



# **HELD & ASSOCIATES, INC.**

**INTERNATIONAL BUSINESS AND TRANSPORTATION SERVICES**

**International Freight Forwarder F.C. #2390-R**

**Air Freight Forwarder IATA #01-1-3041**

**Customhouse Broker #7409**

**ISPM-15 FACILITY #US352**

**NVOCC – Combined Transport Line (CQMB)**

**Federal Maritime Commission  
800 North Capitol Street NW  
Washington, DC 20573-0001  
Attn: Karen V. Gregory, Secretary**

**August 27, 2013**

**Subject: Comments concerning amendments to regulations governing ocean transportation intermediary licensing and financial responsibility requirements, and other duties**

**I am Richard Held, President of Held & Associates, Inc., a licensed Ocean Transportation Intermediary and NVOCC (FMC #2390-R). We have served our international trading clients through offices located in Kansas City, Missouri for 32 years.**

**As a member of the National Customs Broker and Freight Forwarders Association and a licensed practicing freight forwarder we are concerned about the regulations of the FMC managing our industry and indeed support of those requirements that create standards of professionalism and ethical business conduct. We respectfully offer our comments concerning the ANPRM.**

**-Proposal for forwarders to renew licenses every two years.**

**Currently under FMC license requirements we are required to inform the Commission of any changes in our corporate structure, officers, and directors, as well as office and other facility locations, as well as comply fully with all other Commission regulations. We feel the added requirement of license renewal every two years adds only administrative burden and cost without meaningful benefit to Commission regulatory capabilities or public benefit and are opposed.**

**-Increased bonding amounts requirements.**

**It is unclear to us why the Commission proposes to increase bond value amounts. The result of such bond increases would be increased costs to Forwarders (OTI's) particularly for small and inland port OTI's whose costs to support small city and town exporters is already higher than other industry services. What justification does the Commission have for increases?**

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Commercial, fiduciary, legal, and contractual responsibilities of a service provider to its client, in addition to commercial insurance carried by the OTI, including General Liability, Cargo (by the client and OTI) Errors and Omission, underwrite commercial protections to all parties, in addition to current FMC bond requirements; we believe these in combination with current FMC bond requirements are sufficient. Increased bond amounts are unnecessary and we oppose.

**-Small package household goods barrel trade**

We oppose reduced bond amounts and a special license for those involved strictly in small package household goods barrel trade, when the actions of these parties are those that result in the most complaints received by the FMC and were the focus of FMC fact finding investigation no 27, Unlawful, Unfair or Deceptive Ocean Transportation Practices Related to the Movement of Household Goods of Personal Property in US – Foreign Oceanborne Trades.

**-Publication of claims made by carriers and sureties related to transportation activities of forwarders or NVOCC's**

Publication of claims made against a forwarder or NVOCC by the FMC whether the claim is valid or not valid or that has or will be otherwise satisfied, could be very damaging to the reputation of the forwarder or NVOCC. We do not know of other transportation service providers that are subject to such public exhibition.

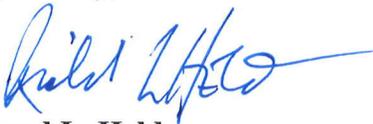
**-Proposed regulation requiring the name and license number of the principal OTI on all documentation of agents.**

There is a vast array of agency arrangements that are or can be constructed to successfully accomplish the movement of cargo, we respectfully submit that the proposed regulation would be very burdensome to administer. Any agents serve multiple OTP's; it would therefore be difficult for those parties to comply with the requirement. It is not clear to us what benefit the proposed regulation is attempting to accomplish.

We are in support of requiring individuals who are applying for a license to have gained three years of experience while working for a legally licensed freight forwarder.

Thank you very much for your consideration of these comments.

Respectfully,



Richard L. Held  
President  
Held & Associates, Inc.