

(competitive service) or the priority employment list (excepted service).”

REFERENCES TO INTERSTATE COMMERCE COMMISSION DEEMED TO BE REFERENCES TO SURFACE TRANSPORTATION BOARD

Pub. L. 104-88, title II, §205, Dec. 29, 1995, 109 Stat. 943, provided that: “Any reference to the Interstate Commerce Commission in any other Federal law, Executive order, rule, regulation, or delegation of authority, or any document of or pertaining to the Interstate Commerce Commission or an officer or employee of the Interstate Commerce Commission, is deemed to refer to the Board [Surface Transportation Board], a member or employee of the Board, or the Secretary, as appropriate.”

SURFACE TRANSPORTATION BOARD PASSENGER RAIL PROGRAM

Pub. L. 117-58, div. B, title II, §22309, Nov. 15, 2021, 135 Stat. 734, provided that: “The Surface Transportation Board shall—

- “(1) establish a passenger rail program with primary responsibility for carrying out the Board’s passenger rail responsibilities; and
- “(2) hire up to 10 additional full-time employees to assist in carrying out the responsibilities referred to in paragraph (1).”

INFORMATION SECURITY IMPROVEMENT

Pub. L. 115-269, Oct. 16, 2018, 132 Stat. 3763, provided that:

“SECTION 1. SHORT TITLE.

“This Act may be cited as the ‘STB Information Security Improvement Act’.

“SEC. 2. REQUIREMENTS.

“(a) IN GENERAL.—The Surface Transportation Board (in this section referred to as the ‘STB’) shall develop a timeline and plan to implement the recommendations of the Inspector General of the Department of Transportation in Report No. FI2018002, including improvements—

- “(1) to identify controls, including risk management, weakness remediation, and security authorization;
- “(2) to protect controls, including configuration management, user identity and access management, and security training;
- “(3) to detect controls, including continuous monitoring;
- “(4) to respond [to] controls, including incident handling and reporting;
- “(5) to recover controls for contingency planning; and
- “(6) [sic] any additional tools that will improve the implementation of the recommendations.

“(b) IMPLEMENTATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this Act [Oct. 16, 2018], the STB shall submit the plan and timeline developed under subsection (a) to the Committee on Transportation and Infrastructure of the House of Representatives and the Committee on Commerce of the Senate.

“(2) REPORT.—The STB shall report annually to such Committees on the progress on implementation of the recommendations until the implementation is complete.

“(3) PLAN IMPLEMENTATION.—The STB shall designate an individual to implement the plan developed under subsection (a).

“SEC. 3. NO ADDITIONAL FUNDS AUTHORIZED.

“No additional funds are authorized to carry out the requirements of this Act. Such requirements shall be carried out using amounts otherwise authorized.”

§ 1302. Functions

Except as otherwise provided in the ICC Termination Act of 1995, or the amendments made

thereby, the Board shall perform all functions that, immediately before January 1, 1996, were functions of the Interstate Commerce Commission or were performed by any officer or employee of the Interstate Commerce Commission in the capacity as such officer or employee.

(Added Pub. L. 104-88, title II, §201(a), Dec. 29, 1995, 109 Stat. 933, §702; amended Pub. L. 104-287, §5(6), Oct. 11, 1996, 110 Stat. 3389; renumbered §1302, Pub. L. 114-110, §3(a)(3), Dec. 18, 2015, 129 Stat. 2228.)

Editorial Notes

REFERENCES IN TEXT

The ICC Termination Act of 1995, referred to in text, is Pub. L. 104-88, Dec. 29, 1995, 109 Stat. 803. For complete classification of this Act to the Code, see Short Title of 1995 Amendment note set out under section 101 of this title and Tables.

AMENDMENTS

2015—Pub. L. 114-110 renumbered section 702 of this title as this section.

1996—Pub. L. 104-287 substituted “January 1, 1996” for “the effective date of such Act”.

Statutory Notes and Related Subsidiaries

ABOLITION OF INTERSTATE COMMERCE COMMISSION

Interstate Commerce Commission abolished by section 101 of Pub. L. 104-88, set out as a note under section 1301 of this title.

§ 1303. Administrative provisions

(a) OPEN MEETINGS.—

(1) IN GENERAL.—The Board shall be deemed to be an agency for purposes of section 552b of title 5.

(2) NONPUBLIC COLLABORATIVE DISCUSSIONS.—

(A) IN GENERAL.—Notwithstanding section 552b of title 5, a majority of the members may hold a meeting that is not open to public observation to discuss official agency business if—

- (i) no formal or informal vote or other official agency action is taken at the meeting;
- (ii) each individual present at the meeting is a member or an employee of the Board; and
- (iii) the General Counsel of the Board is present at the meeting.

(B) DISCLOSURE OF NONPUBLIC COLLABORATIVE DISCUSSIONS.—Except as provided under subparagraph (C), not later than 2 business days after the conclusion of a meeting under subparagraph (A), the Board shall make available to the public, in a place easily accessible to the public—

- (i) a list of the individuals present at the meeting; and
- (ii) a summary of the matters discussed at the meeting, except for any matters the Board properly determines may be withheld from the public under section 552b(c) of title 5.

(C) SUMMARY.—If the Board properly determines matters may be withheld from the public under section 555b(c) of title 5, the Board shall provide a summary with as