



News Release

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For Immediate Release

NCBFAA Responds to FMC Regulations Review Request

Washington, DC: In response to the Federal Maritime Commission's (FMC) request for possible deregulatory changes, National Customs Brokers and Forwarders Association of America (NCBFAA) General Counsel Edward Greenberg "suggested a significant number of changes to the way NVOCCs and ocean forwarders are regulated."

The FMC's action was responsive to President Trump's Executive Order directing all federal agencies to identify regulations that adversely affect jobs, that are outdated or unnecessary, or that impose costs exceeding their benefits.

In its comments, the NCBFAA first addressed the following general areas, several of which have long concerned the Association:

- The Commission should totally exempt NVOCC rate tariffs from regulation since the tariffs now exist only to preserve unnecessary jobs for tariff publishers or to provide a basis for unwary NVOCCs to become subject to FMC penalties for noncompliance.
- The restrictions on the content and use of NRAS should be eliminated because they are inappropriately burdensome and restrictive.
- The requirement that NSAS be filed with the Commission should be rescinded since the current regulations only serve to create technical potential pitfalls, with significant potential penalties, for NVOCCs.
- The co-loading regulations should be modified if not eliminated.

The comments also noted specific rules that require attention, including:

- Section 515.41(c), which should be eliminated since there is no longer a reason for the Commission to determine or restrict how forwarders assess fees to their customers.
- Section 515.42(b), which should be eliminated as the requirement that forwarders provide a certification concerning their entitlement to receive "compensation" from the VOCCs is no longer needed.
- Section 515.42(a), which should be amended because the regulation requiring that the underlying shipper always be listed in the shipper box on the bill of lading is unnecessary.

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Headquartered in Washington, DC, the NCBFAA represents more than 1,000 member companies with 110,000 employees in international trade - the nation's leading freight forwarders, customs brokers, ocean transportation intermediaries (OTIs), NVOCCs and air cargo agents, serving more than 250,000 importers and exporters. Established in 1897 in New York, NCBFAA is the effective national voice of the industry. Through its various committees, counsel and representatives, the Association maintains a close watch over legislative and regulatory issues that affect its members. It keeps them informed of these and other related issues through its weekly Monday Morning eBriefing, and various meetings and conferences throughout the year.