



NEWS IN BRIEF

Push for Quick Completion of NAFTA Negotiations Slowed

The Administration's push for a quick resolution to the North American Free Trade Agreement (NAFTA) negotiations have been slowed by a few issues between the three countries that are considered roadblocks, such as regional content rules for automobiles and other points. After seven rounds of meetings, representatives from the three countries have begun what the negotiators call a permanent round that will go on until the deal is finalized, but concessions will have to be made.

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GSP Review for India, Indonesia, and Kazakhstan

The Office of the U.S. Trade Representative (USTR) has announced a review of the Generalized System of Preferences (GSP) eligibility for India, Indonesia, and Kazakhstan. India's eligibility is being reviewed after the USTR received petitions from U.S. dairy interests and from medical device manufacturers complaining about Indian trade policies and pricing controls on imports of products from those two industries.

The USTR is reviewing Indonesia's eligibility because of its rules on foreign investment and barriers to U.S. services and goods. In addition, Kazakhstan is being reviewed because of a request from the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) dealing with the country's labor policies. India is the largest beneficiary of GSP benefits while Indonesia is 4th largest and Kazakhstan is the 12th largest.

ISF Importer Further Defined

U.S. Customs and Border Protection (CBP) has issued a Federal Register Notice (FRN) that broadens the definition of the Importer Security Filing (ISF). Per the new definition "filer" means, the party causing goods to arrive within the limits of a port in the United States. This includes the goods' owner, purchaser, consignee, or agent such as a licensed customs broker. The rule added this definition to include of the definition of the ISF filer for in-bond Immediate Exportations (IE) or a Transportation and Exportations (T&E) and goods being delivered to a Foreign Trade Zone (FTZ), while still allowing that the party filing the IE, T&E or FTZ may also be the ISF importer. Previously, the regulations said that for IE, T&E in-bond shipments and for goods delivered to an FTZ, the ISF importer was only the party that filed the IE, T&E or the FTZ documentation.

CBP has changed the language for the freight left on board a ship (FROB) without being unloaded in the U.S. The ISF filer will be the carrier or the non-vessel operating common carrier (NVOCC). Previously, only the carrier was the ISF filer for FROB.

The complete rule change can be found on the Federal register website here <https://www.gpo.gov/fdsys/pkg/FR-2018-04-12/pdf/2018-07624.pdf>.

PierPass Program is Being Overhauled

PierPass has issued a press release announcing major changes in the off-peak program at the Ports of Los Angeles and Long Beach. The ports will replace the current congestion pricing model with one that is based on an appointment system. They will also change the current program of charging a fee for picking up containers during peak hours and alternatively not charging a fee for off-peak pickup at nights and on Saturdays.

The new program will charge a much lower fee for all containers being picked up or dropped off in the two Ports at any time. The new fee schedule will help defray the costs of maintaining the night gates during the week and during the day on Saturdays. The current Traffic Mitigation Fee (TMF) of \$72.09 per TEU (twenty-foot equivalent unit) will be replaced by a new flat fee of \$31.52 per TEU and the rate for all other container sizes will be a flat fee of \$63. The changes in fees will also be accompanied by an appointment system at every terminal in the two Ports. The appointment is a main part for the terminals to mitigate traffic and avoid congestion.

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This new program is scheduled to begin on August 1, 2018. The West Coast Marine Terminal Operators Agreement (WCMTOA) members have presented their proposal to the Federal Maritime Commission and we can expect a 45-day comment period.

The PierPass press release can be found here <http://www.pierpass.org/news/pierpass-to-adopt-appointment-system-and-flat-fee-for-offpeak-program/>.

PierPass has also issued a list of Frequently Asked Questions, which can be found here <http://www.pierpass.org/wp-content/uploads/2018/04/QA-on-New-OffPeak-Program-4-16-18.pdf>.

A handwritten signature in black ink, appearing to read 'Todd Boice', with a horizontal line extending to the right.

By **Todd Boice**, President