



US Department
of Transportation
**Maritime
Administration**

MANUAL OF ORDERS

MARITIME ADMINISTRATIVE ORDER

REVOKES MAO 12-1
dated 10/1/94

NO. 12-1

EFFECTIVE DATE
March 23, 1998

SUBJECT

**EXECUTIVE STAFF
(SECRETARY, MARITIME ADMINISTRATION AND
MARITIME SUBSIDY BOARD)**

Section 1. Organization:

1.01 The Executive Staff is supervised by a Secretary who reports to the Maritime Administrator or the Maritime Subsidy Board, as appropriate. The Secretary, Maritime Administration (MARAD) and Maritime Subsidy Board, is assisted by an Assistant Secretary who acts for the Secretary in his/her absence or preoccupation and performs other duties prescribed by the Secretary.

1.02 The Maritime Administrator designates other Assistant Secretaries to act for the Assistant Secretary during the absence or preoccupation of the Assistant Secretary, or to attest or witness certain types of documents for MARAD or the Maritime Subsidy Board.

Section 2. Delegations of Authority:

2.01 The Secretary or the Assistant Secretary may exercise all the authorities of the Maritime Administrator that are required to perform the functions assigned in Department of Transportation (DOT) Order 1100.69A and this order. The Maritime Administrator will specify the authority granted in designating other Assistant Secretaries. The Secretary, or an Assistant Secretary when appropriate, may execute and sign contracts or other documents authorized or approved by the Maritime Subsidy Board; or attest, under the DOT seal, the execution of such contracts or documents pursuant to 49 CFR 1.67(a)(3).

2.02 Pursuant to 49 CFR 1.67(c), the Secretary serves when required as an alternate member of the Maritime Subsidy Board when there is a vacancy on the Board or in the absence or disability of one of its members. When serving in such capacity, the Secretary shall act pursuant to direct authority from the Secretary of Transportation and exercise judgment independently of authority otherwise delegated to the Maritime Administrator.

Section 3. The Secretary, Maritime Administration and Maritime Subsidy Board, shall:

3.01 Direct correspondence and documents received by the office to the officials concerned and provide direction for action as appropriate under the circumstances and consistent with the policy and direction of the Maritime Administrator and the Maritime Subsidy Board. In coordination with appropriate offices, prepare briefing or informational papers, final opinions, decisions, and orders as necessary on all matters not referred to other offices for action.

3.02 Arrange meetings of the Maritime Subsidy Board; prepare the agenda and dockets, and present them at meetings; prepare and sign resulting orders, notices, etc.; record and maintain minutes of Board meetings and report actions as required to the Secretary of Transportation. Arrange for hearings and conferences before the Maritime Subsidy Board, notify interested parties and issue all orders, notices, decisions, and actions resulting from these, to the appropriate parties.

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3.03 Receive in the name of MARAD or the Maritime Subsidy Board all official documents or legal instruments in administrative and judicial proceedings, including subpoenas served on the Maritime Subsidy Board or its members; issue subpoenas in the name of MARAD or the Maritime Subsidy Board; and in conjunction with the Office of the Chief Counsel provide assistance to the Government's attorneys of record in acting upon such official documents, legal instruments, and subpoenas.

3.04 Process all formal recommendations to, and official actions of, the Maritime Administrator and Maritime Subsidy Board, and provide advice in respect thereto as required. Open or supervise the openings of bids for ship construction, reconstruction or conversion, vessel sales, and Marine Protection and Indemnity Insurance.

3.05 Make certifications in behalf of MARAD and the Maritime Subsidy Board; administer oaths or affirmations; affix the official seal upon appropriate documents; sign and execute contracts, agreements, and other documents, which have been authorized or approved by the Maritime Administrator, the Deputy Maritime Administrator, or a duly authorized Associate Administrator, Office Director, or Staff Official, or attest the signature of these officials on such documents; countersign specified checks; appear before courts or tribunals as a witness in behalf of MARAD or the Maritime Subsidy Board.

3.06 Serve as Federal Register Certifying Officer with duties as prescribed in Maritime Administrative Order (MAO) 260-2. Authorize for publication in the Federal Register documents which are routine in nature and which require notice in the Federal Register.

3.07 Determine requirements, arrange for services, and provide support to Administrative Law Judges assigned on a temporary or periodic basis to meet MARAD's needs, including: (1) maintaining docket files for proceedings conducted by the Administrative Law Judges; (2) providing or arranging for required incidental services; (3) preparing and filing required reports on administrative proceedings; and (4) assuring that the separation of functions requirements of the Administrative Procedure Act are met.

3.08 Ensure appropriate MARAD implementation of 49 CFR Part 29 including: (1) serving as MARAD's non-procurement Debarring and Suspending Official; (2) maintaining liaison on these matters with the Office of the Secretary of Transportation ; (3) ensuring that debarred, suspended, voluntarily excluded, and ineligible persons do not participate in covered MARAD assistance programs; and (4) developing any necessary implementing instruction.

3.09 Maintain official files of actions, petitions, and other documents for public inspection; make copies of action files, petitions, or other documents as required; act as custodian of the records of official actions of the Maritime Subsidy Board and the Maritime Administrator. Maintain original copies of MARAD Memoranda of Agreement and Memoranda of Understanding as prescribed in MAO 250-8.



John E. Graykowski
Acting Maritime Administrator