

### § 501.3

filled in the same manner as the original appointment, except that any person chosen to fill a vacancy shall be appointed only for the unexpired term of the Commissioner whom he or she succeeds. Each Commissioner shall be removable by the President for inefficiency, neglect of duty, or malfeasance in office.

(d) *Quorum*. A vacancy or vacancies in the Commission shall not impair the power of the Commission to execute its functions. The affirmative vote of a majority of the members of the Commission is required to dispose of any matter before the Commission. For purposes of holding a formal meeting for the transaction of the business of the Commission, the actual presence of two Commissioners shall be sufficient. Proxy votes of absent members shall be permitted.

(e) *Meetings; records; rules and regulations*. The Commission shall, through its Secretary, keep a true record of all its meetings and the yea-and-nay votes taken therein on every action and order approved or disapproved by the Commission. In addition to or in aid of its functions, the Commission adopts rules and regulations in regard to its powers, duties and functions under the shipping statutes it administers.

#### § 501.3 Organizational components of the Federal Maritime Commission.

The major organizational components of the Commission are set forth in the Organization Chart attached as Appendix A to this part. An outline table of the components/functions follows:

(a) Office of the Chairman of the Federal Maritime Commission. (*Chief Executive and Administrative Officer, FOIA and Privacy Act Appeals Officer.*)

(1) Information Security Officer.

(2) Designated Agency Ethics Official.

(b) Offices of the Members of the Federal Maritime Commission.

(c) Office of the Secretary. (*FOIA and Privacy Act Officer, Federal Register Liaison.*)

(1) Office of Consumer Affairs and Dispute Resolution Services.

(2) [Reserved]

(d) Office of the General Counsel. (*Ethics Official; Chair, Permanent Task*

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*Force on International Affairs; Legislative Counsel.*)

(e) Office of Administrative Law Judges.

(f) Office of Equal Employment Opportunity.

(g) Office of the Inspector General.

(h) Office of Operations.

(1) Bureau of Certification and Licensing.

(i) Office of Passenger Vessels & Information Processing.

(ii) Office of Ocean Transportation Intermediaries.

(2) Bureau of Trade Analysis.

(i) Office of Agreements.

(ii) Office of Economics & Competition Analysis.

(iii) Office of Service Contracts & Tariffs.

(3) Bureau of Enforcement.

(4) Area Representatives.

(i) Office of Administration. (*Chief Acquisition Officer, Audit Followup and Management Controls Official, Chief Information Officer, Chief Financial Officer.*)

(1) Office of Budget and Financial Management.

(2) Office of Human Resources.

(3) Office of Information Technology. (*Senior IT Officer, Forms Control Officer, Network Security Officer, Records Management Officer.*)

(4) Office of Management Services. (*Physical Security, FMC Contracting Officer.*)

(j) Boards and Committees.

(1) Executive Resources Board.

(2) Performance Review Board.

#### § 501.4 Lines of responsibility.

(a) *Chairman*. The Office of the Secretary, the Office of the General Counsel, the Office of Administrative Law Judges, the Office of Equal Employment Opportunity, the Office of the Inspector General, the Office of Operations, the Office of Administration, and officials performing the functions of Information Security Officer and Designated Agency Ethics Official, report to the Chairman of the Commission.

(b) *Office of Operations*. The Bureau of Certification and Licensing, Bureau of Enforcement, Bureau of Trade Analysis, and Area Representatives report to the Office of Operations.

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(c) *Office of Administration.* The Office of Budget and Financial Management, Office of Human Resources, Office of Information Technology, and Office of Management Services report to the Office of Administration. The Office of Equal Employment Opportunity and the Office of the Inspector General receive administrative assistance from the Director of Administration. All other units of the Commission receive administrative guidance from the Director of Administration.

(d) *Office of the Secretary.* The Office of Consumer Affairs and Dispute Resolution Services reports to the Office of the Secretary.

### **§ 501.5 Functions of the organizational components of the Federal Maritime Commission.**

As further provided in subpart C of this part, the functions, including the delegated authority of the Commission's organizational components and/or officials to exercise their functions and to take all actions necessary to direct and carry out their assigned duties and responsibilities under the lines of responsibility set forth in § 501.4, are briefly set forth as follows:

(a) *Chairman.* As the chief executive and administrative officer of the Commission, the Chairman presides at meetings of the Commission, administers the policies of the Commission to its responsible officials, and ensures the efficient discharge of their responsibilities. The Chairman provides management direction to the Offices of Equal Employment Opportunity, Inspector General, Secretary, General Counsel, Administrative Law Judges, Operations, and Administration with respect to all matters concerning overall Commission workflow, resource allocation (both staff and budgetary), work priorities and similar managerial matters; and establishes, as necessary, various committees and boards to address overall operations of the agency. The Chairman serves as appeals officer under the Freedom of Information Act, the Privacy Act, and the Federal Activities Inventory Reform Act of 1998. The Chairman appoints the heads of major administrative units after consultation with the other Commissioners. In addition, the Chairman, as

“head of the agency,” has certain responsibilities under Federal laws and directives not specifically related to shipping. For example, the special offices or officers within the Commission, listed under paragraphs (a)(1) through (a)(4) of this section, are appointed or designated by the Chairman, are under his or her direct supervision and report directly to the Chairman:

(1) Under the direction and management of the Office Director, the *Office of Equal Employment Opportunity* (“EEO”) ensures that statutory and regulatory prohibitions against discrimination in employment and the requirements for related programs are fully implemented. As such, the Office administers and implements comprehensive programs on discrimination complaints processing, affirmative action and special emphasis. The Director, EEO, advises the Chairman regarding EEO's plans, procedures, regulations, reports and other matters pertaining to policy and the agency's programs. Additionally, the Director provides leadership and advice to managers and supervisors in carrying out their respective responsibilities in equal employment opportunity. The EEO Office administers and implements these program responsibilities in accordance with Equal Employment Opportunity Commission (“EEOC”) Regulations at 29 CFR Part 1614 and other relevant EEOC Directives and Bulletins.

(2) Under the direction and management of the Inspector General, the *Office of Inspector General* conducts, supervises and coordinates audits and investigations relating to the programs and operations of the Commission; reviews existing and proposed legislation and regulations pertaining to such programs and operations; provides leadership and coordination and recommends policies for activities designed to promote economy, efficiency, and effectiveness in the administration of, and to prevent and detect waste, fraud and abuse in, such programs and operations; and advises the Chairman and the Congress fully and currently about problems and deficiencies relating to the administration of such programs and operations and the necessity for and progress of corrective action.