

**NON-SUBSTANTIVE CHANGE REQUEST
FEDERAL MARITIME COMMISSION
INTAKE FORMS FOR OMBUDS ASSISTANCE**

The Shipping Act of 1984 (Shipping Act), as amended by the Ocean Shipping Reform Act of 1998, authorizes private individuals to file a claim for reparations before the Federal Maritime Commission (Commission or FMC) against any persons that violate the Shipping Act. The Administrative Dispute Resolution Act, 5 U.S.C. § 571 et. seq. (ADRA), requires agencies to explore the use of alternative dispute resolution (e.g. use of ombuds, mediation, facilitation, etc.) to resolve disputes. As such, the agency created the Office of Consumer Affairs and Dispute Resolution Services (CADRS) to provide alternative dispute resolution services to agency stakeholders and the shipping public to resolve ongoing regulatory and commercial international ocean shipping and cruise passenger disputes. Parties may use CADRS on a voluntary basis either prior to or after filing a formal action before the Commission or other fora. In addition, as a public-facing office, CADRS briefs senior agency staff with respect to emergent shipping issues and industry trends. CADRS also educates the public on ways to prevent ocean shipping or cruise related challenges and disputes. The provision of these services requires the collection of information from members of the shipping public as follows.

CADRS - provided ombuds, mediation, facilitation, and arbitration services require a basic review of the facts and issues in controversy. Upon request for assistance, CADRS staff will issue an Intake Form that requests parties seeking its services to provide contact information, basic information regarding the issue or issues in dispute, as well as shipping documents that will help CADRS staff facilitate successful party – driven negotiated resolution of the dispute. Provision of information is voluntary; however, information is required to receive services.

CADRS is requesting a non-substantive change to the intake forms which are designed to provide consumers and regulated entities with a simple mechanism for submitting requests for alternative dispute resolution services. The data collected will be used to render assistance to requesters in exploring resolution of ocean transportation related disputes.

The Intake Form prompt requesters for a description of key facts regarding the dispute, the desired resolution, the amount in controversy, party contact information, and supporting documentation. Responses to these questions will help CADRS staff understand the issues and facts in dispute, the requester’s desired outcome of the dispute, and the appropriate contact information for the parties to the dispute resolution proceeding.

The change to the intake forms is being made because the email address for submissions of request for dispute resolution services has changed from complaints@fmc.gov to cadrs@fmc.gov. CADRS will no longer manage the Federal Maritime Commission’s email address complaints@fmc.gov and as such forms requesting dispute resolution services should be submitted to the new email address managed by CADRS. The number of respondents and estimated burden and costs is not expected to change as a result of this change.

Dated: January 15, 2021