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THE FEDERAL WORKFORCE AND
THE DISTRICT OF COLUMBIA

October 15, 2003

Bryant L. VanBrakle
Secretary
Federal Maritime Commission
800 North Capitol Street, NW
Washington, DC 20573

Dear Commissioners:

I have recently been contacted by Non-Vessel Operating Common Carriers (NVOCCs) that operate in my state of Ohio regarding Federal regulations that do not apply to Vessel Operating Common Carriers (VOCCs). It is my understanding that some of these businesses have filed for an exemption (e.g. Petition P3-03) from regulations on NVOCCs that restrict the ability of these companies to enter into confidential agreements with their customers. I respectfully ask that you give full consideration to these petitions filed by NVOCCs.

As you know, revisions to the Ocean Shipping Reform Act implemented by Congress in 1998 imposed different regulations on NVOCCs than on vessel operators. Specifically, the 1998 revisions force NVOCCs to operate under a published price system that does not allow NVOCCs to enter confidential service agreements. It is my understanding that since the VOCCs know the rate NVOCCs must charge their customers, these VOCCs have an unfair, competitive advantage over NVOCCs during contract negotiations with customers.

NVOCCs play a vital role in the shipment of goods around the world. I ask that you give full consideration to these petitions, and I look forward to your timely response.

Sincerely,


George V. Voinovich
United States Senator

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