

REQUEST FOR RECORDS DISPOSITION AUTHORITY		JOB NUMBER <i>N1-048-01-1</i>	
To: NATIONAL ARCHIVES & RECORDS ADMINISTRATION 8601 ADELPHI ROAD COLLEGE PARK, MD 20740-6001		Date received <i>10/13/00</i>	
1. FROM (Agency or establishment) Department of the Interior		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION Office of the Secretary		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request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10.	
3. MINOR SUBDIVISION Trans-Alaska Pipeline Liability Fund			
4. NAME OF PERSON WITH WHOM TO CONFER E. William Cole	5. TELEPHONE NUMBER 703-536-8218	DATE <i>1-5-01</i>	ARCHIVIST OF THE UNITED STATES <i>[Signature]</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 <u>2</u> page(s) are not needed now for the business for 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 checked="" type="checkbox"/> is not required <input type="checkbox"/> is attached; or <input type="checkbox"/> has been requested.			
DATE <i>10/12/00</i>	SIGNATURE OF AGENCY REPRESENTATIVE <i>[Signature]</i> E. William Cole		TITLE Executive Director/CEO
7. ITEM NO.	8. DESCRIPTION OF ITEM AND PROPOSED DISPOSITION	9. GRS OR SUPERSEDED JOB CITATION	10. ACTION TAKEN (NARA USE ONLY)
	Please see the attached pages.		

*SA 1/11/01**sent to Agency, NARA, NARA, NR*

Attachment to SF 115 (N1-048-01-I)

Records of the Trans-Alaska Pipeline Liability Fund

Section 204(c) of the Trans-Alaska Pipeline Authorization Act (TAP Act), Pub. L. 93-153, 87 Stat. 576, 586 (1973), codified at 43 U.S.C. § 1653(c), created the Trans-Alaska Pipeline Liability Fund (Fund), a non-profit corporation governed by a Board of Trustees. Regulations issued by the Office of the Secretary, Department of the Interior under 43 Code of Federal Regulations Part 29 authorize its specific activities. The TAP Act, as amended, established the Fund to pay certain claims for damages caused by discharges of Alaska Pipeline oil from ships transporting the oil from the pipeline's terminals to ports within the jurisdiction of the United States that occurred before August 18, 1990. The Fund is strictly liable for covered oil spill damages in excess of \$14 million up to \$100 million, or \$86 million, per incident [43 U.S.C. § 1653(c)(3)]. The Board of Trustees of the Fund determined that the Fund was liable for damages caused by three oil spills that occurred before August 18, 1990: the *Glacier Bay* spill in the Upper Cook Inlet in July 1987, the *Exxon Valdez* spill in Prince William Sound, Alaska in March 1989, and the *American Trader* spill off Huntington Beach, California in February, 1990.

Pursuant to section 8102(a)(2)(A) of the Oil Pollution Act of 1990, the Board of Trustees of the Fund reserved amounts within the fund necessary to pay claims under section 204(c) of the TAP Act and administrative expenses necessary for and incidental to the implementation of 204(c). The Comptroller General certified to the Congress on December 23, 1994 that the trustees had established the required reserve. On December 22, 1995, after the trustees reduced the amounts in reserve, the Comptroller General certified to the Congress that the new reserve satisfied requirements of section 8102(a)(2)(A).

The Comptroller General certified the Trans-Alaska Pipeline Liability Fund's final payment of claims and administrative expenses on July 5, 2000. Under section 8102 of the Oil Pollution Act of 1990 the Fund was extinguished on September 5, 2000. It ceased operation on September 15, 2000.

1. Annual Reports of the Board of Trustees. These contain summary information on the activities of the Board of Trustees, the membership of the Board for a given year, background information on the Fund, and statements on the financial position of the Fund. Copies of the most recent reports were sent to Secretary of the Interior Babbitt. Dates range from 1978 through 1998, inclusive. Arranged chronologically.

Disposition: **Permanent**. Transfer to the National Archives immediately upon approval of this schedule.

Volume: 0.2 cubic feet (One file folder).

2. Minutes of the Board of Trustees of the Fund. The Board conducted 129 meetings during its existence. The files include at least one legal memorandum for the Administrator and the

Board that is marked "Privileged and Confidential/Attorney-Client Communication." This relates to the *Exxon Valdez* claim. Inclusive dates are from August 1977 through November 1999. Arranged chronologically.

Disposition: **Permanent.** Transfer to the National Archives immediately upon approval of this schedule.

Volume: 3 cubic feet

3. Corporate Tax Returns. As a non-profit corporation governed by a Board of Trustees the Fund was required to submit tax returns. The files include corporate tax returns prepared for the Fund by Arthur Anderson that include a client's copy and, in some instances, a public inspection copy. Form 990, *US Return of Organization Exempt from Income Tax* and related papers comprise the returns filed with the Internal Revenue Service. Other documentation includes forms filed with the County of Arlington, VA claiming exemption from business taxes and some Biennial Reports to the State of Alaska. Inclusive dates range from January 1989 through February 2000. The records are arranged chronologically, more or less.

Disposition: Temporary. Retire to the Washington National Records Center. Destroy when 7 years old.

Volume: ¼ cubic foot