

FEDERAL MARITIME COMMISSION



FINAL ANNUAL PERFORMANCE PLAN

FOR FY 2000

May 1999

INTRODUCTION

This document comprises the Federal Maritime Commission's Final Annual Performance Plan for FY 2000. As set forth in the Government Performance and Results Act and general guidelines published by OMB, the Commission has prepared a single performance plan so as to present a comprehensive picture of performance across the agency. This plan is closely linked to the agency's strategic plan, although its content is more detailed and specific as opposed to the general and long-term focus of the strategic plan. We also have concentrated on developing objective performance goals and narrow, measurable performance indicators, so as to facilitate the plan's implementation and assessment of performance.

The Commission has tailored its annual performance plan to comport with the overall objectives of GPRA, while maintaining flexibility in its presentation and application. This modified approach has been authorized by OMB since the majority of Commission activities are statute-driven and our goals essentially are based upon legislative mandates which are clear and direct. Significant alteration of our existing programs is not possible, given that many measures and goals are required by statute. Additionally, the Commission has undergone an unusually exhaustive evaluative process with respect to its statutory goals and performance due to legislative proposals which culminated in a new statute, the Ocean Shipping Reform Act of 1998 ("OSRA"), that will significantly change a number of its major functions.

Accordingly, OMB agreed that the Commission should use an appropriately scaled mechanism for GPRA process and development with a framework which would be productive, yet less resource-intensive. Nonetheless, our plan presents relevant information clearly and concisely, and strives to be as detailed as necessary while avoiding minutiae.

Our plan sets forth the mission statement and general goals from our strategic plan, as a point of reference for the reader. In accordance with general OMB guidance, we have prepared performance goals for each of the program activities reflected in our budget submission. The strategic goals aligned with these performance goals are appropriately displayed. Each performance goal has been stated as a narrow, measurable objective. For each performance goal, we have identified the intended outcome, the processes and resources required to accomplish it, an appropriate performance indicator, and the means for measuring/evaluating performance. We also have included a brief explanation of our actual performance up to this point in FY 1999 as to each Performance Goal. To ensure a clear understanding of the plan's contents, set forth below are definitions of basic terms used. We relied on OMB's published guidance for these definitions, and have included parenthetically our interpretation of their practical application.

Budget Program Activity - The FMC's program activities as listed in the program and financing schedules of the agency budget (the agency's major activities).

Performance Goal - A target level of performance; a measurable objective (a specific, proposed performance action).

Outcome - Intended result or consequence of the program activity (the projected effect or what is hoped to be achieved).

Performance Indicator - A value or characteristic for measuring results (the quantifier or qualifier of performance).

Processes/Activities - The processes, skills, or resources that are required to effectively accomplish a performance goal (what is needed to achieve the goal).

Performance Measure/Evaluation - The means used to verify and validate measured values (methods used for assessing if programs achieved objectives, or, the specific means to measure if outcomes were realized).

It should be noted that, in response to the legislative reform effort that resulted in OSRA, every segment of the maritime industry has taken the opportunity to inform Congress of its assessment of the Commission's current statutory goals and our performance of them. These parties also have provided a perspective of what the Commission's future goals should be. While there is no consensus, it is clear that the industry has a full understanding of the Commission's major program activities, and at the same time, the Commission is more cognizant of the views of all parties with whom it interacts than at any time in the recent past. For this reason, the Commission did not embark on an extensive outreach effort when developing this plan.

The Commission has provided all employees with copies of this performance plan. We also have modified all employee performance plans to ensure that they comport with the agency's Strategic and Annual Performance Plans, and that they contain specific elements and standards aimed at achieving the agency's strategic and performance goals. Performance of managers and staff will be evaluated in part on how they achieve the objectives in this plan.

FMC MISSION

To achieve its vision, the FMC's mission is:

Ensure the Nation's interests are met through an efficient, competitive, market-driven, and nondiscriminatory ocean transportation system that is free of unfair foreign maritime trade practices.

The basic principles of liner shipping regulation are being challenged. The shipping industry continues to restructure itself, while shippers place an increasing importance on rates and service. International trade remains dependent upon an efficient and economic ocean transportation system. And OSRA will significantly change the commercial environment and oversight of U.S. ocean shipping. Never has the agency been presented with more significant issues. Therefore, it is imperative that the FMC identify the actions necessary to ensure that its regulatory and legislative initiatives produce a competitive and nondiscriminatory trading environment in the U.S. ocean commerce that is in harmony with and responsive to international shipping practices. We must focus our energies and efforts on this mission, and assure that the agency is organized and managed in a manner best suited to accomplish it with a minimum of government intervention and regulatory costs. Our actions also must encourage the development of a sound U.S.-flag liner fleet. Accordingly, and in conformity with the Shipping Act of 1984, as amended by OSRA, the FMC has established the following four strategic goals.

FMC STRATEGIC GOALS

1. *Compliance*: Promote the development of U.S. exports and the efficiency of ocean shipping by ensuring compliance with shipping statutes administered by the FMC.
2. *Balanced Enforcement*: Foster economic efficiencies and reliance on marketplace factors by administering U.S. shipping statutes in a balanced and equitable manner that redresses excessive anticompetitive actions and restrictive practices of foreign governments.
3. *Efficient Regulatory Process*: Promote a timely, efficient and decisive regulatory process, to enable all segments of the industry to plan and conduct their operations more effectively and with minimal regulatory costs.

4. *Internal Capabilities*: Ensure the FMC has the organizational ability and the managerial leadership necessary to meet its regulatory, enforcement and educational responsibilities.

LINKAGE BETWEEN MISSION STATEMENT AND STRATEGIC GOALS

Our strategic goals address all important FMC programmatic, policy, and management responsibilities. They were developed with a specific focus on accomplishing the basic thrusts of our mission.

Therefore, Strategic Goal No. 1 is designed to enable the FMC to carry out its regulatory mandates concerning international waterborne commerce in a manner that ensures compliance with the substantive provisions of the shipping statutes it administers. Accomplishing this goal should minimize the unjust discrimination and undue preference or prejudice that precludes certain shipping interests from obtaining rates or service levels that can render their businesses more economic and efficient. Curbing other malpractices should enable all industry participants to concentrate on fair and legal means of increasing operational efficiency, secure in the knowledge that competitors are not engaging in widespread illegal actions aimed at enhancing short-term bottom-line profits without concern for the harmful long-term effects on the industry. Effective accomplishment of this goal also can help to promote the growth of U.S. exports.

Strategic Goal No. 2's purpose is to foster economic efficiencies and reliance on typical marketplace factors, and redress excessive anticompetitive practices harmful to international commerce. This is a direct link to our mission statement's call for an efficient, competitive, market-driven ocean transportation system. And our continuing efforts to effectively address the actions of foreign governments that adversely affect our foreign trade and U.S. interests operating in that trade comport with that aspect of our mission aimed at creating an environment "free of unfair foreign maritime trade practices."

The primary intention of Strategic Goal No. 3 is to minimize regulatory costs by increasing the efficiency and decisiveness of the FMC's various regulatory processes. Increasing our efficiency and timeliness will produce more timely action to address matters that are perpetuating discrimination or precluding industry efficiency, thereby reducing the industry's costs in pursuing matters before the Commission. More decisive action on our part will help to remove uncertainties as to statutory interpretations or the application of FMC rules. Such uncertainties can delay either operational efficiencies or technological changes which would foster a more economical ocean shipping system.

Finally, we have developed a single comprehensive goal designed to improve internal Commission management and operations. Enhancing our management oversight and improving employee morale can both foster the accomplishment of various Administration directives and programs in this regard, while putting us in a position to more effectively address the specific aims of our mission.

Achieving these mission-driven goals will enable us to effectively address the external factors we face, while assuring an equitable and efficient administration of the shipping statutes under our jurisdiction. Our processes and procedures will be refined or updated as necessary. We are committed to doing all that is necessary to accomplish our strategic goals and the outcome goals related to them. Therefore, specific means have been identified to enable the FMC to achieve these goals in the most cost-efficient and least disruptive manner possible.

Budget Program Activity: Formal Proceedings

Related Strategic Goals:

2. *Balanced Enforcement:* Foster economic efficiencies and reliance on marketplace factors by administering U.S. shipping statutes in a balanced and equitable manner that redresses excessive anticompetitive actions and restrictive practices of foreign governments.

3. *Efficient Regulatory Process:* Promote a timely, efficient and decisive regulatory process, to enable all segments of the industry to plan and conduct their operations more effectively and with minimal regulatory costs.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
By end of FY99, Commission decisions on average are issued 16 months from date case begins, so the public is provided with more timely determinations on contested matters.	Provide industry & public with informed, judicious decisions in a more timely manner to permit them to conduct their business with more certainty as to acceptability/ legality of their activities.	Issue Commission decisions on average 16 months from date case begins.	<ul style="list-style-type: none"> - ALJs encourage: settlement; use of ADR; shortened procedure in Subpart K; written submissions as opposed to hearings. - Specific timetable for agency action once ID issued. 	<ul style="list-style-type: none"> - ALJ and Secretary's Office review status of all proceedings monthly & report to Chairman. - Annual reviews are conducted by Secretary/GC to assess overall achievements. 	For FY98, the average completion time for formal proceedings has been approximately 15 months, which is down from almost 17 months in FY97. To date in FY 99, the average is approximately 11 months.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
<p>By mid-FY99, assess 84 Act, PL 89-777 & Reform Act proposals & identify changes to benefit US commerce, to facilitate FMC oversight, and to provide appropriate level of protection for the cruising public, and appropriately advise Congress. Monitor impact and effect of new legislation and implementing regulations to assess if changes are warranted.</p>	<ul style="list-style-type: none"> - More equitable, efficient trading conditions. - Enhance industry flexibility in conducting business. - Reduce filing & compliance burdens. - Facilitate FMC oversight to protect against negative effects on commerce. 	<ul style="list-style-type: none"> - Ongoing assistance to Congressional Committees is provided. - Input forwarded to Congress detailing desired changes. 	<ul style="list-style-type: none"> - Consult with affected industry groups. - Senior staff recommend approach & assign staff to process. - Staff completes technical analysis & drafting. - Matters forwarded for Commission action. 	<ul style="list-style-type: none"> - Chairman monitors progress via periodic meetings with senior staff. - Monitor progress of proposals once forwarded to Congress. - Periodic reviews are conducted to assess impact of any changes effectuated. 	<ul style="list-style-type: none"> - Frequently & regularly provided Congressional staff with suggestions for shipping reform legislation, & offered input on proposals originating from industry sources during the reform process. Contributions were acknowledged by Congressional staff as instrumental in composing legislation improving FMC oversight. - Promulgated & finalized rules reflecting the intentions of OSRA & concerns/advice of interested parties by the assigned statutory deadline of 3/1/99. - Concerning certain Interim Final Rules, considered industry comment and issued Final Rules by 5/1/99.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
<p>Develop & utilize process for rapid response to clear cases of fraud & passenger vessel operators' financial failures with result, e.g., 25% increase in FY99 in number of unscrupulous intermediaries forced to cease & desist in actions harming unsuspecting shippers.</p>	<ul style="list-style-type: none"> - Preclude dishonest, corrupt companies from harming unsuspecting shippers. - Assist cruising public in receiving refunds for canceled voyages. 	<p>Approach in place for each by 3/31/99.</p>	<ul style="list-style-type: none"> - Task force of GC, BOE, BTCL & OIIC. - Consultations w/DOJ. 	<ul style="list-style-type: none"> - Compare number of informal inquiries/ complaints & Congressional inquiries on these items with prior years. - Obtain feedback from affected parties on any instances that develop. 	<p>Established the task force. Actions have been initiated to put unscrupulous intermediaries out of business.</p>
<p>By mid-FY00, review and modify the Commission's Rules of Practice & Procedure, with a view towards modernization, clarification, elimination of unnecessary provisions, & expediting resolution of issues. Monitor effect of the revisions to determine if further changes are warranted.</p>	<ul style="list-style-type: none"> - Parties will better understand how to proceed among various approaches to obtaining remedies. - Proceedings should be less cumbersome & expensive to parties. - Proceedings may be resolved more expeditiously. 	<ul style="list-style-type: none"> - Rules were amended by 3/31/99. - If further rule revisions are necessary, formulate proposal by 9/30/99. 	<p>Formal rulemaking proceeding that considers input from general public.</p>	<p>Secretary monitors impact by observing the frequency & nature of public inquiries about procedures & the ease with which proceedings are resolved by initial decision makers.</p>	<ul style="list-style-type: none"> - Final rule served February 1999. - Review taking place to determine if further revisions are necessary.

Budget Program Activity:

Operational and Administrative

1. *Compliance*: Promote the development of U.S. exports and the efficiency of ocean shipping by ensuring compliance with shipping statutes administered by the FMC.

Related Strategic Goals:

4. *Internal Capabilities*: Ensure the FMC has the organizational ability and the managerial leadership necessary to meet its regulatory, enforcement and educational responsibilities.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
<p>Develop & implement enforcement/ compliance initiatives to address evolving violative malpractices or non-compliance activities influenced by experience under OSRA by end of FY99.</p>	<ul style="list-style-type: none"> - Increased statutory compliance, particularly with the spirit of OSRA. - More efficient flow of commerce. 	<ul style="list-style-type: none"> - Initiatives are fully operational by 1/1/99. - OSRA-driven initiatives fully operational by 1/1/00. - Staff resources targeted in areas of the initiatives to identify probable violators. 	<ul style="list-style-type: none"> - Communication with affected parties and self-policing groups. - Overall efforts to determine probable violators, target same & eliminate probable compliers. - Staff working groups develop/concentrate detailed actions on probable violators. 	<p>In targeted areas:</p> <ul style="list-style-type: none"> - The number of settlements in FY99 increases. - And/or the dollar amount of settlements increases during FY99. - And/or the number of investigative cases increases in FY99. - And/or the number of formal proceedings increases in FY99. - Self-policing groups in fact report decreases in malpractices or non-compliance activities. 	<p>This goal was predicated for the most part on legislation which might cause the evolution of violative malpractices. Legislation now effective 5/1/99. Regarding malpractices prior to 5/1/99, significant actions completed & pending.</p>

				<ul style="list-style-type: none"> - Shipper complaints to agency ombudsman decline. - No negative information developed against probable compliers. 	
<p>Maximize use of Information Technology ("IT") by fulfilling all goal-related objectives of IT 5-year plan by 3/30/99, to increase staff efficiency. By 1/1/00, maximize use of IT required by OSRA.</p>	<ul style="list-style-type: none"> - Reduced number of staff hours required to complete analytical & other regulatory activities. - Reduction of compliance burden through appropriately secure IT. - Fully integrating all agency elements on an Intranet system post-OSRA. - Make all appropriate agency documents available on the Internet. 	<ul style="list-style-type: none"> - Fulfillment of goal-related objectives in IT 5-Year Plan by 3/30/99; appropriately adjust IT 5-Year Plan by 6/30/99. - Assessment of computer security measures by 6/30/99 & computer security-related plans adjusted by 9/30/99. 	<ul style="list-style-type: none"> - IT staff efforts integrated with program staff activities in targeted areas of regulatory burden and agency IT enhancements. - Ongoing analyses of regulated parties' reaction to success of performance goal. - OSRA-related IT activities dominate. 	<ul style="list-style-type: none"> - Number of necessary administrative steps for industry compliance reduced by 10-20%. - Number of security compromise or "virus" related delays & burdens reduced by 10%. - Audit procedure to determine if above measures & Intranet/Internet efforts are achieved. - In evaluation effort, employ use of consultant as appropriate. 	<ul style="list-style-type: none"> - To date, required goal-related objectives of IT 5-year plan are on track; some are ahead of schedule. - Note: New technology (internet firewall) procured & operational to prevent security breaches.
<p>Since OSRA now will impact individual employee goals & performance, by 10/1/99, conduct an audit to ensure that performance appraisal</p>	<ul style="list-style-type: none"> - Minimal disruption of normal agency operations while transitioning to adjusted goals. 	<p>All present compliance & enforcement programs are maintained at constant levels.</p>	<ul style="list-style-type: none"> - During transition, close coordination of program staff with administrative support staff. - Close coordination of management with IG. 	<ul style="list-style-type: none"> - Actions by Commission <i>qua</i> Commission remain constant. - Public complaints to ombudsman regarding Commission's 	<p>N.B. The effective date of OSRA requires in some instances internal reorganization before OSRA integrated into individual performance plans.</p>

<p>process specifically consider activities unique to OSRA.</p>	<p>- Employee job satisfaction/morale remains stable.</p>		<p>- Close inter-bureau coordination to avoid program overlap.</p>	<p>performance remain constant, as well as employee complaints & grievances.</p> <p>- Internal feedback mechanisms & IG & EEO program activities & audits validate effectiveness of performance goals and their measurements.</p>	<p>- Appropriate action has been effected in expectation of audit.</p> <p>- Managers have been advised to ensure the relationship exists between actual performance & strategic plan/ performance plan.</p> <p>- All SES contracts now contain such specific references .</p>
<p>Develop administrative/ operational procedures to address a regulatory environment without tariff filing.</p>	<p>Effective monitoring of the regulated industry in the spirit of a deregulated tariff filing environment.</p>	<p>Use of previously untried methods or process to replace traditional tools (i.e., ATFI).</p>	<p>Greater number of inter-bureau/office issues or cases of common interest.</p>	<p>- Redirection of 25% of overall resources from present activities.</p> <p>- Some reorganization within bureaus.</p>	<p>- Promulgated final rules for publication of carrier automated tariffs to implement OSRA.</p> <p>- In process of developing tariff review plans under OSRA.</p> <p>- Tariff transition issues are being coordinated among Bureaus.</p>

Budget Program Activity:

Economics and Agreement Analysis

Related Strategic Goals:

2. *Balanced Enforcement:* Foster economic efficiencies and reliance on marketplace factors by administering U.S. shipping statutes in a balanced and equitable manner that redresses excessive anticompetitive actions and restrictive practices of foreign governments.

3. *Efficient Regulatory Process:* Promote a timely, efficient and decisive regulatory process, to enable all segments of the industry to plan and conduct their operations more effectively and with minimal regulatory costs.

4. *Internal Capabilities:* Ensure the FMC has the organizational ability and the managerial leadership necessary to meet its regulatory, enforcement and educational responsibilities.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
Assess information form reporting requirements & reduce number of information form reports by at least 20%.	<ul style="list-style-type: none"> - Modified requirements that require information relevant to assessment of an agreement's anticompetitive impact, with minimal burden on filing parties. - Facilitate staff data compilation & analysis. 	<ul style="list-style-type: none"> - Complete review by 12/31/99. - Propose any changes by 12/31/99. - Remove requirement for unnecessary information; propose new/modified requirement to obtain necessary information. - Will permit assessment of OSRA for 8 months. 	<ul style="list-style-type: none"> - Bureau working group of economists & transportation specialists. - Consult with General Counsel on legal aspects. 	<ul style="list-style-type: none"> - Comments in any rulemaking. - Analysis of allocation of resources & productivity before & after. - Agreement reports utilizing information form data. 	Conducted audit of information form reporting requirements required of all A&B-type agreements in preparation for FY00 reductions in number of reports filed.

<p>Apply economic analysis component of 6(g) process to evolving industry & modify agency approach as set forth in Conference Report on OSRA, & issue two 6(g) analyses under refined process.</p>	<ul style="list-style-type: none"> - Efficient, effective consideration of new types of seriously anticompetitive agreements. - Elimination of concerted activity detrimental to shippers. - Statutory compliance. - Effective flow of US commerce. 	<ul style="list-style-type: none"> - 6(g) analyses are readily performed on these new types of agreements due to a refined process. - At least two 6(g) analyses under refined process conducted on agreement authority or activity in FY99. 	<ul style="list-style-type: none"> - Bureau working group. - Compilation & analysis of agreement information form/monitoring report data. 	<ul style="list-style-type: none"> - Shipper & carrier feedback. - Review of 6(g) activity. 	<ul style="list-style-type: none"> - Completed initial 6(g) analysis of major evolved discussion agreement in transpacific.
<p>Refine teamwork approach to monitoring carrier concerted activity & capture informally in two instances or issue two §15 orders in FY99 aimed at eliminating significantly anticompetitive concerted carrier activity.</p>	<p>Elimination of significantly anticompetitive concerted carrier activity that has a negative effect on shippers or US commerce.</p>	<ul style="list-style-type: none"> - Refined process operational by 9/30/99. - Process includes outline for concise reports/studies. - Two informal industry data submissions or two recommended Commission §15 orders or compliance/enforcement initiatives by the end of FY99. 	<ul style="list-style-type: none"> - Intra-bureau working group. - Available databases on cargo movements & carrier market share. 	<ul style="list-style-type: none"> - Assessment of proposed recommended actions. - Industry feedback. 	<p>One §15 order already issued for Asian Shipowners Forum & another prepared concerning major transpacific agreement.</p>
<p>Enhance FMC ability to utilize agreements information by consolidating bureau databases & making available to other Commission components on the agency intranet.</p>	<p>Enhanced access to agreement information for streamlined oversight of carrier activity.</p>	<ul style="list-style-type: none"> - Conversion of database to ACCESS software. - Availability to Commission users on agency intranet. 	<ul style="list-style-type: none"> - Working group of Bureau staff to establish procedures & convert existing agreements databases to ACCESS. - Coordination with OIRM on intranet availability. 	<ul style="list-style-type: none"> - Consolidated database available within Bureau. - Availability on the intranet. - Feedback from other agency offices & bureaus. 	<p>Database converted and consolidated; available within Bureau.</p>

Budget Program Activity:

Tariffs, Certification & Licensing

Related Strategic Goals:

3. *Efficient Regulatory Process:* Promote a timely, efficient and decisive regulatory process, to enable all segments of the industry to plan and conduct their operations more effectively and with minimal regulatory costs.

4. *Internal Capabilities:* Ensure the FMC has the organizational ability and the managerial leadership necessary to meet its regulatory, enforcement and educational responsibilities.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
Maximize the use of available IT to develop by 3/30/99 a cost-justified proposal for the automated filing of service contracts.	<ul style="list-style-type: none"> - Elimination of unnecessary paper filing of service contracts, for the benefit of filing parties & Commission. - More ready accessibility of service contract data for staff. - Reduction in storage space needed at headquarters. 	<ul style="list-style-type: none"> - Research & analyses completed by 2/15/99. - Proposal forwarded to FMC by 5/30/99. 	<ul style="list-style-type: none"> - Assessment of involved policy/ technological issues. - Coordination with OIRM & agency Contractor on software/ hardware issues. - Informal consultation with filing reps, to encourage experimentation with the optional filing opportunity in current rules. 	<ul style="list-style-type: none"> - Ongoing monitoring of Bureau efforts. - Assessment at milestone dates. - Informal inquiries to industry on probable effects of proposal. 	<ul style="list-style-type: none"> - Two options for electronic filing of confidential service contracts completed by 3/1/99 with new OSRA rules. Each option was fairly elementary. - Contracts being successfully filed in each system. - Staff assessing each system for any necessary improvements.
By 3/30/99, freight forwarder license applications processed completely within 30 days, absent applicant delay and monitored to maintain continued achievement thereof.	<ul style="list-style-type: none"> - Applicants can proceed with certainty in shorter time frame. - Those who require freight forwarder services have an increase of options sooner. 	<ul style="list-style-type: none"> - Applicants advised within 7 days of deficient applications. - Processing completed within 30 days (unless delayed by applicant). 	<ul style="list-style-type: none"> - Revise procedures & guidelines to facilitate staff review. - Further improve application form & package. 	<ul style="list-style-type: none"> - New software to assess application processing time vs. time frame objectives. - Review productivity levels & number of applicant & Congressional inquiries 	Completed task. Monitoring to confirm achievement continues for remainder of FY99 & beyond.

	<ul style="list-style-type: none"> - Reduced inquiries from applicants & Congress on status of pending applications. 		<ul style="list-style-type: none"> - Provide appropriate advice & assistance on the Internet. - New computer software providing an automated application processing management system. 	<ul style="list-style-type: none"> on a quarterly basis. - Semiannual inquiry to Natl. Freight Forwarders Assoc. re: views on processing program. 	
<p>By 3/30/99, develop a guide regarding information & guidance of bureau activities available on the FMC home page.</p>	<ul style="list-style-type: none"> - Public obtains information more efficiently & promptly. - Commission staff can devote time to more substantive work. 	<ul style="list-style-type: none"> - Increased number of forms placed on Web. - Reduction in number of hard copies provided of explanatory documents, guidance & forms. 	<ul style="list-style-type: none"> - Direct staff to encourage all inquiries to obtain information from home page. - Require responses, where appropriate, to be sent by e-mail. - Foster use of home page in industry meetings & at industry events. 	<ul style="list-style-type: none"> - Measure BTCL documents on home page semiannually. - Measure "hits" on BTCL's items on home page quarterly. - At 6-month progress reviews & annual performance appraisal meetings, measure amount of staff time spent providing documents or information. - Semiannually inquiry to directors of leading industry associations re: use & acceptability of Internet for info/docs. 	<p>Completed, regarding information and guidance presently existing. Efforts ongoing re: emerging info driven by OSRA.</p>
<p>By 9/30/00, passenger vessel applications processed completely within 30 days, absent applicant delay.</p>	<ul style="list-style-type: none"> - Applicants can proceed with certainty in a shorter time frame. - Reduced inquiries from applicants on status of pending applications. 	<ul style="list-style-type: none"> - Applicants advised within 7 days of deficient applications. - Processing completed within 30 days (unless delayed by applicant). 	<p>Review procedures to ensure efficient staff review.</p>	<p>Review of time taken to process complete applications.</p>	<ul style="list-style-type: none"> - Initial steps taken to streamline processing. - Entire program under review re: substantive requirements & internal functions.

Budget Program Activity: Enforcement

Related Strategic Goals:

1. *Compliance:* Promote the development of U.S. exports and the efficiency of ocean shipping by ensuring compliance with shipping statutes administered by the FMC.
3. *Efficient Regulatory Process:* Promote a timely, efficient and decisive regulatory process, to enable all segments of the industry to plan and conduct their operations more effectively, and with minimal regulatory costs.

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
Actions under SBREFA for FY99 indicate increase of 15% in number of small businesses provided with regulatory compliance. Actions required by SBREFA for FY00 met under OSRA rule requirements.	<ul style="list-style-type: none"> - Small businesses are afforded the special treatment intended by SBREFA. - Agency activities with small businesses improve compliance with applicable regs. 	Reported percent of increase comports with other agencies' experience.	<ul style="list-style-type: none"> - Consultation with SBA. - Review of initial approach to this aspect of SBREFA. 	<ul style="list-style-type: none"> - Comparison of statistics on dealings with small businesses before & after. - Reports to Congress or other required entities. 	<ul style="list-style-type: none"> - Initiated SBREFA program. Filed initial reports to Congress. Compiling data for reporting performance in FY99. - Required compliance guide under SBREFA drafted.
Formal legal opinions & informal staff advice in FY99 provided 25% more quickly in 75% of cases, so industry can proceed with business activities on more timely basis.	<ul style="list-style-type: none"> - Facilitate staff accomplishment of regulatory functions. - Staff responds to the industry and public more quickly to enable them to proceed with their activities on an informed basis. 	No in-place feedback measurements conflict with the goal.	<ul style="list-style-type: none"> - Coordination with other Commission units. - More streamlined bureau approach to such matters. 	<ul style="list-style-type: none"> - Comparison of bureau statistics before & after. - Feedback from other agency components. - Feedback from industry on agency responsiveness. 	<ul style="list-style-type: none"> - Instituted improved IT system for monitoring bureau activities. - Increased BOE liaison with GC regarding OSRA rule-writing effort. - BOE actions comport with thrust/spirit of OSRA & OSRA rules.

<p>Shipper complaints to agency, both traditional & those driven by OSRA, show a 10-20% decline between 4th quarter of FY99 & 1st quarter of FY00.</p>	<ul style="list-style-type: none"> - Improved compliance with shipping statutes, particularly OSRA. - Commission resources can be utilized to address most egregious violators. - More efficient flow of US commerce in accordance with objectives of 84 Act. 	<ul style="list-style-type: none"> - Level of voluntary compliance increases. - Trade press & other public monitoring vehicles reflect service enhancements available to shippers. 	<ul style="list-style-type: none"> - Consultation with all segments of the industry. - Possible use of ADR or Reg.Neg. - Educational and informational activities (seminars, industry conferences, meetings, IT outreach). 	<ul style="list-style-type: none"> - Comparison of bureau statistics before & after. - Number of educational & informational efforts. - Results of any rulemakings. - Feedback from industry. 	<ul style="list-style-type: none"> - Data compiled for use in comparison with FY99 activity. - New methods of response to shipper formal/informal complaints to agency driven by deregulatory spirit of OSRA were initially developed. - Initial response to performance goal subject of recommendation to Commission (Fact Finding 23 followup).
<p>20% reduction in time to conclude formal enforcement proceedings.</p>	<ul style="list-style-type: none"> - Improved utilization of Commission resources. - Industry receive direction for future activities. - Improved compliance with shipping statutes. 	<p>Improved compliance with statutes & regulations.</p>	<ul style="list-style-type: none"> - Monitor formal proceedings to ensure timely completion of each segment of process. - Promote settlement process & use of ADR where applicable. 	<p>Comparison of bureau & Commission statistics.</p>	<p>Assessments of goal under OSRA ongoing.</p>

Budget Program Activity:

Administration

4. *Internal Capabilities:* Ensure the FMC has the organizational ability and the managerial leadership necessary to meet its regulatory, enforcement and educational responsibilities.

Related Strategic Goals:

Performance Goal	Outcome	Performance Indicator	Process/Activity	Performance Measure/Evaluation	Actual Performance FY 99 to Date
By 3/30/99, develop instrument/ document & process for ensuring regular exchange of information between agency units & provider of administrative support services to improve level of service.	<ul style="list-style-type: none"> - Agency components get what they need in a timely manner to improve their operations. - Increased efficiency for BOA offices. - Improved communication between BOA and other components. - Role/responsibility clarification. 	BOA considered: <ul style="list-style-type: none"> - helpful - creative advisors or problem solvers - efficient - accurate - timely. 	<ul style="list-style-type: none"> - Review applicable SOPs and Commission Orders. - Modify as necessary to streamline & remove as much burden as possible. - Meet with Bureau/Office Directors periodically. 	<ul style="list-style-type: none"> - Assessment of timeliness, accuracy of information provided & courteousness, with inquiries to agency components. - Benchmark with appropriate relevant entities. 	<ul style="list-style-type: none"> - Reviewed & determined Commission Orders which require update/revision; acted upon several. - Implemented government purchase card, which facilitated timeliness of purchases.
Develop appropriate plan in second quarter FY00 to meet agency training needs, so employees have the skills to more effectively accomplish regulatory responsibilities [driven by 8 months under OSRA].	Employees with relevant skills and abilities to more effectively accomplish their regulatory responsibilities.	Timely adjustment to changing agency priorities and/or workload.	<ul style="list-style-type: none"> - Survey of supervisors to assess training requirements. - Quarterly training reports. - Coordination with IRM. 	<ul style="list-style-type: none"> - Ongoing assessment of quality of substantive work products. - Assess volume of staff work products via review of monthly workload statistics. 	<ul style="list-style-type: none"> - Prepared monthly training reports. - Coordinated with OIRM on IT training needs for FY99 & future training needs.

				<ul style="list-style-type: none"> - Review of quarterly training reports. - Assess feedback from trainee/supervisor on each training course attended. - Assess employee morale via ad hoc meetings, during progress reviews, and at performance appraisal meetings. 	<ul style="list-style-type: none"> - Office/Bureau directors advised Personnel Director results of review of employee performance plans.
<p>By 12/31/99, through an appropriate certification process, ensure that all employees' individual performance plans have been revised to comport with thrust of strategic plan & annual performance plan.</p>	<ul style="list-style-type: none"> - Facilitates agency accomplishment of various Administration directives & new statutes. - Increases agency efficiency & effectiveness. - Ensures program & employee accountability & improves organizational & individual performance. - Improves internal customer satisfaction & enhances beneficial work atmosphere. 	<p>Meet organizational & individual performance objectives.</p>	<ul style="list-style-type: none"> - Advise supervisors to update individual performance plans to comport with agency strategic performance plan goals. - Revise & simplify incentive awards program to complement agency funding levels & comport with OPM deregulation, etc. 	<ul style="list-style-type: none"> - Strategic Plan review. - Review of individual performance plans/performance appraisals. - Training assessment. - Certification by Bureau/Office Directors that performance plans are current & comport with Bureau/Office performance goals. 	<ul style="list-style-type: none"> - Notified supervisors via June 1998 memo to review & update, as required, all employees' performance plans & to consult with Personnel if necessary. - Each office/bureau submitted memo to Personnel Director indicating they had reviewed employees' performance plans (July/August 1998).

<p>Enhance FMC compliance with Final Rule implementing Debt Collection Improvement Act of 1996.</p>	<p>Ensure debts owed to the FMC are collected & procedures regarding outstanding debt vigorously pursued.</p>	<p>Number of debts & dollar amount we are unable to collect, refer to Treasury.</p>	<ul style="list-style-type: none"> - Develop procedure to ensure all debts are pursued in accordance with the Act. - Assess impact of OSRA on previous & projected collections. 	<p>Number & amount of dollars of uncollected debts.</p>	<p>Reassessment of process/activity since removal of tariff filing under OSRA.</p>
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