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Congress of the United States

House of Representatives

Washington, DC 20515-0305

October 9, 2003

OFFICE OF THE SECRETARY
FEDERAL MARITIME COMM

Bryant L. VanBrakle
Secretary
Federal Maritime Commission
800 N. Capitol St., N.W.
Washington, D.C. 20573

Dear Secretary VanBrakle:

I write to you in support of petition P3-03 to exempt certain companies from the Non-Vessel Operating Common Carriers (NVOCCs) published tariff requirement. I appreciate your consideration of my concerns.

As you know, the Ocean Shipping Reform Act of 1998 gave the Federal Maritime Commission broad authority to grant exemptions during its authorization. Congress decided it was best to regulate NVOCCs under the published tariff system to protect shippers, but the ocean shipping market has changed dramatically in recent years with many ocean carriers consolidating services. NVOCCs will provide more efficient services to the American people if the rate structures among competitors are not public.

Shipping companies have consolidated since the passage of the Ocean Shipping Reform Act, and the ability of certain companies to use confidential service contracts will stimulate great competition in the ocean shipping market under the new conditions. The Ocean Reform Shipping Act provides ample authority for you to consider the arguments demonstrated in this petition. I believe in the end consumers will see additional benefits from this review of current law.

In compliance with all applicable rules and regulations; I respectfully request your attention to this matter. Thank you for your consideration.

Best regards,

J.D. Hayworth
Member of Congress