

January 7, 2025

Chairman Daniel Maffei
Commissioners Rebecca Dye, Louis Sola, Max Vekich
Federal Maritime Commission
800 North Capitol Street NW
Washington, D.C. 20573

Subject: December 8th NSAC recommendations approved to submit to the Commission

Dear Chairman Maffei and Commissioners Bentzel, Dye, Sola, and Vekich:

I am writing to formally notify you that the members of the National Shipper Advisory Committee (NSAC) continue their diligent and focused work in our subcommittees and our final public committee meeting on December 3, 2024. The full committee reviewed, discussed, voted upon, and subsequently approved recommendation for the Federal Maritime Commission.

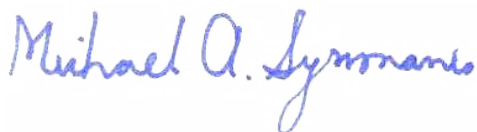
This recommendation is listed below and has been attached to the e-mail containing this letter:

**Data Subcommittee Recommendation for the Federal Maritime Commission (FMC) on
Maritime Data Transparency and Harmonization**

We believe the Data Subcommittee recommendation aligns within Commissioner Bentzel's overall MDTI initiative. We look forward to receiving a response for this recommendation before our first meeting in 2025.

Should the Commission have any questions related to this recommendation, please contact Mr. Gabriel Rodriguez Data Subcommittee Chair or myself.

Sincerely,



Michael A. Symonanis
Chair, National Shipper Advisory Committee
Director, Strategic Network
Louis Dreyfus Company

**Data Subcommittee Recommendation for the Federal Maritime Commission (FMC)
on Maritime Data Transparency and Harmonization**

Rationale: The Federal Maritime Commission's Marine Transportation Data Initiative (MTDI), led by Commissioner Carl Bentzel, has spotlighted significant challenges in maritime data transparency and harmonization. The initiative has stimulated meaningful progress within the maritime industry, particularly in the adoption of standardized data transmission protocols, such as those established by the Digital Container Shipping Association (DCSA). However, there is broad consensus among industry stakeholders, the FMC, and Congress, that further regulation may be premature, and could inadvertently hinder ongoing efforts. Given these concerns, this recommendation proposes an alternative path, requiring the FMC to provide regular updates to Congress on the state of maritime data transparency and harmonization. This approach will ensure continued attention on this critical issue without imposing rigid regulatory measures that may stifle innovation.

Recommendation for Q4-2024: The National Shipper Advisory Committee recommends that the Federal Maritime Commission, starting from calendar year 2025 of annual agency reporting, includes reporting on maritime data transparency and harmonization, in its annual report to Congress, pursuant to 46 U.S.C. § 46106. This new reporting will help ensure ongoing transparency and alignment between industry practices and government oversight, with the goal of fostering a competitive and efficient ocean transportation system for U.S. foreign commerce.

It is recommended that the reporting includes a detailed account of:

1. The current status of maritime data elements, metrics, transmission methods, and industry efforts toward standardization.
2. Actions taken by the Commission and maritime industry stakeholders to enhance data transparency and harmonization.
3. Best practices or recommendations formulated by the FMC and the industry related to the adoption and advancement of data standards.

The reporting may cover, but does not have to be limited to the following data elements from existing NSAC data recommendations:

1. Shipment Level Data Alignment – December 8, 2022

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2. Container Level Data Alignment – December 8, 2022
3. Intermodal Data Alignment – December 8, 2022
4. Consistency and Alignment of Data – May 11, 2023

Additionally, the National Shipper Advisory Committee recommends that, if necessary, the Federal Maritime Commission support legislation to enact an amendment/technical correction to OSRA 22 to include maritime data transparency and harmonization in FMC's existing annual report to Congress of 46 USC section 46106:

(e) Report on Data Transparency and Harmonization of Cargo Movements Amongst Maritime Supply Chain Stakeholders.

1. The Federal Maritime Commission shall publish, and annually update, both on the FMC website and in its annual report to Congress, a detailed account of: a. The current status of maritime data elements, metrics, transmission methods, and industry efforts toward standardization. b. Actions taken by the Commission and maritime industry stakeholders to enhance data transparency and harmonization. c. Best practices or recommendations formulated by the FMC and the industry related to the adoption and advancement of data standards.
2. This report will include all entities regulated by the FMC under Chapter 401 of this title and any applicable functions related to Chapter 401.

Purpose: The purpose of this report is to enable the FMC to continuously monitor, encourage, and guide advancements in data standardization and availability within the maritime industry. This monitoring aligns with the FMC's statutory mandate under 46 U.S.C. § 40101(2) to maintain an efficient, competitive, and reliable ocean transportation system that supports U.S. foreign commerce. Furthermore, this effort will promote the growth of U.S. exports through a more transparent, predictable, and responsive shipping system.

Why This Recommendation is Critical:

1. The FMC's MTDI and Commissioner Bentzel's leadership have already yielded measurable improvements, such as the widespread adoption of DCSA standards for tracking and vessel scheduling.

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2. Regulation may not be necessary or feasible at this time given current industry momentum and the lack of appetite for new regulatory frameworks at both the FMC and in Congress.
3. The establishment of this annual reporting requirement will maintain focus on maritime data transparency and harmonization, keeping Congress informed without placing undue regulatory burdens on the industry.
4. The FMC will retain the ability to recommend legislative or regulatory actions if industry efforts stall or regress, preserving the flexibility to respond to future challenges.

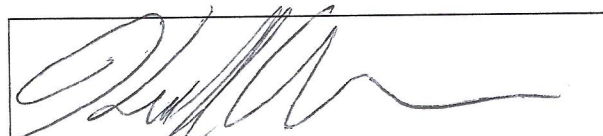
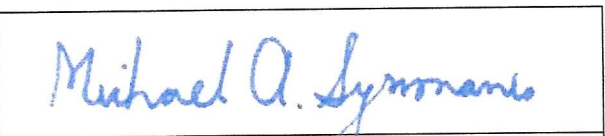
This recommendation directly supports the goals outlined in the MTDI, aligns with the Commission's authority under 46 U.S.C. § 46106, and will help ensure that the progress made in maritime data transparency continues into the future.

Full Committee Vote Q4 Public Meeting, December 3, 2024, Surface Transportation Board Hearing Room, Washington DC:

Yay: 20

Nay: 01

Full Committee Signatory:

	
Ken O'Brien Vice-Chair	Michael A. Symonanis Chair