The Federal Maritime Commission (FMC)

FEDERAL MARITIME COMMISSION (FMC)

46 CFR Ch. IV

Unified Agenda

AGENCY: Federal Maritime Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: Pursuant to section 4(b) of Executive Order 12866 and the Regulatory Flexibility Act (5 U.S.C. 601 et seq.), the Commission anticipates having under consideration, during the period from April 1, 2005, to March 31, 2006, actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT: For further information concerning Commission rulemaking proceedings or the status of any matter listed below, contact: Bryant L. VanBrakle, Secretary, Federal Maritime Commission, 800 North Capitol Street NW., Washington, DC 20573, (202) 523-5725; e-mail: secretary@fmc.gov.

SUPPLEMENTARY INFORMATION: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule, which is likely to have a significant economic impact on a substantial number of small entities. Section 4(b) of Executive Order 12866 also requires agencies to publish a regulatory agenda. The agenda includes information on regulatory activities being conducted or reviewed during the succeeding 12 months by the Commission.

The following is the Commission’s unified regulatory agenda. The agenda does not necessarily include all petitions for rulemakings that are under staff review.

In addition, the Commission maintains a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda. This will be made available to the public, including the press and interested persons.

Bryant L. VanBrakle, Secretary.

Federal Maritime Commission—Proposed Rule Stage

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<td>3895</td>
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Federal Maritime Commission—Long-Term Actions

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<td>3072–AC30</td>
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3894. IMPACT OF GOVERNMENT PAPERWORK ELIMINATION ACT AND ELECTRONIC SIGNATURES IN GLOBAL AND NATIONAL COMMERCE ACT (DOCKET NO. 01–08)

Priority: Substantive, Nonsignificant

Legal Authority: PL 105–277, Government Paperwork Elimination Act; PL 106–229, Electronic Signatures in Global and National Commerce Act; 5 USC 553; 46 USC app 1716

CFR Citation: 46 CFR 500 et seq


Abstract: The Federal Maritime Commission issued an inquiry to solicit information and comments concerning the impact of the Government Paperwork Elimination Act and the Electronic Signatures in Global and National Commerce Act on all sectors of the U.S. ocean shipping industry. These comments are assisting the Commission as it analyzes the use and acceptance of documents in electronic form, as well as other means of...
engaging in electronic transactions. The Commission plans to provide individuals or entities with the option to submit information or transact business with the Commission electronically, where practicable, and to maintain records electronically when practicable.

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<tr>
<td>Notice of Inquiry</td>
<td>07/18/01</td>
<td>66 FR 37468</td>
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<td>66 FR 43261</td>
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<td>Proceeding Discontinued</td>
<td>05/00/05</td>
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### Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Derek O. Scarbrough, Chief Information Officer, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

Phone: 202 523–5800
Fax: 202 523–5827
Email: cio@fmc.gov

RIN: 3072–AC17

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**3895. COMMON CARRIER STATUS UNDER THE SHIPPING ACT OF 1984**

**Priority:** Other Significant

**Legal Authority:** 5 USC 553; 46 USC app 1701 et seq; PL 105–258

**CFR Citation:** 46 CFR 515; 46 CFR 520; 46 CFR 530; 46 CFR 535

**Legal Deadline:** None

**Abstract:** The Federal Maritime Commission is proposing to amend its rules to address the criteria that it will use to establish ocean common carrier status under the Shipping Act of 1984.

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**3896. PORT RESTRICTIONS AND REQUIREMENTS IN THE UNITED STATES/JAPAN TRADE (DOCKET NO. 96–20)**

**Priority:** Other Significant

**CFR Citation:** 46 CFR 551

### Timetable:

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<td>11/13/96</td>
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<td>61 FR 68200</td>
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<td>Final Rule – Report</td>
<td>03/04/97</td>
<td>62 FR 9696</td>
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<td>Due</td>
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<td>04/14/97</td>
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<tr>
<td>Amendment to Final Rule</td>
<td>04/16/97</td>
<td>62 FR 18532</td>
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### Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Florence A. Carr, Director, Bureau of Trade Analysis, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

Phone: 202 523–5796
Fax: 202 523–4372
Email: tradeanalysis@fmc.gov

Vern W. Hill, Director, Bureau of Enforcement, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

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RIN: 3072–AC21

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**3897. PASSENGER VESSEL FINANCIAL RESPONSIBILITY (DOCKET NO. 02–15)**

**Priority:** Other Significant

**CFR Citation:** 46 CFR 540

### Timetable:

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<td>08/15/01</td>
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### Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Amy W. Larson

Phone: 202 523–5740
Fax: 202 523–5738
Email: generalcounsel@fmc.gov

Vern W. Hill, Director, Bureau of Enforcement, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573

Phone: 202 523–5783
Fax: 202 523–5785
Email: vhill@fmc.gov

RIN: 3072–AC21

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**3898. LAWS OF THE BLUE WATER ACT**

**Priority:** Other Significant

**CFR Citation:** 46 CFR 541

### Timetable:

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### Regulatory Flexibility Analysis

Required: No

Small Entities Affected: Businesses

Government Levels Affected: None

Agency Contact: Sandra L. Kusumoto
### FMC Long-Term Actions

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<td><strong>Priority:</strong> Substantive, Nonsignificant</td>
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<td><strong>Regulatory Flexibility Analysis Required:</strong> No</td>
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<td><strong>Small Entities Affected:</strong> Businesses</td>
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<td><strong>Government Levels Affected:</strong> None</td>
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<tr>
<td><strong>Agency Contact:</strong> JoAnn Baca Phone: 202 523–5800 Fax: 202 523–5827 Email: <a href="mailto:jbaca@fmc.gov">jbaca@fmc.gov</a></td>
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<tr>
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| **3899. UPDATE OF EXISTING FILING AND ADDITION OF NEW FILING FEES (DOCKET NO. 04–11)** |
| **Priority:** Info./Admin./Other |
| **CFR Citation:** 46 CFR 502; 46 CFR 503; 46 CFR 515; 46 CFR 520; 46 CFR 530; 46 CFR 535; 46 CFR 540; 46 CFR 550; 46 CFR 555; 46 CFR 560; ... |
| **Legal Authority:** 46 USC app 1715 |
| **CFR Citation:** 46 CFR 531 |
| **Legal Deadline:** None |
| **Abstract:** The FMC is exempting non-vessel-operating common carriers from the tariff publication requirements of the Shipping Act of 1984, subject to certain filing and publication conditions placed on these Non-Vessel-Operating Common Carrier Service Arrangements or “NSAs.” This rule will allow affiliates of NSA signatories to have access to service and to provide service under an NSA. |

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| **Regulatory Flexibility Analysis Required:** No |
| **Small Entities Affected:** Businesses |
| **Government Levels Affected:** None |
| **Agency Contact:** Amy W. Larson, General Counsel, Federal Maritime Commission, 800 North Capitol Street NW, Washington, DC 20573 Phone: 202 523–5740 Fax: 202 523–5738 Email: generalcounsel@fmc.gov |
| **RIN:** 3072–AC27 |

**3900. NON–VESSEL–OPERATING COMMON CARRIER SERVICE ARRANGEMENTS (DOCKET NO. 04–12)** |

**Priority:** Other Significant |
**Legal Authority:** 46 USC app 1715 |
**CFR Citation:** 46 CFR 531 |
**Legal Deadline:** None |

**Abstract:** The FMC is exempting non-vessel-operating common carriers from the tariff publication requirements of the Shipping Act of 1984, subject to certain filing and publication conditions placed on these Non-Vessel-Operating Common Carrier Service Arrangements or “NSAs.” This rule will allow affiliates of NSA signatories to have access to service and to provide service under an NSA.