

FEDERAL MARITIME COMMISSION

800 North Capitol Street NW., Washington, DC 20573-0001
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Director, Consumer Affairs and Dispute
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The Federal Maritime Commission regulates the waterborne foreign commerce of the United States. It ensures that U.S. oceanborne trades are open to all on fair and equitable terms and protects against concerted activities and unlawful practices.

The Federal Maritime Commission was established by Reorganization Plan No. 7 of 1961 (46 U.S.C. 301-307), effective August 12, 1961. It is an independent agency that regulates shipping under the following statutes: the Shipping Act of 1984, as amended (46 U.S.C. 40101-41309); Section 19 of the Merchant Marine Act, 1920 (46 U.S.C. 42101-42109); the Foreign Shipping Practices Act of 1988 (46 U.S.C. 42301-42307); and the act of November 6, 1966 (46 U.S.C. 44101-44106).

Activities

Agreements The Commission reviews agreements by and among ocean common carriers and/or marine terminal operators, filed under section 5 of the Shipping Act of 1984, for statutory compliance as well as for likely impact on competition. It also monitors activities under all effective agreements for compliance with the provisions of law and its rules, orders, and regulations.

Tariffs The Commission monitors and prescribes requirements to ensure accessibility and accuracy of electronic tariff publications of common carriers engaged in the foreign commerce of the United States. Special permission applications may be submitted for relief from statutory and/or Commission tariff requirements.

Service Contracts The Commission receives and reviews filings of confidential service contracts between shippers and ocean common carriers. The Commission also monitors publication of certain essential terms of those service contracts.

Non-Vessel-Operating Common Carrier Service Arrangements The Commission receives and reviews service arrangements entered into by non-vessel-operating common carriers and their customers. Cargo moving under these service arrangements are exempt from the tariff publication and adherence requirements of the Shipping Act, on the

condition that the service arrangements must be filed with the Commission.

Licenses The Commission issues licenses to those persons and entities in the United States who wish to carry out the business of providing freight forwarding services and nonvessel-operating common carrier services.

Passenger Indemnity The Commission administers the passenger indemnity provisions of the act of November 6, 1966, which require shipowners and operators to obtain certificates of financial responsibility to pay judgments for personal injury or death or to refund fares in the event of nonperformance of voyages.

Complaints The Commission reviews alleged or suspected violations of the shipping statutes and rules and regulations of the Commission and may take administrative action to institute formal proceedings, to refer matters to other governmental agencies, or to bring about voluntary agreement between the parties.

Formal Adjudicatory Procedures The Commission conducts formal investigations and hearings on its own motion and adjudicates formal complaints in accordance with the Administrative Procedure Act (5 U.S.C. note prec. 551).

Alternative Dispute Resolution The Commission reviews informal complaints and attempts to assist parties in resolving disputes. Mediation and other dispute resolution services are available in order to assist parties in achieving a more acceptable resolution to a dispute at less cost than may be possible in litigation. These services are available before and after the commencement of litigation.

The Commission also provides an informal process to adjudicate certain complaints involving less than \$50,000 in damages.

Rulemaking The Commission promulgates rules and regulations to interpret, enforce, and ensure compliance with shipping and related statutes by common carriers and other persons subject to the Commission's jurisdiction.

Investigation and Economic Analyses The Commission prescribes and administers programs to ensure compliance with the provisions of the shipping statutes. These programs include: education and outreach activities; the collection of information relating to field investigation of activities and practices of ocean common carriers, terminal operators, agreements among ocean common carriers and/or marine terminal operators, ocean transportation intermediaries, passenger vessel operators, and other persons subject to the shipping statutes; and rate analyses, studies, and economic reviews of current and prospective trade conditions, including the extent and nature of competition in various trade areas.

International Affairs The Commission conducts investigations of foreign governmental and carrier practices that adversely affect the U.S. shipping trade. In consultation with other executive agencies, the Commission takes action to effect the elimination of discriminatory practices on the part of foreign governments against shipping in the United States foreign trade, and to achieve comity between the United States and its trading partners.

Area Representatives—Federal Maritime Commission

Area	Address/Phone/Fax/Email	Representative
Los Angeles	839 S. Beacon St., Rm. 320, San Pedro, CA 90733-0230. Phone, 310-514-4905. Fax, 310-514-3931. Email, oclark@fmc.gov	Oliver E. Clark
South Florida	3475 Sheridan St., Hollywood, FL 33029-3659. Phone, 954-963-5362. Fax, 954-963-5630. Email, amargolis@fmc.gov	Andrew Margolis Eric O. Mintz
New Orleans	1515 Poydras St., New Orleans, LA 70112. Phone, 504-589-6662. Fax, 504-589-6663. Email, bjohnson@fmc.gov	Bruce N. Johnson, Sr.
New York	JFK Int'l Airport, Bldg. 75, Rm. 205B, Jamaica, NY 11430. Phone, 718-553-2228. Fax, 718-553-2229. Email, emingione@fmc.gov	Emanuel J. Mingione Joseph A. Castellano
Seattle	7 S. Nevada St., Suite 100, Seattle, WA 98134. Phone, 206-553-0221. Fax, 206-553-0222. Email, mmoneck@fmc.gov	Michael A. Moneck
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Area Representatives—Federal Maritime Commission—Continued

Area	Address/Phone/Fax/Email	Representative
	Phone, 281-591-6088. Fax, 281-591-6099. Email, dzezima@fmc.gov	Debra A. Zezima

Sources of Information

Electronic Access Information about the Federal Maritime Commission is available in electronic form through the Internet at www.fmc.gov.

Employment Employment inquiries may be directed to the Office of Human Resources, Federal Maritime Commission, 800 North Capitol Street

NW., Washington, DC 20573-0001. Phone, 202-523-5773.

Consumer Affairs and Dispute Resolution Services Phone, 202-523-5807. Email, complaints@fmc.gov.

Publications The *Performance and Accountability Report (2008)* and the *FY08 Management Discussion and Analysis Report* are recent publications of the Federal Maritime Commission.

For further information, contact the Office of the Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573-0001. Phone, 202-523-5725. Fax, 202-523-0014. Internet, www.fmc.gov. Email, secretary@fmc.gov.

FEDERAL MEDIATION AND CONCILIATION SERVICE

2100 K Street NW., Washington, DC 20427
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DIRECTOR

SCOT L. BECKENBAUGH, *Acting*

The Federal Mediation and Conciliation Service assists labor and management in resolving disputes in collective bargaining contract negotiation through voluntary mediation and arbitration services.

The Federal Mediation and Conciliation Service (FMCS) was created by the Labor Management Relations Act, 1947 (29 U.S.C. 172). The Director is appointed by the President with the advice and consent of the Senate.

Activities

FMCS helps prevent disruptions in the flow of interstate commerce caused by labor-management disputes by providing mediators to assist disputing parties in the resolution of their differences. Mediators have no law enforcement authority and rely wholly on persuasive techniques.

FMCS offers its facilities in labor-management disputes to any industry affecting interstate commerce with employees represented by a union,

either upon its own motion or at the request of one or more of the parties to the dispute, whenever in its judgment such dispute threatens to cause a substantial interruption of commerce. The Labor Management Relations Act requires that parties to a labor contract must file a dispute notice if agreement is not reached 30 days in advance of a contract termination or reopening date. The notice must be filed with FMCS and the appropriate State or local mediation agency. FMCS is required to avoid the mediation of disputes that would have only a minor effect on interstate commerce if State or other conciliation services are available to the parties.

Mediation Efforts of FMCS mediators are directed toward the establishment of