January 28, 2018

To:
Secretary
U.S. Federal Maritime Commission

RE: Comment Letter – Docket No. 17-10; Proposed NSA/NRA Regulations

To Whom It May Concern:

As members of the Florida Customs Brokers and Freight Forwarders Association (FCBF), Kelly Global Logistics, Inc. fully support the National Customs Brokers and Freight Forwarders Association (NCBFAA) efforts to reduce or outright eliminate burdensome and unnecessary regulations affecting our members, particularly non-vessel operating common carriers (NVOCCs). Additionally, we applaud and thank the U.S. Federal Maritime Commission (FMC) for undertaking this review to modernize the regulations consistent with commercial practice. For many years, the FCBF and the NCBFAA have aligned with industry representatives advocating that tariff and rate filing requirements no longer serve a functional purpose. There are (3) main regulatory activities for which we support full reform.

1. The FMC should entirely exempt NVOCCs from publishing negotiated rate arrangements (NRAs) and filing requirements.

2. If the FMC will not repeal NRA publication, it should remove the significant limitation that precludes NVOCCs from amending NRAs and from including economic terms such as credit, minimum quantities, liquidated damages, etc. Additionally, acceptance and booking cargo should suffice as acceptance of the rate, in lieu of a written agreement.

3. The FMC should repeal its existing requirement for NVOCCs to file negotiated service arrangements (NSAs) or to publish essential terms of NSAs in their tariffs as this process is extremely cumbersome and is not used by the trade in day to day business as it does not reflect the realities of international trade and commerce.

Sincerely,

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