

FEDERAL MARITIME COMMISSION
E-Government Act Report for FY 2008

This response represents the Federal Maritime Commission's (FMC or Commission) progress in implementing the E-Government Act, pursuant to section 202(g) of the E-Government Act of 2002 and OMB's memorandum to Chief Information Officers dated September 2, 2008.

The Federal Maritime Commission began FY 2008 with a total of 120 FTEs, 5 of which are Presidential appointees. While the agency has slightly more FTEs than would qualify it to be termed a "micro-agency" (100 FTEs), it is extremely close to being defined as a micro-agency in terms of funding for, and the scope of, its information technology program. The following report should be considered within that context.

Executive Summary

The Commission continues to make steady progress in implementing the government's electronic government initiatives. The agency has a Database Integration Task Force which is concentrating efforts on the development of an enterprise-wide database system which will bring together information currently gathered on various databases. While we have not fully integrated agency databases, we have made available to employees within the agency these databases which will facilitate later integration. We also have hired a web application/database administrator and a contractor to assist with identification of agency-wide processes; determine how data is used by the processes, which will help identify sources of data duplication; and identify optimal means of data integration and a prototype web-based system for providing a unified view of the underlying data. We are working towards a service oriented approach, which will help align the FMC's IT approach with the mission of the Commission.

Plans to convert paper forms to automated formats continue to be developed. In last year's E-Government Act report, the agency reported on its initiative to complete an electronic version for the submission of Form FMC-18, *Application for a License as an Ocean Transportation Intermediary*. On September 24, 2007, the Commission introduced the optional electronic filing of Form FMC-18 to regulated entities. While filing of the Form FMC-18 electronically is still optional, it is the intent of the Commission to make electronic filing of the form the standard sometime in FY 2010. Currently 80 percent of applications are filed electronically.

The Commission also has begun a pilot program in the Bureau of Trade Analysis to permit Agreement Administrators to electronically file meeting minutes, monitoring reports, and voluntary service contract guidelines that are required either through Commission regulations or the Shipping Act. Prior to the pilot program, this information was submitted on CD-ROM or paper. If the pilot program proves successful, the Commission may require all Agreement Administrators to submit reports electronically. This initiative is known as e-Agreements.

1. Implementation of Electronic Government Initiatives

A. Describe the initiative, the methodology for identification of the initiative, and how the initiative is transforming agency operations.

The Commission is looking at all its external agency forms with an eye towards providing electronic filing to its regulated entities.

Regarding the FMC-18 initiative, it is the intent of the Commission to make the filing of Form FMC-18 electronically the “standard.” The optional electronic filing of Form FMC-18 went “live” on September 24, 2007. The agency, with feedback from its stakeholders, continues to “tweak” the form/system. Once this process is completed, and the electronic filing of the form becomes the standard, it is anticipated that this initiative will greatly enhance the operations of the Commission and expedite the approval of an ocean transportation intermediary’s (OTI) application for license. Through a template Form FMC-18, the applicant will furnish information which populates the database, rather than staff inputting information manually. Also, the electronic form alerts the applicant when information is missing; this will save the staff from having to make a request for such information and avoid delays while awaiting additional detail from the applicant. It is also envisioned that pay.gov will eventually be incorporated in the filing of the electronic Form FMC-18, which will further streamline the filing process and lead to greater efficiency.

It is also the intent of the Commission to make electronic filing of required agreement reports the primary means of submission. Electronic filing will allow Commission staff to review reports faster, to search reports by keywords, and to readily convert data into other software programs for economic analysis. Currently, most reports are submitted on paper. Conducting analyses of particular issues requires staff to meticulously read hard-copies of reports to locate relevant information and to manually rekey data into software for economic analysis. Electronic filing of reports eliminates these superfluous activities and results in greater staff efficiency. This e-Agreements initiative is currently in a pilot program mode.

B. Explain how your agency maintains an ongoing dialogue with interested parties to find innovative ways to use information technology for the initiative.

In the beginning phase of the FMC-18 initiative, the Commission partnered with several regulated entities to test an electronic version of Form FMC-18; information and suggestions gleaned from that process provided the agency with guidance for finalizing the electronic form. The FMC continues to be open to comments from the industry regarding improvements to the initiative. In addition, licensing staff have exchanged views and information with the financial surety industry to explore automated filing processes for bonds (E-Bonding), and with Customs and Border Protection regarding interaction with the ACE/ITDS system. The Commission plans to publish its Notice of Proposed Rulemaking in FY 2010 with the intent to make electronic filing the standard; that process will be open to public comment.

With the electronic filing of agreement reports, the Commission approached four Agreements to participate in the pilot program. However, through word of mouth, we now have 15 Agreements participating in the pilot program. Based on feedback from

these Agreements, we have made some changes to the e-Agreements system; the testing of the system continues.

C. Identify external partners (e.g., Federal, State or local agencies, industry) who collaborate on the initiative.

The Commission's primary external partners on the Form FMC-18 initiative are those OTIs which seek licenses or have made changes subsequent to their initial licensing necessitating Commission issuance of a revised license or Commission approval, or entities authorized to file on behalf of an OTI. The form's functionality originally was tested with a small group of volunteer regulated entities before it went "live" on September 24, 2007. The Commission continues to be in daily contact with its regulated entities regarding the electronic filing of Form FMC-18.

Regarding the e-Agreements initiative, agreement reports are filed securely and confidentially with the Commission. The Commission is the sole user of this information, and we use it to monitor the activities of Agreements. Agreement Administrators have access to their filed reports for review. Those Agreements participating in the pilot program provide comments/suggestions regarding the system to the agency.

D. Identify improved performance (e.g., outcome measures, quantifiable business impact) by tracking performance measures supporting agency objectives and strategic goals.

The option of filing Form FMC-18 electronically became available in September 2007. The percentage of filings made electronically has steadily increased, with approximately 80 percent of the filings to date being made electronically. Naturally, the completeness of an application has an effect on the speed with which it is processed, although other factors affecting processing time persist, e.g., availability of references.

Regarding e-Agreements, the electronic filing of agreement reports greatly facilitates the use of information by the Commission. Electronic filing allows Commission staff to review reports faster, to search reports by keywords, and to readily convert data into other software programs for economic analysis. Currently, most documents are submitted on paper. Conducting analyses of particular issues requires staff to meticulously read hard-copies of reports to locate relevant information and to manually rekey data into software for economic analysis. Electronic filing of these reports results in greater staff efficiency.

E. Quantify the cost savings and cost avoidance achieved through implementing the initiative (e.g., by reducing or eliminating other investments in information technology).

The agency is not yet able to quantify any cost savings regarding the FMC-18 initiative. However, cost avoidance on the part of the Commission's target audience is assumed, as applications eventually will more easily and quickly be filed. Cost savings were not the primary reason to undertake this initiative: the primary incentives were to comply with E-Government requirements and to employ technological improvements to make it easier for regulated entities to comply with statutory requirements. However, in order to continue to promote the use of the electronic filing option by the public and to facilitate transfer of OTI records from a paper-based format to a more convenient and

accessible digital format, the Commission assesses a lesser filing fee for those using the optional electronic filing method. A filing fee of \$250 applies to new applicants for OTI licensing (down from \$825), and \$125 for existing licensees who might wish to use the optional electronic filing system to update their licensing records or to submit changes in the licensee's organization for which prior Commission approval is required (down from \$525). This results in immediate and significant cost savings to applicants in the U.S. transportation industry.

Regarding e-Agreements, the Commission began the pilot program to file agreement reports electronically in FY 2008. As with the Form FMC-18 initiative, the primary incentives of this initiative were to comply with E-Government requirements and to employ technological improvements to make it easier for regulated entities to comply with statutory requirements. As e-Agreements is still a pilot program, the Commission has not yet performed a cost savings and cost avoidance analysis. However, the initiative provides the industry the efficiency of securely transmitting reports to the Commission by a mouse-click rather than by courier, express mail, or the U.S. Postal Service, allowing the reports to be filed in a more timely manner and with less expense.

F. Explain how this initiative ensures the availability of government information and services for those without access to the Internet and for those with disabilities.

The Commission's electronic Form FMC-18 complies with the requirements of section 508 of the Rehabilitation Act for access by people with disabilities. Additionally, agency addresses, telephone numbers and fax numbers are included on the Commission's website for those who do not wish to provide information via the Internet, but would rather contact the Commission directly or via regular mail. Further, agency staff provide briefings around the country for industry groups to advise of compliance matters, which is an opportunity for those without Internet access to receive information.

Reports filed by Agreements under the e-Agreements initiative are filed securely and confidentially and are not available to the general public or other government agencies.

G. Explain how the project applies effective capital planning and investment control procedures.

Under the Commission's CPIC process, the agency's senior executives, serving as the CPIC Control Board, evaluated the project to automate Form FMC-18 to ensure that it fell within the goals of the agency and supported the needs of internal and external users. Although the automation of Form FMC-18 did not fall within the threshold of a "major" IT investment, it was presented to the CPIC Control Board by the Chief Information Officer for review and approval of funding and staff resources, with a final approving decision from the Chairman of the agency. The e-Agreements initiative will go through a similar process at such time as the project is ready to go beyond a pilot program.

H. Describe the established business process your agency has in place for the continued ongoing process of identification of initiatives.

Under the leadership of the Chief Information Officer, the agency continues to look at all external agency forms with the goal of providing electronic filing to its regulated entities. Electronic filings would produce efficiency and cost savings to the industry, and enable the Commission to meet the needs of the industry more effectively. The CIO, the Office of Information Technology, and senior managers have frequent meetings to discuss possible initiatives and implementation of same. A Database Integration Task Force has been formed, which is concentrating efforts on the development of an enterprise-wide database system to bring together information currently gathered on various databases. Led by the newly hired web application/database administrator, the Task Force is working diligently to identify agency-wide processes; determine how data is used by the processes, which will help identify sources of data duplication; and identify optimal means of data integration and a prototype web-based system for providing a unified view of the underlying data. Using a service oriented approach will help align the FMC's IT approach with the mission of the Commission.

2. Agency Information Management Activities

As requested by OMB's Memorandum dated September 2, 2008, the FMC provides the following links to the location of information on the FMC website:

A. Your agency's IRM Strategic Plan and EA Transition Plan.

Historically, due to the small size of the agency, the FMC has not had a separate IRM strategic plan or EA Transition Plan. The IRM strategic plan was a part of the overall agency strategic plan; current and past FMC strategic plans are available on the FMC website at <http://www.fmc.gov/reading/FMCStrategicPlans.asp>. However, under leadership of a new Chief Information Officer, the FMC plans to have an IRM Strategic Plan and EA Transition Plan drafted by the end of fiscal year 2009.

B. Final determinations, priorities, and schedules. Also include your agency's information dissemination product catalogs, directories, inventories, and any other management tools used to improve the dissemination of and access to your agency's information by the public.

The Commission is a very small agency, and its commitment to making information available and accessible depends on the pace at which it can automate, such as via scanning, or converting data into accessible databases. However, information which can be made available is posted quickly. There is no backlog of information waiting to be posted to the Commission's Internet. Therefore, no priorities or schedules have been developed, as information is posted as required within a day or two of the request. However, to formalize the process, the agency's Information Management Specialist has developed standard operating procedures to streamline and ensure continuity for posting material to the website. For example, items that are of particular interest to participants in docketed proceedings are posted to the website in several locations, while at the same time e-mailed to interested parties.

All information made available to the public on the Commission's website may be accessed at: <http://www.fmc.gov/>.

C. Your agency's Freedom of Information (FOIA) handbook, the link of your agency's primary FOIA website, and the website link where frequent requests for records are made available to the public.

The Commission's Secretary is responsible for public information and the FOIA and Privacy Acts. Thus, the agency's information dissemination activities are closely coordinated with the FOIA operations in order to improve both access to and dissemination of information to the public. Finally, the FOIA improvement plan details several improvements the agency has made and intends to make in its FOIA program and information dissemination process.

The FOIA program is fully integrated into the agency website, which provides a broad platform for information dissemination. Through the website, FOIA requestors can learn what information is available through FOIA, what information is available without a FOIA request, and how to file a FOIA request. Other options for contacting the Commission regarding FOIA inquiries include phone and e-mail, and are prominently displayed throughout the site. FOIA information is also cross-linked throughout the website in various areas to make it more accessible to the user.

In addition, the Commission has set up a FOIA Requestor Service Center and provided a phone number exclusively for FOIA requests. This line is monitored by employees who have received FOIA training and are able to best respond to requests. In order to assure the highest quality of customer service, the agency has also named a FOIA Public Liaison. This person is available for any person who is not satisfied with the way a FOIA request was handled.

Finally, in last year's report we indicated that we were going to address the creation of FOIA frequently asked questions, posting more frequently requested information, creating a FOIA reference guide (handbook), and simplifying the posted FOIA instructions. To this end, FOIA frequently asked questions have been posted to the website, and the frequently requested information posted to the website is periodically verified and updated. Our target date for posting a FOIA reference guide (handbook) to the website and simplifying the posted FOIA instructions has been delayed due to staffing constraints; we plan to complete these items before the end of the next reporting period.

All FOIA information on the Commission's website may be accessed at:
<http://www.fmc.gov/reading/FreedomofInformationAct.asp>

D. A list of your agency's public websites disseminating research and development (R&D) information to the public, and whether or not each website provides the public information about federally funded R&D activities and/or provides the results of Federal research.

The agency does not fund Federal R&D activities.

- E. An inventory of formal agency agreements (e.g., contracts, memorandum of understanding, partnerships) with external entities (e.g., State and local governments, public libraries, industry and commercial search engines) complementing your agency's information dissemination program, with a brief explanation of how each agreement improves the access to and dissemination of government information to the public.**

The Commission has no formal arrangements with external entities. However, informally we are aware that the industry we regulate follows our activities in their own respective trade publications, and either link to our webpage or copy verbatim information posted on our website.

- F. An inventory that describes your agency's NARA-approved records schedule(s) or the link to the publicly-posted records schedule(s), and a brief explanation of your agency's progress to implement NARA Bulletin 2006-02. For the brief explanation please report the number of systems for which a record schedule was submitted to NARA in FY 2008 and the number of systems still requiring records schedules.**

The Commission continues with its agency-wide review of all its records schedules, particularly with regard to implementing the appropriate disposition schedules for its electronic information systems. In FY 2008, proposed records schedules for two electronic systems were submitted to NARA; both have been approved. It is the FMC's intention to submit the records disposition schedules for the remaining three identified electronic systems in FY 2009. The link for the current agency records disposition schedules can be found at:

<http://www.fmc.gov/bureaus/OfficeoftheDirector.asp>