

**REQUEST FOR AUTHORITY
TO DISPOSE OF RECORDS**

(See Instructions on Reverse)

TO: **GENERAL SERVICES ADMINISTRATION
NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408**

1. FROM (AGENCY OR ESTABLISHMENT)
Interstate Commerce Commission

2. MAJOR SUBDIVISION
Office of Consumer Protection

3. MINOR SUBDIVISION

4. NAME OF PERSON WITH WHOM TO CONFER
Carroll Stearns

5. TEL. EXT.
633-0204

6. CERTIFICATE OF AGENCY REPRESENTATIVE:

LEAVE BLANK

DATE RECEIVED <u>June 12, 1981</u>	JOB NO. <u>NCI-134-81-4</u>
NOTIFICATION TO AGENCY	
In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "with-drawn" in column 10.	
(Date)	Archivist of the United States

I hereby certify that I am authorized to act for this agency in matters pertaining to the disposal of the agency's records; that the records proposed for disposal in this Request of 10 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

5/1/81
Date

Agathe T. Mignovich
(Signature of Agency Representative)

Secretary
(Title)

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	<p align="center"><u>OFFICE OF CONSUMER PROTECTION</u></p> <p>The Office of Consumer Protection reviews and monitors the surface transportation industry's compliance with the revised Interstate Commerce Act and Commission Regulations related to operations; keeps the Commission advised concerning operations and practices of surface transportation industries; develops and implements a nationwide investigatory and prosecutory program for all modes of surface transportation subject to Commission jurisdiction; provides assistance to the general public and in particular to consumers, in matters such as household goods service problems and loss, damage, and inconvenience claim settlements; and, coordinates the Commission's overall mobilization activities, including the National Defense Executive Reserve Program, and provides liaison with other Federal and State agencies.</p> <hr/> <p>This schedule supersedes the old schedules for the Bureau of Operations, NC-1-134-76-9, dated 1/13/77 and the Bureau of Enforcement, NC-1-134-76-8, dated 10/20/76. These two bureaus were consolidated to form the Office of Consumer Protection.</p>		WITHDRAWN

22 items

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<p>Items in the new schedule which also appeared in the superseded schedules are cross-referenced. Items which were deleted from the old schedule are listed below</p> <p style="text-align: center;"><u>Items Deleted</u></p> <p>BUREAU OF OPERATIONS SCHEDULE NC1-134-76-9 DATED 1/13/77.</p> <p><u>Item #</u></p> <p>3 Monthly Narrative Reports - No longer required</p> <p>6 Water Carrier and Freight Forwarder Certificates and Permits - Transferred to the Secretary's Office.</p> <p>7 Correspondence File - No longer maintained</p> <p>9 Vehicle Rental Application File - Incorporated with Interpretations File; Item 5, new schedule</p> <p>10 Vehicle Lease and Interchange Petition Waiver - Incorporated into Interpretations File; Item 5 on new schedule</p> <p>11 Motor Carrier Certificates and Permits - Transferred to Secretary's Office</p> <p>13 Household Goods Carriers Agent Agreements - No longer required</p> <p>17 Locomotive and Car Control Correspondence File - Incorporated into general Correspondence File; Item 6 on new schedule</p> <p>18 Congressional Correspondence File - Incorporated into general Correspondence File; Item 6 on new schedule</p> <p>19 Demurrage Correspondence File - Incorporated into general Correspondence File; Item 6 on new schedule</p> <p>20 Inquiry and Compliance Case File - No longer maintained</p>			

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7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN
21	Report Service Agent Report File - Report no longer required.		
24	Train and Station Compliance Reports - Incorporated into general Correspondence File; Item 6 on new schedule.		
26	Final Investigation Reports - Incorporated into general Correspondence File; Item 6 on new schedule.		
28	Insurance Authority Correspondence and Report - Incorporated into general Correspondence File; Item 6 on new schedule.		
33	Carrier Claim Correspondence - Incorporated into general Correspondence File; Item 6 on new schedule.		
34	Insurance Board Orders and Memoranda - Incorporated into Self-insured Motor Carrier and Freight Forwarder Application File; Item 13 on new schedule.		
	BUREAU OF ENFORCEMENT SCHEDULE NCI-134-76-8 DATED 10/20/76.		
	All the items listed below (from the old schedule) have been incorporated into the Enforcement Court Case File; Item 20 on the new schedule.		
2	Investigative Report Case Files ("L and E" Files)		
3	Enforcement Correspondence Files ("EC" Files)		
4	Motor Carrier Enforcement Court Case Files ("E" Files)		
6	Rail Investigative Report Case Files ("IR" Files)		
7	Rail Enforcement Court Case Files ("ER" Files)		
8	Rail Administrative Proceedings Case Files		
9	Special Projects Investigative File		

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	<u>Cross reference of items on new schedule which also appear on the superseded schedules.</u>		
	Bureau of Operations NC1-134-76-9 Item No. 1 (Withdrawn) 2 4 5 8 12 14 15 16 22 23 25 26 27 29 30 31 32	New Schedule Reference Item No. 4 1 2 5 5 8 10 9 18 18 18 7 11 12 13 14 15	
	Bureau of Enforcement NC1-134-76-8 Item No. 1 5	Item No. 18 20	
	<u>DIRECTOR'S OFFICE</u>		
	The Director's Office oversees the responsibilities of the Office of Consumer Protection, implementing and monitoring the operational, training, budgetary, personnel, and administrative management of the Office.		
1.	<u>Statistical Reports File</u> - Quarterly trend analysis reports of field activities indicating action taken with respect to operating authority, traffic, insurance, and administration. (See NC-1-134-76-9, Item 2)		
	Destroy when 2 years old.		

WITHDRAWN

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2.	<p><u>National Defense Transportation Plans</u> - National Defense classified files consisting of plans and directives for developing and implementing programs for National Defense transportation emergencies. (See NC-1-134-76-9, Item 4)</p> <p>Destroy when superseded.</p>		WITHDRAWN
3.	<p><u>Regional Assistance Reviews</u> - Reports concerning inspections conducted at regional and field offices and related material.</p> <p>Destroy when 3 years old.</p>		WITHDRAWN
4.	<p><u>Correspondence File</u> - Copies of letters, memorandums, and reports prepared by the Office staff. (See NC-1-134-76-9, Item 1)</p> <p>Destroy when 3 years old.</p>		WITHDRAWN
5.	<p><u>Interpretations Files</u> - Records created and maintained by the Interpretations staff in furnishing informal legal interpretations and other information concerning the rail, motor, water and forwarder provisions of the Act and the regulations and operating authorities issued thereunder; advising and assisting in the development of recommendations and proposals pertaining to motor carrier regulations; preparing recommendations on carrier rental contracts; preparing administrative rulings; and in preparing and maintaining an Interpretations Manual which includes digests of important court and Commission decisions and information interpretations as they relate to motor carriers. Interpretations files, created by the Interpretations staff in furnishing interpretations and opinions relating to the various aspects of regulations and compliance, such as matters relating to limitations of carriers' operating authorities; carriers' liability for shipments; and limitations on carriers' rights to transport certain commodities.</p> <p>Close file every 3 years. Transfer closed file to the Federal Records Center and destroy 3 years after transfer to the Federal Records Center.</p>		WITHDRAWN

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	<u>SECTION OF CONSUMER ASSISTANCE</u>		
	The Section of Consumer Assistance serves as a focal point for receiving, processing, and answering telephonic and written consumer complaints and inquiries and provides assistance to consumers, i.e., travelers and shippers throughout the Nation for all modes of regulated carriers; and performs work in connection with the administration of certain provisions of the Act relating to railroads, motor and water carriers, freight forwarders and brokers.		
6.	<u>Correspondence File</u> - copies of letters, memorandums, and reports prepared by the Section staff. Destroy when 3 years old.		WITHDRAWN
7.	<u>Complaint Assistance Reports</u> - computer generated complaint and inquiry forms which are handled to a conclusion by the Section. (See NCI-134-76-9, Item 25) Destroy when 1 year old.		WITHDRAWN
8.	<u>Cancelled Embargo Notices</u> - Public notification by motor carriers of property of inability to perform authorized transportation services. (See NCI-134-76-9, Item 12) Destroy 1 year after cancellation.		WITHDRAWN
9.	<u>Carrier Annual Performance Report</u> - Reports submitted annually by household goods carrier including data relating to performance. Available for use by public and used by the Commission as a source of data relating to service performance by the individual carriers and the industry. (See NCI-134-76-9, Item 15) Destroy when 5 years old.		WITHDRAWN
10.	<u>Moving Service Questionnaire</u> - Voluntary shipper's questionnaires involving household goods carrier services. (See NCI-134-76-9, Item 14) Destroy when 2 years old.		WITHDRAWN

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11.	<p><u>Insurance and Surety Bond File</u> - Certificates of insurance, surety bonds and cancellation notices for motor carriers, freight forwarders and brokers.</p> <p>Destroy 5 years after operating authority is revoked or cancelled.</p>		WITHDRAWN
12.	<p><u>Insurance Company Fee File</u> - Correspondence and data used to determine and obtain annual qualification fees. (See NC1-134-76-9, Item 29)</p> <p>Destroy when 2 years old.</p>		WITHDRAWN
13.	<p><u>Self-insured Motor Carrier and Freight Forwarder Application File</u> - Self-insured case files of motor carriers and freight forwarders approved for self-insurance under rules and regulations of the Commission, consisting of applications to self-insure with attached financial and claims data, a copy of the ICC order of authority to self-insure, quarterly financial statements in the form of balance sheets, quarterly reports with respect to claims authorized to self-insure, and related documents and correspondence. (See NC-1-134-76-9, Item 30)</p> <p>(a) Destroy Quarterly Financial Statements and Claims reports when 3 years old.</p> <p>(b) All other material - Destroy 5 years after expiration of self-insurance authority.</p>		WITHDRAWN WITHDRAWN
14.	<p><u>Insurance Company Financial Statements</u> - Insurance company quarterly financial statements, annual financial worksheets, and related correspondence. (See NC-1-134-76-9, Item 31)</p> <p>Destroy when 2 years old.</p>		WITHDRAWN
15.	<p><u>Designated Insurance Companies Financial Statements</u> - Annual financial statements submitted by designated insurance companies used to evaluate the companies' ability to furnish motor carriers bodily injury, property, and cargo damage insurance. (See NC-1-134-76-9, Item 32)</p> <p>Destroy annually when superseded.</p>		WITHDRAWN

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16.	<p><u>Revocation of Authority File</u> - Confidential file containing correspondence, staff recommendations, requests for revocation of operating authority and decisions of the Revocation Board.</p> <p>Destroy 90 days after effective date of final decision.</p>		WITHDRAWN
17.	<p><u>Service Order Case Files</u> - Public docket files involving car service actions by the Railroad Service Board under § 11123, 11124 and 11125 of the revised IC Act.</p> <p>Destroy when 5 years old.</p>		WITHDRAWN
18.	<p><u>Commodity Reports and Car Supply Summaries</u> - Reports and summaries from the Association of American Railroads involving status of commodity shipments, storage facilities and car supply conditions. (See NC-1-134-7-6-9, Item 22 and 23)</p> <p>Destroy when 5 years old.</p>		WITHDRAWN
<u>SECTION OF ENFORCEMENT</u>			
<p>The Section of Enforcement develops and implements the Commission's consumer protection programs particularly through investigation and prosecutions with respect to all modes of surface transportation subject to Commission jurisdiction.</p>			
<u>DEPUTY DIRECTOR' OFFICE</u>			
19.	<p><u>PRACTITIONER INVESTIGATIVE FILES</u></p> <p>Practitioner files relating to alleged unethical conduct of practitioners before the Commission. Consists of investigative reports, correspondence, and record of action taken. (See NC-1-134-76-8, Item 1)</p> <p>Retain file at ICC for 3 years then transfer to Federal Records Center. Destroy 17 years after transfer or 1 year after death of practitioner, whichever is sooner.</p>		WITHDRAWN

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20.	<p><u>ENFORCEMENT COURT CASE FILES</u> - Files concerning the Section's participation in criminal and civil court actions brought against carriers and shippers and others for violation of the Interstate Commerce Act, the Elkins Act, the Clayton Antitrust Act, or related acts. Includes copies of memoranda to the Commission by attorneys setting forth alleged violations, descriptions of parties involved, facts bearing on the case, and recommendations; memoranda from field attorneys; copies of pleadings filed in court such as criminal information, complaints, briefs, exhibits, correspondence regarding the case, notices of appeal, and notices showing outcome of case. (See NC-1-134-76-8, Items 2, 3, 4, 6, 7, 8 and 9)</p> <p>(a) Case exhibits and reference documents. Destroy 1 year after close of case.</p> <p>(b) Enforcement files for those court cases specifically identified in the annual reports of the Commission as having been decided by the United States Supreme Court. Permanent. Transfer to the Federal Records Center 3 years after case is closed. Offer to NARS 15 years after case is closed.</p> <p>(c) All other case files. Transfer to the Federal Records Center 3 years after case is closed. Destroy 15 years after case is closed.</p>		<p>WITHDRAWN</p> <p>WITHDRAWN</p> <p>WITHDRAWN</p>
21.	<p><u>ADMINISTRATIVE PROCEEDINGS CASE FILES</u></p> <p>Files relating to the Section's participation in administrative proceedings before the Commission which involve such matters as fitness of applicants for operating rights; investigations of possible violations; rulemaking proceedings; and application proceedings involving the issue of public convenience and necessity. Files consist of copies of Commission orders opening or reopening proceedings; petitions and briefs.</p>		

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22.	<p>stipulations; petitions of intervenors; replies of protestants to petition; correspondence and memoranda regarding the assignment of protestants to petition; correspondence and memoranda regarding the assignment of cases for hearing; technical questions on procedures, and related matters in advance of hearings; mailing lists for orders; copies of the report of the Commission and orders showing outcome of proceedings; press releases indicating the Commission's action on case, and related papers. Arranged by 4-digit number. (See NC-1-134-76-8, Item 5)</p> <p>Destroy exhibits and reference documents 1 year after close of case. Retain file at Commission for 3 years then transfer to the Federal Records Center. Destroy 7 years after transfer.</p> <p><u>INVESTIGATIVE REPORT CASE FILES (NON LITIGATION)</u></p> <p>Investigative report case files consisting of investigative reports, correspondence, exhibits necessary for initiating court actions or administrative proceedings against carriers for alleged violation of Commission regulations. Includes data on carrier, compliance record, basis and facts of investigation, recommendations, and notification of action, arranged numerically within district.</p> <p>Destroy exhibits and reference documents 1 year after close of case. Transfer prosecuted cases to Enforcement Court Case Files or Administrative Proceedings Case Files as appropriate. Destroy remainder of file 7 years after completion of investigation. (See NC-1-134-76-8, Item 5)</p>		<p>WITHDRAWN</p> <p>WITHDRAWN</p>