

Federal Maritime Commission 2018 Chief FOIA Officer Report

Name and Title of Agency's Chief FOIA Officer: Karen V. Gregory

The Federal Maritime Commission (Commission or FMC) remains dedicated to responding to all FOIA requests with the presumption of openness and providing outstanding personalized customer service.

The Commission is committed to proactively posting information online without waiting for individual requests to be received. On an ongoing basis, the Commission posts useful information to its website for the benefit of the public and the shipping community specifically.

During this reporting period, we created webpages to inform the public about a number of high profile events or initiatives having a significant impact on the industry such as, activities and accomplishments of the FMC-facilitated Supply Chain Innovation Teams and the bankruptcy and winding down of operations of a major ocean carrier serving the U.S.-foreign ocean trades. In its steady state activities, the Commission dedicated resources to provide public information in a timely, accurate, and user-friendly fashion on its website.

One example is the listing of Ocean Transportation Intermediaries (OTI). This is a listing of searchable information pertaining to licensed entities and is available to the public as a downloadable spreadsheet from our website. This information has proven to be invaluable to the shipping public. OTI information is frequently the subject of FOIA requests received by the Commission. Because so much valuable information is available for download without need for a FOIA request, we believe we are receiving fewer of these types of requests. In March 2017, the Commission began the process of collecting updated information from OTIs on a triennial basis. The update process has improved the accuracy of 804 of the 4,839 OTI records within the first six months of the program.

Also of interest to the shipping community and the public are carrier and marine terminal operator agreement filings under the Shipping Act. In March 2017, the Commission introduced a redesigned online agreement library which now provides real-time notice of recently filed agreements, synopses, and easy availability of the full text of nearly all agreements on file with the Commission. In 2018, the FMC intends to complete a full audit of all marine terminal operator agreements currently on file and to add those to the library providing 24/7 public access to these filings. Related, 2017 was the first year that the Commission primarily utilized the new eAgreements electronic agreement filing and review system for filing of ocean common carrier agreements with the Commission. The new online system has streamlined FMC business processes by reducing initial

agreement intake time resulting in faster public access to pending filed agreements.

During this reporting period, our internal systems have proven to be successful in the efficient processing of FOIA requests received by the Commission. We closed all pending FOIA requests from the previous years' report and all FOIA reports to the Department of Justice were submitted timely. Requests for expedited processing were adjudicated within an average of three days and simple requests were processed in less than ten days.

The Commission takes pride in the personal customer service we extend to all FOIA requesters. Whenever necessary the FOIA professional reaches out to a requester to clarify what information they are seeking and to provide an explanation about the type of documents the Commission has available to best satisfy their request. An interim response(s) and/or status updates are provided to FOIA requesters whenever appropriate. All responses are provided electronically unless the requester specifically requests a hard copy of responsive documents. We release all documents unless disclosure would harm an interest protected by an exemption or disclosure is prohibited by law. The FMC did not receive any FOIA appeals this reporting period. All new Commission employees are trained on the importance of the FOIA, their obligations under the FOIA, and the FMC's process for responding to requests. This training is also designed to focus on the specific program area where the employee will be working. During this reporting period, the FMC FOIA professional attended relevant FOIA training and continues to keep abreast of any new FOIA requirements.

The success of the Commission's FOIA program relies in part on the continued dedication of FMC management to encourage employees to be transparent and always consider ways to proactively provide relevant information to the shipping community, and general public. The Commission will continue to strive to maintain an efficient FOIA program, proactively post relevant information to our website, and provide personalized customer service to our FOIA requesters.