

FEDERAL MARITIME COMMISSION



Regulatory Status – 2017/18 Federal Regulations

(Items in red text indicate a change of status or new item)

January 12, 2018

Key Updates on IANA Policy Issues

Type	Date Posted	Title <i>(As Published in the Federal Register)</i>	Federal Register Page # (Vol. #)	Status
Notice of Proposed Rulemaking; Notice of Availability of Finding of No Significant Impact	11/30/17	[Docket No. 17–10] RIN 3072–AC68 Amendments to Regulations Governing NVOCC Negotiated Rate Arrangements and NVOCC Service Arrangements <i>Keywords: Federal Maritime Commission (FMC);</i>	<u>56781(82)</u>	FMC proposes rule to modernize Non-Vessel-Operating Common Carrier (NVOCC) Negotiated Rate Arrangements and NVOCC Service Arrangements to reduce regulatory burdens. Comments due 01/29/18.
Notice	11/06/17	Commission Publishes FY18-22 Initial Draft Strategic Plan <i>Keywords: Federal Maritime Commission (FMC); Maritime Law</i>	<u>Notice</u>	FMC seeks comments on their draft strategic plan for FY18-22. Comments due 12/6/17.
Meeting Notice	11/03/17	Sunshine Act Meeting <i>Keywords: Federal Maritime Commission (FMC); Maritime Law; Shipping Act; Ports</i>	<u>51253(82)</u>	FMC will hold a meeting on 11/08/17 to discuss Supply Chain Innovation Teams, among other topics.
Notice of Inquiry	06/01/17	[Docket No. 17–04] RIN 3072–AC69 Regulatory Reform Initiative <i>Keywords: Federal Maritime Commission (FMC)</i>	<u>25221(82)</u>	FMC is seeking comments on regulations that are outdated, unnecessary, or ineffective.
Notice	03/13/17	FMC Establishes Regulatory Reform Task Force <i>Keywords: Federal Maritime Commission (FMC); Shipping Act</i>	<u>Notice</u>	FMC is establishing a Regulatory Reform Task Force to identify burdensome, unnecessary, and outdated directives and come up with solutions.
Update	04/07/17	East Coast Gateway Terminal Agreement [FMC Agreement No. 012469] <i>Keywords: Federal Maritime Commission (FMC); Maritime Law</i>	<u>Notice</u>	FMC votes to allow the Georgia Ports Authority and the Virginia Port Authority to engage in discussion about commercial and operation topics. The East Coast Terminal Agreement will become effective 04/10/17.
Notice of Agreements Filed	03/02/17		<u>12350(82)</u>	The Georgia Ports Authority and the Virginia Port Authority file an agreement to engage in discussions about marketing and commercial opportunities, if approved by

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				FMC.
Notice of Agreements Filed	12/21/16	Global Ports Group Agreement [FMC Agreement No. 012449] <i>Keywords: Federal Maritime Commission (FMC); Maritime Law</i>	93685(81)	APM Terminals Management B.V., DP World Limited, Hutchinson Port Holdings Limited, Port of Rotterdam Authority, PSA International Pte. Ltd., and Shanghai International Port (Group) Co. Ltd file an agreement to authorize them to discuss, exchange information, and coordinate on issues affecting the efficiency and effectiveness of the container port industry. Agreement effective 01/28/17, pending FMC approval.
Announcement	12/14/16	THE Alliance [FMC Agreement No. 012439] <i>Keywords: Federal Maritime Commission (FMC); Maritime Law</i>	Announcement	FMC concludes review and approves THE Alliance agreement, effective 12/19/16.
Notice of Public Hearing Schedule and Request for Comments	12/26/17	Petition of the Coalition for Fair Port Practices for Rulemaking [Petition No. P4-16] <i>Keywords: Ports; Shipping Act</i>	60996(82)	FMC publishes witness list and schedule for hearings on the Coalition for Fair Port Practices' petition. Comments due 01/26/17.
Notice of Public Hearing and Request for Comments	11/16/17		Notice	FMC will hold hearings on the Coalition for Fair Port Practices' petition on 01/16/18 and 01/17/18. Interested parties must request to present testimony by 12/8/17.
Comment	2/28/17		All Comments	The World Shipping Council filed comments with FMC on the petition to initiate a rulemaking relating to demurrage, detention, and per diem fair charges, saying it is unsupported legally and would increase congestion.
Petition of the Coalition for Fair Port Practices for	12/28/16		95612(81)	FMC gives public notice of the Coalition for Fair Port Practices petition to initiate a rulemaking relating to demurrage, detention,

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Rulemaking; Notice of Filing and Request for Comments Petition for Rulemaking	12/07/16		<u>Petition</u>	and per diem fair charges. The Coalition for Fair Port Practices submits a petition for rulemaking to the FMC for the purpose of preventing marine terminals and container lines from charging demurrage and detention fees when port conditions prevent timely pick up of cargo or return of equipment.
Notice of Approval Notice of Agreement Filed	10/21/16 07/21/16	OCEAN Vessel Sharing Alliance <i>Keywords: Federal Maritime Commission (FMC); Maritime Law</i>	<u>Update</u> <u>47394(81)</u>	FMC concludes review and approves OCEAN Vessel Sharing Alliance, effective date 10/24/16. COSCO, CMA CGM, Evergreen Line and Orient Overseas Container Line are filing to form an alliance to share vessels and engage in cooperative activities in trade between Asia, Northern Europe, the Mediterranean, the Middle East, Canada, Central America, the Caribbean, and the U.S.
Update Notice of Agreements Filed	06/25/17 05/17/17	Port of New York/New Jersey Equipment Optimization Discussion Agreement [Agreement No.: 012420, 012445, and 012484] <i>Keywords: Federal Maritime Commission (FMC); Ports</i>	<u>Update</u> <u>22667(82)</u>	PANYNJ/OCEMA Discussion Agreement (No. 012484) goes into effect. PANYNJ and OCEMA file for agreement to collect and exchange information, discuss, and reach agreement upon matters relating to the Cargo Facility Charge levied by PANYNJ.
Update Notice of	01/09/17 12/07/16		<u>Update</u> <u>88237(81)</u>	FMC rejects PANYNJ and OCEMA's request for failing to meet the standards required by law. After receiving a request for more

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Agreements Filed Notice of Agreements Filed	06/29/16		<u>42356(81)</u>	information from FMC and subsequently withdrawing the agreement, PANYNJ and OCEMA re-file the Port of New York/New Jersey Equipment Optimization Discussion Agreement with FMC. PANYNJ and OCEMA file for agreement to collect and exchange information, discuss, and reach agreement on matters relating to cargo throughput, safety, intermodal equipment supply, congestion relief, among other topics.
Update	12/07/17	International Ocean Transportation Supply Chain Engagement <i>Keywords: Federal Maritime Commission (FMC), Ports</i>	<u>Report</u>	FMC releases final report on the Supply Chain Innovation Teams.
Update	07/11/17		<u>Update</u>	FMC launches the second phase of Supply Chain Innovation Teams initiative.
Update	12/06/16		<u>Report</u>	FMC releases an interim status report on the Supply Chain Innovations Teams.
Update	03/24/16		<u>Update</u>	FMC announces that the Supply Chain Innovation Team Initiative will officially launch 05/03/16.
Order	02/05/16		<u>6263(81)</u>	FMC Commissioner Dye is forming a supply chain innovation team, comprised of commercial sector supply chain leaders, to identify solutions to unresolved supply chain issues at the San Pedro Bay ports.
Update	10/31/16	U.S. Port Congestion: Examining Causes, Impact on Stakeholders, and Exploring Possible Solutions <i>Keywords: Truck, Ports, Federal Maritime Commission (FMC)</i>	<u>Report</u>	GAO recommends USDOT and port stakeholders share data to fight congestion in Congressionally-mandated study.
Update	07/14/15		<u>Report</u>	FMC releases report on current and future U.S. port congestion causes, consequences, and challenges.

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Update	04/03/15		<u>Report</u>	FMC has released a report assessing the impacts of port congestion on demurrage and detention fees.