

January 14, 2025

President-elect Donald J. Trump

Mr. Vinn White
Deputy Administrator
Federal Motor Carrier Safety Administration
1200 New Jersey Avenue SE
Washington, DC 20590

Re: Opposition to FMCSA's NPRM "Transparency in Property Broker Transactions"

Dear President-elect Trump and Deputy Administrator White:

On behalf of the Intermodal Association of North America (IANA), I write you today to share our concerns with the Federal Motor Carrier Safety Administration (FMCSA) Notice of Proposed Rulemaking (NPRM) titled Transparency in Property Broker Transactions (Docket No. FMCSA-2023-0257).

As the only transportation trade association that represents the combined interests of intermodal freight providers and customers, IANA represents more than 1,000 corporate members, including railroads, ocean carriers, ports, intermodal truckers and over-the-road highway carriers, intermodal marketing and logistic companies, and suppliers to the industry. IANA's associate (non-voting) members include shippers (defined as the beneficial owners of the freight to be shipped), academic institutions, government entities, and non-profit trade associations.

FMCSA's NPRM would impose unnecessary and burdensome requirements on freight brokers, mandating the automatic disclosure of sensitive records. The NPRM would not only disrupt the trust and flexibility essential to freight brokerage but also set a dangerous precedent for government intrusion into private business operations.

Of significant risk to the intermodal supply chain, the NPRM is likely to result in a "race to the bottom," forcing brokers to reduce rates excessively to secure business. Artificial rate cutting threatens the financial viability of freight brokerage operations. At the same time, the administrative burden introduced by the NPRM will drive up the cost of doing business. Intermodal transportation relies upon many modes and parties to work in concert; each provides a unique and invaluable service. The FMCSA's NPRM threatens this interconnected system that is essential to our nation's economic prosperity and competitiveness in the world marketplace.

For these reasons, IANA strongly opposes the NPRM.

Further, the FMCSA's proposal fails to address any meaningful issues within the supply chain and instead places unnecessary burdens on brokers who play a pivotal role in maintaining the efficient flow of goods.

We stand ready to work with the incoming Trump Administration and FMCSA to focus on the many issues impacting intermodal transportation, including:

1. **Combating Fraud:** Strengthen enforcement mechanisms to address bad actors in the industry, without penalizing the majority who operate honestly and efficiently.
2. **Protecting Free Markets:** Reaffirm the principles of capitalism by ensuring businesses retain the right to negotiate and operate without unwarranted government interference.

- 3. Supporting Industry Collaboration:** Encourage stakeholder collaboration to address transparency concerns without sacrificing the efficiency and competitiveness of the logistics sector.

The logistics and transportation industries are the backbone of the American economy, ensuring the movement of goods that sustain our lives and livelihoods. FMCSA's proposed rules threaten not only our industry but also the broader principles of free enterprise that define our nation.

We appreciate the opportunity to share our views and would be pleased to answer any questions you may have. I can be reached at areinke@intermodal.org or 301-982-3400.

Sincerely,



Anne Reinke
President and CEO
Intermodal Association of North America