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FMC Proposes Changes to Rulemaking Process to Expand Stakeholder Influence

On May 13, 2026, the Federal Maritime Commission (FMC) issued a Notice of Proposed Rulemaking that could substantially revise its rulemaking procedures, with a focus on modernizing and streamlining how the public can engage with and influence the FMC's regulatory agenda.

The proposed changes consolidate and simplify the FMC's rulemaking framework, remove outdated and overly restrictive requirements, and align the agency's processes with modern eRulemaking practices. Importantly, the proposed rule makes it easier for interested parties to petition the FMC for new rules or regulatory changes. The proposal would meaningfully shift how maritime stakeholders interact with the FMC and signal a deliberate effort by the FMC to encourage earlier and more robust stakeholder engagement in the regulatory process.

What this means to you

This proposed rulemaking presents a significant opportunity for industry members to effectively shape FMC policy and regulatory outcomes. Shippers, intermediaries, and carriers should review the proposed changes and consider submitting comments on the FMC's proposal.

More broadly, industry members may also consider taking a more proactive approach to regulatory engagement. Meaningful regulatory change at the FMC has often occurred through industry advocacy, and these procedural reforms underscore that regulatory change is not limited to agency-initiated actions; stakeholders themselves play a critical role in initiating and shaping policy, particularly where industry-wide concerns are supported by coordinated input. This includes preparing and submitting comments during open rulemaking

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proceedings to ensure their perspectives are part of the administrative record and leveraging petitions for rulemaking as a strategic tool to seek clarification, amendment, or repeal of existing FMC rules.

Contact us

Husch Blackwell routinely assists clients in preparing and submitting comments to federal agencies, including the FMC, and in developing strategic advocacy efforts to advance regulatory objectives. Our team can help identify opportunities for engagement, draft persuasive comment submissions, and coordinate industry participation to maximize impact.

If you have questions regarding this rulemaking or would like assistance preparing comments or pursuing regulatory change before the FMC, please contact Julie Maurer, Benjamin Nashed, Serena Tang, or your Husch Blackwell attorney.