

Surface Transportation Board

§ 1280.4

(2) Submit information to the Board when requested.

(49 U.S.C. 10706, 11145; 5 U.S.C. 553)

[32 FR 20474, Dec. 20, 1967, as amended at 47 FR 37904, Aug. 27, 1982; 74 FR 52912, Oct. 15, 2009]

§ 1253.30 Retention of records.

Each organization subject to sections 5a or 5b shall retain records or documents relating to its transactions or activities in accordance with part 1220, Preservation of Records, of this chapter.

[40 FR 50389, Oct. 29, 1975]

PARTS 1260–1269 [RESERVED]

PARTS 1280–1299—CLASSIFICATION AND DECLASSIFICATION OF NATIONAL SECURITY INFORMATION AND MATERIAL

PART 1280—HANDLING OF NATIONAL SECURITY INFORMATION AND CLASSIFIED MATERIAL

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AUTHORITY: E.O. 12356.

SOURCE: 49 FR 7832, Mar. 2, 1984, unless otherwise noted.

§ 1280.1 Purpose.

To set forth those provisions of the Surface Transportation Board Security Regulations to the extent that they affect the general public.

§ 1280.2 Policy.

It is the policy of the Surface Transportation Board to act in accordance with Executive Order 12356, dated April 6, 1982, in matters relating to national security information.

§ 1280.3 Authority to classify.

The Board does not have authority of its own to classify any of its internally

generated documents. The only documents handled by the Board which are classified as confidential, secret, or top secret are those generated by Executive Branch Agencies with original classification authority.

§ 1280.4 Responsibility for handling of classified documents.

(a) Responsible Official. Primary responsibility for the handling of classified documents shall rest with the Assistant to the Director of the Office of Compliance and Consumer Assistance, who is also Emergency Coordinator for the Board. All documents bearing the terms “Top Secret,” “Secret,” and “Confidential” shall be delivered to the Emergency Coordinator or his/her alternate immediately upon receipt. The alternate is also an Assistant to the Director of the Office of Compliance and Consumer Assistance as set forth in § 1280.4(b) of the rules. All potential recipients of such documents shall be advised of the name of the Emergency Coordinator. In the event that the Emergency Coordinator or his/her alternate is not available to receive such documents, they shall be turned over to the Associate Director, Office of Compliance and Consumer Assistance, and secured, unopened, in the combination safe located in Room 5325 of the headquarters building until the Emergency Coordinator or alternate is available. All material not immediately deliverable to either the Emergency Coordinator, alternate, or the Associate Director, Office of Compliance and Consumer Assistance, shall be delivered at the earliest opportunity. Under no circumstances shall classified material that cannot be delivered to the Emergency Coordinator be stored other than in the designated safe in Room 5325 of the STB headquarters building.

(b) The alternate to the Emergency Coordinator for the receipt and handling of documents mentioned in paragraph (a) of this section, shall be the other Assistant to the Director, Office of Compliance and Consumer Assistance.

(c) Any person whose position requires access to classified information must execute Form SF #189.

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(d) Any contracts with media representatives by personnel with access to classified material and involving such material will be cleared through the Emergency Coordinator and more than one person shall be present during any briefing or interview.

§ 1280.5 Safeguarding of classified material.

(a) Reproduction of classified material shall take place only when absolutely necessary, and in accordance with section 2001.46 of the Directive. Should copies be made, they are subject to the same controls as the original document. Records showing the number and distribution of copies shall be maintained by the Emergency Coordinator and the log stored with the original documents.

(b) Any suspected or actual unauthorized disclosures of classified information shall be reported to the Emergency Coordinator or Alternate. An immediate investigation will be undertaken by the Emergency Coordinator or Alternate to establish all facts surrounding the disclosure. The Emergency Coordinator or Alternate shall ascertain the nature of the information disclosed and the extent to which it has been disseminated and will maintain records of disclosures as evaluated and investigated.

(c) Any suspected or actual unauthorized disclosure of classified information will be reported as soon as possible to the Department of Justice and the Information Security Oversight Office.

(d) Any unauthorized disclosure of classified information or any failure to cooperate with the investigation of unauthorized disclosures by an employee shall be cause for appropriate discipli-

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nary or other remedial action as provided in the Board's Canons of Conduct, 49 CFR 1000.735–31.

[49 FR 7832, Mar. 2, 1984, as amended at 54 FR 38998, Sept. 22, 1989]

§ 1280.6 Storage of classified documents.

All classified documents shall be stored in the safe located in Room 5325 of the STB headquarters building. In those instances where the Emergency Coordinator is not available to receive classified documents, they may be stored, unopened, in the safe located in Room 5325.

§ 1280.7 Education of employees.

All employees who have been granted a security clearance and who have occasion to handle classified materials shall be advised of the procedures outlined in 49 CFR part 1280. They shall also be required to review Executive Order 12356 and appropriate directives of the Information Security Oversight Office (ISOO). This shall be achieved by a memorandum to all affected employees at the time these procedures are implemented, and by appropriate instructions to new employees receiving security clearances in the future.

§ 1280.8 Requests for mandatory review.

Because the Board does not itself generate classified documents, any requests made for mandatory review shall be coordinated by the Emergency Coordinator with appropriate officials of the Department or Agency responsible for issuance of the document involved.

PARTS 1281–1299 [RESERVED]