



U.S. Department
of Transportation
Maritime
Administration

MANUAL OF ORDERS

MARITIME ADMINISTRATIVE ORDER

REVOKES

See section 7

NO.

83-1

EFFECTIVE DATE

August 17, 1999

SUBJECT

Office of Ports and Domestic Shipping

Section 1. Organization: The Office of Ports and Domestic Shipping is supervised by a Director who reports to the Associate Administrator for Port, Intermodal, and Environmental Activities. The office has the following organizational components:

Immediate Office of the Director
Division of Ports
Division of Domestic Shipping

Section 2. Delegations of Authority:

2.01 Subject to such conditions and limitations as the Maritime Administrator may impose in other directives, the Director, Office of Ports and Domestic Shipping, is authorized to exercise all the authorities of the Associate Administrator for Port, Intermodal, and Environmental Activities required to perform the functions assigned in Department of Transportation (DOT) Order 1100.69A and this order; except authority to exercise the authorities of the Director, National Shipping Authority, which cannot be redelegated as set forth in Maritime Administrative Order (MAO) 80-1.

2.02 Except as otherwise provided, Division Chiefs are authorized to exercise all authorities of the Office Director required to perform the functions assigned to their respective divisions in this order. These authorities may be redelegated in accordance with MAO 200-1.

Section 3. Definitions: For the purposes of this order, the term:

"Domestic Ocean Shipping" designates domestic waterborne commerce in the coastwise, intercoastal, and noncontiguous trades.

"Inland Waterways" designates the system of lakes, rivers, canals, and (intracoastal) waterways that carry domestic waterborne commerce to and from the interior of the United States.

Section 4. Immediate Office of the Director: In addition to the usual responsibilities for planning and directing the functions listed in this order, the Director shall:

4.01 Formulate national policies, objectives, and plans and conduct programs for the development and utilization of ports and port facilities, and provide technical guidance to the Region Directors in these areas. This includes programs to meet requirements for port planning and operations during national emergencies.

4.02 Formulate and recommend to the Associate Administrator for Port, Intermodal, and Environmental Activities technical and program studies for the promotion, development, and utilization of ports, port facili-

ties, and domestic waterborne commerce. Coordinate and direct studies, surveys, and investigations of ocean and inland waterway ports, territorial regions and zones tributary to ports, the flow of commerce to and from ports, and marine terminals, including recommending improvements in their operation and new locations and types of terminal construction and equipment.

4.03 Conduct national assessments of port facility needs and prepare long-range plans to assure that port facilities are adequate for the foreign and domestic waterborne commerce of the United States and military mobilization during a defense emergency.

4.04 Consult with and furnish technical port information and advice to the Congress, federal agencies, public ports, private firms, state and local governments, foreign countries, and other entities.

4.05 Represent MARAD and, when designated, DOT or the Federal Government, in domestic and international matters related to port planning and development and port security involving maritime interests.

4.06 In coordination with other MARAD offices, as appropriate, review proposed legislation, rules, and regulations affecting port development to determine their impact.

4.07 Act as the MARAD authority for the approval, disapproval, and revocation of waivers for coastwise endorsement as authorized under the small vessel waiver process (sections 502 and 503), title V of Public Law 105-383.

Section 5. The Division of Ports shall:

5.01 Develop national assessments of the adequacy of U.S. ports to handle U.S. foreign and domestic waterborne commerce and military mobilization during a defense emergency.

5.02 Develop and disseminate information promoting the important economic and security role of U.S. ocean and inland waterway ports and the need for continued development to serve waterborne commerce.

5.03 Collect, analyze, and disseminate information on individual ports and waterways, such as number and type of port facilities, waterborne commerce volume, terminal capacity, economic impact, capital expenditures, financing sources, port profitability, maritime security, and vessel size capability.

5.04 Identify regional port development requirements on a coordinated, cost-share basis with state and local government agencies, public port authorities, and private interests.

5.05 Provide technical advice and education on ports to foreign countries, and furnish foreign port information to the Congress and government agencies.

5.06 Develop analytical methodologies, geographic information systems, and data bases to assess future maritime trade and port development needs and port economic impact at the local, state, and national levels. Develop analyses of marine terminal capacity to handle major commodity movements in the U.S. foreign

trade, such as coal, grain, ores, etc.; and of possible methods of financing marine terminal expansion and navigation channel maintenance and improvements in U.S. ports and waterways.

5.07 Develop: (1) plans for more effective coordination efforts with other federal agencies under normal peacetime operations, for the promotion, development and utilization of ports and facilities; (2) contingency plans and programs for the Federal control and utilization of ports and port facilities during national emergency mobilization periods; and (3) plans and programs for logistical and technological coordination between commercial ports and defense agencies.

5.08 Serve as port consultant to the Economic Development Administration of the U.S. Department of Commerce, providing recommendations on applications for port technical assistance and construction projects received from economically distressed communities.

5.09 Assist U.S. ports in reducing terminal operating and dredging costs, optimizing ship channel geometries, evaluating proposed improvements, confirming siting of terminal facilities, and improving the federal dredging process.

5.10 Assist in enhancing the productivity of U.S. ports by promoting management and technical improvement projects.

5.11 Assist ports in developing and using safer and improved security methods for protecting marine terminal facilities, cargo, and equipment from fire, damage, theft and other hazards.

5.12 Carry out the mandates of the Deepwater Port Act of 1974, as amended, in processing applications for issuance, transfer, or amendment of a license for the construction and operation of deepwater ports in waters beyond the territorial limits of the United States, in coordination with the U.S. Coast Guard.

5.13 Advise eligible public port agencies of the availability of surplus property that is deemed to have port facility potential. Process notices from potential applicants for such property and subsequent applications received and prepare recommendation for assignment of the property if the conditions in 46 CFR Part 387 are satisfied.

Section 6. The Division of Domestic Shipping shall:

6.01 Analyze and disseminate data on commodity and vessel movements in the domestic waterborne commerce of the United States. Perform studies and analyses of commodity flows, traffic patterns, and domestic shipping capabilities, both current and long range, to identify trades where domestic water transportation might play a more significant role.

6.02 Formulate and promote the development of advanced methodologies to enhance the competitive position of the domestic waterborne transportation industry; and promote the employment of advanced management and operational techniques and procedures to increase benefits to shippers and carriers engaged in domestic waterborne commerce.

6.03 Analyze and assess the impact of economic, regulatory, legislative, and national policy changes on domestic waterborne transportation and make appropriate recommendations.

6.04 Develop cost comparisons between competing domestic transportation modes to show the economy and effectiveness of the domestic waterborne mode and promote its development and use.

6.05 Maintain liaison with operators, shippers, other Government agencies, and concerned groups to encourage the expansion of domestic waterborne transportation and to present, discuss, and evaluate related problems and progress toward their solution.

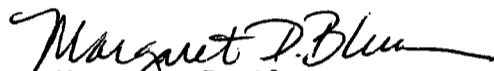
6.06 Support the Associate Administrator for Port, Intermodal, and Environmental Activities' office in carrying out responsibilities for requested "Jones Act" (i.e., 46 U.S.C. 883 and 46 U.S.C. 289) waivers, including the determination of availability of suitable U.S. vessels to perform the services for which a waiver is sought and prospects for domestic construction of such vessels.

6.07 Process requests for MARAD action on coastwise vessel use determinations including: approval, disapproval, and revocation of waivers for coastwise endorsement as authorized under the small vessel waiver process (sections 502 and 503), title V of Public Law 105-383.


Section 7. Effect on Other Issuances: This order, together with MAO 81-1, revokes the following:

MAO 83-1, August 23, 1988.

MAO 85-1, December 24, 1991, and amendment 1, February 23, 1993.


Margaret D. Blum
Associate Administrator
for Port, Intermodal, and
Environmental Activities

Concurrence:


John L. Mann, Jr.
Associate Administrator
for Administration