



Via: Email Secretary@fmc.gov

October 13, 2023

Federal Maritime Commission

ATTN: Secretary William Cody

Federal Maritime
Commission
800 North Capitol Street, N.W.
Washington, D.C. 20573

Re: [Docket No. FMC–2023–0016] Request for Information

Dear Secretary Cody:

For over 100 years, the American Association of Exporters and Importers (AAEI) has served as a prominent national voice for the United States' international trade community. AAEI proudly represents a diverse range of industry sectors within the global trade landscape, comprising manufacturers, importers, exporters, wholesalers, retailers, and various service providers such as customs brokers, freight forwarders, trade advisors, insurers, security providers, transportation interests, and ports. Many of these entities are small businesses seeking opportunities to export to foreign markets. AAEI's primary focus lies in promoting fair and open trade policies, advocating for companies involved in international trade, and addressing essential issues like supply chain security, export controls, non-tariff barriers, import safety, and Customs and Border Protection (CBP) matters. As the premier U.S. international trade organization, AAEI is recognized for its expertise in the day-to-day facilitation of trade, including the administration and compliance with import and export laws of the United States, making it an indispensable resource for those directly involved in and impacted by developments in international trade.

General Comments

AAEI members support efforts by the FMC to improve communication and data availability in order to ease the flow of data and potentially provide positive results including fewer and shorter duration instances of congestion; quicker movement of import and export shipments; assessment of fewer storage fees; and a reduction in in cargo holds thereby improving supply chain effectiveness and efficiency. Changes made to achieve these goals will save U.S. importers and exporters time and money for the benefit of the U.S. economy.

Specific Comments

Responses to the questions raised by FMC in the request for information published on August 16, 2023, are as follows:

1. What are the data points during the shipping process that are least likely to be available/accurate? What are the most accurate and visible data points?

- Many importers/exporters focus on the following data points in the shipping process:
 - Carrier Receipt
 - Estimated Time of Departure
 - Actual Time of Departure
 - Estimated Time of Arrival
 - Actual Time of Arrival
 - Estimated Time of Container Availability
 - Actual Time of Container Availability
 - Transshipment Estimated Time of Arrival
 - Transshipment Actual Time of Arrival
- All data points are typically available prior to departure from the origin location, although accuracy can be an issue sometimes with any/all of them. Carrier origin offices typically stop monitoring the shipment at the time of departure, and the destination offices will not monitor the shipment until they are expected to arrive at their destination. This results in a period of limited in-transit visibility while the cargo is on the water.

2. What data points are the most important to have accurate and in advance to facilitate planning of service? How often do you receive them accurately and in advance? How are changes communicated to you?

The most crucial data points for efficient service planning are the Earliest Receipt Date and Cutoff on the export side, as well as the Documentation Cutoff. These milestones set the foundation for a smooth process. On the import side, the Sail Date and Arrival Date hold paramount importance. For both exports and imports, the Estimated Departure Date and Actual Departure Date. Ensuring that there is sufficient export equipment available for pickup well in advance of the port cutoff is of critical significance. Any misinformation regarding equipment availability, such as instances where equipment is listed as accessible but isn't present when the trucker arrives or is made available only shortly before the cutoff, can lead to dry run fees and rolled shipments.

3. What is the best way for you to receive data from carriers/MTOs/etc. (e.g., EDI, API, email)?

EDI, API, and automation when possible, however, many importers/exporters are not connected to the carriers. Freight forwarders serve as the interface between carriers and importers/exporters, so it is up to freight forwarders to manage data transmission with carriers. There is also a need for post-arrival data from inland rail transportation, including container pickup availability, when possible and available.

4. How do you currently receive data from carriers/MTOs/etc. (e.g., EDI, API, email)?

Freight forwarders are the interface between carriers and importers/exporters. The data sent and received to and from freight forwarders are EDI/API and file uploads or operating system access and emails.

5. What share of containers do you believe to be available, but when you attempt to pick them up, they are not available? What is the cost impact of these delays?

- For exports, this number was much higher during the height of the COVID-19 pandemic than it is now. This is very rarely occurring in today's operating environment as importers/exporters work with carriers to ensure that there is equipment available at the time of booking. When there are spot issues where containers may not be available, carriers will typically have them replenished within 24-48 hours. Impact includes sitting on inventory, customer shutdown, and negative impact on customer experience.

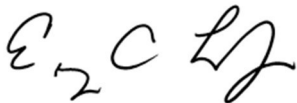
- Container availability information, along with chassis, is vital. Having more information and visibility about: empties available, loaded out, loaded in, empties in, along with chassis availability data by the provider, would be beneficial.

6. What share of containers could you have picked up earlier if you had been notified that they were available earlier? What is the cost impact of these delays?

Members report typically pulling containers several days prior to the scheduled cutoff based on free time agreements, allowing them to plan, pick/pack/load, and dispatch containers back to the port/railhead. Members report incurring significant costs for pulling a container earlier than the free time, for some members estimated to total more than \$10 million annually. Not all containers are urgent, so there should be an option for BCOs (and/or their drayage carriers) to schedule container pick up prior to discharge from the vessel so that the container movement on the terminal is minimized.

If you have any questions or require any clarification of our responses, please contact my staff lead Mitchell Hart at Mitchell.hart@aaei-hq.org.

Sincerely,



Eugene C. Laney
President & CEO