

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

Schedule Number: N1-358-86-001

Some items in this schedule are either obsolete or have been superseded by new NARA approved records schedules. This information is accurate as of: 12/28/2021

ACTIVE ITEMS

These items, unless subsequently superseded, may be used by the agency to disposition records. It is the responsibility of the user to verify the items are still active.

All items not listed below are active.

SUPERSEDED AND OBSOLETE ITEMS

The remaining items on this schedule may no longer be used to disposition records. They are superseded, obsolete, filing instructions, non-records, or were lined off and not approved at the time of scheduling. References to more recent schedules are provided below as a courtesy. Some items listed here may have been previously annotated on the schedule itself.

Item 2 is superseded by N1-358-95-001, item 1.
Item 4 is superseded by N1-358-95-001, item 6.
Item 8 is superseded by N1-358-08-007, Item 1.
Item 13 is superseded by N1-358-08-007, Item 2.
Item 12 is superseded by N1-358-88-001, Item 1.
Item 17 is superseded by N1-358-08-004, item 1.

NOTICE - SOME ITEMS SUPERSEDED OR OBSOLETE

REQUEST FOR RECORDS DISPOSITION AUTHORITY (See Instructions on reverse)		LEAVE BLANK	
TO: GENERAL SERVICES ADMINISTRATION NATIONAL ARCHIVES AND RECORDS SERVICE, WASHINGTON, DC 20408		JOB NO. NL-358-86-1	DATE RECEIVED 1-02-86
1. FROM (Agency or establishment) Federal Maritime Commission		NOTIFICATION TO AGENCY	
2. MAJOR SUBDIVISION		In accordance with the provisions of 44 U.S.C. 3303a the disposal request, including amendments, is approved except for items that may be marked "disposition not approved" or "withdrawn" in column 10. If no records are proposed for disposal, the signature of the Archivist is not required.	
3. MINOR SUBDIVISION			
4. NAME OF PERSON WITH WHOM TO CONFER	5. TELEPHONE EXT.	DATE	ARCHIVIST OF THE UNITED STATES
M. Louise Butler, Records Management Officer	523-1968	3-3-87	<i>James A. Burke</i>
6. CERTIFICATE OF AGENCY REPRESENTATIVE			

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 20 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, if required under the provisions of Title 8 of the GAO Manual for Guidance of Federal Agencies, is attached.

A *GAO concurrence* ☒ is attached; or ☐ is unnecessary. ~~*is being concurrently obtained~~

B. DATE	C. SIGNATURE OF AGENCY REPRESENTATIVE <i>Bruce A. Dombrowski</i> Bruce A. Dombrowski	D. TITLE Acting Secretary
7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. GRS OR SUPERSEDED JOB CITATION
	<p align="center"><u>FEDERAL MARITIME COMMISSION</u></p> <p><u>Abbreviations</u></p> <p>WNRC - Washington National Records Center NARA - National Archives and Records Administration EAV - Estimated Annual Volume of Records VTD - Volume accumulated to date</p> <p><u>Establishment and Composition of the Commission</u></p> <p>The Commission was established as an independent agency by Reorganization Plan No. 7 of 1961, and is composed of five Commissioners ("Commissioners" or "members"), appointed by the President, by and with the advice and consent of the Senate. Not more than three Commissioners may be appointed from the same political party. The President designates one of the Commissioners to be the Chairman of the Commission ("Chairman").</p> <p><u>Responsibilities</u></p> <p>The Commission is responsible for ensuring equity and stability, and for promoting efficiency and economy in U. S. oceanborne commerce, commensurate with commercial requirements, to protect the shipping public.</p>	23 items
All changes to this proposed schedule have been approved by:		
<i>James A. Burke</i> 9/18/86 <i>Edward J. Manack</i> 10/1/86		

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	<p style="text-align: center;"><u>Statutory Functions</u></p> <p>The Commission regulates common carriers by water in the domestic offshore commerce of the United States and other persons, under provisions of the Shipping Act, 1916, including the Intercoastal Shipping Act, 1933 (46 U.S.C. app. 801-848); common carriers by water, marine terminal operators, and ocean freight forwarders under provisions of the Shipping Act of 1984 (46 U.S.C. app. 1701-1720); administers section 19 of the Merchant Marine Act, 1920 (46 U.S.C. app. 876) and P. L. 89-777 pertaining to Financial Responsibility for Death or Injury to Passengers and for Non-Performance of Voyages (46 U.S.C. app. 817d and 817e); and other applicable statutes.</p> <p style="text-align: center;"><u>DESCRIPTION OF COMMISSION OFFICES</u></p> <p><u>DESCRIPTION - Office of the Chairman and Commissioners</u></p> <p>As the chief executive and administrative officer of the Commission, the <u>Chairman</u> presides at meetings of the Commission, administers the policies of the Commission to responsible officials, and assures the efficient discharge of their responsibilities.</p> <p>The Chairman also provides management direction to agency offices and coordinates the performance of major executive functions by the members of the Commission. The Chairman appoints the heads of major administrative units after consultation with the Commissioners. Additionally, the special offices or officers of the Office of Equal Employment Opportunity, the Inspector General, the Security Officer, the Ethics Counselor and the Deputy Ethics Counselor are appointed or designated by the Chairman, are under his or her direct supervision and report directly to the Chairman.</p> <p>Finally, the Chairman's Office serves as a central clearinghouse for disseminating information on the activities and functions of the Commission to the Congress, other Government agencies, the maritime industry, news media, and the general public.</p> <p>The <u>Members of the Federal Maritime Commission (Commissioners)</u>, including the Chairman, establish the policies of the Commission, render decisions, issue orders, and adopt rules and regulations governing common carriers by water in U.S. foreign and domestic offshore commerce, terminal operators, freight forwarders, and other persons subject to the shipping statutes; and perform other duties and functions as may be appropriate under reorganization plans, statutes, executive orders, and regulations.</p>		

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DESCRIPTION - Office of the Secretary

The Office of the Secretary prepares, maintains and disposes of the official files and records documenting Commission actions, policies and procedures that are made or received by the Commission in the conduct of its business. This includes preparing the agenda and dockets of proceedings subject to action by the Commission and preparing the minutes with respect to such actions; receiving and processing formal and informal complaints, special dockets, and staff recommendations for investigation and rulemaking proceedings; receiving formal communications, petitions, notices, documents, and other instruments directed to the Chairman and/or the Commission and maintaining official files and records with respect thereto; issuing subpoenas at the direction of the Commission; and admitting qualified non-attorneys to practice before the Commission. Additionally, this Office performs those functions relating to Freedom of Information, Privacy, and Government in the Sunshine Acts matters.

DESCRIPTION - Office of Informal Inquiries and Complaints (Office of the Secretary)

Through the Office of Informal Inquiries and Complaints, the Secretary advises the Commission on significant public interest issues in current and proposed policies, programs, and decisions; receives, coordinates and responds to complaints, suggestions, and expressions of concern from the public and contacts carriers, conferences, and other persons to effect solutions; publicizes Commission policies, programs, and activities of interest to the Commission's shipping public. The Chief of this office serves as liaison with the President's Special Assistant for Consumer Affairs.

DESCRIPTION - Office of Energy and Environmental Affairs (Office of the Secretary)

Through the Office of Energy and Environmental Affairs, the Secretary ensures compliance with the National Environmental Policy Act of 1969 (NEPA) and the Energy Policy and Conservation Act of 1975 (EPACA).

DESCRIPTION - Administrative Services Activity (Office of the Secretary)

Through the Administrative Services Activity and Communications Center, the Secretary provides centralized administrative support services for the Commission and its District Offices, including contracting, procurement, communications

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	<p>control, property accounting systems, reproduction, space and facilities management; and formulates directives, regulations, methods, and procedures governing the use of support services. The Chief of the Administrative Services Activity serves as the Commission's Contracting Officer, Property Management Officer, and directs all activities relative to Small and Disadvantaged Business Utilization.</p> <p><u>DESCRIPTION - Management Analysis Activity</u> (Office of the Secretary)</p> <p>Through the Management Analysis Activity, the Secretary directs and coordinates all activities concerned with records management programs for the Commission; ensures Commission compliance with Paperwork Reduction Act of 1980 and obtains Office of Management and Budget clearance for the agency's public reporting and recordkeeping requirements; provides management services and assistance to agency officials; and collects, maintains and analyzes agency workload statistics; coordinates administrative reporting requirements imposed upon the Commission by Governmental programs or other Governmental entities; maintains liaison with other Government agencies for the clearance of Commission forms, records and other paperwork.</p> <p><u>DESCRIPTION - Informal Dockets Activity</u> (Office of the Secretary)</p> <p>Through the Informal Dockets Activity, the Secretary adjudicates small claims (\$10,000 or less) arising from violations of the shipping statutes.</p> <p><u>DESCRIPTION - Office of the General Counsel</u></p> <p>The General Counsel's Office provides legal counsel to the Commission, which includes the responsibility for reviewing all staff memoranda and recommendations that are presented for Commission action or which are acted upon pursuant to delegated authority. The Office also: (1) provides written or oral legal opinions to the Commission, to the staff, and to the general public in appropriate cases; (2) reviews for legal sufficiency all adverse personnel actions, procurement activities, Freedom of Information Act and Privacy Act matters and other administrative matters; (3) prepares and/or reviews for legal sufficiency, before service, all final Commission decisions, orders, and regulations; (4) monitors, reviews and prepares comments on all legislation introduced in the Congress affecting the Commission's programs or</p>		

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	<p>activities, and prepares draft legislation or amendments to legislation; (5) serves as the legal representative of the Commission in administrative proceedings before other Government agencies; and represents the Commission in all litigation matters in which the Commission, its officers or employees are named parties and which arise from actions taken in their official capacities; and (6) manages the Commission's library and related services.</p> <p><u>DESCRIPTION - Office of Administrative Law Judges</u></p> <p>The Office of Administrative Law Judges holds hearings and renders initial or recommended decisions in formal rulemaking and adjudicatory proceedings as provided in the Shipping Act, 1916, Shipping Act of 1984, and other applicable laws and other matters assigned by the Commission, in accordance with the Administrative Procedure Act and the Commission's Rules of Practice and procedure.</p> <p><u>DESCRIPTION - Office of Policy Planning and International Affairs</u></p> <p>This Office is responsible for international affairs activities, strategic planning, policy briefings, economic analysis, public affairs projects and information systems to support the Commission in its statutory mission. The Office also:</p> <p>(1) develops policy plans which highlight current objectives and examines future strategies toward the liner shipping industry; monitors and reviews Commission programs, activities, and decisions for their future policy implications; (2) conducts and prepares short- and long-range policy planning, economic and special studies and reports, including past, current and future analyses and projections; identifies controlled carriers in the U.S. foreign commerce; (4) provides technical assistance regarding U.S. maritime regulatory policy in intragovernmental, government-to-government and multilateral discussions of international shipping policy; (5) has primary responsibility for the coordination of the collection and analysis of information concerning the impact of the Shipping Act of 1984 as required by section 18(a) of said Act; (6) analyzes legislative actions and operational and structural changes in the shipping industry that may influence the environment of international liner shipping; (7) provides economic policy support for other components of the Commission, including expert testimony in proceedings before administrative law judges; (8) coordinates Commission activities through liaison with other Government agencies and programs and international organizations; (9) screens, reviews, routes, and maintains the custody of U.S. Government</p>		

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	<p>and international organization documents, subject to the classification and safekeeping controls administered by the Commission's Security Officer; (10) serves as host for foreign visitors to the Commission by coordinating such visits and arranging for staff briefings to respond to inquiries concerning regulation of the liner trades; and (11) coordinates the Commission's management information operations, including automation planning and control, software development, computer acquisition, ADP training, and policy guidance to Commission officials in matters involving automation.</p> <p><u>DESCRIPTION - Office of Regulatory Overview</u></p> <p>This office monitors existing and proposed Commission rules and regulations to ensure their effectiveness and compatibility with law, Commission policies, and regulations of other Government agencies. The Office also: (1) coordinates all changes to existing and proposed rules and regulations and obtains necessary clearance for new rules from appropriate Government agencies; (2) drafts and edits recommended policy and rule changes for Commission promulgation; (3) ensures the compatibility of internal procedures with new and existing rules and regulations; (4) acts as liaison with other Government agencies to ensure Commission compliance with their substantive and technical rulemaking requirements; (5) maintains and promulgates the Commission's Regulatory Calendar; and (6) drafts and edits the recodification of the Commission's portions of Title 46, United States Code for submission to Congress, as required by law.</p> <p><u>DESCRIPTION - Office of Programs</u></p> <p>The Director of Programs provides policy and management direction to the Bureaus of Agreements and Trade Monitoring, Tariffs, Hearing Counsel, and Investigations. This Office manages, directs, and coordinates the Commission's regulatory programs and establishes operating policies for each of the Commission's operating bureaus. The Office also: (1) formulates and executes plans and programs to assure that the Commission's statutory responsibilities will be achieved; (2) reviews all programs to ensure the compatibility of their goals and objectives with agency goals and develops priorities to accomplish these goals in a timely manner; (3) establishes and administers a plan for the assignment of work and inter-bureau responsibilities, scheduling, and completion of functions for approved programs; (4) harmonizes various programs and functions which require cooperation between bureaus or which have regulatory significance and impact on more than one bureau; (5) coordinates the staff positions in formal proceedings; (6) makes recommendations with respect to: rulemakings; the initiation of</p>		

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	<p>formal proceedings and fact-finding investigations; major policy determinations; obtaining information under section 15 of the Shipping Act of 1984; investigation and suspension matters; exemptions from statutory or regulatory requirements; the seeking of remedies under section 6(g) of the Shipping Act of 1984; and, subject to the availability of funds, the functional and structural reorganization of operating bureaus, including new positions, promotions and procurements; and (7) chairs the Litigation Board.</p> <p>DESCRIPTION - Bureau of Agreements and Trade Monitoring</p> <p>This office plans, develops, and administers policies, programs and activities in connection with the filing of agreements under section 15 of the Shipping Act, 1916 (46 U.S.C. app. 814), and section 5 of the Shipping Act of 1984 (46 U.S.C. app. 1704); conducts surveillance of agreement activities and recommends appropriate Commission action. The Bureau also furnishes testimony and analytical, policy and technical support for formal Commission proceedings. The program activities of the Bureau of Agreements and Trade Monitoring are carried out by the following offices:</p> <p>(1) The <u>Office of Conferences</u> which reviews and analyzes rate and conference agreements, and modifications thereto, filed by ocean common carriers by water in the domestic offshore commerce of the United States.</p> <p>(2) The <u>Office of Carrier Relationships</u> which reviews and analyzes non-exempt transshipment, joint service, container and equipment interchange, pooling, sailing, discussion, space charter, equal access, passenger vessel, and cooperative working arrangement agreements and modifications thereto, filed by ocean common carriers in the foreign commerce and common carriers by water in the domestic offshore commerce of the United States.</p> <p>(3) The <u>Office of Shoreside Agreements and Program Support</u> which reviews and analyzes marine terminal facility and service agreements and terminal conference, agency and husbanding agreements, and modifications thereto; provides the Bureau with program analysis and support in connection with the initial aspects of agreement processing and compliance with agreement filing requirements and prepares appropriate <u>Federal Register</u> notices covering the filing of agreements. The Office administers the Bureau's Information System which records the various stages of agreement processing assignments through to completion and maintains the Commission's official agreement records.</p>		

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	<p>(4) <u>The Office of Trade Monitoring</u> monitors activity of entities subject to the Commission's jurisdiction over agreements to assure compliance with the shipping statutes. The office also gathers and analyzes trade data and develops and maintains profiles of major U. S. trade arease</p> <p><u>DESCRIPTION - Bureau of Tariffs</u></p> <p>This office plans, develops, and administers programs and activities, as well as makes recommendations to the Commission, in connection with: the pricing under tariffs or service contracts by common carriers by water, conferences of such carriers and marine terminal operators; the licensing and monitoring of ocean freight forwarders; and the certification of owners and operators of passenger vessels as to their financial responsibility to satisfy liability incurred by nonperformance of voyages or resulting from injury or death. The program activities of the Bureau are carried out by the following offices:</p>		
	<p>(1) <u>The Office of Tariff Analysis</u> which reviews, analyzes, accepts or processes the rejection of, and maintains tariff filings and issues letters of criticism; prepares recommendations for grant or denial special permission applications to file rates on less than statutory notice or for waiver of tariff filing rules and regulations; monitors the tariffs of controlled carriers in the U. S. foreign commerce for compliance with U. S. statutes and Commission rules; reviews certifications of policies to combat rebating and appropriate tariffs to ensure that such tariffs contain anti-rebating provisions; recommends appropriate action for the prescription of reasonable rates of common carriers by water engaged in the domestic offshore commerce of the U. S. and conferences of such carriers; and operates a public reference room for tariff users.</p>		
	<p>(2) <u>The Office of Financial Analysis; Special Agents and Auditors</u> which develops and revises the accounting regulations of the Commission as they apply to regulated entities, including the development of cost formulas and related financial reporting requirements to bring about accurate, uniform, and comprehensive disclosure of financial data to the Commission; analyzes the accounts, records, reports and financial statements of domestic offshore common carriers, using, where necessary, Special Agents and Auditors, analyzes justifications and makes recommendations in connection</p>		

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with rate changes by common carriers in the domestic offshore trades; and prepares testimony and appears in proceedings where rates and/or costs are in issue

- (3) The Office of Freight Forwarders which reviews applications for the licensing of ocean freight forwarders; reviews reports on the practices of licensed ocean freight forwarders and makes recommendations with respect to activities which indicate possible violations of applicable statutes or Commission regulations; maintains a program on anti-rebating certification for ocean freight forwarders; administers a surety bond program to ensure that each licensee maintains a valid bond issued by an acceptable surety company in the required amount for the protection of the shipping public; and conducts studies and surveys for the development of new or revised policies and standards, and rules and regulations with respect to ocean freight forwarder program activities.
- (4) The Office of Passenger Vessel Certification which administers statutory provisions with respect to the financial responsibility of owners and operators of passenger vessels to meet liability for non-performance of voyages and claims for injury or death on voyages; reviews and processes applications for Certificates of Financial Responsibility (Performance and Casualty) from passenger vessel owners and operators who evidence their financial responsibility by means of insurance, escrow account, guaranty, self-insurance and surety bond, separately for each type of Certificate; reviews periodic accounting reports and makes appropriate recommendations on the acceptability of guarantors and certificants who have qualified as self-insurers to assure that such remain financially stable; arranges field audits of passenger vessel operators' prepaid revenue accounts; and investigates and recommends acceptance or denial of persons or firms wishing to qualify with the Commission as acceptable underwriters.

DESCRIPTION - Bureau of Hearing Counsel

The Bureau represents the Director of Programs, including the Bureaus under the Director's supervision, as legal counsel, in adjudicatory and penalty assessment proceedings before administrative law judges, non-adjudicatory investigations, civil penalty claims, and other proceedings, in which Hearing Counsel presents evidence and advocates Commission policy as set forth in formal precedential decisions of the Commission. Among other things, the Bureau also:

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	<p>(1) acts as trial attorney, where directed, in all formal administrative hearings, non-adjudicatory investigations, and other proceedings initiated by the Commission under the shipping statutes; (2) negotiates and finalizes compromises and settlements with respect to civil penalties for violations of the shipping statutes or Commission regulations; (3) participates as a party to formal complaint proceedings where intervention is granted pursuant to standards set forth in the Commission's Rules of Practice and Procedure; (4) reviews enforcement reports referred by the Director, Bureau of Investigations, and makes recommendations as to possible disposition; (6) prepares draft orders, notices and other documents, as requested; and (7) participates, when requested by the General Counsel and under its direction, with the concurrence of the Director of Programs, in matters of court litigation by or against the Commission arising from violations previously adjudicated by the Commission</p> <p><u>DESCRIPTION - Bureau of Investigations; Field Offices</u></p> <p>The Bureau plans, develops, and administers programs and activities concerning all field operations and Commission investigative activities. Among other things, the Bureau also: (1) manages, coordinates, provides policy direction to and monitors the activities of the District Offices; (2) directs, coordinates, monitors, and otherwise manages investigations performed by Commission personnel of potential violations of the shipping statutes and Commission regulations and orders; (3) directs, coordinates, monitors, and otherwise manages field surveillance programs to ensure industry compliance with the shipping statutes and Commission regulations; (4) reviews all investigative reports as they are submitted by the District Offices and makes recommendations as to the disposition of Enforcement reports.</p> <p>The activities performed by the District Offices include representing the Commission within their respective geographic areas; providing liaison between the Commission and the shipping industry and interested public; furnishing information, advice, and counsel, and providing access to Commission public documents to interested persons; receiving and resolving informal complaints in coordination with the Director, Office of Informal Complaints and Inquiries; investigation violations of the shipping statutes and the Commission's regulations; conducting shipping industry surveillance programs; when requested by the Bureau of Tariffs, auditing passenger vessel operators; conducting special surveys and studies, maintaining liaison with the U. S.</p>		

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	<p>Coast Guard, U. S. Customs, and other Federal and State agencies with respect to areas of mutual concern; and providing assistance to the various bureaus and offices of the Commission as appropriate and when requested.</p> <p><u>DESCRIPTION - The Office of Personnel</u></p> <p>The Office of Personnel develops and administers personnel management programs in compliance with Federal laws and regulations. These include recruitment, staffing, employee training and development, position classification and management, occupational health and safety, employee relations, incentive awards, employee benefits, and the maintenance of all personnel records.</p> <p><u>DESCRIPTION - Office of Budget and Financial Management</u></p> <p>The Office formulates recommendations and interprets Federal budgetary policies and programs; develops and presents Commission budget requests and justifications to the Office of Management and Budget and to Congress; develops and administers fiscal plans and systems of internal control that provide accountability for public funds; ensures that Commission obligations and expenditures of appropriated funds are proper; has responsibility for all fiscal accounting activities including payroll accounts and accounts payable; determines and recommends proper levels of user fees; administers the Commission's travel and cash management programs; and is otherwise responsible for financial management policies, procedures and planning. The Office is also responsible for ensuring accountability, security and disposition of all official passports.</p> <p><u>RECORDS - Office of the Chairman</u></p>		
1	<p><u>Information Files</u> contain informational documents maintained by the Office of the Chairman to disseminate public information. Files in this series consist of press releases, trade studies and informational publications of the Commission, and official speeches of the Chairman. Press releases are maintained by year in black 3-ring binders and papers therein are filed in serially numbered order. A record copy of trade studies and other informational publications is maintained in chronological order. Official copies of the Chairman's speeches are arranged by year in black 3-ring binders with materials therein arranged in chronological order 1970 to present. VTD 2 1/2 cu. ft. EAV 1/8 cu. ft. (GRS Schedule 14, Item 1).</p>	NC1-358-81-2/5 <i>msf</i>	

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2	<p>DISPOSITION: (a) <u>Record Copy.</u> PERMANENT. Close files at end of calendar year and retain in office until 5 years old. Transfer to WNRC and offer to NARA when 10 years old.</p> <p>(b) <u>Other copies.</u> Maintain in office until no longer needed. Then destroy.</p> <p><u>RECORDS - Office of Informal Inquiries and Complaints</u></p> <p><u>Informal Complaints</u> files contains correspondence with the FMC by shipping companies and other persons subject to the Shipping Act of 1984 and other applicable Acts and laws relative to changes in rates, fares, and discriminatory practices against shippers, carriers, or other persons. After investigation, such complaints are concluded by administrative action, formal proceedings, referral to the Department of Justice, or by achieving voluntary agreement between the parties.</p> <p>DISPOSITION: (a) Other than significant cases, close when complaints are settled or otherwise concluded. Hold in office until two years old, then transfer to WNRC. Destroy when five years old.</p> <p>(b) For significant cases, close file when complaints are settled or otherwise concluded. Hold in office until three ^{two} years old, then transfer to WNRC. Destroy when five years old.</p> <p><u>RECORDS - Informal Dockets Activity</u></p>	NC1-358-81-2/17	
3	<p><u>Informal Docket Decisions</u> contain, in black binders, numerically and chronologically arranged duplicate copies of all decisions issued since January 1981. Copies are used for staff reference. Originals of the decisions, as well as all other documents related thereto, are maintained in the official files of the Docket Activity, Office of the Secretary.</p> <p>DISPOSITION: Maintain in office until no longer needed for reference. Then destroy.</p> <p><u>RECORDS - Office of Policy Planning and International Affairs</u></p>		Non-record material mlb
4	<p><u>Section 18 (5-Year Study) Files</u> contain information the Office has collected and analyzed under the section 18</p>		withdrawn mlb

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	<p>mandate. Section 18 requires that for a period of five years following enactment of the Shipping Act of 1984, the Commission collect and analyze information concerning the impact of the Act upon the international ocean shipping industry including data on: (1) increases or decreases in the level of tariffs; (2) changes in the frequency or type of common carrier services available to specific ports or geographic regions; (3) the numbers and strength of independent carriers in various trades; and (4) the length of time, frequency, and cost of major types of regulatory proceedings before the Commissions</p> <p>Within six months after the expiration of the five-year period, the Commission is required to prepare a report analyzing the impact of the Act. This report is to be sent to Congress and an Advisory Commission on Conferences in Ocean Shipping.</p> <p>DISPOSITION: Retain in Office for five years after completion of study. Then transfer to FMC Library. Destroy when no longer needed.</p> <p><u>RECORDS - Office of Regulatory Overview</u></p>		withdrown mef
5	<p><u>Office of Regulatory Overview Subject Files</u> contain letters, memoranda, and other documents created in formulating and implementing plans, responses and decisions on matters of policy impact or in providing operational and managerial guidance to organizational segments concerning programs, functions and objectives of the Commission. Files are arranged alphabetically by subject and numerically by docket number.</p> <p>DISPOSITION: Review files annually and close files where there has been no activity for one year or more. Destroy files six months thereafter.</p>		
6	<p><u>Office of Regulatory Overview Commission Rules Files</u> contain, in binders, all working copies of the Code of Federal Regulations parts from 46 CFR 500 to end. Copies are used for office updating and reference. Originals are maintained in the official files of the Office of the Secretary</p> <p>DISPOSITION: Maintain in office until no longer needed for reference or until updated. Then destroy.</p>		Non-record material mef
7	<p><u>Office of Regulatory Overview Code Files</u> contain drafts, statutory materials and other documents created in formulating the submission to Congress of the Commission's draft</p>		

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	<p>recodification of its parts of Title 46, United States Code. Files will be used for future comments to Congress and further editing of the Code as may be requested by Congress.</p> <p>DISPOSITION: Maintain in office until no longer needed for referencee Then destroy.</p> <p><u>Records - Bureau of Agreements and Trade Monitoring</u></p>		
8	<p><u>Agreement Files (Foreign)</u> contain agreements, correspondence information forms (confidential) and other documents submitted by carriers and conferences or other persons operating in the foreign commerce of the United States in accordance with the Shipping Acts of 1984. Files also include staff recommendations, orders, notices, minutes of conference meetings, ad hoc reports and other papers pertaining to the agreementss Some information in the files is confidential.</p> <p>DISPOSITION: Hold in Bureau for five years after cancellation of agreement, then transfer to WNRC. Destroy 10 years after cancellation of agreement.</p>	NN-173-321/16, 17, 18	
9	<p><u>Domestic Agreement Files</u> contain agreements, correspondence and other documents submitted by carriers and conferences or other persons in the domestic offshore commerce of the U. S. filed in accordance with the Shipping Act, 1916. Files also include staff recommendations, orders, notices, minutes of meetings, ad hoc reports and other papers pertaining to the agreements. Some information in the files is confidential</p> <p>DISPOSITION: Hold in Bureau for five years after cancellation of agreement, then transfer to WNRC. Destroy 10 years after cancellation of agreement.</p>	NN-173-321/16 17, 18	
10	<p><u>Passenger Agreements Files</u> contain agreements, correspondence, recommendations, orders, minutes of meetings, membership documents, and documents relating to cancelled, terminated or inactive agreements filed in accordance with the Shipping Acts of 1916, as amended, and 1984. Files are arranged by agreement number.</p> <p>DISPOSITION: Retain for five years after agreement is cancelled or disapproved, then transfer to WNRC. Destroy when 10 years old.</p>	NC1-358-81-2/40	
11	<p><u>Agreements File (Freight Forwarders)</u> contains agreement, correspondence, recommendations, orders, reasons for cancelling and all relevant data submitted by freight forwarders in accordance with the Shipping Act of 1916. Files are arranged numerically.</p>	NC1-358-81-2/41	

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12	<p>DISPOSITION: Close file when agreement is cancelled and retain in office until five years olde Then transfer to WNRC. Destroy when 10 years olde</p> <p><u>Agreement Files (Terminals)</u> contain agreements and other documents submitted by carriers and/or terminal operators in the foreign and domestic commerce of the U. S. in accordance with the Shipping Acts of 1916 and 1984. Files contain agreements; correspondence between the Commission and carriers, terminal operators and other persons; recommendations to the Commission; orders, notices and other papers pertaining to approval, modification, amendment, investigation or hearing thereof; minutes of conference and rate agreement meetings, conference reports and other related papers pertaining to the agreements. Files are arranged in individual folders by agreement number and material filed therein is arranged chronologically.</p> <p>DISPOSITION: When agreement is cancelled or disapproved, transfer to cancelled agreements file. Hold in office one year, then transfer to WNRC. Destroy when 10 years old.</p>	NC1-358-81-2/42e	
13	<p><u>Agreement Subject File</u> contains general correspondence, records and miscellaneous papers pertaining to overall agreement policy matters filed by subject and not by agreement numbers</p> <p>DISPOSITION: Close file at the end of each calendar years Hold in office for 5 years, then destroys</p>	NC1-358-81-2/45	
14	<p><u>Not Subject Agreement Files (Terminals)</u> contain correspondence and agreements and other documents submitted by terminal operators or other persons in the foreign and domestic commerce of the U. S. in accordance with the Shipping Acts of 1916 and 1984, requesting a determination of their subjectivity to the Acts. Files are arranged in individual folders by agreement number with material in files arranged chronologically</p> <p>DISPOSITION: Close file at end of calendar year in which determination is made. Hold in office for 5 years, then destroy.</p>	NC1-358-81-2/46	
15	<p><u>Marine Information System.</u> (This system was formerly maintained by the Office of Data Systems, which has been</p>	NC1-358-81-2/96	

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abolished. With the abolishment of that Office, the records of that office are no longer being kept or maintained as a series. The information contained in the tapes, however, will now be kept by the Bureau of Agreements and Trade Monitoring for potential use in constructing time series information on conference market shares, major moving conference cargoes, etc. for trade monitoring; and/or for section 18 of the Shipping Act of 1984 purposes. A description of the former system and series of records maintained thereunder follows, along with proposed new dispositions.)		<p><u>System Description</u></p> <p>The system design concept of the Marine Information System (MARIS) consisted of creating separate subsystems for each major area of data responsibility. Each of the subsystems was designed to interact with each of the other subsystems (except Freight Forwarders) and each subsystem had its own file maintenance capability, providing an automated record-keeping operation for each area of data responsibility.</p> <p>Data generated within the Commission was encoded for automated processing and retrieval including information on tariffs, agreements, vessel certifications and freight forwarders. These records were integrated with monthly Bureau of Census vessel and commodity movement data to provide a broad range of up-to-date information, including the number, types, itineraries and operators of all vessels in U. S. foreign commerce; the volume of movement by commodity, vessel type and carrier between any combination of U. S. and foreign ports; and the market share by commodity of individual liner carriers, conferences, or nationality of individual U. S. foreign trade. The system screened all cargo movements against tariff records to insure compliance with statutes requiring tariff filings and to provide an accurate determination of liner and non-liner cargo movements. It was used to signal significant shifts in ocean traffic patterns and monitor the operation of cargo pools. By agreement with the Bureau of the Census, the Commission was prohibited from divulging any information developed from Census and vessel commodity movement data which would identify the commercial activities of individual companies or persons.</p>		<p><u>Series Descriptions</u></p> <p>A. Monthly Census Vessel/Commodity Subsystem</p> <p>This subsystem processed Bureau of Census monthly import/export vessel and detail commodity movement data in conjunction with Commission vessel and tariff data to create comprehensive U. S. foreign oceanborne trade movement files. The</p>	

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	<p>system provided a broad range of information including the number, types, itineraries and operators of liner vessels in U. S. foreign commerce; the volume of movement by commodity, vessel type and carrier between any combination of U. S. and foreign ports; and the market share by commodity of individual liner carriers, conferences or nationalities in any U. S. foreign trade. Monthly coverage began in January 1975.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes, then destroy.</p> <p><u>B. Annual Census Commodity Movement Subsystem</u></p> <p>This subsystem used the annual four (4) digit Schedule "A", Schedule "B"/"E", commodity movement data as input files and created an historical data bank of up to ten years of data, by four (4) digit commodity code. The data file contained the geographic port pairs representing commodity movements, total short tons and dollar value, by commodity. The movement could not be related to an operator or vessel, unlike the monthly Census subsystem, but total cargo, by commodity, for port-to-port or coast-to-coast could be easily obtained. This subsystem was implemented in January 1975.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes, then destroy.</p> <p><u>C. Tariff Subsystem</u></p> <p>This subsystem provided an automated recordkeeping system of vessel operating common carrier (VOCC) tariffs on file with the Commission. Information that was carried for each tariff included the tariff name, effective date, carriers involved, geographic trade route and various characteristics such as type of tariff, direction and service. The tariff subsystem had been operational since 1974.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes, then destroy.</p> <p><u>D. Agreements Subsystem</u></p> <p>This subsystem provided an automated recordkeeping system of each agreement on file with the Commission (less terminal agreements). The data contained agreement name, members</p>		

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	<p>involved, effective and expiration dates, geographic trade routes, and various characteristics such as type of agreement, direction, service and voting matters Coverage began in September 1974.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes, then destroy.</p> <p>E. <u>Oil Spill Subsystem</u></p> <p>This subsystem provided an automated recordkeeping system on applications for certification of vessels entering U. S. waters. Certificates of financial responsibility including insurance coverage were required on vessels that were 300 gross tons or over. The system monitored the status of each application, including each vessel within an application. The data contained applicant name and address, applicant nationality, vessel name, vessel type, gross tons, flag and underwriter. Coverage began in July, 1973.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes. Then destroy.</p> <p>F. <u>Freight Forwarder Subsystem</u></p> <p>This subsystem provided an automated recordkeeping system of each freight forwarder on file with the Commission. Data carried on each freight forwarder included name, address, home or branch office, license number, state, and certain confidential characteristics requested by the Office of Freight Forwarders. The Freight Forwarder Subsystem had been operational since October 1974.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes Then destroy.</p> <p>G. <u>Monetary Exchange Rates</u></p> <p>This system was designed to accumulate and report monetary exchange rates of major foreign currencies vs. the U. S. dollar. The system contained daily exchange rates for eleven (11) major foreign currencies. Each month a daily recap report was prepared for the former Office of Economic Analysis reflecting the day-to-day status of each currency. The system also provided monthly reports of thirty-one (31) foreign currencies vs. U. S. currency. The report reflected</p>		

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	<p>the percentage of fluctuation of currency values for the previous month, quarter and calendar year. Coverage was from 1972.</p> <p>DISPOSITION: Maintain in office until no longer needed for historical or reference purposes. Then destroy.</p> <p style="text-align: center;"><u>RECORDS - Bureau of Tariffs</u></p> <p style="text-align: center;"><u>Office of Tariff Analysis</u></p>		
16	<p><u>Delegation of Authority Foreign Commerce and Domestic Commerce</u> contain powers of attorney (delegation of authority) to file tariffs, amendments, and revisions by other persons on behalf of parties subject to the Shipping Acts of 1916 and 1984, and the Intercoastal Shipping Act, 1933.</p> <p>DISPOSITION: Close file when carrier ceases operations and retain in office. Destroy when 20 years old.</p> <p style="text-align: center;"><u>Office of Freight Forwarders</u></p>	NC1-358-81-2/54	
17	<p><u>Individual Licensed Independent Ocean Freight Forwarders Files</u> contain application (Form FMC-18); credit references; a record of forwarding and/or other experience; financial and compliance history of the individual freight forwarder; work papers; investigation reports and summary recommendations; surety bond information; compliance investigation reports; vital statistics, addresses, and descriptions of the relationship of individual freight forwarders to other persons subject to the Shipping Act of 1984; and denied, withdrawn or revoked licenses with reasons for denial or revocation and all correspondence relative thereto. Files are arranged numerically by license number.</p> <p>DISPOSITION: Close file when license is denied, withdrawn or revoked. Place in inactive file and hold in office for 2 years after final action, then transfer to WNRC. Destroy when 10 years old.</p> <p style="text-align: center;"><u>RECORDS - Bureau of Investigations</u></p>	NC1-358-81-2/66	
18	<p><u>Investigative Case Files</u> contain reports of investigation of alleged violations of the shipping statutes by carriers, forwarders, shippers, terminal operators or others; exhibits to reports, enforcement and other correspondence, passenger cruise audits, freight forwarder compliance checks, complaint correspondence, special inquiry reports and shipping intelligence. Investigative files in the District Offices contain copies of the same material.</p>	NC1-358-81-2/85	

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19	<p>DISPOSITION: (a) <u>Headquarters Office</u> - close file upon conclusion of investigation or passenger vessel audit or, in the case of freight forwarders, upon withdrawal of freight forwarder application or denial, revocation or cancellation of forwarder license. Maintain in office until 7 years old, then transfer to WNRC. Destroy when 14 years old.</p> <p>(b) <u>District Offices</u> - close file upon conclusion of investigation or passenger vessel audit; in the case of freight forwarders, upon revocation or cancellation of forwarder license. Maintain in office until 7 years old. Then destroy</p> <p><u>Enforcement Claims and other Settlements.</u> Contains investigative case files, violations, claims agreements, settlements, record of payments and associated papers of persons subject to the regulatory authority of the Commission who have violated Commission rules and regulations.</p> <p>DISPOSITION: Close file at end of calendar year in which settlement is made. Hold in office for 7 years, then transfer to WNRC with Investigative Case Files (Item No. 18 above). Destroy when 14 years old</p>	NC1-358-81-2/29	