

# **FEDERAL MARITIME COMMISSION**

## **RECORDS DISPOSITION SCHEDULE**



**REVISED**

**June 2010**

**Managing Director's Office**

# PERMANENT RECORDS

## OFFICE OF THE CHAIRMAN

### ITEM NO.

NC1-358-81-2/2

**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 officially recorded or the expiration of 5 years, whichever occurs later.

**DISPOSITION:** Offer to NARA 5 years after termination of Chairman's service.

NC1-358-81-2/5

**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. (GRS Schedule 14, Item 1).

**DISPOSITION:** (a) Record Copy. Close files at end of calendar year. Retain in office until 5 years old and then transfer to WNRC. Transfer to NARA when 10 years old.

(b) Other copies: Maintain in office until no longer needed. Then destroy.

NC1-358-81-2/6

**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). Files are arranged chronologically and thereunder alphabetically by name.

**DISPOSITION:** Retain in office and offer to NARA when accumulation reaches one cubic foot or when 10 years old, whichever is sooner.

## OFFICES OF THE COMMISSIONERS

### **ITEM NO.**

NC1-358-81-2/10 **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 occurs later.

**DISPOSITION:** Offer to NARA 5 years after termination of Commissioner's service.

## OFFICE OF THE SECRETARY

### **ITEM NO.**

NC1-358-81-2/16 **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.

**DISPOSITION:** (a) **Annual Reports.** Hold in office and offer to NARA 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.

NC1-358-81-2/20 **FMC Minutes** contain the 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.

**DISPOSITION:** Retain in office until no longer required for frequent reference but no longer than 20 years, then transfer to WNRC. Offer to NARA when 30 years old.

NC1-358-81-2/24

**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.

**DISPOSITION:** (a) Annual Report. Hold in office and offer to NARA 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.

#### OFFICE OF THE GENERAL COUNSEL

**ITEM NO.**

NC1-358-83-1/1

**Indexes to Office of the General Counsel's Legal Opinions.** Volume accumulated to date - 3 to 4 inches. Estimated Annual Volume - Negligible.

**DISPOSITION:** Permanent. Hold in office until 30 years old. Offer to NARA in conjunction with the offer of Legal Opinions.

NC1-358-83-1/2

**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. Documents are filed in chronological order.

**DISPOSITION:** Permanent. Hold in office until given file is 30 years old. Offer to NARA when 30 years old in 5 year blocks.

#### OFFICE OF THE MANAGING DIRECTOR

**ITEM NO.**

NC1-358-81-2/88

**Organizational Records Files** contain record copies of Commission Orders and other internal issuances documenting the organizational changes thereto with supporting documentation for development of the issuance. Files are arranged numerically. 1961 to present.

**DISPOSITION:** Place in inactive file when directive becomes obsolete, superseded or cancelled. Transfer to WNRC when 10 years old. Offer to NARA when 15 years old.

**Office of Budget and Finance**

N1-358-08-3/8

**Performance and Accountability Reports (PAR) Files** consist of the agency's record copy of annual reports sent to the Congress and other government agencies in accordance with OMB Circular A-123, Management Accountability and Control Systems, and Pub. L. 97-255, the Federal Managers' Financial Integrity Act (FMFIA). The PAR is comprised of the agency's Management's Discussion and Analysis (MD&A), the FMFIA Report, and the Annual Program Performance Report.

Note: Currently, the official recordkeeping versions of these files are maintained on paper. Total accumulation is approximately 1 inch per year.

**DISPOSITION:** Cut-off file at the end of each fiscal year. Hold in office. Transfer to NARA in 10 year blocks when oldest file is 10 years old.

## TEMPORARY RECORDS

### OFFICE OF THE CHAIRMAN

#### ITEM NO.

NC1-358-81-2/1 **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 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.

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

NC1-358-81-2/3 **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.

**DISPOSITION:** Files are maintained by docket number, or topic and are held in the office for ongoing use of Chairman and successors. Destroy when file is no longer needed.

NC1-358-81-2/4 **Notation Item Files** contain copies of notation items (items not considered at a formal Commission meeting) and are arranged chronologically. Files essentially duplicate those maintained by the Office of the Secretary.

**DISPOSITION:** Close file at end of year. Hold files in office and destroy when 5 years old.

### OFFICES OF THE COMMISSIONERS

#### ITEM NO.

NC1-358-81-2/9 **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.

**DISPOSITION:** Files are maintained by docket number, agreement number, or topic and are held in the office for ongoing use of Commissioner and successors. Destroy when file is no longer needed.

## OFFICE OF THE SECRETARY

### **ITEM NO.**

NC1-358-81-2/21 **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.

**DISPOSITION:** Close file at end of calendar year and retain in office until 10 years old. Transfer to WNRC. Destroy when 20 years old.

NC1-358-81-2/22 **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.

**DISPOSITION:** Close file annually. Destroy when 3 years old or sooner, if no longer needed.

NC1-358-81-2/23 **Non-Attorney Practitioner Files** contain application form and letters of reference for persons, not attorneys, who apply for or are granted permission to practice before the Commission.

**DISPOSITION:** Maintain files in office for 10 years after an applicant ceases to practice, then transfer to WNRC. Destroy when 30 years old.

NC1-358-81-2/25 **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 Acts or Commission-administered rules have been violated. Fact finding investigations are used as an alternative to formal proceedings and are conducted by a designated official, 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.

**DISPOSITION:** 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 other documents, i.e., correspondence, orders, notices, rules, and other related materials in the office for reference use of Commission staff and the public. Destroy when no longer needed.

N1-358-93-1/1

**Official Docket** contains the record copies of formal, informal (small claims), and special docket and rulemaking proceedings instituted by Commission order or by formal complaint or small claim alleging a violation of the Shipping Act, 1916, as amended, the Shipping Act of 1984, as amended, and other applicable laws, or proposing rules. The docket consists of orders, notices, correspondence, transcripts, pleadings and exhibits, motions, petitions and briefs, and other documents submitted as evidence in proceedings. Files are arranged by docket number in hard-bound docket binders, size 10-1/2 inches by 13 inches; and material contained therein is filed chronologically.

**DISPOSITION:**

- (a) Other than significant cases, retain in office for 1 year following completion of proceedings, then transfer to WNRC. Destroy when 15 years old.
- (b) For significant cases having wide public interest, retain in office for 5 years after completion of proceeding, then transfer to the WNRC. Destroy when 30 years old.

NC1-358-81-3/2

**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.

**DISPOSITION:**

- (a) For other than significant cases, retain in office for 1 year following completion of docketed proceeding, then transfer to WNRC. Destroy when 10 years old.
- (b) For significant cases having wide public interest, retain in the office for 5 years after completion of proceeding, then transfer to WNRC. Destroy when 30 years old.

NC1-358-81-2/83

**Environmental Assessments (Findings of No Significant Impact – FONSI's)** include Notices of Intent to Make an Environmental



Assessment (in some cases); Notices of Availability of Finding of No Significant Impact; environmental assessments; correspondence; applicable Commission Notices; research data; and work papers.

- DISPOSITION:**
- (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.

NC1-358-81-2/84

**Environmental/Energy Impact Statements** include Notices of Intent to Make an Environmental Assessment, Notices of Availability of Draft Environmental Impact Statements; Draft Environmental Impact Statements; Notices of Availability of Final Environmental Impact Statements; Final Environmental Impact Statements; Notices of Availability of Energy Impact Statements; Energy Impact Statements; correspondence; applicable Commission notices; research data; and work papers.

- DISPOSITION:**
- (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.

## **OFFICE OF CONSUMER AFFAIRS & DISPUTE RESOLUTION SERVICES**

### **ITEM NO.**

N1-358-95-1/1

**Informal Complaints** files contain correspondence with the FMC by shipping companies and other persons subject to the Shipping Act of 1984 and other applicable Acts and laws relative to changes in rates, fares, and discriminatory practices against shippers, carriers, or other persons and/or correspondence relating to consumer complaints against the practices, methods, operations and rate levels established by those engaged in foreign and domestic waterborne commerce and the disposition of such complaints. After investigation, cases are concluded by administrative action, formal proceedings, referral to state or federal authorities, or by achieving voluntary agreement between the parties.

**DISPOSITION:** Cut off after settlement or conclusion or complaints. Retire to WNRC 2 years after cutoff. Destroy 5 years after cutoff.

## OFFICE OF THE GENERAL COUNSEL

### **ITEM NO.**

N1-358-08-8/1 **International Affairs (Classified Documents) Files** contain copies of State Department cables, letters, and other classified documents. Files are maintained in a combination locked safe.

**DISPOSITION:** **Media Neutral.** Cut off file at the end of each calendar year. Destroy 5 years after cutoff, or when no longer needed for reference.

N1-358-08-8/2 **International Affairs (Country) Files** contain correspondence, background information and other unclassified material which is maintained for reference and background information in dealing with foreign governments.

**DISPOSITION:** **Media Neutral.** Cut off file at end of each calendar year. Destroy 5 years after cutoff, or when no longer needed for reference.

N1-358-08-8/4 **Docket Case Analyses, Workpapers, and Summary.** (Use exact heading). Contains analyses, workpapers, and summaries of formal docketed proceedings prepared by the staff for use in advising the Commission in its regulatory functions. Copies of these documents are also included in the Office of the Secretary's Interoffice Confidential Files.

**DISPOSITION:** **Media Neutral.**

(a) Cut off at end of calendar year in which case file actions are concluded. Transfer to WNRC 2 years after cutoff. Destroy 7 years after cutoff.

(b) For significant cases having wide public interest, cut off at end of calendar year in which case file actions are concluded. Transfer to WNRC 4 years after cutoff. Destroy 7 years after cutoff.

N1-358-08-8/3 **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) Court; (2) date; (3) case number; and (4) name of case.)

**DISPOSITION:** **Media Neutral.**

(a) Cut off at end of calendar year in which proceeding is concluded. Transfer to WNRC 5 years after cutoff. Destroy 10 years after cutoff.

(b) For significant cases having wide public interest, cut off at end of calendar year in which proceeding is concluded. Transfer to WNRC 10 years after cutoff. Destroy 20 years after cutoff.

N1-358-08-8/5

**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 OMB for clearance and then submitted to Congress. Files are arranged by Congress.

**DISPOSITION:**       **Media Neutral.** Cut off files at end of each Congress. Destroy 5 years after cutoff.

N1-358-08-8/6

**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.

**DISPOSITION:**       **Media Neutral.** Cut off files at end of each Congress. Destroy 5 years after cutoff.

GRS 25

**Ethics Program Records.**

#### **OFFICE OF EQUAL EMPLOYMENT OPPORTUNITY**

This Office uses General Records Schedule No. 1 for the disposition of its records.

#### **OFFICE OF ADMINISTRATIVE LAW JUDGES**

##### **ITEM NO.**

NC1-358-81-2/36

**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.

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

OFFICE OF THE INSPECTOR GENERAL

**ITEM NO.**

N1-358-08-2/1

**Investigative Case Files** contain case files developed during investigations of known or alleged fraud and abuse and irregularities and violations of laws and regulations. Cases relate to agency personnel and programs and operations administered by the agency, including contractors and others having a relationship with the agency. This includes investigative files relating to employee and hotline complaints, and other miscellaneous complaint files. Files consist of investigative reports and related documents, such as correspondence, notes, attachments, and working papers.

**DISPOSITION:**

(a) **Media Neutral.** Files containing information or allegations which are of an investigative nature but do not relate to a specific investigation. They include anonymous or vague allegations not warranting an investigation, matters referred to constituents or other agencies for handling, and support files providing general information which may prove useful in Inspector General investigations. Place in inactive file when closed. Cut off inactive file at end of fiscal year. Destroy when 7 years old.

(b) **Media Neutral.** All other investigative case files – Place in inactive files when case is closed. Cut off inactive file at end of fiscal year. Destroy 10 years after cutoff.

N1-358-08-2/2

**Audit Case Files** contain case files of internal audits of agency programs, operations, and procedures, and of external audits of contractors. Consists of audit reports, correspondence, memoranda, and supporting work papers.

**DISPOSITION:**

**Media Neutral.** Cut off at end of fiscal year in which case is closed. Destroy 8 years after cut off.

N1-358-09-1

**Inspector General Audit/Evaluation Tracking System** – This is an automated information system that collects records and reports information about audits/evaluations conducted by the Office of Inspector General (OIG). Specifically, it contains recommendations resulting from OIG audits and evaluations, and management’s corrective actions, and planned and actual corrective action completion dates. These corrective actions are reflective of the Inspector General’s Audit Case Files [N1-358-08-2/2]. The Internet-based system is in SQL v. 2005. The files are arranged by audit/evaluation number. The OIG uses the information in

this system to monitor the status of corrective actions and to prepare status reports and reports to the Federal Maritime Commission and Congress. [These reports are not subject to the Privacy Act.]

**Master Data Files for Inspector General Tracking System** – All data are maintained on-line. Data elements recorded for each audit/evaluation can include, but are not limited to, audit/evaluation number, title, objective, date opened, draft date, draft response date, final report date, final response date, resolution date, number of recommendations, questioned costs, unsupported costs, funds put to better use, and date closed. The records can be searched by audit/evaluation number.

**DISPOSITION:**       **Temporary.** Cut off at end of fiscal year in which last corrective action is implemented. Destroy/delete 25 years after cut-off.

### OFFICE OF THE MANAGING DIRECTOR

**ITEM NO.**

N1-358-08-3/1

**Reading File** contains incoming, outgoing, and internal correspondence prepared by the Office of the Director or by other offices for the Director's signature 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 in providing administrative and managerial direction to the offices under them. Correspondence prepared by other offices for the Director's signature is in addition to the files maintained by those offices.

**DISPOSITION:**       **Media Neutral.** Cut-off file at the end of each calendar year. Hold in office. Destroy 3 years after cutoff.

N1-358-95-1/10

**Bureau and Office Reading Files** contain copies of documents prepared by other offices and bureaus on subject matter involving policy interpretations. The official file copy is maintained in the originating office's files.

**DISPOSITION:**       Close file annually. Transfer to inactive file. Destroy when 3 years old.

N1-358-95-1/11

**Subject Files** contain letters, memoranda, reports and other documents created or acquired from other offices and/or agencies in formulating and implementing plans, responses and decisions on matters of major policy impact or in providing operational and managerial guidance concerning all programs, functions and objectives of the Commission.

**DISPOSITION:**       Files are arranged alphabetically by subject matter and material therein is filed chronologically. Official

business papers originating with, or received by, the Director's office are held until conveyed to the appropriate office or final action is officially recorded or the expiration of 5 years, whichever occurs later; then destroyed.

NC1-358-81-2/90 **Administrative Forms Files** consists of copies of internally used forms, form approval requests, amendments or revisions to forms, copies of implementing directives (where applicable), and other related documentation.

**DISPOSITION:** Retain for 3 years after form is obsolete, superseded or discontinued, then destroy.

NC1-358-81-2/92 **Vital Records** contain 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.

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

N1-358-08-3/2 **Audit and Operational Review Follow-up Files** contain case files of internal Inspector General audits of agency programs, operations, and procedures, and of external audits of contractors, and subsequent follow-up by the Audit Follow-up Official. Files consist of audit reports, correspondence, memoranda, and supporting work papers, and are arranged by audit number. Most, if not all, documents are duplicative of the Inspector General's Audit Case Files.

**DISPOSITION:** **Media Neutral.** Cut off at end of fiscal year in which case is closed. Destroy 8 years after cut-off.

N1-358-08-3/3 **Performance Planning Records** – Records created in accordance with procedures mandated by OMB Circulars A-11 and A-123, including copies of the agency's Initial and Final Annual Performance Plans, Performance and Accountability Report (PAR), and the agency's Strategic Plans, all of which are submitted to OMB and/or Congress. Record copies of the PAR reside in the Office of Financial Management.

a. ***Initial and Final Annual Performance Plans, and Performance and Accountability Reports.***

**DISPOSITION:** **Media Neutral.** Cut off file at the end of each fiscal year. Hold in the office. Destroy 5 years after cut-off.

- b. **Strategic Plans.** Strategic Plans are updated and revised every three years and submitted to Congress and OMB.

**DISPOSITION:** **Media Neutral.** Destroy when superseded or no longer needed for reference.

GRS 16/6

**Reports Control Files.** Case files maintained for each agency report created or proposed, including public use report. Included are clearance forms, including OMB 83; copies of pertinent forms or descriptions of format; copies of authorizing directives; preparation instructions; and documents relating to the evaluation, continuation, revision, and discontinuance of reporting requirements.

**DISPOSITION:** **Media Neutral.** Destroy 2 years after the report is discontinued.

GRS 16/2

**Records Disposition Files.** Descriptive inventories, disposal authorizations, schedules, and reports.

- a. Basic documentation of records description and disposition programs, including SF 115, *Request for Records Disposition Authority*; SF 135, *Records Transmittal and Receipt*; SF 258, *Agreement to Transfer Records to National Archives of the United States*; and related documentation.

- (1) SF 115s that have been approved by NARA.

**DISPOSITION:** **Media Neutral.** Destroy 2 years after supersession.

- (2) Other records.

**DISPOSITION:** **Media Neutral.** Destroy 6 years after related records are destroyed or after the related records are transferred to the National Archives of the United States, whichever is applicable.

- b. Routine correspondence and memoranda.

**DISPOSITION:** **Media Neutral.** Destroy when 2 years old.

### **Office of Budget and Finance**

This Office uses General Records Schedule Nos. 2, 5, 6, 7, 9 and 23 for the disposition of its records.

### **ITEM NO.**

NC1-358-81-2/87

**Budget Estimates and Justification File** contain copies of budget estimates and justifications prepared and consolidated by the Office.

Also included are appropriation language sheets, narrative statements, and related schedules and data. Files are arranged chronologically. (GRS Schedule 5, Item 2)

**DISPOSITION:** Maintain in office until no longer needed for reference or action purposes, then destroy.

NC1-358-81-2/93

**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.

**DISPOSITION:** Close file 1 year after superseded by new fee schedule. Transfer to inactive file and hold in office until 10 years old, then destroy.

### **Office of Human Resources**

This Office uses General Records Schedule No. 1 for the disposition of its records.

#### **ITEM NO.**

GRS 18/22

**Personnel Security Clearance Files.** Personnel security clearance case files created under Office of Personnel Management procedures and regulations and related indexes maintained by the personnel security office of the employing agency. [These records are subject to the Privacy Act.]

- a. Case files documenting the processing of investigations on Federal employees or applicants for Federal employment, whether or not a security clearance is granted, and other persons, such as those performing work for a Federal agency under contract, who require an approval before having access to Government facilities or to sensitive data. These files include questionnaires, summaries of reports prepared by the investigating agency, and other records reflecting the processing of the investigation and the status of the clearance, exclusive of copies of investigative reports furnished by the investigating agency.

**DISPOSITION:** **Media Neutral.** Destroy upon notification of death or not later than 5 years after separation or transfer of employee or no later than 5 years after contract relationship expires, whichever is applicable.

- b. Investigative reports and related documents furnished to agencies by investigative organizations for use in making security/suitability determinations.

**DISPOSITION:** **Media Neutral.** Destroy in accordance with the investigating agency instructions.



## Office of Information Technology

This Office uses General Records Schedule No. 12, 24 and 27 for the disposition of its records.

## Office of Management Services

This Office uses the General Records Schedule Nos. 3, 4, 10, 11, 12, 13 and 18 for the disposition of its records.

## BUREAU OF CERTIFICATION AND LICENSING

### Office of Transportation Intermediaries

#### ITEM NO.

N1-358-08-4/1

**Individual Ocean Transportation Intermediary Files** - contain application (Form FMC-18); a record of ocean transportation intermediary and/or other experience; work papers; investigation reports and summary recommendations; surety bonds; compliance investigations reports; vital statistics, addresses, and descriptions of the relationships of individual ocean transportation intermediaries to other persons subject to the Shipping Act of 1984, as amended by the Ocean Shipping Reform Act; returned, withdrawn or expired applications; and denied, revoked or voluntarily surrendered licenses with reasons for denial or revocation; and all correspondence relative thereto. Files are arranged numerically by organization number. Bonds are handled by both the Office of Transportation Intermediaries and the Office of Passenger Vessels & Information Processing. Form FMC-18 may be filed either in paper form or in the automated Form FMC-18 electronic database. [These records are subject to the Privacy Act.]

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which application is returned, withdrawn or expired; or when license is denied, revoked or voluntarily surrendered. Destroy 10 years after cutoff.

GRS 20/1c

**Form FMC-18 User Account Application for Automated Form FMC-18 System.** Contains approved and disapproved applications for a User ID to access the Form FMC-18 automated system.

**DISPOSITION:**      **Media Neutral.** Destroy/delete when no longer needed for administrative, legal, audit, or other operational purposes.

NC1-358-81-2/68

**Historical Files** contain legislative history of Section 44, Shipping Act, 1916, with breakdowns of 46 CFR 510 sections.

**DISPOSITION:** 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.

N1-358-09-5

**Ocean Transportation Intermediaries License Transmittal Database (OLTLD).** This is an automated information system used to record information regarding potentially unlicensed ocean transportation intermediaries (OTIs) subject to the FMC's regulations. The database is used to track and monitor potentially unlicensed entities, and links into the joint efforts of the Bureau of Enforcement (BOE) for follow-up procedures. The system generates only ad hoc reports. Based on information contained in this database, letters are written to potentially unlicensed OTIs requesting that they comply with FMC regulations. These letters are filed in the Office of Transportation Intermediaries Reading File [currently being scheduled]. [These records are not subject to the Privacy Act.]

N1-358-09-5/1

**OLTLD Master Data Files.** All data are maintained on-line. Data elements recorded for each potentially unlicensed OTI include the contact names, company names, addresses, telephone numbers and fax numbers, and follow-up information with respect to the company when it applies or needs further referral follow-up by BOE or the Managing Director's Office. Oral inputs, such as tips from the public, or inputs from bills of lading, pictures, or newspaper/magazine articles, are noted in the comment field of the database. The records can be searched by company name and/or address.

**DISPOSITION:** Cut off record of entity at end of calendar year in which entity complies or no further follow-up is found to be necessary; destroy/delete record of entity 5 years after cutoff or when no longer needed for reference, whichever is later.

GRS 20

**OLTLD Database Outputs and System Documentation.**

**Office of Passenger Vessels & Information Processing**

**ITEM NO.**

N1-358-07-3

**Regulated Persons Index (RPI)** – The RPI contains information on entities regulated by the FMC, as well as entities that do business with the FMC. These entities include vessel-operating common carriers, marine terminal operators, ocean transportation intermediaries (OTIs), i.e., non-vessel-operating (NVO) common carriers and ocean freight forwarders, freight conferences, passenger vessel operators, attorneys, sureties, tariff publishers, and third-party filing agents. The RPI is used by the FMC as a source of address, phone, financial responsibility information (i.e., bond), and contact information. It is also used to identify entities in compliance with Commission regulations and to track ocean transportation intermediary application receipts and assignments. Each

entity is assigned a unique 6-digit organization number and is labeled with one or more person-type codes, which identifies the type of service(s) it performs. Portions of the RPI are designated for internal and administrative use only and are generally not available to the public. The remainder of the RPI contains public information and is sold on CD in Microsoft Excel, Access or text file. The system is available to FMC staff via the FMC Intranet. [These records are not subject to the Privacy Act.]

N1-358-07-3/1

**Master Data Files for RPI.** All data are maintained on-line. The master data files include address, phone, financial responsibility (i.e., bond), and contact information, officers and data pertaining to the entity, as applicable. Also included are data to identify entities in compliance with Commission regulations and to track ocean transportation intermediary application receipts and assignments. Each entity is assigned a unique 6-digit organization number and is labeled with one or more person-type codes, which identifies the type of service(s) it performs. The records can be searched in a number of ways, including by organization number, legal/trade name, qualifying individual, address, phone number, NVO bond number, freight forwarder bond number, or license number.

**DISPOSITION:** **Media Neutral.** Cut off at end of calendar year in which entity ceases to exist or offer services regulated by the Commission. Destroy 25 years after cutoff.

GRS 20/2a(3)

**System Inputs for RPI.** Current organization information is primarily collected from Commission Forms FMC-1, Tariff Registration Form; FMC-18, Application for a License as an Ocean Transportation Intermediary; FMC-48, Ocean Transportation Intermediary Bond; FMC-69, Ocean Transportation Intermediary Group Bond Form; and FMC-131, Application for Certificate of Financial Responsibility, as they are filed with the Commission.

**DISPOSITION:** **Media Neutral.** File in appropriate subject file. Destroy or accession to NARA according to approved disposition authorities for the associated file.

GRS 20/4, 5, 6,  
7 and 12

**System Outputs for RPI.** Record output issuances that are not filed to a separate recordkeeping system, such as statistics used for monthly report, Commission Annual Report, and Congressional budget; reports used to monitor and track workload assignments; reports made available to the public containing the names, addresses and bonding information for active OTIs; and other similar reports.

**DISPOSITION:** **Media Neutral.** Destroy reports 180 days after report is generated or when no longer needed for reference, whichever is sooner.

GRS 20/11a(1) **System Documentation for RPI.** Contains all system documentation that allows system usage and interpretation, such as data dictionaries, system and user manuals, and other related materials.

**DISPOSITION:** **Media Neutral.** Destroy or delete when superseded or no longer needed for reference, whichever is later.

N1-358-09-4 **Passenger Vessel Operator (PVO) Database.** This is an automated information system used to record information concerning passenger vessels subject to the FMC's regulations. The system generates only ad hoc reports. [These records are not subject to the Privacy Act.]

N1-358-09-4/1 **PVO Database Master Files.** All data are maintained on-line. Data elements recorded for each passenger vessel include names, owners and operators of passenger vessels; monthly amounts of unearned revenue; financial responsibility information; and certification information about vessels operating in the program. The records can be searched by company name, organization number, and owners/operators.

**DISPOSITION:** Cut off record of entity at end of calendar year in which entity ceases to exist or offer services regulated by the Commission; destroy/delete record of entity 25 years after cutoff or when no longer needed for reference, whichever is later.

GRS 20 **PVO Database Outputs** and **System Documentation.**

N1-358-07-2/1 **Certificant (Performance) Files** include application form; evidence of financial responsibility, including surety bonds, guaranties, and escrow agreements and their amendments; powers of attorney; acceptance of service of process; compliance reporting; staff memoranda; orders; audits; 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.

**DISPOSITION:** **Media Neutral.** Cut off file at end of calendar year in which certificate is cancelled, withdrawn, denied, or revoked. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/2 **P & I Club Trust Fund Files.** Trust agreement and amendments, related documents and materials, and correspondence regarding the amount of assets in the U.S.

**DISPOSITION:** **Media Neutral.** Cut off file at end of calendar year in which agreement is cancelled. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/3      **Insurance Policy Files** contain policies submitted by applicants as evidence of financial responsibility.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which carrier ceases operations in the U.S. or cancels insurance. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/4      **Certificant Casualty Files** - include application form; evidence of financial responsibility, including insurance, guarantees and surety bonds and their amendments; staff memoranda; orders; copy of Casualty Certificate; correspondence; documents pertaining to cancelled, terminated or inapplicable evidence of financial responsibility; and other material pertinent to acquisition and maintenance of a certificate.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which certificate is cancelled, withdrawn, denied or revoked. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/5      **Certificate (Performance) Log; Certificate (Casualty) Log** - a copy of each Performance or Casualty certificate issued in chronological order.

**DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which created. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/6      **Revocations (Performance) Log; Certificate (Casualty) Log** contains a chronological list of revoked certificates and a copy of each staff revocation memorandum.

**DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which created. Destroy 10 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-07-2/7      **Reading File** contains copies of all correspondence, memoranda, etc., emanating from the OPVIP.

**DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year. Destroy 5 years after cutoff.

## BUREAU OF ENFORCEMENT

### ITEM NO.

- N1-358-07-6/1 **Formal Proceeding Docket Files** essentially duplicate those maintained by the Office of the Secretary, i.e., Official Docket, transcript, pleadings, and exhibits. Files may also contain documentation obtained in discovery. Files are maintained and arranged in chronological order.
- DISPOSITION:** **Media Neutral.** Cut off at end of calendar year in which case is closed. Destroy 1 year after cutoff.
- N1-358-07-6/2 **Bureau Reading Files** contain copies of all correspondence, memoranda, etc. emanating from the Bureau.
- DISPOSITION:** **Media Neutral.** Cut off at end of calendar year. Destroy 5 years after cutoff.
- N1-358-07-6/3 **Investigative Case Files (including Surveillance, Intelligence, and Liaison Files)** contain reports of investigations of alleged violations of the shipping statutes by carriers, forwarders, shippers, terminal operators or others, exhibits to reports, correspondence, passenger vessel audits, ocean transportation intermediary compliance checks, complaint correspondence, special inquiry reports, and shipping intelligence. Where enforcement actions have been taken, contain enforcement claims and other settlements which may include legal reviews, warning letters, demand letters, copies of settlements, record of payments and associated papers of persons subject to the regulatory authority of the Commission rules and regulations. These files are culled at the time the investigation or enforcement matter is closed, and investigative documentation not incorporated in an Enforcement Report or Memorandum of Legal Review are transferred to the Related Enforcement Documentation files. Investigative files used by the Area Representatives contain copies of the same materials. These files may contain confidential information.
- DISPOSITION:** **Media Neutral.** Cut off at end of calendar year in which case file actions are concluded. Transfer to FRC 7 years after cut off. Destroy 12 years after cutoff.
- N1-358-07-6/4 **Original Settlement Agreement File** contains in chronological order original signed settlement agreements.
- DISPOSITION:** **Media Neutral.** Cut off file at end of each calendar year and transfer to inactive file. Destroy 25 years after cutoff or when no longer needed.
- N1-358-07-6/5 **Related Enforcement Documentation.** Contain documents collected at the time of the investigation but ultimately not incorporated in an Enforcement Report or Memorandum of Legal Review.

**DISPOSITION:**        **Media Neutral.** Cut off at end of calendar year in which case is concluded. Destroy 1 year after cutoff.

N1-358-07-5

**Case Tracking System (BOE HEAR)** – This is an automated information system that collects, records, and reports information about the nature, handling, course, and outcome of investigations and legal matters performed by BOE staff, and are reflective of BOE’s Investigative Case Files (Surveillance, Intelligence, and Liaison Files). The current electronic system, which is in Access, has been in existence since 1995; previous systems, which date back to the early 1970s, are in various electronic forms and the information has been archived to disks. The files are arranged by a unique, sequentially assigned file number. BOE uses the information in this system to assign cases to staff; to monitor the status and work on those cases; to identify and analyze workload trends and issues; to devise annual and special budget requests; and to report on caseloads, activities, performance, and needs. [These records are subject to the Privacy Act.]

N1-358-07-5/1

**Master Data Files for Case Tracking System (BOE HEAR).** All data are maintained on-line. The master data files include data elements common to most cases and additional information entered as available, pertinent, and needed. Data elements recorded for each case can include, but are not limited to, name of investigator; name of case attorney; special program code (type of case); indication of whether or not it arose from an audit conducted by the Bureau of Certification and Licensing (BCL); date opened; date closed; docket number, if any; C number (cross reference to former Bureau of Hearing Counsel case); status; amount settled; and date payment received. Each record also allows up to 3 subject fields for search purposes (primary subject, secondary subject, and Area Representative initials). The records can be searched by subject or file number.

**DISPOSITION:**        **Media Neutral.** Cut off at end of calendar year in which case file actions are concluded. Archive 7 years after cut-off. Destroy 25 years after cut-off.

GRS 20/2a(3)

**System Inputs for Case Tracking System (BOE HEAR).** Case-related documents (examples include opening memorandum, correspondence, pleadings, and case closing record) used as sources to create, update, or modify records in the case tracking system.

**DISPOSITION:**        **Media Neutral.** File in appropriate case file [N1-358-07-6/3] or other appropriate file. Destroy or accession to NARA according to approved disposition authorities for the associated file.

GRS 20/4, 5, 6,  
7 and 12

**System Outputs for Case Tracking System (BOE HEAR).** Outputs include Monthly Reports, Attorney Staff Reports, Investigative Staff Reports, Special Program Reports, Open Cases by Date (most widely

used), Alphabetical Listing, Case Closed by Date, Special Program Code Report (Closed Cases), Penalty Reports (Amounts), and Settlement Reports. BCL also uses the system to run Audit Reports (Opened Cases).

**DISPOSITION:** **Media Neutral.** Cut off report file at end of calendar year. Destroy file 1 year after cut-off or when no longer needed for reference.

GRS 20/11a(1)

**System Documentation for Case Tracking System (BOE HEAR).** Contains all system documentation that allows system usage and interpretation, such as data dictionaries, system and user manuals, and other related materials.

**DISPOSITION:** **Media Neutral.** Destroy or delete when superseded or no longer needed for reference, whichever is later.

N1-358-07-4

**General Indices (BOE Index).** This system is a database that contains the names of companies and individuals that have become the subject of an investigative or enforcement action. Along with the name of a company or individual, there is a corresponding BOE file number that identifies a hard-copy, paper file which is kept in BOE's locked file room. These records date back to the 1960s, when they were originally in paper form (card index). When the automated system was developed, the paper records were scanned into it, and each document was assigned an identification number by the system. The scan of each record is a visual picture of the original index card, and some information contained on the scanned records, such as type of violation, is no longer collected. BOE uses the information in this system to identify the official file that contains documents with the indexed names. The system is not intended to generate reports. [These records are subject to the Privacy Act.]

N1-358-07-4/1

**Master Data Files for General Indices (BOE Index).** All data are maintained on-line. Each electronic record includes a file number key (assigned by the database); the unique BOE file number; OTI license number (if any); special program code (status); an indefinite number of subject fields; and a comment field. The records can be searched by subject or file number.

**DISPOSITION:** Cut off record at end of calendar year in which case file actions are concluded. Archive 7 years after cut-off. Destroy 25 years after cut-off.

GRS 20/2a(3)

**System Inputs for General Indices (BOE Index).** Case-related documents that would point to a particular case, such as Opening Memorandum, various reports, memoranda and correspondence.

**DISPOSITION:** File in appropriate case file or other appropriate file. Destroy or accession to NARA according to



approved disposition authorities for the associated file.

GRS 20/11a(1)

**System Documentation for General Indices (BOE Index).** Contains all system documentation that allows system usage and interpretation, such as data dictionaries, system and user manuals, and other related materials.

**DISPOSITION:** Destroy or delete when superseded or no longer needed for reference, whichever is later.

## BUREAU OF TRADE ANALYSIS

### **ITEM NO.**

N1-358-08-6/1

**Reading File** contains copies of all correspondence, memoranda, etc., emanating from the Bureau.

**DISPOSITION:** **Media Neutral.** Cut off file at the end of each calendar year. Destroy 3 years after cutoff.

### **Office of Agreements/ Office of Economics & Competition Analysis**

### **ITEM NO.**

N1-358-08-7/1

**Agreement Files** contain agreements, correspondence, information form reports (confidential) and other documents submitted by carriers and marine terminal operators operating in the foreign commerce of the United States in accordance with the Shipping Act of 1984. Files also include staff recommendations, orders, notices, minutes of meetings, periodic monitoring reports, ad hoc reports, voluntary service contract guidelines, and other papers pertaining to the agreements. Most of the information in the files is confidential.

**DISPOSITION:** **Media Neutral.** Cut off file at end of calendar year in which agreement is cancelled. Destroy 10 years after cutoff.

N1-358-08-7/2

**Subject Files** - contain general correspondence, records and miscellaneous papers pertaining to overall agreement policy and trade matters filed by subject.

**DISPOSITION:** **Media Neutral.** Cut off file at end of calendar year. Destroy 3 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-08-7/3

**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 decisionmaking. 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 Office of the Secretary. The files also contain documents such as specific, economic reports addressing various economic issues presented to the Commission, reports prepared for the benefit of the Chairman and the Commissioners, and reports prepared in response to Congressional inquiries. Special reports and studies to the Commission generally are administratively restricted and may contain confidential agreement, trade, or service contract information.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which report or study is completed. Retain in office 3 years after cutoff, or when no longer needed for reference, whichever is later. Transfer to FMC Library. Destroy when no longer needed for reference.

### **Office of Service Contracts & Tariffs (OSCT)**

#### **ITEM NO.**

N1-358-08-6/2

**OSCT Subject Files** contain letters, memoranda, reports and other documents created by OSCT, or acquired from other offices, agencies or regulated entities, in formulating and implementing plans, responses and decisions on matters of major policy impact or in providing operational and managerial guidance concerning all programs, functions and objectives of the Commission. Files are arranged alphabetically by subject matter and material therein is filed chronologically.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which final action is officially recorded. Destroy 3 years after cutoff, or when no longer needed for reference, whichever is later.

N1-358-08-6/4

**Sections 35 and 16 Tariff Filing Exemptions** contain applications for exemption of the tariff filing/publishing requirements of the Shipping Act, 1916, and the Shipping Act of 1984, as amended, respectively. Files contain applications, recommendations, and related correspondence.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which exemption is granted. Destroy 9 years after date of cutoff.

N1-358-08-6/5

**Special Permission Applications** contain requests from carriers to deviate from the Commission's tariff filing/publishing requirements and correspondence granting or denying such application.

**DISPOSITION:**      **Media Neutral.** Cut off file at end of calendar year in which case is decided by the Commission. Destroy 9 years after date of cutoff.

- N1-358-08-6/6      **Carrier and Marine Terminal Operator (MTO) Organization and Registration Files** contain Form FMC-1 (copy), delegations of authority, correspondence and memoranda.
- DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which carrier cancels tariff and ceases operations, including any MTO. Destroy 9 years after date of cutoff.
- N1-358-08-6/7      **Fact Finding Investigations (Terminals/Carriers)** 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 helpful in carrying out duties, or to determine whether Commission administered rules have been violated.
- DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which investigation is closed. Destroy 1 year after date of cutoff.
- N1-358-08-6/8      **Docketed Files (Terminals/Carriers)** contain duplicates of selected docketed material maintained by the Office of the Secretary and miscellaneous correspondence accumulated in connection with docketed proceedings involving terminal matters.
- DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which case is closed. Destroy 1 year after date of cutoff.
- N1-358-08-6/10      **Informal Rate Cases** contain complaints received from shippers, carriers, terminal operators, etc. concerning problems relating to rate matters, disparities, tariff rules, classifications, etc.
- DISPOSITION:**      **Media Neutral.** Cut off at end of calendar year in which complaint is concluded. Destroy 3 years after date of cutoff.
- N1-358-07-1/1      **Service Contracts.** The official file may be in electronic or paper format, but not both. Comprised of individual confidential document files that include all significant records that pertain to individual service contracts between one ocean common carrier organization, or an FMC agreement organization of such carriers working in concert, and one or more shippers. Contains service contracts, essential term (ET) publications, amendments, notices, shipper status certifications, and other appropriate documentation that describes origin and destination port ranges, shipping commodities, effective and expiration dates, line haul rates, shipper's status, service commitments, and other applicable information. These document files are arranged by a five- or six-digit FMC number assigned to ocean common carrier or agreement organization's alpha-numeric scheme with consecutively numbered amendments. The electronic

versions are inputs into the SERVCON System and are arranged primarily, by the individual ocean common carrier or agreement organization name, FMC-assigned Regulated Persons Index (RPI) number and carrier/agreement related alpha-numeric scheme with consecutively numbered amendments. [These records are not subject to the Privacy Act.]

**(a) Paper files not microfiched or imaged and ETs filed in the Automated Tariff Filing and Information System (ATFI) associated with the paper files.** Dates through the end of April 1999.

**DISPOSITION:** Cut off at end of fiscal year in which service contract is canceled. Retire to records center 5 years after cutoff. Destroy 10 years after cutoff.

**(b) Paper files microfiched or imaged.** Dates through the end of April 1999.

**DISPOSITION:** Cut off when microfiche or imaging is complete and information accuracy verified. Destroy within 180 days of cutoff.

**(c) Microfiched and Imaged Service Contracts.** Dates through end of April 1999.

**DISPOSITION:** Cut off at end of fiscal year in which service contract is canceled. Retire to records center 5 years after cutoff, if needed. Destroy or delete 10 years after cutoff.

**(d) Electronic Service Contracts.** Service contracts and amendments electronically filed since May 1999. These are electronic inputs into the SERVCON electronic system and superseding systems. This authority does not apply to the SERVCON electronic master files.

**DISPOSITION:** Cut off when electronic filing information accuracy verified. Delete within 180 days of cutoff.

N1-358-07-1/2

**Non-Vessel-Operating Common Carrier (NVOCC) Service Arrangements (NSAs).** Comprised of all significant records that pertain to confidential service arrangements reached between an individual NVOCC, or two or more affiliated NVOCCs, and one or more NSA shippers. Contains service arrangements, ET publications, amendments, notices, shipper status certifications, and other appropriate documentation that describes origin and destination port ranges, shipping commodities, effective and expiration dates, line haul rates, shipper's status, service commitments, and other applicable information. These record files are arranged in the electronic SERVCON system primarily by the individual NVOCC organization name, FMC-assigned RPI number and the NVOCC-related alpha-numeric scheme with consecutively numbered amendments. These are electronic inputs into the SERVCON

electronic system and superseding systems. This authority does not apply to the SERVCON electronic master files. [These records are not subject to the Privacy Act.]

**DISPOSITION:**      **Media Neutral.** Cut off at end of fiscal year in which NSA is canceled. Retire to records center 5 years after cutoff. Delete 10 years after cutoff.

N1-358-07-1/3

**SERVCON Electronic System.**

**(a) Master Data Files.** Contains the electronic confidential service contracts arranged primarily by the individual ocean common carrier or agreement organization name, FMC-assigned RPI number and carrier/agreement related alpha-numeric scheme with consecutively numbered amendments. Also contains confidential Non-Vessel-Operating Common Carrier Service Arrangements that are arranged primarily by the individual NVOCC organization name, FMC-assigned RPI number and the NVOCC-related alpha-numeric scheme with consecutively numbered amendments. [These records are not subject to the Privacy Act.]

**DISPOSITION:**      Cut off 5 years after date service contract is canceled. Delete 10 years after cutoff.

**(b) System Documentation.** Contains all system documentation that allows system usage and interpretation such as data dictionaries, system and user manuals, and other related materials.

**DISPOSITION:**      **Media Neutral.** Destroy or delete when superseded or no longer needed for reference, whichever is later.

**(c) System Outputs.**

(1) Record output issuances that are filed to other recordkeeping systems (paper or electronic).

**DISPOSITION:**      **Media Neutral.** Cut off when report or issuance is run. File to appropriate recordkeeping system (paper or electronic) and use recordkeeping system disposal authority.

(2) Record output issuances that are not filed to a separate recordkeeping system.

**DISPOSITION:**      **Media Neutral.** Destroy or delete 180 days after issue run or when no longer needed for reference, whichever is sooner.

N1-358-07-1/4 **SERVCON User ID Applications.** Contains approved and disapproved applications for a User ID to access the SERVCON System. Consists of Forms FMC 83 and 78 and other forms or instruments that may serve the same purpose.

**DISPOSITION:** **Media Neutral.** Cut off at end of calendar year. Maintain for a minimum of 6 years after cutoff, then destroy or delete when no longer needed for reference.

N1-358-07-1/5 **Service Contracts/NSA Miscellaneous Files.** Contains correspondence, reports and other miscellaneous records relating to the SERVCON program, filed by carrier organization name number. Includes records generated with word processing and electronic mail applications.

**DISPOSITION:** **Media Neutral.** Cut off at end of calendar year. Maintain for a minimum of 5 years, then destroy or delete when no longer needed for reference.

N1-358-08-5 **Form FMC-1** – This is an automated system designed around an electronic version of the Commission’s Form FMC-1, Organization Information. Federal law requires that persons engaged in the waterborne transportation of the U.S. register with the Commission to notify of its tariff location prior to the commencement of common carrier services pursuant to a published tariff. Entities engaged in this industry include vessel-operating common carriers, ocean transportation intermediaries/non-vessel-operating common carriers, and marine terminal operators (MTO) and conferences. [These records are not subject to the Privacy Act.]

N1-358-08-5/1 **Form FMC-1 Master Data Files.** All data are maintained on Commission’s computer server located on premises. Files contain the electronic Form FMC-1 data arranged primarily by the individual organization FMC-assigned Regulated Persons Index (RPI) number. The Form FMC-1 and system are designed to collect basic registration data (e.g., Organization Number, Organization Legal Name, Organization Trade Name, street address of headquarters, contact person, fax, e-mail, type of business, and particularly, tariff location address, name of tariff publisher, street address of tariff publisher and contact information of tariff publisher).

**DISPOSITION:** **Media Neutral.** Cut off at end of calendar year in which tariff is cancelled. Delete 9 years after cutoff.

N1-358-08-5/2 **Form FMC-1 System Outputs.** For public access, the Commission posts on its website a list of the carrier, conference and MTO organization number, legal name, trade name, and tariff location.

**DISPOSITION:** **Media Neutral.** Delete list from website when superseded or no longer needed for reference.