2nd NCD 270ct80 AH

EQUEST FOR REC SITION AUTHORITY
(See Inst reverse)

LEAVE BLANK

JC

NC1-358-81-2

DATE RECEIVED October 31, 1980

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disposal request, including amendments, is approved except for items that may be stamped "disposal not approved" or "withdrawn" in column 10.

AUG 24 1981
Date

Robert M. Warner
Archivist of the United States

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

1. FROM (AGENCY OR ESTABLISHMENT)
Federal Maritime Commission

2. MAJOR SUBDIVISION
N/A

3. MINOR SUBDIVISION
N/A

4. NAME OF PERSON WITH WHOM TO CONFER
M. Louise Butler

5. TEL EXT
523-5326

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 ~~46~~ 51 page(s) are not now needed for the business of this agency or will not be needed after the retention periods specified.

☐ A Request for immediate disposal.

☒ B Request for disposal after a specified period of time or request for permanent retention.

C. DATE	D. SIGNATURE OF AGENCY REPRESENTATIVE	E. TITLE
10/17/80	Ronald J. Murphy	Records Management Officer

7. ITEM NO	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO.	10. ACTION TAKEN
	FEDERAL MARITIME COMMISSION Origin and Establishment The Commission was created as an independent regulatory agency on August 12, 1961, by Reorganization Plan No. 7 of 1961. This plan abolished the existing Federal Maritime Board (a component of the Department of Commerce, which then had responsibility for both functions) and established two separate maritime agencies - the Federal Maritime Commission to regulate the ocean commerce of the United States, and the Maritime Administration (which remained within the Department of Commerce) to promote the U. S. merchant marine. The Commission was charged by Congress with responsibility for implementing a number of Federal statutes that are basically concerned with regulating both U. S. and foreign shipping lines engaged in carrying our country's import and export trade by water, certain closely related activities such as ocean freight forwarding and		

Closed Out: 9-2-81: K.T.
Copy to NCW, NNB, NNF, NNH, NNV, NNR & Agency

116 items

I have reviewed all changes with Bob Coen of NARS on 8/5/81 and approve of all changes herein.
Ronald J. Murphy 8/5/81

115-107

STANDARD FORM 115
Revised April, 1975
Prescribed by General Services Administration
FPMR (41 CFR) 101-11.4

7. ITEM NO.	8. DESCRIPTION OF ITEM (With Inclusive Dates or Retention Periods)	9. SAMPLE OR JOB NO	10. ACTION TAKEN

terminal operations at U. S. ports, and the oceangoing commerce in the domestic offshore trades of the United States - that is, movement of cargo by ship between points on the U.S. mainland and any other possessions, states or territories of the United States.

Organization

The Federal Maritime Commission is composed of five members, appointed by the President, with the advice and consent of the Senate. The members are appointed for five-year terms and only three members may be from the same political party.

The President designates one of the members to be the Chairman.

Statutory Authorities

Shipping Act, 1916, as amended, (46 USC 801 et seq.)

Intercoastal Shipping Act, 1933, as amended (46 USC 843 et seq.)

P.L. 92-500, Federal Water Pollution Control Act, as amended, Section 311.

P.L. 95-217, Clean Water Act of 1977, Sections 57 and 58.

P.L. 89-777, Financial Responsibility for Death or Injury to Passengers and for Non-Performance of Voyages, Sections 2 and 3.

P.L. 93-153 Trans-Alaska Pipeline Authorization Act, subsection 204c.

Merchant Marine Act, 1920, as amended Section 19 (46 USC 876).

P.L. 95-372, Outer Continental Shelf Land Act Amendments of 1978.

P.L. 95-483, Ocean Shipping Act of 1978.

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P.L. 95-475, Intercoastal Shipping Act, 1933, Amendment.

P.L. 96-25, Shipping Act Amendments of 1979.

Merchant Marine Act, 1936, Section 205 (46 USC 1115)

Reorganization Plan No. 7 of 1961

National Environmental Policy Act of 1969

Energy & Conservation Act, 1975

Responsibilities

The Commission's main responsibilities include:

1) The regulation of ocean carrier ratemaking in our foreign and domestic offshore trades;

2) Investigation of discriminatory rates and practices among shippers, carriers, terminal operators, and freight forwarders;

3) Licensing of independent ocean freight forwarders;

4) Passenger vessel certification; and

5) Certification of vessels to ensure financial responsibility for pollution by oil and hazardous substances.

6) Rendering decisions, issuing orders, rules and regulations governing and affecting common carriers by water in the foreign and domestic offshore commerce, terminal operators, freight forwarders, and other persons subject to the shipping statutes.

The Commission's most visible activities occur through its enforcement of section 15 of the Shipping Act. Section 15 exempts ocean carrier conferences from the Sherman and Clayton antitrust laws. In order to prevent abuses of concerted

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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

ratemaking authority, the FMC evaluates all agreements between or among entities subject to the Shipping Act.

This schedule combines items previously submitted for appraisal under Job No. NN-173-321 (RG 358) on 9-17-73 to James B. Rhoads, Archivist of the United States with additional records, in order to develop a comprehensive records control schedule. Where applicable, reference to the previous item number and page of our former schedule is indicated in column 9. Changes in retention periods or descriptions of records are indicated by footnotes. Additionally, Item No. 13/321-20 of our former schedule has been deleted because that entry is not a record. This schedule has been submitted concurrently to the Comptroller General, U.S. General Accounting Office. Additionally, for series that will be microfilmed, this certifies that the records will be microfilmed in accordance with standards in 41 CFR 101-11.506.

ABBREVIATIONS
WNRC - Washington National Records Center
NARS - National Archives and Records Service
EAV - Estimated Annual Volume of Records
VTD - Volume accumulated to date

Office of the Chairman and Commissioners

The Chairman of the Federal Maritime Commission serves as the chief executive and administrative officer of the Commission. The Chairman, with the other four Commissioners, is responsible for establishing the policies of the Commission.

In administering the policies of the Commission, the Chairman prescribes the Commission's programs, goals, and objectives. In addition, 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.

The Commission makes rules and regulations to interpret, enforce, and ensure compliance with the

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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

Shipping Act, 1916, and other shipping statutes. The five Commissioners meet regularly as a collegial body to consider matters under adjudication, propose and adopt rules, order investigations, and establish regulatory policies. The Chairman and other Commissioners testify before the Congress on legislation affecting regulation of the U. S. ocean commerce. Commissioners frequently chair internal agency committees or task force groups focusing upon a particular aspect of the Commission's regulation or procedures.

Office of the Chairman

1. Reading File contains copies of incoming, outgoing and internal correspondence prepared by the Office of the Chairman or by other Offices for the Chairman's signature relating to management decisions, authorities, actions or policies of the Chairman, or other persons acting for the Chairman in discharging the executive and administrative functions of the agency. Correspondence prepared by other offices or bureaus for the Chairman's signature contained in this file is in addition to the files maintained by bureaus or offices. Files are arranged chronologically.

Close file at end of each calendar year. Hold in office until 10 years old, then destroy.

2. Chairman's Subject Files contain letters, memoranda, and other documents prescribing the Commission's policies, programs and objectives that document meetings with foreign governmental and industrial groups or other Government agencies to present the United States' position with respect to the U. S. international liner trades; and other records incident to maintaining liaison with the shipping community and the Congress.

Files are arranged by subject matter and material therein is filed chronologically. Personal files are separately maintained. Official business papers originating with, or received by, the Chairman's office are held until (1) conveyed to the appropriate official agency entity or (2) final action

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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
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	officially recorded or the expiration of 5 years - whichever later occurs; ~~then destroyed~~. PERMANENT. Offer to NARS 5 years after termination of Chairman's service.		
	3. Docketed Agenda Files contain copies of items considered at formal Commission meetings; copies of rules and regulations promulgated by the Commission; backup and other working papers used as a basis for formal decisions or dissenting opinions; formal proceedings, formal complaints or other matters presented to the Commission for consideration or action; and correspondence pertaining to the docket item. Files essentially duplicate those maintained by the Office of the Secretary.		
	Files are maintained by docket number, agreement number or topic and are held in the office for ongoing use of Chairman and successors. Destroy when file is no longer needed.		
	4. Notation Item Files contain copies of notation items (items not considered at a formal Commission meeting) and are arranged chronologically.		
	Close file at end of year. Hold files in office and destroy when 5 years old.		
	5. Information Files 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 speeches are arranged by year in black 3-ring binders with materials therein arranged in chronological order. 1970 to present. VTD 2 cu.ft. EAV 1/8 cu.ft. (GRS Schedule 14, Item 1).		
	(a) Record Copy. PERMANENT. Close files at end of calendar year and retain in office until 5 years old. Transfer to WNRC and offer to NARS when 10 years old.		
	(b) Other copies: Maintain in office until no longer needed. Then destroy.		

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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

6. ~~Biographies include photographs, speeches and other related material of key Agency personnel. Files are arranged alphabetically. 1961 to present. VID 1 3/4 cu. ft. EAV 1/8 cu. ft.~~ see revision p. 7A

~~Permanent~~

~~Retain in office and offer to NARS when series accumulates enough to fill a Federal Records Center box or when 15 years old, whichever is sooner.~~

7. International Affairs (Classified Documents) Files contain copies of State Department cables, letters and other classified documents which are circulated to the Commissioners and Managing Director for information. Files are maintained in a combination locked safe.

Maintain for reference until no longer needed. Then destroy by shredding.

8. International Affairs (Country) Files contain correspondence, background information and other unclassified material which is maintained for reference and backgound information in dealing with foreign governments.

Maintain for reference until no longer needed. Then destroy.

OFFICES OF THE COMMISSIONERS

9. Docket/Agenda Files contain duplicate copies of agendas and documents distributed by the Secretary of the Commission for consideration at formal Commission meetings or by notation voting; copies of rules and regulations promulgated by the Commission; backup and other working papers used as a basis for formal decisions or dissenting opinions; copies of formal proceedings; formal complaints or other matters presented to the Commission for consideration or action; and correspondence pertaining to the related items. Files essentially duplicate those maintained by the Office of the Secretary.

Files are maintained by docket number, agreement number or topic and are held in the office for ongoing use of

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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
6.	Chairman and Commissioners Biography and Photograph File. Contains biographic resumes of the chairmen, commissioners, and other key agency personnel. Interfiled with the biographies are copies of speeches, photographic prints, and a few photographic negatives. Most of the photographs were taken by Commerce Department photographers and in these cases the negatives are retained and scheduled by the Commerce Department for transfer to the National Archives (NC1-40-79-1, item 61). Arranged chronologically and thereunder alphabetically by name. VTD 2 cu. ft. EAV 1/8 cu. ft. Permanent. Retain in office and offer to NARS when accumulation reaches one cubic foot or when 10 years old, whichever is sooner.		

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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

Commissioner and successors. Destroy when file is no longer needed.

10. Commissioners' Business Files contain official business correspondence, speeches and articles by the Commissioners.

Files are maintained by docket number or subject matter. Personal files are separately maintained. Official business papers originating with, or received by, the Commissioner's office are held until (1) conveyed to the appropriate official agency entity or (2) final action officially recorded or the expiration of 5 years - whichever later occurs; ~~then destroyed.~~ PERMANENT. Offer to NARS 5 yrs. after termination of Commissioner's service.

OFFICE OF THE MANAGING DIRECTOR

The Managing Director directs and administers the organizations and activities of the Commission's operating bureaus; provides managerial direction to, and effects work coordination with the Office of the General Counsel and the Office of the Secretary; provides administrative direction and coordination to the Office of Administrative Law Judges; assists, advises, and consults with the Chairman and/or the Federal Maritime Commission in the performance of major executive functions; and directs general administrative activities. Additionally the Office of the Managing Director performs those functions dealing with consumer affairs and Privacy Act matters.

11. Reading File contains incoming, outgoing and internal correspondence prepared by the Office of the Managing Director/Deputy Managing Director or by other offices for the Directors' signatures relating to the coordination, development and execution of programs, policies, plans and projects to accomplish the objectives established by the Chairman and/or the Commission, or by other persons acting for the Managing Director in providing administrative and managerial direction to the offices under them. Correspondence prepared by other offices or bureaus for the Managing Director/Deputy Managing Director's signature is in addition to the files maintained by bureaus or offices.

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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
per telecon w/ Louise Butler 3/20/81	- 9 -		
	Close file at end of each calendar year. Hold in office until ~~10~~ 5 years old, then destroy.		
	12. Bureau and Office Reading Files contain carbon copies of memos, letters and other documents prepared by bureaus and offices for their signature on subject matter involving policy interpretations or other matters in which the Managing Director has asked to be kept informed. The official file copy is maintained in the originating office's files.		
	Close file annually. Transfer to inactive file. Destroy when three years old.		
	13. Managing Director's Subject Files contain letters, memoranda and other documents created in formulating and implementing plans, responses and decisions on matters of major policy impact or in providing operational and managerial guidance to all organizational segments concerning all programs, functions and objectives of the Commission. Files are arranged alphabetically.		
	Files are maintained by subject matter and material therein is filed chronologically. Personal files are separately maintained. Official business papers originating with, or received by, the Managing Director's office are held until (1) conveyed to the appropriate official agency entity or (2) final action officially recorded or the expiration of 5 years - whichever later occurs; then destroyed.		
	14. Commission Meeting Files contain advance copies of recommendations to the Commission prepared by the staff and copies of agenda, notation, approved or disapproved items considered by the Commission. (Official copies are maintained by the Office of the Secretary.)		
	Close file semiannually. Transfer to inactive drawer. Destroy when 1 year old.		
	15. Consumer Affairs Files contain correspondence relating to consumer complaints against the practices, methods, operations and rate levels established by those engaged in foreign and domestic		

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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
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	waterborne commerce and the disposition of such complaints; and records incident to representing the Commission in dealing with industry, with Federal, State, or local groups, civic bodies, and consumer interest groups on matters involving consumer affairs.		
	Close file after disposition of complaint or inquiry. Hold in office one year, then transfer to WNRC. Destroy when 4 years old.		
	16. Privacy Act Reports Files contain recurring reports and one time information requirements relating to the Commission's implementation of the provisions of the Act, annual reports to the Congress, the Office of Management and Budget and the Report on New Systems. Files are arranged chronologically. 1974 to present. VTD 1/5 cu.ft. EAV 1/32 cu.ft.		
	a. Annual Reports, Permanent Hold in office and offer to NARS when series accumulates enough to fill a Federal Records Center box or when 15 years old, whichever is sooner. (GRS Schedule 14, Item 29a)		
	b. Other Reports. Destroy when 2 years old.		
	17. Informal Complaints filed with the FMC by shipping and steamship companies and other persons subject to the Shipping Act, 1916, as amended, 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.	173-321/41	

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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
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	(a) Other than significant cases, close when complaints are settled or otherwise concluded. Hold in office until three years old, then transfer to WNRC. Destroy when five years old.		
	(b) For significant cases, close file when complaints are settled or otherwise concluded. Hold in office until ~~five~~ 3 years old, then transfer to WNRC. Destroy when ~~8~~ 5 years old.		
	OFFICE OF THE SECRETARY		
	The Office of the Secretary prepares agenda and dockets of matters subject to action by the Federal Maritime Commission and also prepares minutes with respect to such actions; receives and processes formal complaints and staff recommendations for investigation and hearing involving violations of the Shipping Act, 1916, as amended, and other applicable laws, and reviews complaints for compliance with the Commission's Rules of Practice and Procedure; processes all other motions and and petitions to the Commission for action; issues orders and notices of actions of the Commission; receives formal communications, petitions, notices, documents, and other instruments directed to the Chairman and/or the Commission and maintains official files and records with respect thereto; authenticates instruments or documents of the Commission; administers oaths; issues subpoenas at the direction of the Commission; and admits qualified non-attorneys to practice before the Commission. Additionally, this Office performs those functions relating to Freedom of Information matters.		
	~~18. Official Docket contains the record copies of formal proceedings instituted by Commission order or by formal complaint alleging a violation of the Shipping Act, 1916, as amended and other applicable laws. The docket consists of transcripts, pleadings and exhibits. Files are arranged by docket number in hard bound docket binders, size 10 1/2" by 13"; and material contained therein is filed in chronological order. 1958 to present. VTD 850 cu. ft. EAV 50 cu. ft.~~	173-321/3 4, 5, 6	WITHDRAWN 7/15/81
	~~(a) Transcript Docket No. contains a verbatim record of Commission proceedings. (Filed in separate binder~~		

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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
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	when massiveness precludes inclosure of entire record in single docket binder). Excludes transcripts of closed Commission meetings.		
	(b) Pleadings, Docket No. contains motions, petitions and briefs submitted by parties to proceedings, orders and correspondence among parties. (Filed in separate binder when massiveness precludes inclosure of entire record in single docket binder).		
	(c) Exhibits, Docket No. contains documents submitted as evidence in proceedings. (Filed in separate binder when massiveness precludes inclosure of entire record in a single docket binder.)		
	Permanent (a) Other than significant cases, retain in office for 1 year following completion of proceedings, then transfer to WNRC. Offer to NARS when 30 years old.		
	(b) For significant cases having wide public interest retain in office for 5 years after completion of proceeding, then transfer to WNRC. Offer to NARS when 30 years old.		
	19. Interoffice Confidential Files contain materials related to formal hearings (dockets), including administratively restricted intra-agency memos and correspondence peripheral to subject of hearing, which is not included in the official docket file. Files are arranged in individual folders by docket number and material contained therein is filed in chronological order. 1956 to present. VTD 32.6 cu. ft. EAV 1.3 cu. ft. 1/	173-321/2 WITHDRAWN	
	Permanent Retain in office for 10 years following completion of related docketed proceeding, then transfer to WNRC. Offer to NARS when 30 years old.		
	1/ This item was formerly scheduled for destruction after 5 years. Because of its integral and important relationship to maintaining a complete record of all the actions of the Commission in the official docketed proceedings, we are recommending permanent retention.		

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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
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	20. FMC Minutes - official record of agendas for Commission meetings along with memoranda or other documents prepared by the staff presenting matters to the Commission for action, and a record of the Commission's actions thereon. Includes transcripts of closed Commission meetings. Minutes are arranged chronologically in unbound form. 1948 to present. VTD 252 cu. ft. EAV 8 cu. ft.	173-321/7	
	Permanent Retain in office until office no longer required for frequent reference but no longer than 20 years, then transfer to WNRC. Offer to NARS when 30 years old.		
	21. Reading Files contains copies of Office of the Secretary's incoming and outgoing correspondence to staff, the public, other Government agencies and Congressional interests relating to Commission authorities, procedures, policies, actions or decisions. 2/	173-321/1	
	Close file at end of calendar year and retain in office until 10 years old. Transfer to WNRC. Destroy when 20 years old.		
	22. Federal Register Original Tissues contain original stamped copies of Commission rules and regulations returned from the Federal Register which, by law, must be published in the Register and other miscellaneous documents which are of sufficient public interest to warrant publication in the Register.	173-321/8	
	Close file annually. ~~Maintain in office until 5 years old, then transfer to WNRC. Destroy when 10 years old.~~ Destroy when 3 yrs old or sooner, if no longer needed.		
	23. Non-Attorney Practitioner Files contain application form and letters of reference for persons, not attorneys, who apply for and/or are granted permission to practice before the Commission.		
	2/ This item was previously scheduled for permanent retention. After careful consideration, we find that the material contained therein will have served its purpose after 20 years. Therefore, we do not recommend this item for permanent retention.		

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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
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	Maintain files in office for 10 years after an applicant ceases to practice, then transfer to WNRC. Destroy when 30 years old.		
	24. Freedom of Information Act Report Files contain recurring reports and one-time information requirements relating to the Commission's implementation of the FOIA, including annual reports to Congress. 1975 to present. 1/5 cu. ft. VTD, 1/8 cu. ft. EAV.		
	a. Annual Report. Permanent. Hold in office and offer to NARS when series accumulates enough to fill a Federal Records Center box or when 15 years old, whichever is sooner. (GRS Schedule 14, Item 19a).		
	b. Other Reports. Destroy when 2 years old.		
	25. Fact Finding Investigations files contain correspondence, orders, notices, rules, transcripts and other related material for investigations held where information is needed for purposes of rulemaking, or helpful in carrying out duties, or to determine whether the Shipping Act or Commission administered rules have been violated. Fact finding investigations are used as an alternative to formal proceedings and are conducted by a designated employee, pursuant to the Commission's Rules of Practice and Procedure, Subpart R, Nonadjudicatory Investigations. The official file is accumulated by the Fact Finding Investigative Officer and upon completion submitted to the Secretary's office. Files are arranged numerically and material therein is filed in chronological order. 1961 to present. ~~VTD 12 cu. ft. Investigations are not conducted annually; however, growth rate for one investigation is approximately 1 1/2 to 2 cu. ft.~~	173-321/11	
	~~Permanent~~ Close file upon completion of investigation and hold in office until 5 years old. Transfer transcripts to WNRC. Destroy when 30 years old. ~~Retain all~~ Retain all other documents, i.e. correspondence, orders, notices, rules and other related materials in the office for reference use of Commission staff and the public.		

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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

OFFICE OF THE GENERAL COUNSEL

The General Counsel's Office serves as the law advisors to the Commission, providing it with legal counsel on all matters under consideration. The staff reviews and approves the legality of proposed Commission rules and regulations; renders formal and informal written opinions on pending adjudicatory matters; and prepares draft decisions and orders for ratification pursuant to Commission action.

The Office of the General Counsel also concludes settlements of certain Shipping Act violations, especially rebating, and represents the Commission in most matters before the courts. The functions of the Office of the General Counsel are performed by the Division of Reports, Opinions and Decisions and the Division of Legislation, Orders, and Legal Research and Assistance.

(1) The Division of Reports, Opinions and Decisions reviews initial decisions of Administrative Law Judges and proposed decisions of the Commission and prepares opinions, decisions, reports and orders of the Commission; renders legal opinions, prepares Declaratory Orders and Advisory Opinions, and gives legal clearance to matters requiring the action or approval of the FMC or the Chairman; reviews and approves as to form and legal sufficiency all documents executed by or on behalf of the Commission or required to be executed by the regulated industry pursuant to the provisions and requirements of the shipping statutes or Commission rules, regulations and orders; and provides legal consultative and advisory services and opinions to the FMC, the Chairman and staff officials on questions of law, legal interpretation and application of the provisions of the Shipping statutes to existing factual circumstances or hypothetical circumstances, and problems arising under the Administrative Procedure Act.

(2) The Division of Legislation, Orders and Legal Research and Assistance prepares legislative recommendations for approval of the FMC and/or the Chairman, and prepares drafts of proposed legislation and legislative reports, statements and documents for submission to Congressional committees and the Office of Management and Budget; prepares drafts of testimony and assembles data required for committee hearings on legislative

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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
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	matters; prepares all correspondence relating to legislation; provides legislative research and reference services; examines and analyzes legislation (bills, resolutions, reports, documents, acts, etc.) to determine the implied or direct effect of such legislation on the activities, programs and operations of the Commission and maintains legislative history files and indexes.		
	Represents the Commission in proceedings instituted in Federal Courts in which the Commission is named as a party. Initiates actions in the United States District courts for enforcement of Commission suspend orders, subpoenas and discovery process as to which there has been no compliance, and obtains injunctive or other equitable relief to protect the Commission's primary jurisdiction or statutory authority, and any appellate review of such actions. All phases of such litigation in the courts are handled by this office, including the drafting and preparing of all necessary pleadings or other legal documents, conducting the legal research, reviewing the Commission record and composing the briefs, presenting the oral arguments in appeal proceedings, conducting negotiations and correspondence with opposing counsel, and drafting decrees for submission to court when required; and in cooperation with the Solicitor General, assists in the preparation of petitions for certiorari, briefs in opposition to such petitions, and briefs upon the merits.		
	Reviews suspected or reported violations of the shipping statutes, rules and regulations of the Commission, and determines whether such incidents should be considered for enforcement claim proceedings or referred to the Department of Justice to institute proceedings to recover criminal or civil penalties provided by the statutes. Prepares recommendations and enforcement claims notice letters (pursuant to the Federal Claims Collections Act of 1966, and Public Law 92-416) sent to persons alleged to violate the shipping statutes, and negotiates with such persons for the compromise or settlement of such claims, many of which result in the payment of penalties $5,000 or more; drafts and arranges for the execution of the settlement and deferred or installment payment agreements; and in instances where payment of the claim is refused or negotiations break down, prepares the claim and record of violations for certification to the Department of Justice for appropriate action.		

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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
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	26. Docket case analysis and summary. (use exact heading). Contains analyses and summaries prepared by the staff of formal docketed proceedings for use in advising the Commission in its regulatory functions. Copies of these documents are also included in the Interoffice Confidential Files (Item 19 of this schedule). 3/	173-321/9	
	(a) Retain in office for 2 years following completion of proceeding, then transfer to WNRC. Destroy file when 7 years old.		
	(b) For significant cases having wide public interest retain in office for 4 years after completion of proceeding, then transfer to WNRC. Destroy file when 7 years old.		
	27. Dockets, (Workpapers)Docket No. Includes all the workpapers of each office pertaining to a particular docket. (When transferred to the Federal Records Center the file should not contain any records that are filed by the Secretary's Office in the FMC Official Docket File, i.e. transcripts, briefs, exhibits or orders.)	173-321/10	
	(a) Retain in office for 2 years following completion of proceeding, then transfer to WNRC with related case analysis. Destroy file when 7 years old.		
	(b) For significant cases having wide public interest retain in office for 7 years after completion of proceeding, then transfer to WNRC. Destroy file when ~~7~~ 10 years old.		
	28. Federal and other Court Cases. Essential case filings, pleadings, judgments, orders, decrees, briefs, exhibits and correspondence pertaining to the defense or prosecution of FMC regulations or authorities. (Cases are filed by (1) Supreme, Circuit, District, and State Courts; (2) date; (3) case number; and (4) name of case.) 1961 to present. ~~VTD 50.2 cu.ft.; EAV 2.6 cu. ft~~.	173-321/12	

3/ This item was previously scheduled for permanent retention. After careful consideration, we find that the material contained therein will have served its purpose after 7 years. Therefore, we do not recommend this item for permanent retention.

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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
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	~~Permanent~~. (a) Close file upon completion of proceeding and hold in office for 5 years. Transfer to WNRC. ~~Offer to NARS when 30 years old.~~ Destroy when 10 years old.		
	(b) For significant cases having wide public interest, retain in office for 10 years after completion of proceeding, then transfer to WNRC. ~~Offer to NARS when 30 years old.~~ Destroy when 20 years old.		
	29. Enforcement Claims and other settlement. 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.	173-321/13	
	Close file at end of calendar year in which settlement is made. Hold in office for 4 years, then transfer to WNRC. Destroy when 10 years old.		
	30. Liaison, Litigation, Enforcement Correspondence File contains correspondence between the Commission and federal or state agencies and private companies concerning subject matters under the jurisdiction of the Commission.	173-321/14	
	Close file at end of calendar year in which settlement is made. Hold in office for 2 years following closing of file, then transfer to WNRC. Destroy when ~~7~~ 5 years old.		
	31. Legislative Correspondence contains requests from Congressional Committees or other agencies for comments on bills that have been introduced in the Congress; copies of proposed orders, bills, reports, and correspondence with the White House, the Executive Office of the President, Congressional Committees and other agencies; interoffice memos and working papers; and other documents created or accumulated in coordination, preparing and responding to proposed legislation which may have an impact on the FMC. Files also contain FMC initiated legislative proposals of interest to or affecting the Commission that is first sent to the Office of Management and Budget for clearance and then submitted to Congress. Files are arranged by Congress. January 1961 to present. ~~VTD 98 cu. ft. EAV 8 cu. ft~~.	173-321/15	

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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
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	~~Permanent~~. Close files at end of each Congress. Transfer to inactive file and retain in office until 10 years old, then destroy. ~~Transfer to WNRC. Offer to NARS when 15 years old~~.		
	32. General Subject Files contain general information on subjects of FMC concern; newspaper and magazine articles, published reports of other Federal agencies, Congressional committee and subcommittee draft proposals and position papers.		
	Close files at the end of each Congress. Transfer to inactive files and destroy when 10 years old.		
	33. Legislative History Index Cards - a chronological card file index that records: (a) Congressional action as well as FMC treatment of pending legislation; (b) correspondence with OMB on pending legislation; (c) FMC proposed legislation submitted to OMB and Congress for consideration and introduction. Files are arranged 87th Congress to present.		
	Cards may be disposed after 30 years office retention.		
	34. Legal Opinions (Formal) contain documents reflecting legal opinions of the General Counsel which are accumulated incident to questions proposed in connection with interpretations of statutes, laws, and regulations.		Disposition Not Approved
	Maintain file for ongoing use of legal staff.		
	35. Confidential Statement of Financial Interests contains documents such as employee forms and correspondence accumulated in the legal review of employee statements of financial interests, outside employment, or comparable interests. This information is required to insure employee compliance with 46 U.S.C. Section 201(b), 19 U.S.C. Section 208, Section 402 of Executive Order 11222, dated May 11, 1965, prescribing Standards of Ethical Conduct for Government Officers and Employees, regulations of the Civil Service Commission issued thereunder, and the regulations of Statements of Employment and Financial Interests, 46 C.F.R. Part 500, Subpart D, as amended by 41 F. R. 8479.		

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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

Maintain during period of individual's employment by the Commission. Destroy 5 years after termination of employment.

OFFICE OF ADMINISTRATIVE LAW JUDGES

The Office of Administrative Law Judges holds hearings and renders initial and final decisions therein in formal rulemaking and adjudicatory proceedings as provided in the Shipping Act, 1916, as amended, and other applicable laws and other matters assigned by the Commission. Initial decisions of the ALJ's are subsequently reviewed for final action by the Commission, or in some instances, adopted without review. Judges have the authority to administer oaths, issue subpoenas, rule upon motions and offers of proof, receive evidence, take depositions, regulate the course of hearings and take any other action authorized by agency rules or the Administrative Procedure Act.

The majority of proceedings before the Administrative Law Judges involve the approvability of section 15 agreements, adjudication of discriminatory practices between various parties subject to the Shipping Act, adjudication of shipper complaints under section 18(b)(3) of the Act, and domestic rate cases.

36. Docketed Files are duplicate copies of the pleadings, notices, orders, reports and correspondence in the official docket files maintained in the Docket Activity section of the Secretary's Office.

Maintain in office until no longer needed for reference. Then destroy.

BUREAU OF HEARING COUNSEL

The Bureau of Hearing Counsel participates as trial counsel in all formal adjudicatory dockets, some rulemaking, and other proceedings such as show cause cases, petitions for declaratory order, and fact finding investigations, all of which are initiated by the Federal Maritime Commission. Attorneys from the Bureau participate fully in prehearing discovery, examine and cross-examine witnesses, prepare and file briefs, motions, exceptions, and other legal documents, and participate

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in oral arguments before the Administrative Law Judges and the Commission itself. They act as hearing counsel, where intervention is permitted, in formal complaint proceedings initiated under section 22 of the Shipping Act.

The bureau also reviews all recommendations of other bureaus recommending the institution of formal proceedings; prepares all orders, notices, and other documents which institute formal or informal Commission proceedings; furnish consultative and advisory services, and otherwise assists other bureaus in formulating procedures to be followed in connection with investigations and/or formal Commission proceedings; serves, with the concurrence of the Managing Director, as requested by the General Counsel and under his direction in matters of court litigation by or against the Commission rising out of violations previously adjudicated by the Commission, and recommends improvements in the Commission's decision-making process, including the Rules of Practice and Procedure.

37. Formal Proceeding Docket Files essentially duplicate those maintained by the Office of the Secretary, i.e., Official Docket, transcript, pleadings, and exhibits. Files are maintained and arranged in chronological order.

Retain in staff office one year after case is closed and then destroy.

38. Bureau of Hearing Counsel Director's Reading Files contain all correspondence, memos, pleadings, etc. emanating from the Bureau.

Close file at end of each calendar year and transfer to closed file. Hold in office until 5 years old, then destroy.

Bureau of Ocean Commerce Regulation

Formerly the Bureau of Compliance, the Bureau of Ocean Commerce Regulations (OCR) is the largest at the Commission. As such, the Bureau plans and administers regulatory programs which address nearly all facets of the FMC's activities.

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Foremost among the Bureau of OCR's responsibilities are the review and analysis of all agreements filed under section 15 of the Shipping Act, evaluation of all dual rate contract systems, and analysis of foreign and domestic tariff filings which set forth the rates and practices which shape the flow of U. S. waterborne commerce.

Although the Bureau of Ocean Commerce Regulation supervises all segments of the ocean shipping industry, their most visible activities are reflected in their recommendations to the Commission on Section 15 conference agreements filed for approval. Responsibility for the ongoing analysis of trade patterns, conference activities, self-policing reports, pooling statements, and operating reports also represent a substantial portion of the Bureau's duties.

Files in the Bureau contain tariffs, agreements, conference reports and minutes, informal complaints, and other documents accumulated or created in regulating the activities of common carriers by water in the foreign and domestic offshore commerce of the U. S., conferences of such carriers, terminal operators and other persons subject to the regulatory jurisdiction of the FMC.

Agreements

The Commission requires common carriers by water and "other persons" to file copies of agreements entered into or made with other common carriers or "other persons" subject to the regulatory jurisdiction of the FMC. These agreements are filed to immunize from antitrust violations participants in agreements that are of an antitrust nature but which are not unfair or discriminatory, and to insure that the agreements are in the public interest and do not operate to the detriment of the commerce of the United States. The Commission approves or disapproves these agreements and reviews activities under approved agreements for compliance with the provisions of law and the rules, orders, and regulations of the Commission.

39.	~~Section 15 Agreement Files (Foreign and Domestic) contain agreements and other documents submitted by carriers and conferences or other persons in the foreign and domestic commerce of the U. S. in accordance with Section 14b and 15 of the Shipping Act,~~	173-321/16, 17, 18	

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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
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	~~1916. Files contain agreements; correspondence between the Commission and foreign and domestic carriers, 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. 1934 to present. VTD 400 cu.ft. EAV 9 cu.ft.~~		WITHDRAWN
	~~Permanent~~		
	~~When an agreement is cancelled or disapproved, transfer to cancelled agreements file. Hold in office 1 year, then transfer to WNRC. Offer to NARS when 20 years old.~~		
	40. Section 15 Passenger Agreements Files contain agreements, correspondence, recommendations, orders, minutes of meetings, membership documents, and documents relating to cancelled, terminated or inactive agreements filed in accordance with Section 15, Shipping Act, 1916, as amended. Files are arranged by agreement number. 1930 to present. ~~VTD 11 cu.ft. EAV 1/2 cu. ft.~~		
	~~Permanent~~		
	Retain for one year after agreement is cancelled or disapproved, then transfer to WNRC. ~~Offer to NARS when 20 years old.~~ Destroy when 20 years old.		
	41. Section 15 Agreements File(Freight Forwarders) contains agreement, correspondence, recommendations, orders, reasons for cancelling and all relevant data submitted by freight forwarders in accordance with Section 15, Shipping Act, 1916 as amended. Files are arranged numerically. 1961 to present. ~~VTD 4½ cu.ft. EAV 1/4 cu. ft.~~		
	~~Permanent~~		
	Close file when agreement is cancelled and retain in office until 1 year old. Then transfer to WNRC. ~~Offer to NARS when 20 years old.~~ Destroy when 20 years old.		

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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
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	42. Section 15 Agreement Files (Terminals) 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 Section 15 of the Shipping Act, 1916. 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. 1938 to present. ~~VTD 71cu.ft. EAV 2 1/4 cu.ft~~.		
	~~Permanent~~ When agreement is cancelled or disapproved, transfer to cancelled agreements file. Hold in office one year, then transfer to WNRC. ~~Offer to NARS when 20 years old.~~ Destroy when 20 years old.		
	43. Copies of Section 15 Agreements for distribution to the Public contain complete copies of effective agreements maintained for disseminating information to the public pursuant to the Shipping Act, 1916, as amended.	173-321/19	
	Retain copies as long as agreements are in effect. Destroy when agreements are cancelled.		
	44. Section 14b and 15 Agreement Record Cards a numerical record of agreements indicating type of agreement and names of members, and indicating action taken thereon. Files are arranged numerically by agreement number on 5" x 8" cards.	173-321/21	
	Maintain in office until no longer needed for reference or action purposes, then destroy.		
	45. Agreement Subject File contains general correspondence, records and miscellaneous papers pertaining to overall agreement policy matters filed by subject and not by agreement number.		

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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
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	Close file at the end of each calendar year. Hold in office for 5 years, then transfer to WNRC. Destroy when 10 years old.		
	46. Non-Section 15 Agreement Files (Terminals) contain correspondence and agreements and other documents submitted by terminal operators or other persons in the domestic commerce of the U. S. in accordance with Sections 15 of the Shipping Act, 1916, as amended, requesting a determination of their subjectivity to the Act. Files are arranged in individual folders by agreement number with material in files arranged chronologically. 1966 to present. ~~VTD 23.5 cu.ft. EAV 1/2 cu. ft.~~		
	~~Permanent~~ Close file at end of calendar year in which determination is made. Hold in office for 5 years, then transfer to WNRC. ~~Offer to NARS when 20 years old~~. Destroy when 20 years old.		
	Tariffs The Commission requires that common carriers by water and other persons subject to the regulatory jurisdiction and authority of the Commission file with the Commission and keep open to public inspection, tariffs and tariff amendments showing all rates, fares, charges and practices in connection with their transport of property.		
	The Commission accepts or rejects tariff filings of domestic offshore carriers and common carriers engaged in the foreign commerce of the U. S., in accordance with the requirements of the shipping statutes and the Commission's rules and regulations. In the domestic offshore trade, the Commission has the authority to set maximum or minimum rates or suspend rates. It approves or disapproves special permission applications submitted by domestic offshore carriers and carriers in the foreign commerce, or conferences of such carriers, for relief from the statutory and/or Commission tariff requirements. NOTE: Items 47 and 48 were submitted on SF-115 for immediate disposal on October 2, 1980. (approved 10/15/80) NC1-358-81-1		
	47. Conference Tariffs (Foreign Commerce) contain freight tariffs, amendments, supplements, and other documents submitted by conferences in accordance with Section 18(b)(3), Shipping Act, 1916, as amended.	173-321/22	

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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
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	(a) Microfilm - Documents will be filmed in duplicate.		
	(1) Silver Original - Retain in locked file cabinet for security storage purposes for 20 years from date of tariff cancellation. Then destroy.		
	(2) Diazo Duplicate - Retain as reference copy in Tariff Control Center for 20 years after date of tariff cancellation. Then destroy.		
	(b) Original Tariffs - destroy in agency after inspection of microfilm for adequacy of reproduction and coverage.		
	48. Independent Tariffs (Foreign Commerce) contain freight tariffs, amendments, supplements, and other documents submitted by carriers in accordance with Section 18(b)(3), Shipping Act, 1916, as amended.	~~173-321/22~~ NC1-358-81-1	
	(a) Microfilm - Documents will be filmed in duplicate.		
	(1) Silver Original - Retain in locked file cabinet for security storage purposes for 20 years from date of tariff cancellation. Then destroy.		
	(2) Diazo Duplicate - Retain as reference copy in Tariff Control Center for 20 years after date of tariff cancellation. Then destroy.		
	(b) Original Tariffs - destroy in agency after inspection of microfilm for adequacy of reproduction and coverage.		
	49. Domestic Offshore Tariff files contain freight tariffs, amendments, supplements submitted by carriers in the domestic offshore commerce in accordance with Section 2, Intercoastal Shipping Act, 1933.	173-321/23	
	Retain cancelled tariffs office for 2 years after cancellation, then transfer to WNRC. Destroy when 20 years old.		
	50. Terminal Tariff files contain terminal operator tariffs, amendments, and supplements submitted by terminal operators in the domestic offshore commerce of the U. S. pursuant to Section 17, Shipping Act, 1916, as amended.	173-321/24	

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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
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	Retain cancelled tariffs in office for 2 years after cancellation then transfer to WNRC. Destroy when 20 years old.		
	51. Correspondence Records, Special Studies & Reports and Miscellaneous Papers contain material concerning freight and terminal tariffs filed by carriers and/or conferences and terminal operators, minutes of staff meetings, reports and studies relating to special Committees established internally to study ocean freight rate problems or terminal related matters.	173-321/30, 32	
	Close file when carrier, conference or terminal operator ceases operations; transfer to WNRC. Destroy when 10 years old. Reports, studies etc. not falling in above category: retain for 5 years after completion, or as long as active or used for reference purposes, whichever is later. Then destroy.		
	52. Exemptions (Foreign and Domestic Tariffs) contain applications for exemption of the tariff filing requirements of the Shipping Act, 1916, as amended, filed pursuant to Section 35 thereof. Files contain applications, recommendations, reports and related correspondence. Files are arranged alphabetically. 1975 to present. ~~VTD 1/4 cu. ft. EAV 1/16 cu. ft~~.		
	~~Permanent~~ Retain in office for 2 years after granting an exemption, then transfer to WNRC. ~~Offer to NARS when 5 years old.~~ Destroy when 10 years old		
	53. Terminal Tariff Cards an alphabetical record of tariffs and agreements containing name and address of filing party and other identification.	173-321/29	
	Keep in office as long as tariff and agreement files are retained, then destroy.		
	54. Delegation of Authority Foreign Commerce and Domestic-Commerce contain powers of attorney (delegation of authority) to file tariffs, amendments, and revisions by other persons on behalf of parties subject to the Shipping Act, 1916, as amended, and the Intercoastal Shipping Act, 1933.	173-321/35, 36	

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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
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	Close file when carrier ceases operations and retain in office until 5 years old. Transfer to WNRC and destroy when 20 years old.		
	55. Information Circulars (Form FMC-9) contains forms filed by or on behalf of common carriers by water and other persons subject to the Shipping Act, 1916, as amended, and related Acts, covering affiliations, operations and services of carriers.	173-321/34	
	Close file when carrier ceases operations and retain in office until 5 years old. Transfer to WNRC and destroy when 10 years old.		
	56. Special Permission - Foreign and Domestic contain requests from carriers and shippers to file rates or make changes in their freight tariffs on less than statutory notice or waive tariff filing requirements in accordance with Section 18(b)(c), Shipping Act, 1916, as amended, and Section 2, Intercoastal Shipping Act, 1933, and correspondence by the Commission granting or denying such application.	173-321/25, 26	
	Close file after Commission decision and maintain in office until 2 years old. Transfer to WNRC and destroy when 10 years old.		
	57. Rejection Letters Foreign and Domestic contain letters and forms of rejected tariff matter submitted by carriers for nonconformance with Commission regulations and/or shipping statutes.	173-321/27, 28	
	Retain in office for one year after rejection or after carrier or conference becomes inactive in waterborne commerce, then transfer to WNRC. Destroy when 10 years old.		
	58. Fact Finding Investigations (Terminals) files contain background and preliminary investigation correspondence, orders, recommendations to the Commission, notices, rules, correspondence generated after an investigation has begun or ended, and other related material for investigations held where information is needed for purposes of rulemaking, or help-		

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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
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	ful in carrying out duties, or to determine whether Commission administered rules have been violated.		
	Retain files in office for 1 years after close of investigation, then destroy.		
	59. Docketed Files (Terminals) contain duplicates of docketed material maintained by the Office of the Secretary and miscellaneous correspondence accumulated in connection with docketed proceedings involving terminal matters.		
	Retain in office for 2 years after close of docketed proceeding, then destroy.		
	60. Investigation and Suspension Memos (I&S - Domestic) contains recommendations to the Commission for investigation and suspension of tariffs, backup papers, correspondence, and other related material.	73-321/33	
	Retain for two years after Commission action, or close of related docketed proceeding, whichever is later, then destroy.		
	61. Telegrams, Airgrams and Dispatches from the State Department pertaining to freight rates, fares, charges and facilities in foreign ports and countries affecting U. S. trade and shipping. These documents are used to maintain a close surveillance over conditions determining whether surcharges imposed by carriers and/or conferences are warranted. Also assists in handling informal rate complaints relating to surcharges.	73-321/~~32~~ 31	
	Close file annually. Retain in office until 2 years old, then destroy.		
	62. Shippers' Requests and Complaints - General Order 14 reports received from conferences and agreements listing the number of shippers' requests and complaints that are handled by the conference office on an annual basis.		
	Close file annually and retain in office until 5 years old, then destroy.		

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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

63. Informal-Rate Cases (Foreign and Domestic) contain complaints received from shippers, carriers, terminal operators, etc. concerning problems relating to rate matters, disparities, tariff rules, classifications, etc.

Close file upon conclusion of complaint and retain in office until three years old, then destroy.

BUREAU OF CERTIFICATION AND LICENSING

The Bureau of Certification and Licensing is responsible for program development, administration, and activities in connection with the certification of vessel owners and operators as to their financial responsibility to satisfy liability which may be incurred as a result of water pollution under the provisions of various Federal Anti-Pollution laws; the licensing of ocean freight forwarders under the provisions of the Shipping act, 1916, and the certification of owners and operators of passenger vessels as to their financial responsibility to satisfy liability incurred by nonperformance of scheduled voyages or resulting from injury or death under Public Law 89-777. A description of the offices performing these duties and the records maintained by them follows.

a. The Office of Water Pollution Responsibility (1) administers the provisions of the various Federal anti-pollution laws with respect to evidence of financial responsibility by owners and operators of vessels which may be subjected to liability to the United States for the costs or removal of oil or hazardous substances from the navigable waters of the United States, adjoining shorelines, or waters of the contiguous zone; (2)receives and processes applications for Certificates of Financial Responsibility (Pollution) from vessel owners and operators who wish to evidence their financial responsibility by means of self-insurance, surety bonds, certificates of insurance, guarantees, insurance policies, or other methods acceptable to the Commission; (3) reviews and makes appropriate recommendations on the adequacy of such evidence; (4) receives and reviews prescribed periodic accounting reports from certificants who have qualified as self-insurers to assure that such certificants remain financially stable; (5) recommends issuance, denial, revocation, modification,

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or suspension of such certificates; (6) notifies certificants whose evidence of financial responsibility is being cancelled or due to expire, and makes appropriate recommendations in connection therewith; (7) makes appropriate recommendations with respect to violations of enabling statutes or regulations promulgated thereunder; (8) maintain records, files, and listings of applicants, certificants, vessels, and underwriters for use internally and by other Government agencies; (9) recommends acceptance or denial of persons or firms wishing to qualify with the Commission as acceptable underwriters; and (10) conducts studies and surveys for the development of new or revised policy and standards, and rules and regulations with respect to the program activities of the Office of Water Pollution Responsibility.

64. Water Pollution Responsibility Files consist of the following files:

(a) Oil Pollution Licensee Files with receipts of insurance or preliminary advices concerning potential applicants, for each separate vessel owner or operator, and all documents required to issue an FMC certificate;

(b) Underwriter Files Regarding Insurance and Surety Companies - with approval memos, financial data and other information upon which approvals or disapprovals were based;

(c) Master Insurance Files - Blanket insurance forms covering all assureds of particular insurers, as opposed to individual forms for individual assureds;

(d) Self-Insurer Files - contain all data pertaining to the financial status, solvency and financial responsibility of applicants;

(e) Concurrence of Agent for Service of Process Files - Written agreements of U. S. firms to act as the U. S. Agent for Service of Process for certain vessel owners, vessel operators or underwriters;

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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
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	(f) Enforcement Agency Files - Coast Guard, Customs and Panama Canal with correspondence, reports, etc. to and from the enforcement agencies, regarding the Oil Pollution Program.		
	Place in inactive file when certificate is turned in. Hold in office until 5 years old, then transfer to WNRC. Destroy when 10 years old.		
	65. Records and Reports Branch Application Log every applicant is assigned a consecutively issued control number. A log is kept to indicate the control number, applicant's name, date the application was received, etc.		
	Cutoff and place in inactive file when no longer needed for reference. Transfer to WNRC if volume warrants. Destroy inactive file when 5 years old.		
	b. The Office of Freight Forwarders (1) reviews applications for the licensing of freight forwarders, develops the information necessary to determine whether an applicant should be licensed, and makes appropriate recommendations as to the granting or denying of such applications, in accordance with the requirements of law and the rules, orders, and regulations of the Commission; (2) reviews the practices of licensed freight forwarders and makes appropriate recommendations with respect to any activities which indicate possible violations of applicable statutes or Commission regulations; (3) makes appropriate recommendations, collaborating with the Managing Director and Bureau of Hearing Counsel, for formal action and proceedings by the Commission; and (4) conducts studies and surveys for the development of new or revised policy and standards, and rules and regulations with respect to the program activities of the Office of Freight Forwarders.		
	66. Individual Licensed Independent Ocean Freight Forwarders Files contain application (FMC Form 18); credit references; a record of forwarding and/or other experience; financial and criminal history of the individual freight forwarder; work papers; investigation reports and summary recommendations;	173-321/40	

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surety bond information; compliance check reports; vital statistics, addresses, and descriptions of the relationship of individual freight forwarders to other persons subject to the Shipping Act, 1916; and denied, withdrawn or revoked licenses with reasons for denial or revocation and all correspondence relative thereto. Files are arranged numerically by license number. 1950 to present. ~~VTD 73.8 cu.ft. EAV 1.4 cu. ft~~.

~~Permanent~~

Close file when license is denied, withdrawn or revoked. Place in inactive file and hold in office for 1 year after final action, then transfer to WNRC. ~~Offer to NARS when 5 years old~~. Destroy when 10 years old.

67. General Correspondence contains general inquiries and correspondence, relating to the acquisition or maintenance of licenses and information on the disposition of such inquiries.

Close file at end of calendar year. Hold in office until 3 years old, then destroy.

68. Historical Files contain legislative history of Section 44, Shipping Act, 1916, with breakdowns of General Order 4 sections.

Retain in office until no longer required for reference and then transfer to FMC Library. Retain in Library until no longer needed for reference and destroy.

69. Informal Complaints contain all relevant data concerning actions or complaints by forwarders, including correspondence and disposition of complaint.

Retain in office for 3 years after settlement of complaint, then destroy.

c. The Office of Passenger Vessel Certification (1) administers the provisions of Public Law 89-777 with respect to the financial responsibility of owners, operators, and charterers of passenger vessels to meet liability for nonperformance of voyages and cruises and

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claims for injury or death; (2) makes appropriate recommendations with respect to the financial responsibility of said owners, operators, or charterers of passenger vessels; (3) conducts studies and surveys for the development of new or revised policy and standards, and rules and regulations; (4) receives and reviews prescribed periodic accounting and financial reports, semiannual status reports, unearned passenger revenue reports, policies of insurance, reinsurance contracts, trust agreements and reports of funds in foreign insurers' trust funds; (5) makes appropriate recommendations with respect to violations of Public Law 89-777 and of rules and regulations promulgated thereunder.

70. Certificant (Performance) Files include application form, evidence of financial responsibility, power of attorney, acceptance of service of process, comliance reporting, staff memoranda, orders, audits, carbon copy of Performance Certificate, correspondence, documents pertaining to cancelled, terminated or inapplicable evidence of financial responsibility, and other material pertinent to acquisition and maintenance of a certificate.

Close file upon cancellation, withdrawal, denial or revocation of certificate. Place in inactive file and hold in office until 2 years old. Then transfer to WNRC. Destroy when 10 years old.

71. Trust Fund Files. Trust agreements and insurer financial agreements qualifying insurers as acceptable to the Commission, and materials and correspondence regarding the amount of assets in the U.S.

Close file upon cancellation of agreements. Place in inactive file and hold in office until 2 years old. Then transfer to WNRC. Destroy when 10 years old.

72. Commission and Court Decision File record of alleged violations of P.L. 89-777 or Commission General Order 20 and staff, Commission and Court action pursuant thereto. Files are arranged alphabetically.

Retain in office until no longer needed for reference, then destroy.

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	73. Insurance Policy Files contain policies submitted by applicants as evidence of financial responsibility.		
	Close file when carrier ceases operations in the U. S. or cancels insurance. Retain in office until 4 years old, then transfer to WNRC. Destroy when 10 years old.		
	74. Self-Insurer Files - contain documents pertaining to the financial status, solvency, and financial responsibility of a company under P.L. 89-777 and Commission General Order 20 and copies of financial records of companies no longer operating as a self-insurer.		
	Close file when certificant ceases to qualify as a self-insurer. Retain in office until 1 year old then transfer to WNRC. Destroy when 6 years old.		
	75. Certificant Casualty Files - include application form, evidence of financial responsibility, staff memoranda, orders, carbon copy of Casualty Certificate, correspondence, documents pertaining to cancelled, terminated or inapplicable evidence of financial responsibility, and other material pertnent to acquisition and maintenance of a certificate.		
	Retain for 2 years after cancellation, withdrawal, denial or revocation of certificate, then transfer to WNRC. Destroy when 10 years old.		
	76. Certificate (Performance) Log; Certificate (Casualty) Log a carbon copy of each Performance or Casualty certificate issued in chronological order.		
	Retain in office until no longer needed for reference, then destroy.		
	77. Revocations Log (Performance and Casualty) contains a chronological list of revoked certificates and a copy of each staff revocation memorandum.		
	Retain in office until no longer needed for reference, then destroy.		

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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

78. Recommendation Log (Performance) Recommendation Log (Casualty) contains a copy of each staff memorandum concerning an active Performance or Casualty certificant or applicant.

Retain in office until no longer needed for reference, then destroy.

BUREAU OF INDUSTRY ECONOMICS

This bureau is responsible for program development, administration, and activities in connection with the procurement, compilation, interpretation, and analysis of all essential data to establish with validity the economic, environmental, and energy implication and significance of the Commission's actions in administering its functions and regulatory authorities. A description of the several offices which comprise the Bureau and the records generated or maintained by them follows.

a. The Office of Economic Analysis (1) conducts research and economic studies necessary to the Commission in the fulfillment of its regulatory responsibilities and compiles, interprets, and analyzes economic data essential to the study of freight rate structure and levels; (2) conducts studies leading to determinations as to the reasonableness of specific cargo rates in the ocean trades of the United States; (3) studies the economic implications of shipping practices; (4) studies the economic implications of trends of commodity movement, worldwide; (5) analyzes costs attributable to the movement of cargoes in the oceanborne foreign and domestic offshore commerce of the United States; and (6) conducts related studies and analyses requisite to rendering by the Commission of sound economic judgments and decisions.

79. Special Reports and Studies Files contain copies of trade studies conducted by the staff to provide a source of information to the public or to assist the Commission in its decision-making. These studies examine trade conditions, trading patterns and trends, economic conditions, etc. Reports for the public are generally available from the Government Printing Office; other studies are available from the Commission's Public Information Office.

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The files also contain documents such as specific, economic reports directed towards various economic issues presented to the Commission; reports prepared for the benefit of the Chairman; reports prepared in response to Congressional inquiries.

Retain in office for 3 years after completion of study or until no longer needed for active or reference purposes, whichever is later. Then transfer to FMC Library. Destroy when no longer needed.

b. The Office of Financial Analysis (1) makes recommendations with respect to annual and special financial reports to be submitted by common carriers and other persons subject to the Act to bring about accurate, uniform, and comprehensive disclosure of financial data to the Commission; (2) recommends accounting and reporting instructions; (3) conducts examinations of the accounts, records, reports, and financial statements of such carriers to obtain and ascertain compliance with Commission regulations; (4) analyzes justification for increased or lowered rates of common carriers and other persons subject to the Act; (5) develops and administers a continuing program for the audit, both in Washington, D.C., and in the field, of financial accounts and records of common carriers and other persons subject to the Commission's regulatory authorities; (6)plans and develops cost formulas and related financial reporting requirements for application to the movement of waterborne commerce in the domestic and foreign commerce of the United States and waterborne military cargo; (7) prepares reports and appears in rate proceedings and/or proceedings where rates and/or costs are a paramount issue; (8) conducts studies as appropriate, for the purpose of determining classes of depreciable property, depreciation percentages, reasonable allocation procedures of nondirect costs, replacement costs, reasonable overhead, etc.; (9) analyzes, summarizes, and prepares studies and analytical reports of the financial statements filed with the Commission by common carriers and other persons subject to the Act; (10) conducts special studies, audits, and analyses of a financial nature for other branches of the Commission; (11) promulgates and revises the accounting regulations

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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
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	of the Commission prescribing uniform systems of accounting for common carriers carrying military cargo; (12) develops costs for use in cases or proceedings to determine whether particular rates on military cargo may be detrimental to commerce; (13) renders interpretations of accounting regulations and effects the correction or adjustment of deviations; (14) develops annual and special financial reports to be submitted by common carriers carrying military cargo; and (15) prepares analytical reports for consideration of the Commission and the staff related to the review and analysis of the costs and rate structures of carriers participating in the carriage of military cargo.		
	80. General Order 5 and 11 Financial Report Files contain financial reports (balance sheets and profit and loss statements) of domestic steamship companies and audit reports (audit of steamship companies, balance sheet and profit and loss statements) filed by firm name.	173-321/37, 38	
	(a) Active carriers retain all copies of reports in office for 5 years after filing, then destroy duplicates. Retain original or work copy until 10 years old then transfer to WNRC. Destroy when 15 years old.		
	(b) Inactive carriers retain original or working copy for five years after carrier ceases activity, then destroy.		
	(c) Significant carriers retain original or working copy of reports in office for 15 years after filing, then destroy. (The significance of these reports will be reviewed annually).		
	81. General Order 5 and 11 Correspondence Files contain correspondence with carriers and other Commission offices. Filed by firm name.	173-321/39	
	Close file when carrier terminates business, then transfer to inactive file. Destroy when 5 years old.		

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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

82. General Order 29 - Military Rates and General Correspondence Files contain rate certification schedules, analyses of bids and correspondence with carriers regarding the foregoing. The files also contain various statistical reports furnished by the Military Sealift Command.

Retain in office for 5 years after submission of information, then destroy.

c. The Office of Environmental Analysis (OEA) ensures compliance with the National Environmental Policy Act of 1969 and the Energy Policy and Conservation Act of 1975 by assessing the possible environmental and energy impacts in the Commission's decision-making process. This is accomplished through the preparation of environmental assessments/impact statements and energy impact statements. The following steps are taken by the OEA in environmental matters. The OEA examines all new agreement filings and dockets; issues categorical exclusions on those not requiring environmental assessment; prepares and issues for public comment environmental assessments and impact statements on the remainder. Procedures for preparing energy impact statements will be defined in a future rulemaking.

83. Environmental Assessments (Findings of No Significant Impact - FONSI's) includes Notices of Intent to Make an Environmental Assessment (in some cases); Notices of Availability of Finding of No Finding of No Significant Impact; environmental assessments; correspondence; applicable Commission Notices; research data; and work papers.

(a) Other than significant cases, retain for 3 years following completion of environmental assessment, then transfer to WNRC. Destroy when 5 years old.

(b) For significant cases, retain 5 years following completion of environmental assessment, then transfer to WNRC. Destroy when 8 years old.

84. Environmental/Energy Impact Statements include Notices of Intent to Make an Environmental Assessment, Notices of Availability of Draft Environmental

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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
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	Impact Statements; Draft Environmental Impact Statements; Notices of Availability of Final Environmental Impact Statements; Final Environment Impact Statements; Notices of Availability of Energy Impact Statements; Energy Impact Statements; correspondence; applicable Commission notices; research data; and work papers.		
	(a) Other than significant cases retain in office for 5 years following completion of environmental/energy impact statement, then transfer to WNRC. Destroy when 8 years old.		
	(b) For significant cases, retain in office for 8 years following completion of environmental/ energy impact statement, then transfer to WNRC. Destroy when 11 years old.		
	d. The Office of Data Systems (1) develops data processing systems within the Federal Maritime Commission; (2) secures, maintains, and controls data; (3) develops new and/or revised data sources; (4) controls and operates FMC leased and/or owned computer equipment; (5) develops specifications for new and/or revised data processing procedures and equipment acquisitions (6) develops technical material required for system development and operations; (7) trains Commission employees in use of output reports and input data preparation; (8) provides special data reports as needed to all bureaus and the Managing Director; (9) provides professional expert advice in computer capabilities to all levels of Commission personnel; (10) conducts demonstrations in the use of current data systems and develops suggested further data uses for appropriate Commission activity; (11) provides the sole source of professional expertise relating to all Commission ADP activities; (12) provides extra-agency professional liaison relating to computer activities; (13) participates in the development of ADP contract specifications and contract negotiations; and (14) monitors contractual progress and quality under ADP contracts.	See revision pp. 47-50	
	System Description: The present computer system was established to provide the Commission and other interested Government agencies a broad range of definitive information on oceanborne trade that has hitherto been unavailable from any source.		

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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
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	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 has its own file maintenance capability, providing an automated recordkeeping operation for each area of data responsibility.		
	Data generated within the Commission was encoded for automated processing and retrieval including information on tariffs, agreements, vessel certifications and freight forwarders. These records are 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 the 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, nationalities in any U. S. foreign trade. The system screens 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 is used to signal significant shifts in ocean traffic patterns and monitor the operation of cargo pools. By agreement with the Bureau of Census, the Commission is prohibited from divulging any information developed from Census and vessel commodity movement data which would identify the commercial activities of individual companies or persons.	see revision pp. 49-50	
	Files in this office are created and maintained pursuant to General Records Schedule No. 20 (Data Automation Program Records).		
	BUREAU OF ENFORCEMENT (Washington, D. C. and Field Offices)		
	The Bureau of Enforcement is responsible for program development, administration, and activities in connection with the investigation of common carriers by water in the foreign and domestic offshore commerce of the United States, conferences of such carriers, freight forwarders, terminal operators, and other persons subject to the regulatory jurisdiction of the Federal Maritime Commission.		

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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

The Bureau (1) conducts investigations of the activities and practices of common carriers by water in the foreign and domestic offshore commerce of the United States, conferences of such carriers, freight forwarders, terminal operators, and other persons subject to the regulatory jurisdiction of the Federal Maritime Commission; conducts periodic field examination of the activities, transactions, and records of persons subject to the shipping statutes; (2) consults with, advises and otherwise assists the Bureau of Hearing Counsel and/or the Office of General Counsel in preparing for formal hearings before the Commission or actions in Federal Court; (3) conducts studies and surveys for the development of new or revised policy and standards, and rules and regulations with respect to the program activities of the Bureau of Enforcement; (4) recommends policies to strengthen enforcement of the shipping statutes; and (5) through the District Offices in San Francisco, New York, Chicago, Puerto Rico, and New Orleans, represent the Federal Maritime Commission within their respective geographic areas; provides liaison between the industry and and the shipping public and FMC headquarters, conveying pertinent information, highlighting regulatory problem areas, and recommending courses of action and solutions; furnishes information, advice, counsel, and access to Commission public documents to the various segments of the regulated shipping industry and others evincing interest and concern in the Commission's work; receives informal complaints involving shippers and the regulated industry and takes appropriate action thereon; provides advisory, consultative, and investigative services in support of substantive programs within the cognizance of the various bureaus of the Commission; and plans and conducts investigations of alleged violations of the shipping statutes, investigations of freight forwarders, compliance checks, background surveys, financial surveys, and other studies.

Files in this office contain documents relating to the discovery of shipping statute violations and consequent initiation of appropriate enforcement actions, and the furnishing of investigative and security services to the Commission by the headquarters office and district offices.

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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

85. Investigative Case Files contain reports of investigation of alleged violations of the shipping statutes by carriers, forwarders, shippers, terminal operators or others; exhibits to reports, 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.

(a) Headquarters Office - 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.

(b) District Offices - 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.

86. Security Officer (Washington, D. C.) Personnel Security Files contain results of name checks, inquiries, and the investigations of employees of the FMC or applicants for employment to determine suitability for employment with the U. S. Government.

Return record copies of reports furnished by Civil Service Commission after information has been reviewed and maintain other FMC records on file until termination of employee from agency. Destroy within 30 days after employee leaves.

OFFICE OF PERSONNEL

Plans and administers personnel management programs of the Commission, including recruitment, placement, employee development and training, equal employment opportunity and other employee-related activities. Serves as staff advisor on all personnel matters to managers, supervisors, and individual employees.

This Office uses the General Records Schedule Number 1 for the disposition of its records.

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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
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	DIVISION OF OFFICE SERVICES Provides office services for the Commission and its District Offices, including communications, reproduction, mail services, supplies and equipment, building services and record storage and retrieval. This Office uses the General Records Schedule Numbers 3 and 4 for the disposition of its records.		
	OFFICE OF BUDGET AND PROGRAM ANALYSIS The Budget Office formulates recommendations and interprets budgetary policies and programs; develops and presents budget requests and justifications, develops and administers fiscal plans and systems of internal control which provide accountability for public funds; and is responsible for financial management policies, procedures, and planning.		
	87. Budget Estimates and Justifications File contain copies of budget estimates and justifications prepared and consolidated by the Office of Budget and Finance. Also included are appropriate language sheets, narrative statements, and related schedules and data. Files are arranged chronologically. 1962 to present. (GRS Schedule 5, Item 2) ~~VTD 1 1/4 cu. ft. EAV 1/8 cu.ft.~~		
	Maintain in office until no longer needed for reference or action purposes, then destroy.		
	The Management Analysis staff engages in a variety of specific management projects involving (a) management counseling and advisory services; (b) management improvement studies; (c) full scale management surveys (d) organizational analyses; (e) methods and procedures activities; and (f) other recurring projects, reports, or activities.		
	88. Organizational Records Files contain record copies of Commission Orders, Managing Directives and other internalissuances documenting the organizational changes thereto with supporting documentation for development of the issuance. Files are arranged numerically. 1961 to present. VTD 2 1/4 cu.ft. EAV 1/8 cu. ft.		

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	Permanent Place in inactive file when directive becomes obsolete, superseded or cancelled. Transfer to WNRC when 10 years old. Offer to NARS when 15 years old.		
	89. Management and Program Evaluation File contains final reports of management studies and surveys of Commission programs, or existing procedures/organization structure along with supporting papers documenting project initiation, scope, procedures, accomplishments, and other follow-up communications and data.		
	Close file after completion of study or project. Transfer to inactive file and hold in office until 15 years old. Transfer to WNRC and destroy when 20 years old.		
	90. Administrative Forms Files consisting of copies of internally used forms, form approval requests, amendments or revisions to forms, copies of implementing directives (where applicable), and other related documentation.		
	Retain for 3 years after form is obsolete, superseded or discontinued, then destroy.		
	91. Plans or Report Forms Files contain external use plans or report forms requesting information from 10 or more persons and submitted to the General Accounting Office for clearance in accordance with their requirements, copies of reporting form or requirement, letter to GAO requesting clearance and supporting documentation for the form or requirement.		
	Close file when plan or report form has been discontinued in its entirety. Transfer to inactive file and hold in office until 3 years old. Transfer to WNRC and destroy when 8 years old.		
	92. Vital Records copies of applicable statutes, orders, regulations, and decisions of the Commission, listings of licensed certificants, administrative documents, computer programs, and other records deemed vital to the reconstruction of the FMC in the event of a national emergency.		

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Recall box from WNRC every April 1 and update records. Return to WNRC until next yearly update cycle.

93. User Charges Files contain letters, memos, recommendations, and other supporting data used to develop fee schedules for the fees charged by the Commission for various services rendered to the public, e.g., licensing fees, publication fees, etc.

Close file one year after superseded by new fee schedule. Transfer to inactive file and hold in office until 10 years old, then destroy.

94. ~~Still Picture Files contain~~ Audiovisual Training Aids include a slide tape unit prepared by the Commission's staff to explain changes in the Commission's regulations under 46 CFR 536 (General Order 13 and 46 CFR 531(General Order 38) to staff members and industry personnel. (GRS 21, Item 1(c)). Files are maintained in the Foreign Tariffs Division of the Commission.

per conversation w/ Jane Lange (NNV)

Destroy when no longer needed for administrative use.

AUDIOVISUAL RECORDS

95. Captioned Official Portrait of Chairman and Commissioners of the FMC. These pictures are taken annually for inclusion in the Commission's Annual Report to Congress by Commerce Department photographers. The negatives from the pictures are retained and scheduled by Commerce Department to be forwarded to the National Archives at the appropriate time. GRS, Item 1(a). Files are arranged in chronological order and are maintained by the Public Information Office. 1974 to present. VTD approximately 2 inches. EAV approximately 1/16 inches.

WITHDRAWN (per memo of Jane Lange 1/16/81)

PERMANENT. Break file every 5 years. Retain captioned print in files and offer to NARS when no longer needed for administrative use or when 10 years old.

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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

96. MARITIME INFORMATION SYSTEM

The system design concept of the Maritime 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 has its own file maintenance capability, providing an automated recordkeeping operation for each area of data responsibility.

Data generated within the Commission was encoded for automated processing and retrieval including information on tariffs, agreements, vessel certifications and freight forwarders. These records are 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 commidity, vessel type and carrier between any combination of U.S. and foreign ports; and the market share by commidity of individual liner carriers, conferences, or nationalities in any U.S. foreign trade. The system screens 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 is 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 is prohibited from divulging any information developed from Census and vessel commodity movement data which would identify the commercial activities of individual companies or persons.

MARIS is composed of the following major files:

A. MONTHLY CENSUS VESSEL/COMMODITY SUBSYSTEM

This subsystem processes 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

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system provides 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.

DISPOSITION. Destroy when five years old.

B. ANNUAL CENSUS COMMODITY MOVEMENT SUBSYSTEM

This subsystem uses the annual four (4) digit Schedule 'A', Schedule 'B'/'E', commodity movement data as input files and creates an historical data bank of up to ten years of data, by four (4) digit commodity code. The data file contains the geographic port pairs representing commodity movements , total short tons and dollar value, by commodity. The movement cannot 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 can easily be obtained. This subsystem was implemented in January 1975.

DISPOSITION. Destroy when ten years old.

C. TARIFF SUBSYSTEM

This subsystem provides an automated record keeping system of vessel operating common carrier (VOCC) tariffs on file with the Commission. Information being carried for each tariff includes the tariff name, effective date, carriers involved, geographic trade route and various characteristics such as type of tariff, direction and service. This tariff subsystem has been operational since 1974.

DISPOSITION. Destroy after three update cycles or when superseded.

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	D. AGREEMENTS SUBSYSTEM This subsystem provides an automated record-keeping system of each agreement on file with the Commission (less Terminal Agreements). The data contains agreement name, members 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. DISPOSITION. Destroy after three update cycles or when superseded.		
	E. OIL SPILL SUBSYSTEM This subsystem provides an automated record-keeping system on applications for certification of vessels entering U.S. waters. Certificates of financial responsibility including insurance coverage are required on vessels that are 300 gross tons or over. The system monitors the status of each application, including each vessel within an application. The data contains applicant name and address, applicant nationality, vessel name, vessel type, gross tons, flag and underwriter. Coverage began in July, 1973. DISPOSITION. Destroy after three update cycles or when superseded.		
	F. FREIGHT FORWARDER SUBSYSTEM This subsystem provides an automated record-keeping system of each freight forwarder on file with the Commission. Data carried on each freight forwarder includes name, address, home or branch office, license number, state, and certain confidential characteristics requested by the Office of Freight Forwarders. The Freight Forwarder Subsystem has been operational since October 1974. DISPOSITION. Destroy after three update cycles or when superseded.		

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G. MONETARY EXCHANGE RATES

This system was designed to accumulate and report monetary exchange rates of major foreign currencies vs. the U.S. dollar. The system contains daily exchange rates for eleven (11) major foreign currencies. Each month a daily recap report is prepared for the Office of Economic Analysis reflecting the day-to-day status of each currency. The system also provides monthly reports of thirty-one (31) foreign currencies vs. U.S. currency. The report reflects the percentage of fluctuation of currency values for the previous month, quarter and calendar year. Coverage is from 1972 to present.

DISPOSITION. Destroy after three update cycles or when superseded.

NOTE. Disposition for the above machine-readable files (A.-G.) does not cover new machine-readable files which may be created under MARIS or within the Federal Maritime Commission. Disposition authority for new files must be requested on SF 115.

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General Services Administration

National Archives and Records Service Washington, DC 20408

Date : August 5, 1981

Reply to Attn of : NCD (Coren)

Subject : NC1-358-81-2 (Federal Maritime Commission Comprehensive Schedule)

To : Director, NCD

In light of Mr. Rapport's remarks, FMC has elected to withdraw items 18, 19, and 39. They have already submitted an SF 115 to cover these records. Item 34, marked"disposition not approved" because Mike Goldman was denied an opportunity to examine the records, will also be added to the new SF 115. The General Counsel of the FMC no longer has any objections to NARS examining and appraising this series. Item 95 has been withdrawn because it does not exist as separate series and is included in item 6.

The changes requested by NNH, NNF (except for withdrawn items), NNV, and NNR have been made to the schedule. In addition, FMC has developed temporary disposition instructions to cover those items originally proposed for permanent retention but appraised as temporary and the agency records officer has approved all changes.

I recommend that this schedule be forwarded to the custodial units and the Archivist for signature.

Robert W. Coren

Robert W. Coren
Records Disposition Division (NCD)

General Services Administration

National Archives and Records Service Washington, DC 20408

Date : July 10, 1981

Reply to Attn of : Acting NNFS

Subject : NC1-358-81-2

To : Acting NNF

HEISE 14 Jul 81
Loren

Attached is a comprehensive schedule for records of the Federal Maritime Commission, and Mike Goldman's appraisal of March 10, 1981.

The comments of Ken Hall and Leonard Rapport are attached. They agree with Goldman's recommendations, except for items 18 and 39.

Rapport doubts whether 18 and 39 should be kept; Hall recalls the use that was made of those series in the past. Since the dockets (item 18) are in NNG (E45 of Revised NC5 for RG 178), Ed Hill has indicated he may want to comment on that item.

I suggest returning the job to NCD with the recommendation that Goldman resolve the problems of items 18 and 39 directly with Hill, Hall, and Rapport. If necessary, those two items, representing 81% of the records proposed as permanent, could be withdrawn and submitted separately later.

Milton O. Gustafson

MILTON O. GUSTAFSON
Acting Chief, Industrial
and Social Branch

NCD (7-10-81): I am not prepared to comment on the attached at this time. Please request NNG to submit comments. If you wish, you may also discuss the job directly with Hall and Rapport. However, any discussion that inputs into a proposed disposition recommendation must be documented. After receiving NNG's comments, please return to me for comment.

7/13/81

DANIEL T. GOGGIN
Acting Director
Civil Archives Division

15 June 1981

To: Acting Directors, NNFS, NNF
From: Leonard Rapport

Subject: Comments on NC1-358-81-2 (Federal Maritime Commission)

Mike Goldman always furnishes such a well-reasoned, detailed appraisal that his schedules seldom present problems. I concur with his concurrences and I concur with his rejections (items 25, 28, 31, 40, 41, 42, 46, 52, 66, and 87).

I have trouble with just two items, 18 and 39. They are the two largest in quantity, representing 1250 feet of the 1500 feet of of records proposed for accessioning that have accumulated to date. If these two series are appraised as accessionable they will grow at a predicted rate of 60 feet annually.

I am not familiar with item 39, Section 15 Agreeements. Mike recommends that if NNF is adamant about not taking this series in its entirety, only the conference agreements be made permanent. I am not against taking them because of their volume; but I don't know enough about them to convince me of their value. Have any researchers ever used these agreements? What reasonable expectation is there of their future use? Are there summaries, published or unpublished, that might serve? What is there in these agreements of importance that isn't available elsewhere? Keeping an open mind, I would like to know more about these agreements.

I am prejudiced against item 18, the docketed case files. What I said in my recent long memo on the NLRB case files applies to these case files. From the schedule description and from what I can learn from other sources these case files will have a harder time justifying their preservation than will the NLRB case files.

All of these FMC case files are included, I believe, in the periodically published Decisions of the Federal Maritime Commission. Volume 19 (the most recent on the Library's shelves) in 874 pages covers approximately 138 cases decided between July 1975 and April 1977. Some are covered in a single page; others, presumably more important or complicated, have 15, 20, or more pages. It would seem that most of what might be considered evidential should be in the published Decisions. (As I suggested for the NLRB case files, if there are fundamental evidential or precedential values not in the published Decisions perhaps they should be added in future volumes.) From reading the published Decisions the information in these FMC cases doesn't seem to compare with that in the NLRB cases. (At the end of this memo I will give a summary description of the first 7 or 8 cases in Vol. 19 of Decisions. These will suggest the nature of the information that the cases may contain. They may also suggest the bases of my skepticism about the eternal nature of the cases.)

Since the Decisions include all cases, this suggests an experiment. It would be to have someone sit down with knowledgeable FMC officials and with them go through a volume of the Decisions. Since they run well under a hundred cases a year, and some are obviously minor, it should be possible to recognize and discuss the main cases. The NARS representative can ask which of these cases FMC believes should be kept forever and, in each instance, why. "Why" is the key word. If, as I suspect, few cases can be justified, the same technique could be applied, volume by volume, to the accumulated case files.

Mike prefers "having knowledgeable FMC staff select as permanent only those dockets that result in major policy, procedural, or legal precedents, generate widespread public attention or controversy, or attract the keen interest of the Congress or the White House. A fourth criterion might be dockets that had a very large and obvious economic impact on an entire regulated industry." Even though a case might seem to qualify under one or more of the above, I would still want to know why the published Decisions version isn't enough. Keep in mind that all these case files are going to be kept at least thirty years. In 1981 it may be hard to conjure up the widespread public attention and the keen interest of 1951.

Incidentally, there is an odd provision in item 18 that lists as "Permanent" both "significant cases" (18b) and "other than significant cases" (18a). Both are to be offered to NARS when 30 years old; the only difference is that the significant cases are to be retained in office 5 years, the insignificant cases, 1 year.

However, I have an open mind on items 18 and 39. If a convincing argument is made I'll concur in keeping all these case files and agreements forever.

Summary of first 8 cases in Vol. 19, Decisions of the Federal Maritime Commission (July 1975-April 1977

1. Complaint re assessment of ocean freight charges on a shipment of industrial tires. (3 pp.)

2. Promulgation of procedures and requirements for imposing and altering currency adjustment surcharges in the event of a change in the exchange rate of the tariff currency. (5 pp.)

3. Seeking reparation of $357.40 for a freight overcharge on shipment from New York to Venezuela. (3 pp.)

4. Regulations to adjust or meet conditions unfavorable to shipping in the foreign trade of the United States. (3 pp.)

5. Authority to refund $4,764.70 on freight charges on a shipment from Baltimore to Haifa, Israel. (5 pp.)

6. Denial of authority to waive collection of $34,656.48 freight charges. ((4 pp.)

7. Truck detention at the Port of New York. (18 pp.)

8. Possible violations of Section 18(a) of the Shipping Act, 1916, and Section 2 of the Intercoastal Shipping Act arising from charging higher rates than specified by current tariff. (15 pp.)

General Services Administration
National Archives and Records Service
Washington, DC 20408

JKF 3/16/81

Date : March 16, 1981

Reply to Attn of : Michael Goldman, NCD

Subject: NC1-358-81-2

To : Director, NCD

Mosley 3/16/81
Heise 3/17/81
Caren
Please keep me informed of your progress.

Assuming that I'll soon be gone for the FBI project, I want you to be aware of the status of this comprhensive schedule of the Federal Maritime Commission. NNV and NNR has given me and the agency their recommendations, which have been accepted by FMC. I have examined many of the textual series and sent a memo to NNF/FS for its informal review, comments &/or concurrence. As a result of my evaluation there will need to be some changes in the dispositions of some textual items.

Louise Butler, the FMC records officer working on this schedule (phone: 523-5326) has been very helpful and competent. The FMC program people also have been very helpful. Of all the agencies I am working with at present FMC is the best in terms of cooperation with our program. It would be shameful if this schedule is delayed or slips through the cracks during my detail to the FBI project. The schedule involves some complex appraisal judgments and disposition writing as you know from having read my appraisal memo before sending it to NNF. I hope and request that NCD will keep good track of this job and, when NNF replies, promptly get back to FMC and work out the remaining details so this job can go for signature.

I realize the hardships NCD will experience because of the FBI project, but this agency and its comprehensive schedule deserves the best possible treatment under the circumstances.

Michael Goldman
NCD

Comments on Items 18 & 39

I concur with Leonard's high opinion of Michaal Goldman's appraisal.

As long as we had case files, we had both the dockets and the Section 15 agreements. At that time both were covered by restrictions which prohibited anyone from seeing them without the approval of appropriate FMC (or FMB) personnel. Occasionally they gave permission for researchers to use these records, but usually preferred to borrow the records and screen them before allowing anyone to look at them. Some were usually borrowed each month at that time. Of course, now they are thirteen years older and less current.

The one time that I did make extensive use of the Section 15 agreements was in connection with three multi-million dollar court suits involving East Coast ports and eastern railroads or Gulf ports and railroads connected thereto vs. West Coast ports and the western railroads. Lawyers from both sides came in platoons and bought sizable xerox orders.

I would expect scholars interested in international trade, maritime diplomacy, the workings of shippping companies, cartels (conferences), and the economic development of given areas, among others to be interested in these records. Although his purpose was to write a well-rounded history of a shipping company (including its social and economic aspects), Robert G. Albion's Seaports South of the Sahara gave me a better understanding of WSA (RG 248) and USMC (RG 178) policy that I got anywhere else. Dr. Albion is Professor Emeritus of Oceanographic History at Harvard.

Thanks to the court cases and other researchers I feel confident that I could lead a receptive PHD candidate to material for a first rate thesis on the role of the U. S. Shipping Board in American Far East trade between 1919 and 1936. Among the records used would be those of the Traffic Dept. which had jurisdiction over Section 15 and other aspects of the Shipping Act of 1916 discussed above. The summaries mentioned by Leonard will undoubtedly serve well for those interested in the legal and technical aspects of

of these cases, but are not likely to help those intested in the social economic and political aspects or in gaining leads to related records that would deal with their specialty.

Ken Haly