-08-1, item 49) DIGITAL COPY: Permanent. Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a "Pre-Accession" copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.

\*Current digital copy of records is PDF format. STB will transfer records to NARA in PDF format in accordance to current NARA guidelines.

iii. (N1-134-08-1, item 50) **MICROFORM COPY**: Permanent. **Cut off microform file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are thirty years old. (Microform records for the calendar years 2000-2005 would be transferred to NARA in 2035).**

d. (N1-134-08-1, item 51) **DESIGNATED AGENT FILE**: Lists of designated agent for railroads, water carriers, and freight forwarders used as a guide in serving notices of proceedings on parties to the proceedings. The carrier officially designates an agent upon whom service of all notices and processes may be made for and in behalf of in any proceeding or suit pending before the Board. File becomes obsolete when carrier is no longer in existence.

**Temporary. Destroy when superseded or obsolete.**

e. (N1-134-08-1, item 52) **ICC REGISTER**: The Commission publication within which is listed all decision and notices served by the ICC and included: Notices of filings of motor and water carriers, freight forwarders and property broker entry, restriction removal, motor and water carrier temporary operating rights, transfer applications, notices, and notices of application.

**Permanent. Transfer microform to NARA upon approval of this schedule (old ICC Records- no longer produced by STB, replaced with STB Daily released sheet).**

f. **STB DAILY RELEASE**. (Formerly ICC Register) The Board's daily publication within which is listed all decisions and notices served on that day

i. (N1-134-08-1, item 53) **PAPER COPY**: Temporary. **Convert paper record to microform in accordance with 36 CFR Part 1230. Destroy paper after verification of the accuracy and readability of microform. If digital or microform copies have not been made, apply the same disposition as that applied to the microform copy of the record.**

ii (N1-134-08-1, item 54) **MICROFORM COPY**: Permanent. **Cut off microform file at end of calendar year. Transfer cut-off files to the National Archives in five-year blocks when the most recent records in that block are ten years old. (Microform records for the calendar years 2000-2005 would be transferred to NARA in 2015.)**

iii (N1-134-08-1, item 55) **ELECTRONIC COPY**: Permanent. **Close docket files at completion of proceedings. Cut off file at end of calendar year. Transfer a "Pre-Accession" copy of file to NARA at cut-off date. Transfer legal custody of files to National Archives 10 years after-cut-off.**

g. (N1-134-08-1, item 56) COURT CASES INDEX FILE: File contains a copy of the certified case index of the official record in a proceeding that has been appealed to the court. Whenever a Board proceeding is appealed, a detailed certified case index of the Board's official record is prepared, certified as correct, and provided to the appellate court in lieu of the full record in a proceeding.

**Temporary. Destroy 3 years after the final judicial decision in the case.**

h. (N1-134-08-1, item 57) PRACTITIONER'S FILES: Examinations, memoranda transmitting applications to the Practitioners Association for review, practitioners' requests for approval of applications, and related correspondence authorizing persons to appear before the Board representing carriers, other firms and agencies, and the public.

**Temporary. Close file at completion of process. Cut off closed files annually. Destroy after death of practitioner or 35 years after cut-off, whichever comes first.**

i. (N1-134-08-1, item 58) PRACTITIONERS' EXAM DENIED AND REJECTED APPLICATIONS, POSTPONEMENTS, AND NO SHOWS: Copies of denied and rejected applications for the practitioners' exam. Includes correspondence added.

**Temporary. Destroy 3 years after examination.**

j. ATTORNEY/PRACTITIONERS DISCIPLINARY ACTION FILE:

i (N1-134-08-1, item 59) Records documenting action taken against an attorney or practitioner who has violated a rule of practice or ethics in practice before the Board.

**Temporary. Close file at completion of process. Cut off closed files annually. Destroy after death of practitioner or 35 years after cut-off, whichever comes first.**

ii. (N1-134-08-1, item 60) Records documenting action against an attorney or practitioner where no findings of violation of practice is determined

**Temporary. Destroy 3 years after close of case.**

k. (N1-134-08-1, item 61) FEES REFUND AUTHORITY FILE: Form 1187 documenting refund of fees to applicant because of overpayment, etc

**Temporary. Destroy 3 years after refund**

**M. RECORDATIONS FILES** (Supersedes N1-134-96-2)

(N1-134-08-1, item 62) RECORDATION FILES. Records filed with the Surface Transportation Board under 49 U.S.C. 11301, as evidence of proprietary or leasehold interest in transportation property. Includes mortgages, leases, equipment trust agreements, conditional sale or bailment of railroad cars, locomotives, or other rolling stock or vessels. Also includes assignments of rights or interests under such instruments and amendments to instruments or assignments.

**Temporary. Destroy 60 years after last filing.**