

FEDERAL MARITIME COMMISSION

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NATIONAL SHIPPER ADVISORY COMMITTEE

Case No. FMC-17-G-0015-0001

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WEDNESDAY, OCTOBER 27, 2021

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The meeting of the Federal Maritime Commission convened remotely via teleconference, pursuant to notice at 1:00 p.m., Daniel B. Maffei, Chairman, presiding.

COMMISSIONERS PRESENT:

DANIEL B. MAFFEI, Chairman

CARL BENTZEL, Commissioner

REBECCA F. DYE, Commissioner

MICHAEL A. KHOURI, Commissioner

LOUIS E. SOLA, Commissioner

STAFF PRESENT:

DYLAN RICHMOND, Designated Federal Officer

NSAC COMMITTEE MEMBERS:

BRIAN BUMPASS, Brenntag North America, Inc., Chair

MIKE SYMONANIS, Louis Dreyfus, Vice Chair

PARTICIPANTS (CONT'D):

BOB CONNOR, Mallory Alexander  
International Logistics

MICHAEL BROCK, Walmart

JUSTIN CAULEY, CHS Inc.

CHRIS CRUTCHFIELD, American Commodity  
Company

RICK DIMAIO, Office Depot

SCOTT FREMONT, Target

SEAN HEALY, Scoular Company

STEVEN HUGHES, MEMA/Auto Care Association

ALEXIS JACOBSON, BOSSCO Trading

FERNANDO LAGONELL, DuPont

ALISON LEAVITT, Wine and Spirits Shippers  
Association

DANIEL MILLER, Cargill

DEBB MINSKEY, IKEA

JENNIFER MORRISSEY, Ocean Spray  
Cranberries

KENNETH O'BRIEN, Gemini Shippers Group

ADNAN QADRI, Amazon

RICHARD ROCHE, Mohawk Global Logistics

GABRIEL RODRIGUEZ, A Customs Brokerage

RANDY STRAIT, Tyson Foods

PARTICIPANTS (CONT'D):

JOSHUA WOODS, Blue Diamond Growers

COLIN YANKEE, Tractor Supply Company

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## P R O C E E D I N G S

MR. RICHMOND: All right. I think we are going to go ahead and get started this afternoon. There might be a few folks still joining, but, like, we have a quorum of the committee. And we also have some of the commissioners on the line as well.

I want to thank you for attending today's first meeting of the National Shipper Advisory Committee. My name is Dylan Richmond, and I'm the designated federal officer for this committee. The agency is excited to see the committee get to its work and provide advice to the agency. There has been a lot of interest in the international ocean shipping recently, and the timing for this committee certainly had been fortuitous.

We have a few requests for participants before getting started. Please mute your microphones and keep your video off, if you're not a committee member or Commissioner. The only people allowed to speak or be on the screen during

today's meeting are the committee members, the commissioners or their designees, and the designated federal officer. The meeting hosts reserve the right to remove people who are disruptive to the meeting. If participants have any issues, you should be able to chat the meeting hosts in the bottom right. Today's meeting is being recorded by a court reporter, and minutes will be developed from the recording and notes taken by FMC staff.

We have a packed agenda this afternoon. First, the committee will hear remarks from each of the commissioners. Then I will provide a brief overview of my role as DFO, how the Commission intends to engage with the committee, and some important bylaws for the committee members. After that, we will have the committee members introduce themselves, followed by the announcement of the chair and vice chair. We will then have a short 10-minute break before reconvening for a roundtable discussion of the committee on topics that are of interest to both the committee and the

Commission.

Being at this point, I would like to turn it over to Chairman Maffei to begin the Commissioner remarks.

CHAIRMAN MAFFEI: Okay. Thank you very much. And it's good to see so many familiar faces, but also good to see a few new people that I have not had a chance to meet. I am very, very pleased to be here as it marks an important milestone, but I really want to give credit where credit is due, and that's to Commissioner Rebecca Dye, who has proposed gathering the shippers in this way to provide input for the international freight delivery system. She's advocated this for many years, and it, in fact, was part of her interim recommendations in Fact Finding 28 way back in 2018. Anyway, as time has passed, of course, the need for this group has only escalated, proving how prescient and wise Commissioner Dye is.

So, I would ask that the meeting organizers come back to me -- Dylan, if you could

come back to me after Commissioner Bentzel, but I want to get right to Commissioner Dye because this is really due to a lot of her work and thought. So, let me yield to her first.

MR. RICHMOND: Commissioner Dye?

COMMISSIONER DYE: Thank you very much, Chairman Maffei. I have long advocated for a board of this type as -- to act as advisors to the FMC, and I'm delighted that this meeting can be held today. Thanks to our supporters and the House of Representatives and the Senate for propelling this board forward. I know many of you from your participation on FMC innovation teams, and many of your companies as well. And I very much appreciate that.

Now that we're able to travel, some people are planning to come to the FMC soon for what I'm calling many teams on a couple of very specific topics that we identified last year. I'll keep you involved and informed as we progress with those.

I'm planning to recommend to the



Commission that we form also an FMC ocean carrier and marine terminal and ports advisory board, and perhaps a certain of your subcommittees may wish to meet with that board when we get it stood up, I will say ambitiously.

So, thank you for your willingness to serve. Right now, we need fresh, broader perspectives on the freight delivery system and other issues. I very much look forward to working with you. Thank you again. Good day.

MR. RICHMOND: Thank you, Commissioner. I believe Commissioner Khouri is not with us today, but I believe he has some remarks that were going to be delivered.

SPEAKER: Entered into the record.

MR. RICHMOND: Entered into the record. And so, we will share those with the committee afterwards and include them in the minutes.

And I believe Commissioner Sola is traveling today and is not on the call.

Assuming that's the case, Commissioner Bentzel, are you there?

COMMISSIONER BENTZEL: Hi, Dylan. I'm here.

MR. RICHMOND: All right. Thank you. Please go ahead.

COMMISSIONER BENTZEL: I just wanted to thank -- I know many of you -- many of the shippers on the Advisory Committee, and I look forward to meeting the others as we go through this process. I think it's critically important to consider these issues at this point of this juncture where our nation is suffering with the -- wrestling with the problems that we have on ocean shipping. As you move forward, your authorities under the committee are those of your own, and so your judgment on what you want to do and what you want to pursue is that of yours. I will be working and listening and coordinating with your advisory committee. I look forward to all of the recommendations that you'd make. I'm very supportive of this effort. I think it's something that we've long overdue.

And I'd echo the comments of the

Chairman with respect to Commissioner Dye's efforts to get this set up. And I also agree with her proposal to establish a separate advisory committee. And I think that this is the template. I hope this is the committee that can show us the way in how we can do this and how we can use this productively to come up with the better system of regulating motion shipping.

I would urge -- actually, there's a lot of interest out there publicly on this committee -- the Shipper Advisory Committee was on the phone with someone today -- that's not on the Advisory Committee. So, as you move forward, I would recommend that you think of a way to incorporate broader views, the broader views of shipper communities out there. There's a lot of interest. There's a lot of willingness to provide input. And so, I think it's worthwhile to solicit this wider selection of views and recommendations as possible.

But I just wanted to thank you for your service. This is a very -- in my view, a very

honorable assignment and something that I hope will be something -- as you look back in your career, it's something that you'll look as a mark of distinction.

So, with that, Mr. Chairman, I'll turn it back over to you. But good luck going forward, and I look forward to working with you.

CHAIRMAN MAFFEI: Thank you very much, Commissioner Bentzel. And thank you to Commissioner Dye, who is usually modest and not claiming credit for this, but she worked so hard. And I too like Commissioner Bentzel's support of the concept.

I also want to say that Commissioner Khouri and Commissioner Sola both have statements for the record. But they also wanted me to just thank you on their behalf for your service.

And, you know, I don't -- look, we are five independent commissioners, all independently appointed for periods of -- a term that doesn't change with the change in the White House. Nonetheless, I know I can speak for all five of

us, former Chairman Khouri, Commissioner Sola, and of course, you've already heard from Commissioners Dye and Bentzel. So, I'll speak for all five of us in saying that all five of us, you have complete buy-in from us, and that I think is important. You know, we all want to give you the autonomy you need, but also we're all interested in your work and where that will lead.

I do want to note that I am extremely grateful to the efforts of the FMC staff to get this committee up. I won't, you know, single out particular people, but obviously, the Office of the Secretary is -- was absolutely key in this and some people from the Office of the Chairman as well. Although this group's inception was envisioned and authorized well before the current supply chain crisis, it is a tool that we certainly need as we look for ways to help the industry move forward in a productive way.

When the Commission met earlier this month, I shared some broad suggestion discussion topics with the committee, and I've also shared a

detailed list with Mr. Richmond and with the FMC team supporting the committee, and as some of my colleagues as well.

My hope is that these are conversation starters and none of this should be seen as, you know, a prescription of what you must do. But I do hope that these are conversation starters that will help the committee focus on some of the crucial challenges that are not only with us today, but have been historically very difficult to solve. In particular, I'm asking you to look at what's necessary to increase cargo fluidity through technology and data sharing. I'm looking for an honest discussion of fees. What's outrageous? What's tolerable? What may even be important to keep cargo flowing, what the Commission can do, and some feedback on whether the Commission's actions so far are making a difference, particularly in regard to detention and demurrage charges. We'd love some ideas on service contract, that procedure, and how that could be reformed in a way that could be

beneficial. I'm looking for how the Federal Maritime Commission can address gaps in knowledge of shippers through seminars or other kind of outreach, or maybe something we haven't even thought of yet.

And then finally, how actions of other federal agencies might be harming or might be able to help. One of the things that we've tried to do, and that I will say the administration -- the Biden administration has been very supportive of, is reaching out to other independent commissions, like the Surface Transportation Board, but also other piece or parts of the government, like the Department of Transportation. And so, it would be helpful if you did some thinking on that.

I've said it many, many times before, and I'll say it again now. Increasing our understanding and the cooperation to get through the current disruption in the industry is extraordinarily important. It's always tempting to demonize a particular sector, and, you know, sometimes the ocean carriers or the terminal

operators or anyone will get that. But I think if we really want to see positive change, we must all be prepared to come to the table to work together and to work with others through the industry. And that is what I think this committee can be a great catalyst for.

So, again, I want to thank you for your service, particularly given how much you're paid. No one is paid anything for this, so you didn't miss a memo. And I want to thank you for your time. I truly believe this is an important endeavor.

Back to you, Dylan. I feel like I'm back in broadcast news. Back to you, Dylan.

MR. RICHMOND: Thank you, Mr. Chairman and commissioners for your remarks.

All right. So, I would like to provide some brief remarks on the role of the designated federal officer or the DFO, how the Commission intends to engage with the committee, and some bylaws for the Committee members.

This is the Commission's sole federal



advisory committee currently, so I thought it might be a good idea to sort of lay out some of these ground rules that apply to federal advisory committees. Like the commissioners, I want to emphasize that the committee is ultimately responsible for its work and what ideas it pursues.

The designated federal officer, also known as the DFO, is a role that is required under the Federal Advisory Committee Act. It operates as the primary liaison between the agency and the committee. This role is primarily administrative in nature, but it does include some important responsibilities as it relates to the committee's business. The DFO is responsible for calling meetings of the committee. And the DFO must be in attendance at each and every committee meeting. And it also will adjourn committee meetings.

Along with calling the meetings, the DFO must approve the agenda before any full committee meeting. However, it is our intention for the chair and vice chair to be the ones primarily

responsible for setting the agenda. I will be in touch with the agency leadership as agendas are developed to gather any input they may have and keep them informed of the committee's activities. If the committee chooses to form subcommittees to conduct its work, those must be approved by the DFO and meetings intended by the DFO or an alternate DFO.

There are also other duties for the DFO to ensure efficient operations of the committee: Proper recordkeeping and compliance with Federal Advisory Committee Act regulations.

The Commission will turn to the committee for advice and then expertise, but the committee is not limited to only taking taskings from the Commission. The chair and vice chair will play a very important role in guiding the committee's discussion and scope of work.

At this point, I would like to go over a few important bylaws for committee members. These will be circulated to the committee shortly after the meeting. Membership of the committee balances

many aspects and viewpoints of the international ocean freight delivery industry. Therefore, member attendance and participation at meetings is vital. Members are expected to adequately prepare for, attend, and meaningfully participate at meetings.

Members may not use their access to the federal government as a member of this committee for the purpose of soliciting business or otherwise seeking economic advantage for themselves or their companies or employer.

The committee as a whole may advise the Commission on legislation or recommend legislative action, but in their capacity as committee members, individual members must not petition or lobby Congress for or against particular legislation or encourage others to do so. Members of the Committee are advisors to the Commission and have no authority to speak for the committee outside the committee structure. Members of the committee have no authority to speak for the Commission or the U.S. government. And members

cannot testify before Congress in their capacity as a member of the committee. The Commission will soon be adopting bylaws for the committee's use, and you guys will see this in writing shortly.

I think at this point that concludes what I would like to say. I want to start turning it over to the committee and have them introduce themselves. We are actually somewhat ahead of schedule, so committee members, your introductions can be a little longer than I indicated.

But the first one I would like to call is -- I'm going to go in alphabetical order by last name. It's Michael Brock from Walmart.

MR. BROCK: Yeah, thanks, Dylan. So, Michael Brock here. I've been with Walmart for about 24 years in a variety of supply chain roles, and first time on the global side over a year ago. So, my first experience with this global side of the supply chain has been over the last year, so it's been an exciting one, to say the least. But, you know -- and I've spent time on the inventory side. I've spent time on the transportation,

domestic side. I've spent time on the distribution side throughout my 24 years. And then obviously the last year, from origin all the way through destination. And I've got responsibility to deliver to our regional DCs that are within 100 miles of our stores for the most part.

But really excited to be on the advisory board and support this initiative to help us move forward.

MR. RICHMOND: Thank you, Michael. Next up is Brian Bumpass of Brenntag North America.

MR. BUMPASS: Hi, everybody. Thank you for having us today and for inviting us to be on this committee. As Dylan just indicated, my name is Brian Bumpass. I'm the director of Logistics and Transportation for Brenntag North America, which is the North American subsidiary of Brenntag AG, one of the largest chemical distributors globally.

I've been with Brenntag since 2012. And my responsibilities include the management of all

international trade, import and export, as well as trade compliance. And in addition to that, the domestic spend that we have, not including our private fleet, so that would cover both tanker trucks, full truckload, less than truckload, any sort of flatbeds, and project cargo that we have moving as well.

Before that, I was an export sales representative with Evergreen Line. And actually, I served Gabriel's account for a while down in Miami, so it's good to see a familiar face in this group.

Anyway, thank you so much again, and I look forward to working with these guys in hopes of, you know, moving forward into a positive direction.

MR. RICHMOND: Thank you, Brian. Next we have Justin Cauley with CHS.

MR. CAULEY: Thanks, Dylan. So, I'm Justin Cauley. I'm the director of Transportation at CHS Inc. CHS Inc. is the nation's largest farmer-owned cooperative.

I graduated in ag business from the University of Illinois. And I started my career selling commodities internationally in containers. I came to CHS about eight years ago to build a container export program. I have since now moved to oversee all transportation at CHS that includes ocean vessels, barges, rail. In addition to this, I served on the Surface Transportation Board, National Car Council. I currently live in St. Paul, Minnesota, and I'll be graduating with my MBA from the University of Minnesota at the end of this year.

MR. RICHMOND: Thanks, Justin. Next is Bob Connor with Mallory Alexander.

MR. CONNOR: Thank you, Dylan. I will come in under a minute.

I started my career in the ocean transportation industry in 1978 with United States Lines. At that time, Malcolm McLean was the owner of the U.S. Lines. And for all of you who may not recognize that name, he is the individual credited with really being the founder of container

shipping.

In my 40-year career in the industry, I spent half of it on the carrier side, and the second half of it on the forwarding and the international logistics side. While a carrier, I had the opportunity to work with some real industry pioneers, such as Don Aldridge, Jacques Saadé at CMA, Hapag, and Senator Line. And during my career, I had the opportunity to be the president of Senator Line for a few years. And also, I was the president of Hamilton Terminal Company, which is a subsidiary of Hapag-Lloyd, responsible for providing M&R services to the chassis and container industry, as well as to offering the significant container drayage operation. During my 20-year career on the carrier side, I would advise that unfortunately during those years, most of the carriers generally lost money.

In 1999, I left the carrier side to go to what has my (inaudible) college referred to, to go to the dark side and work for -- in the



floating industry in the area of ocean transportation procurement.

Currently, I'm most fortunate to be part of Mallory Alexander International Logistics. We're a 100-year-old company owned by the Mallory family. And we are arguably the largest international and foreign warehousing distribution company in the ag export market. Combined with the thousands of containers that Mallory moves under its NBO banner, the Mallory transportation systems, the company is ranked as one of the top companies in the world.

During my entire career of 40 years, I have never seen conditions that we experienced today, and it's my sincere hope that our community will have the positive influence to develop constructive, but not overreactive change to shipping regulations as contained under the Ostra '21 Initiative.

Finally, I'd like to make a few quick thank you's. I'd like to thank the Mallory family for their commitment to the industry and giving me

the time to participate in the unset group. I'd like to thank the Board of Governors of the New York/New Jersey Forwarders and Brokers Association, colleagues of mine for their nomination to participate in the committee. I'd like to thank Chairman Maffei and the other FMC commissioners for including me as part of NSAC. And finally, I would like to extend a special thanks to former Chairman Michael Khouri and Commissioner Rebecca Dye for the opportunity to have worked with them in the past on other projects.

MR. RICHMOND: Thanks, Bob. So, next up is Chris Crutchfield with American Commodity Company.

MR. CRUTCHFIELD: Hello, everyone. I'm excited to be here with you today.

My name is Chris Crutchfield with ACC Rice in Williams, California, in Northern California. We're a soup- to-nuts rice company. My partners and I produce rice. And we have drying and storage facilities, as well as milling,

packaging, marketing, shipping side of things. I -- along with being CEO of the company, I handle all of the marketing and sales and shipping and logistics side of things. We do a little over 100,000 tons of rice in the export market every year. Most of that goes to the Port of Oakland in containers. Some of it goes through Sacramento and Stockton and Breakbulk.

But, yeah, seriously, I'm struggling with the times these days, and I look forward to working with all of you and coming up with some solutions and trying to figure out some ways to make agricultural commodities move out of the United States in a more effective and efficient way. Thank you.

MR. RICHMOND: Thank you, Chris. Next is Rick DiMaio with Office Depot.

MR. DIMAIO: Hi, everybody. Thanks for including me in this important effort. I'm thrilled to be on this team and meet and work with many of the people that are on the call today. I am the senior vice president of Supply Chain for

Office Depot. I've been there about 10 years. I've got responsibility for all the strategy and execution in supply chain.

Prior to that, I spent 23 years doing the exact same thing for Sears and Kmart. That Sears logistics services were around that organization, and it's a third party arm as well. I've had sea freight experience, international shipping experience in both companies.

And I too echo some of the sentiment that I heard earlier, some of the introductions about never having a bigger challenge in this space than we see right now, so I'm thrilled to be part of this. And thank everybody for the opportunity.

MR. RICHMOND: Thanks, Rick. Next up is Scott Fremont with Target.

MR. FREMONT: Thank you, Dylan. And thank you to the Chairman and commissioners for establishing the group of shippers here to help support such a vital part of our country's economy.

Scott Fremont. I'm the vice president of Transportation for Target. This includes our international logistics, global trade services, domestic inbound transportation, and then all of our domestic outbound transportation to our stores. I've been at Target for 15 years. Various roles, including ecommerce, merchandising, and inventory management. I'm excited to represent Target and looking forward to working with this committee in helping to co-create some solutions to help drive changes across our supply chain. Thank you.

MR. RICHMOND: Thank you. Next is Sean Healy with Scoular.

MR. HEALY: Hi, good afternoon. My name is Sean Healy. I'm the director of Ocean Freight for the Scoular Company. Scoular is a 130-year-old agri commodities trading company. We're headquartered in Omaha, Nebraska. I'm based in Minneapolis, Minnesota. We ship about 140,000 TEUs annually globally. The majority of that volume is exported volume from United States

primarily to Asia. And, you know, it's animal feed, it's grain. It's some food items as well.

I previously served on Commissioner Dye's export -- supply chain innovation team, as well as Fact Finding number 29. I also served on (inaudible) advisory board, as well as the New York Shipping Exchange member council.

And I just look forward to working with all of you, and I'm happy to be here.

MR. RICHMOND: Thanks, Sean. Next, we have Steve Hughes, who represents MEMA and the Auto Care Association.

MR. HUGHES: Good morning and/or good afternoon, everyone. Thank you very much for allowing me to join this Commission or this advisory committee. Its work couldn't be -- or its - starting in this committee couldn't come at a more important time in the supply chain disruption. I think it's a kind word to describe what we're going through right now.

My background is I've been in the automotive parts industry my whole career. I

started back in the early '70s parts store and ended up getting recruited to become purchasing and supply chain management at one of the largest importers in the United States in the automotive aftermarket.

Throughout my career, I've been involved in the international logistics purchasing, so I have experience on -- a significant experience on the purchasing side. But then in about 2014 when we started having labor issues or discussions that is on the West Coast, and we had some issues similar to what we're seeing today, although not quite as bad, our industry reached out to me to supply them with information of what was going on, because our industry just had a blind side, if you will, to ocean freight and the various issues that we were seeing. Since then, I've been an advisor to both our major trade associations, the Auto Care Association and the Motor and Equipment Manufacturers Association. And I'm very honored to have them nominate me to represent them on this committee.

So, one of the things that I would hope we accomplish here is making sure we break out of our individual silos and look at the overall scheme of things and work towards the greater good and try not to be too self-centered, if you will. Given the makeup of this committee, I don't think that's going to be a problem.

But again, thank you very much to the FMC and the commissioners and the Chairman for inviting me to participate in this committee.

MR. RICHMOND: Thanks, Steve. Next, we have Alexis Jacobson representing the BOSSCO Trading.

MS. JACOBSON: Hi, everyone. And thank you for the FMC and the commissioners for inviting me to be a part of this committee. My name is Alexis Jacobson. I am the international accounts manager at BOSSCO Trading. We are a smaller forage exporters. We mostly export grass straw, a little bit of hay sometimes, to Asia, located in Tangent, Oregon, which is about an hour and a half south of Portland, because most people are not



going to know where Tangent, Oregon is.

I started with the company five years ago, and we have seen the challenges just rise and rise. And I am very thankful that ITC and the U.S. Forage Export Council pushed me to run for this committee or to be on the committee, and I look forward to working with the import and export side to work through some solutions that we all could use. So, thank you.

MR. RICHMOND: Thank you, Alexis. Next is Fernando Lagonell with DuPont.

MR. LAGONELL: Hello, everyone. Good afternoon. My name is Fernando Lagonell. I'm the global category leader for DuPont. I've been in the industry for about 25 years, the last seven years with DuPont, and I have responsibilities for all the procurement strategy for global ocean, air, freight forwarding and custom house brokerage. I'm located in Wilmington, Delaware, in our global headquarters, which is about 5 miles from President Biden's home here in Delaware.

So, it's my honor to serve in this

Commission and committee. And again, good luck to everyone. I think we're all feeling the pain of what's happening today, and we're all eager to put solutions forward to change the environment without worrying. So, thank you.

MR. RICHMOND: Thank you. Next is Alison Leavitt from the Wine and Spirits Shippers Association.

MS. LEAVITT: Hi, everyone. And I echo the sentiments. Thank you all for allowing me to serve on this committee. I really look forward to working with everybody. I know quite a few of you or at least met quite a few of you.

As mentioned, I'm Alison Leavitt. I have been the managing director of the Wine and Spirits Shipping Association for the last eight years. I definitely have the best commodity of all the groups. So, when we go live, hopefully, I will bring you all samples. But we have about 700 members representing primarily import, but also export from the U.S.A., as well as cross trade, and the members as small as the kind of companies

that just bring in a few pallets of the -- you know, the most expensive French Bordeaux to the companies that have thousands of containers of the grocery store type wine that you'd see in Whole Foods, Trader Joe's, et cetera.

So, I've been in the business -- logistics business forever. My ancestors were sea captains. My family had a shipping agency. I grew up boarding vessels. And so, as they say it, it is in the blood. It's always been a part of my life. And like everyone else, I've never quite seen it as bad as this.

We at WWSA manage 24 contracts right now, with virtually every single steamship line. Some of them global. Some of them regional. So, we -- I usually spend much more of my time overseas working directly with the carrier. So, certainly service contracts are something, you know, I'm looking forward to talking about, as well as all the other points that the Chairman has outlined for us.

So, I live up in Portland, Maine, a

beautiful place to live. And in my spare time, I like to go out on, you know, 20-mile runs and swim in the ocean and ski in the mountains. So, I live in a great place for that.

And again, I look forward to working with all of you. Thank you.

MR. RICHMOND: It's not quite 20 miles, but it's awesome. All right. Next is Dan Miller with Cargill.

MR. MILLER: Hello, everybody. Dan Miller. I am the global lead for the international transportation activities for Cargill. In this role, I support global container sourcing activities, air, LCL, dredge. Globally, we ship about 350,000 TEU. From North America, we're exporting with all the conglomerates. Together, it's about 90,000 TEU exported.

At Cargill, we were a large food ag company. It's about 156 years old. We produce anything from food ingredients. We export beef, poultry, cotton, bio industrial products that we use in asphalt or biodegradable plastics.

Prior to working at Cargill, I spent a little time with Archer Daniels Midland Company, again, in a very similar role, primarily in the international side of things. The introduction to me getting into the international space was in 2002 in -- right as the port strike was happening. So, that was my introduction to this industry and, you know, kind of learning in a similar environment to where we're at right now.

The sentiment is with everybody here. I think we're all trying to accomplish the same thing. We all see the obstacles. I think we've got a lot of great experience that we can all bounce a lot of great ideas off of one another. And, you know, I'm here to listen, collaborate, and truly appreciate the opportunity to support the team and everybody here.

MR. RICHMOND: Thank you, Dan. Next on the list is Debb Minskey with IKEA.

MS. MINSKEY: Good day, everyone. I'm going to echo what we've heard, quite a bit is a much appreciation and a thank you for being asked

to be on this committee. I think it's a wonderful opportunity. I've been with IKEA for 16 years. Of that 16 years, about 12 in ocean transportation.

I started out in our distribution center in Maryland. I started working in transportation actually when I was there. I'm working more on the land side and our exports to our stores. I went actually back to school for transportation and logistics management, fell in love with the ocean, and the opportunity came about within Ikea, which I applied for and was able to get.

Since then, my main focus has been on the operation side as a receiving unit. But we are set up as being in charge of all the America, so we do also work directly with our exports out of South America and some from the U.S. as well to Dominican. I've spent a lot of time with pretty much every port terminal in the U.S. and some Canada, learning their operations, working directly with ocean carriers on how we can improve things. And obviously, we still have many gaps.

And it's a new era for our industry, and we need to catch up with some things. So, I look forward to being one of the pioneers and leaders with this group to do just that. Thank you again.

MR. RICHMOND: Great. Thank you, Debb. Next is Jen Morrissey with Ocean Spray Cranberries.

MS. MORRISSEY: Thank you, and good afternoon. I really appreciate the opportunity to serve here in this distinguished panel. Great experience across the board.

I have been in the industry managing ocean transportation for 17 years, split evenly between Ocean Spray and TJX. I'm currently in the capacity of head of international transportation and global customer operations for Ocean Spray Cranberries. I do possess a U.S. Customs brokers license and previously was in a similar capacity with TJX, so I understand both perspectives. And I really look forward to hearing from my peers on the team and the commissioners and Chairman of the FMC. Thank you all.

MR. RICHMOND: Thank you, Jen. Next, we have Ken O'Brien with Gemini Shippers Group.

MR. O'BRIEN: Good afternoon, everyone. I'm Ken O'Brien. Today, I serve as president of Gemini Shippers Group. Gemini is a shippers association based in New York City. The company actually has -- the group has a history going back about 100 years, primarily driven by the fashion and apparel industry and became a shippers association in 1985 right after the Shipping Act changed. Today, we have around 300 members spread over all different commodities, so we're not vertical or commodity-specific.

Prior to joining Gemini, I spent over years on the carrier side. And so, I worked for two different ocean carriers, primarily all in pricing and trade roles. And so, I've had, you know, different opportunities to interact with the Commission as a carrier, and certainly also I was part of the supply chain innovation team and the Fact Finding 29 team.

And I think the important part, you



know, as I -- as we go into this, and the part I'm thinking about is -- you know, the Chairman talked about, you know, the -- there's a tendency to put blame and try and assess blame when there's things like this and disruption like this happens. And I think the only way to prevent that is really to have an honest and open discussion about what, A, identifying problems, and B, then getting at what is tactically possible to fix it in the short term and then strategically what's ultimately wrong with the system that, you know, different actors can potentially change to make the entire system better. And so, I'm excited to work with everyone in the group and hopefully come up with some good suggestions. Thank you.

MR. RICHMOND: Thank you, Ken. Next, we have Adnan Qadri with Amazon.

MR. QADRI: Hi. First of all, I want to thank the commissioners and the FMC for pulling -- giving me the opportunity to be on this Commission. I'm looking forward to all the work that we can do to kind of help improve the overall

supply chain and some of the challenges that everyone's facing right now.

I've been with Amazon slightly -- I've been with Amazon closely for eight years now. My current role is focused on material planning and network design and strategy for the imports business. But previously, I was managing all of the operations for North America and Europe on the input side of things.

Before that, I've spent about eight years working for APL Logistics on their liner side of things, primarily most of the time spent in the U.S., along with the stint based out of Singapore running some of the operations in Asia.

I'm looking forward to working with everyone and hoping we can kind of solve some of the challenges that are ahead of us.

MR. RICHMOND: Thank you, Adnan. Next is Rich Roche with Mohawk Global Logistics.

MR. ROCHE: Thanks, Dylan. Yes. Rich Roche. I'm vice president at Mohawk Global Logistics. We're a company of about nine offices,

260 employees in the -- mostly the Northeast, as far west of Chicago and south of Atlanta, NVO customs broker and consulting, domestic trucking. So, we offer a lot of different products.

I started my career about 40 years ago as a graduate of the U.S. Merchant Marine Academy. I went to sea for six years on cargo ships, and sailed as a pilot in New York as well. I then actually reported up to Bob Connor as the ocean carrier for about five years before I went over to the dark side. I started up my career about 28 years ago with DSL. I then started my own company, which was customs broker and NVOCC that I sold to Mohawk Global Logistics about 12 years ago.

I'm also representing here and very humbled to have the nomination of NCBFAA. NCBFAA is an organization of customs brokers and freight forwarders, more than 1,100 company strong. So -- and we do have a big range in terms of size of NGOs and customs brokers there, but I do hope to represent the voice of the small company as part

of NCBFAA.

I did serve on three of the innovation teams, including Fact Finding 29, 28, and I worked also with the Memphis team.

And, you know, I'm really looking forward to potentially coming up with solutions. I know there's no silver bullets in this, and it's going to require a lot of dialogue, but very humbled to be here and part of this very impressive group, and I look forward to get into work. Thank you.

MR. RICHMOND: Thank you, Rich. Next is Gabriel Rodriguez with A Customs Brokerage.

MR. RODRIGUEZ: Good afternoon, everyone. When Rich was mentioning the voice of the small business, he was talking about me. I am Gabriel Rodriguez. I'm president of A Customs Brokerage. Very honored to be on this panel, this committee. Very thankful to the Commission and to all those involved for creating this. We are in some interesting times and looking forward to bringing some positive change and some positive

solutions to the table.

I also am a board member of the NCBFAA, along with Rich, and also president of the Florida Customs Brokers Association. I've been a customs broker for 22 years. And I'm also a licensed NVOCC, so I've had experience for about -- the last 18 years in ocean transportation as well.

I'm looking forward to this, and I thank you again.

MR. RICHMOND: Thanks, Gabriel. Next, Randy Strait with Tyson.

MR. STRAIT: Good afternoon, everyone. As he said, my name is Randy Strait. I'm working for Tyson Foods. I've been with Tyson for about 40 years, that entire time in transportation, and the last three of that has been in international. I currently serve as the senior director of Global Logistics, so basically my teams are responsible for everything that Tyson does, except for domestic reefer trucking. We do all the bulk domestic moves in both truck and rail, have a fleet of about 2,000 rail cars. And then also,

obviously, the big part of it is the exporting to all the foreign countries to our -- delivering to our customers. We are responsible for exporting beef, pork, and poultry, and some of the affiliated materials along with that, like cattle hides and poultry meal.

It's -- as everyone has said, obviously, this is a great opportunity. I thank the -- both the Commission and my partners for nominating me to be part of this Commission. I think it's a great opportunity to, you know, talk together and figure out, you know, what is the right solution. I hope that we can drive change and bring smart and intelligent and effective solutions for everybody, and I really look forward to working together. Thank you.

MR. RICHMOND: Thanks, Randy. Next is Mike Symonanis with Louis Dreyfus.

MR. SYMONANIS: Hello. Mike Symonanis. I lead the export logistics and supply chain team for the cotton business within Louis Dreyfus Company based in Memphis, Tennessee. We are a top

U.S. container exporter on an annualized basis for the Journal of Commerce reporting. This year, or actually this week marks my 31st year working in the ocean container shipping industry.

And so, first at the carrier side, some are to Ken and Adnan at APL, another alumni, and then now for -- as a shipper for the last 18 seasons, which I've calculated out to be 126 regular years of work in cotton. I'm proud to work with the members of the U.S. cotton export community both in American Cotton Shippers Association and the Texas Cotton Association, and bring their voices to the committee. And that's similar to some of the people have said, it's the small single person shop all the way to the global multinational.

Our members are West Coast, East Coast, and Gulfport, and intermodal exporters. And we moved 189,000 FEU in the '21 -- or 2021 crop marketing year that just ended at the end of July. So, the southern half of the U.S. focus from Oakland to Norfolk on a daily and weekly basis.

As we begin our work, I will close with today's guidance from the Maxwell Daily Reader on leadership, "Allow your problems to motivate you toward greater creativity and strength." Thank you.

MR. RICHMOND: Thanks, Mike. Now, we have Josh Woods from Blue Diamond Growers.

MR. WOODS: Thanks, Dylan. And first of all, I apologize. I'm traveling right now, so -- but I do want to thank the Commission and then also all of my peers on the committee. You know, I represent Blue Diamond Growers, where I'm the director of international and domestic transportation and warehousing. We're a family-owned -- or a grower-owned coop, over a century-year-old and, you know, ship to 65 plus countries across the globe.

And this opportunity I can't express enough how badly is needed across the country in helping the movements in and out of our port. And I'm excited to be able to share our perspectives not only of the online community, but also of



(inaudible). And then also, I sit on the board of the Northern California World Trade Center, and, you know, bringing all of those perspectives, as my peers said before, I think it's critical to the success of not only this Commission, but also -- by this committee, but also to just logistics in general in the United States.

So, thanks again.

MR. RICHMOND: Thank you, Josh, and thank you for being flexible with your arrangements and logging on today. The last committee member is Colin Yankee from Tractor Supply.

MR. YANKEE: Hey, Dylan, thanks. I get to be the caboose in the introductions here with the alphabetical disadvantage. But I'll close out the introductions. As Dylan said, my name is Colin Yankee. I'm the chief supply chain officer for Tractor Supply Company. We're a rural lifestyle retailer. We have almost 2,000 stores in 49 states. And I'm based in the Nashville, Tennessee area. I've been a track supplier since

2015. And I'm responsible for our end-to-end supply chain, so that includes merchandise planning, inventory management, international and domestic transportation logistics, and distribution center operations.

And as the rest of the committee has said, it's great to be part of this group of importers and exporters and to be able to work with just an expert group of operators and leaders. And just hearing everybody's introduction, it's really humbling, great variety of experiences. And I think as Steve alluded to in his intro, I think that will lead to a really balanced perspective instead of recommendations. And I look forward to contribute to the conversation on behalf of my company Track Supply, but also America's retailers to find solutions and recommendations for the committee.

MR. RICHMOND: Thank you, Colin. And that is the committee. I want to thank every -- well, I'm glad the committee was able to join and we did have all members in attendance.

Next on our agenda is the chair and vice chair. This will be more of an announcement. But in the committee's charter, it says that the members will elect a chair and vice chair. We solicited nominations for these positions, and the committee voted. So, I would like to announce that the chair will be Brian Bumpass from Brenntag. And the vice chair will be Mike Symonanis of Louis Dreyfus. Do you all want to say anything or -- that's okay if not.

MR. BUMPASS: Yeah, I didn't know I was on mute there. But I just want to again thank the FMC for the support and the creation of this committee, and especially to Commissioner Dye for her vision for this. You know, as most of the members said, timing couldn't be better, and I'm confident that you guys have put together a diverse group of experts that will certainly bring forth productive and viable recommendations for change. It's certainly an honor for all of us to serve on the committee. And I know that we all appreciate the FMC's support both in our work in

supply chain management, but also for our respective industries. And then certainly to the -- my fellow committee members, thanks so much for your faith in me. I'm looking forward to working with you in our collective effort to resolve the issues and inefficiencies that we're all experiencing. And while the current freight markets were certainly some of the worst that we've seen, many of the problems that are so evident now have, in fact, been present for years and years passed. So, it's my hope that we can work toward the vision of a preferred future that is jointly shared by shippers, carriers, ports, and of course, the FMC. So, thank you.

MR. SYMONANIS: I'll just jump in and say that, yeah, I support, you know, all the work that we're going to do and look forward to working with everybody. I mean, clearly, there's a great cross-section and diverse perspective and experience that we're going to bring to the task. As all of you know, what we're facing did not develop as a result of the recovery from COVID.

So, the way forward is together and the way forward is through our efforts to figure out what we can realize. And I look forward to supporting the work of Brian and the rest of you and all the voices that we're bringing into our deliberations on a consistent basis.

MR. RICHMOND: Thanks, guys. So, I will, in the future, work most closely with Brian and Mike, but will be available to the entire committee, and the committee will be involved in sort of planning in the committee's work. At this point, we would like to take a short break. We will return in 10 minutes for a roundtable discussion by the Committee. Thank you.

(Recess)

MR. RICHMOND: All right. I have 2:12 on my computer, so I will go ahead and sort of begin the next part of today's meeting. We are going to begin the portion of today's program that I believe everyone has signed on for and is particularly interested in hearing. The agency has some ideas on topics that we hope to get

thoughts and expertise of the committee members from. They are broadly these three things: Information sharing and transparency among the supply chain actors, cargo fees, and current observations of the supply chain. The committee is not limited to discussing those topics, and we welcome the committee introducing other ideas during the session.

At this point, I will sort of turn it over to the committee. Probably it might work best if the committee members have -- would -- could raise their hands, and I will keep track and call as I see it. It should pop up on my screen. I think we want to start off with the information sharing and transparency point. So, yeah.

MR. BUMPASS: Don't everybody speak at once? And to raise your hand, there's a button at the bottom with reactions. Just click that, and then click raise hand, so Dylan can see you guys.

MR. RICHMOND: I see Mike has his hand raised. It should pop up on my screen too.

MR. SYMONANIS: I guess to kind of start

us off, I think there were two things that as we looked at it was for cotton and on the export community that, one, was to really try to understand as we -- as Chairman Maffei has kind of communicated, you know, his vision, goals, and objectives on the national Port of -- operations, metrics, and visibility standards. And I would say more inside of that, that respect proprietary information. Clearly, Port of L.A. and Commissioner Dye have worked on this for quite a while. It hasn't expanded beyond that operating area for some -- for reasons that are not necessarily clear today. And so, I think, you know, some of it is the interconnectivity of systems and things like that.

So, we've got -- you know, so looking at this, as it relates to our second one, which is really looking at aligned and stable ERD documentation at port cutoff, change visibility, and management guidance at the alliance port and vessel service level, the export side who are also experiencing the import side, the congestion, the

delays, the disruption, it has a consequential impact for exporters. Early return dates, port cutoffs, documentation cutoffs are changing daily, multiple times on the same day, and really destroying the ability to meet export pickup commitments.

And so, we cannot fundamentally change the physical aspect of what's going on at this point, and yet the ability to see better the implications of what's going on, I believe, sits inside of something that our members are trying to get inside of, right, to look at it, you know, when it's too macro to say nationally. So, how do you look at it at the alliance service port level, right? A particular string trying to get some better visibility on. If three vessels are six days apart when they're normally 21 days apart, how soon does somebody see that? And how -- and where does it go from, you know, green to yellow to red, as an example?

So, those would be two I would just kind of put up more broadly than we've already



submitted, but I wanted to just get in front of the broader committee members for consideration.

MR. RICHMOND: I think I see Brian's hand up. And you're muted.

MR. BUMPASS: It might help. I'll get use of that. To echo what Michael was saying about the lack of interconnectivity within systems or between systems, you know, certainly there are blockchain solutions coming to our industry. You know, it could be short term. It could be long term. I don't really know. I don't think any of us have a technology roadmap. There are a timeline for when to expect that.

But the absence of blockchain requires the use of traditional communication methods to share data and updates including orders, booking requests, booking confirmations, SDS sheets in my industry or IMOs, arrival notices, and freight invoices. An email is used almost exclusively for this, while TMS platforms that some shippers may have in house or certainly for to provide the tracking platforms do allow for "real-time"

visibility of track and trace data. And this track and trace data especially now is often not up to date due to delays or inaccuracies originating in carrier systems which kind of feeds all of those downstream. So, you know, certainly this creates a little bit of a hodgepodge of visibility issues. It's almost like driving your car with certain parts of your windshield covered up with mud and still being expected to get through obstacles without collision.

Additionally, there's really no real-time visibility, that I'm aware of, to shippers of vessel load factors or true real-time visibility of the equipment supplied in deficit areas, which would allow, you know, shippers to better proactively plan to avoid, you know, their transshipment ports that have congestion, you know, carriers that are already overbooked for certain service strings, or carrier port of origination combinations that have no equipment there. You know, giving shippers this visibility certainly helps our business, but it would also

help the carriers, I think, better facilitate certainly the equipment deficit areas and balancing demand a little bit more efficiently, if that makes sense.

MR. RICHMOND: Dan, I see your hand. Dan, are you there? Dan? Scott, yeah, you're turn.

MR. FREMONT: Sure. I can go if -- yeah, Dan's working out the technology issues. I think it's important, you know, as we continue to see all the headlines and articles about the problems facing the industry right now. It's a struggle when there's just a one data point or one-sided data that is being provided when you don't have that full end-to-end visibility of what the BCOs data is, what the terminals data is, what the port data is, what the carrier data is, to really assess from a problem-solving standpoint, are the things that we're even trying right now going to make a difference? Will 24/7 operations actually drive a change, or is that not the root cause of what's going on?

And I think it's difficult when we don't have openness to that data for everyone to kind of dig in and problem solve and being able to assess, you know, objectively what is going on and get to that true root cause. So, you know, I think this is absolutely fundamental if we want to start to assess problem solving in this. And not just try things and see if they work, but actually have the data behind it and the analytics to say, is this going to make a difference? And is this actually going to help solve the root cause?

MR. RICHMOND: All right. Thank you, Scott. Dan Miller, are you there? I saw your hand up earlier.

MR. MILLER: Yeah, even now?

MR. RICHMOND: Yes, we can.

MR. MILLER: Okay. Sorry about that. No, I think because we look at all the different intermodal opportunities that we have whether it be on the trade side or the rail side. Too many times we see ocean carriers have one date, and we're working with them to return something that

the rail is already a day ahead of their updating the -- as far as the cutoff dates. So, trying to get everything connected in the single system -- and, you know, I don't know how -- what the solution is, but you've got so many different TMS systems. The ports have one date. The rail has another date. The carriers have another date. There has to be at least some sort of alignment like, you know, we said earlier, you know, what turns -- what makes the thing turn to yellow? You know, at least give some prenotice that, hey, there might be an issue here, that as at least a step in the right direction. But to get all of these links in the supply chain aligned is I think the first piece. You know, just whether it'd be technology can do that or not, I don't know yet, but, you know, there has to be something we can look at to move this forward.

MR. RICHMOND: Thank you. Steve Hughes, you're next on the list.

MR. HUGHES: Thank you. So, it doesn't -- so, in my point of view, it doesn't matter how

good of a communication we have from the carriers. If it goes way back to how it was -- a ship was limited to, you know, the transit time to whether there's an anchor or not, or how good the labor or the terminals working, if the front gate isn't efficient, everything else is moot.

I was part of the supply chain innovations team with Rich and Debb and Ken a number of years ago. And for those of you that aren't aware, we were split into three teams. And those three teams were given the task. And there's about 30 to 36 of us, I think, that we were split up into these teams. And the order of the day was, come back with the one most important thing that would help with -- helping the supply chain and the ports. And all three teams came back with the same thing, we've got to clean up and make the front of the gate basically more efficient.

Right now, specifically in L.A./Long Beach, which this dominoes into everybody because of the problems we have here, we have the issues

with triangle moves, refusal of empties, lack of chassis, et cetera. This is such a challenge for the dredge community to get in and out. That, as I said, it doesn't matter what's going on behind the gate. If you can't get those trucks in and out and get that cargo moving as quickly as possible, everything else is kind of moot at this point. And I think we need to look at what do we do now. To me, that's the most important thing to discuss. Long term, everything that you're talking about is absolutely critical. But for the short term, what we really need to do is focus on what's going on in that gate.

And one of the concerns I have is this new fee that was announced at the L.A./Long Beach by the ports. I'm concerned that this is actually going to cause even more problems, then it's going to fix. I understand the logic behind it, and it makes some sense, but unfortunately because we don't have that throughput at the front gate, I think this could cause us more troubles than we have already. Until we fix the chassis problem,

until we get some sort of a fix for the empties issues, and start getting that real flow of those trucks through the terminals instead of a four-hour wait for these guys, never mind what the turn time is from the GeoPost, but the true wait time, until we cut that down to an hour for these trucks, we're not going to get those boxes out of there.

And I have one important question for the Commission and that is, was the FMC given notice about this fee? And if so, did it go through the proper process in the California Association of Port Authorities agreement that's on file with the FMC since the '40s?

So, we need to look at this new fee, if it was implemented under that authority, and we have to consider what the impacts are going to be. But we've got to get that fluidity at the front gate. Thank you.

MR. RICHMOND: Debb, you're next. Debb Minskey, you're next.

MS. MINSKEY: Well, first, I'm going to



start with -- yeah, what Steve said was what was my start on both points, actually. But more so, it's also in accordance with what he's saying. It's having the plan and sticking to the plan. And I get there's going to be some variance. Some variance is not a problem, but, you know, if your truck is on the way to take an empty back and they say, we changed our mind and we're not doing empties anymore today, that's a huge problem. And that needs to be addressed quickly, because these are the little bottlenecks that have created the huge bottleneck we have today. And we got to fix some of the basic things, I think.

And again, one opinion, and I'm certainly open to other ones, I think the technology goes hand in hand with this. But along with the technology, there's got to be a plan, and we got to stick to the plan. There's appointment systems to pick up containers. It needs to be adhered to on both sides. The empty returns, it's got to be advanced notice of, this is the plan, and then we stick to it. So, if we can't start

organizing ourselves in better ways -- and when I say "us," I mean the entire supply chain industry. It's not just BCOs. It's not just ports, carriers, et cetera, truckers. It's all of us. And maybe that's a good starting point as we should start identifying some things that might be good to work on. Again, I'm not sure, but this is the start, and we need to address a lot of things here.

MR. RICHMOND: Michael Brock, you are next.

MR. BROCK: Yeah. I mean, I agree with Debb, Steve, and Scott. It's -- that gate and being able to execute what you want -- what you're planning to execute and efficiently use the resources that you're planning to dedicate to that gate is vital. Whether it be the plan, the systems long term, et cetera, it's -- I think all of us in a lot of cases want to get our loaded containers from the port. And specifically, SoCal is what I'm talking to. And it's just the barriers and the adjustments to our original plan,

especially this empty return piece. It's huge to making it happen. So, I'm just reiterating what those three said, for sure.

MR. RICHMOND: Bob Connor?

MR. CONNOR: Thank you, Dylan. The first thing I wanted to comment on was the -- to a point that I think Steve made to mark. We heard about the new charge immediately reached out to some of our contacts at the FMC. And from the conversation that we had, it was pretty obvious that they were not forewarned by the fact that this thing was coming. My bigger concern was I was unfamiliar with, do the terminals have to give 30 days' notice to the carriers about charges? It appeared that they didn't. However, very definitely, the carriers have to give us notice of 30 days that they want to pass this stuff on, in my opinion. And once again, that conversation was -- it was recognized, but certainly the answer was, I'm going to have to get back to you. So, I mean, this thing really absolutely came out of leftfield. I don't know what many of you feel,

but I just don't see this charge doing anything with having more cost to the process. And right at this point in time, the freight rates and everything else being what they are, the last thing I think we need is more cost. So, maybe somebody could step in and put the brakes on this.

But the one thing that really has struck -- jumped out at me in the last two days, or actually the last few weeks, trying to get to the core of what we think the problems are, particularly in L.A. so we can give answers to our customers is to say, number one, first and foremost, it's the driver shortage. Something needs to be done to enable the industry to attract more drivers and enable these guys to do more than one move a day. It's the second biggest problem. It pieced together some statistics regarding chassis. Right now, there are 2,500 chassis close to it anyway. At one time, there was 2,000. 2,500 chassis out of service in the Port of L.A./Long Beach combined. There are another 1,000 chassis sitting under empties waiting to get back

into the terminal. And there's another 1,000 chassis sitting under loads in the lots of warehouses because the boxes can't get stripped out. And do the math, 4,500 chassis, you know, off the table. There is no way that you can effectively handle the volume trade that we're talking about without a full complement of wheels. And I don't know what the answer is, but something needs to be done to try to get more chassis into the region.

MR. RICHMOND: Brian Bumpass, I think your hand is next.

MR. BUMPASS: Yeah. I think Bob touched on the really important part there at the driver shortage, primarily in California, the California Assembly Bill AB5, which is I think still under legal review and battle. It's certainly not going to do any favors for our industry both in terms of trade drivers, but also full truckload carriers. You know, I think there's a lot of interconnected issues here that are leading to, you know, blockages or bottlenecks at the gate. It's not,

you know, based on the latest security camera still shots I've seen from the inter gates of L.A./Long Beach, but it doesn't seem to be the massive lines of trucks trying to get in that we've seen in months past. And in fact, it's quite empty, because there are no chassis, to Bob and Steve's point.

This is not a new issue. In 2014, there was an article that came out that the Port of Los Angeles acknowledged that there was a problem with the chassis situation and pledged to do all they could to fix it and rectify it. You know, this is obviously a couple of years after carriers got out of the chassis provision game, but nobody's really stepped up to the play to solve that problem. I mean, shippers really can't necessarily bear the additional cost, and it becomes a real estate problem for us as well. You know, where do we park all of the chassis? You know, Brenntag runs the 26 largest private fleet in America, but with our distribution centers, our tank farms, our bulk loading racks, we don't have available real estate

of any of our locations to stage 4, 5, 6, 7 chassis.

You know, I think that the ugly elephant in the room is perhaps a lack of port efficiency. You know, with the latest statistics from last year, there's not one U.S. port in the top 50 of the most efficient ports in the world. And that's a little bit embarrassing, because, you know, certainly we have access to the best technology. We have some of the hardest workers in the world. We have a great infrastructure here. And, you know, obviously, there are some infrastructure needs that are to be desired. But to not have a single port in the top 50, I think is symptomatic of a larger issue, especially with, you know, periodic labor negotiations, I think, thrown up every seven-year cycles pushing back on recommendations for port automation, for updated software platforms that may help the efficiency of those gate systems.

You know, I don't know about the rest of you guys in the committee, but we've experienced

multiple times in L.A. And Long Beach both, where our drayage providers do have to pick up appointments and the port systems get completely overwhelmed, appointments get wiped out, and we basically have to start the process over again, while also paying the demurrage bill for the containers that are stuck at the port.

An additional aspect of this that I think is leading to chassis shortages is -- and maybe some of you exporters in the Midwest who are shipping out of IPI locations can offer some clarity on this, but for our purposes, we can't get any booking -- any bookings confirmed into IPI points, whether Chicago, Kansas City, Dallas, Memphis. We can't get bookings there. So, we've had this setup translating networks at both coasts, which, you know, ultimately is fine. I mean, our total land and cost per pound as we calculated really isn't that different between, you know, port to port ocean freight plus the translating cost in the full truckload delivery, as it would be to pay the extortionary amounts for



an IPI booking on the rail.

But what that translating operation does -- and we're not the only ones doing it. But it adds additional demand that otherwise would not be there for your drayage providers in, let's say, Long Beach or Los Angeles. It puts additional demand on the chassis supply, which is already tight, and it puts additional demand on warehousing space and translating staff and certainly on full truckload, you know, 53-foot drive vans, which are already at a really disadvantage labor truck ratio.

So, there's a lot of these moving parts that are out kind of interconnected. And until we kind of addressed, you know, I wouldn't say all of them, but at least a majority of them, I don't know that we're really going to see any improvement in any single one of them.

MR. RICHMOND: Scott Fremont, you are next on the list.

MR. FREMONT: Yeah. Dylan, here's more of a question for you. Since the committee was

named, you know, earlier this year and kind of announced, there hasn't been a lack of working groups task force and other groups focused on solving, I would say, the more immediate needs for the ports, specifically L.A./Long Beach. So, you know, I know a lot of these companies on the call right now are involved in the White House task force and other meetings there. Is the scope of this group -- just to help focus my thinking of solutions, are we focused on short term? What do we need to do in the next three months to help the supply chain? Is it long-term systemic changes? Is that for us to decide? I'm just curious if we could regroup ourselves in kind of the scope to make sure that we can have a productive conversation and where we should be focused on solving.

MR. RICHMOND: Yeah. So, real quickly, this committee is, well, like long term or more long term in nature. I think, you know, it was established by Congress earlier this year, and I think it's currently scheduled to run until 2029.

And the committee itself is really to advise the Commission on its policies and procedures.

MR. FREMONT: Okay. Perfect. Thank you. Because I think there's a lot of really good stuff that's being talked about, but I want to make sure we stay grounded on the longer term systemic changes. As we all know, there's thousands of containers waiting to get pulled out of those ports that have a lot of issues to make sure that we're staying grounded in the longer term systemic changes that we need to do so in -- two years from now, we're still not having this exact same conversation.

MR. RICHMOND: Thank you. Adnan Qadri?

MR. QADRI: Yeah. So, Scott has asked this question that I was going to ask. So, I was trying to understand the same thing as like, hey, what are we looking at? Are we looking at more long-term solution? So, I think that -- thanks for clarifying that, Dylan. So, keeping that in mind, as I think about the longer term components of this problem, I do want to go back to the point

that I think Scott made earlier, which is very important, is that I think we need clear, measurable data across the board in the supply chain. And it needs to kind of -- and then -- and whether it's kind of working to identify, hey, where do we get each individual component of that data and then we're going to link it together, but it's very difficult right now -- I believe someone had mentioned that if we go into four different places, we can get four different milestones for the same problem -- for the same, you know, like, hey, has a vessel been discharged? Or has a container being gated out? Or is the container even available, right? Or where is it in the IPI supply chain, right? The IPI supply chain. And it's very difficult to get clear, clean milestones across each of the segment, so we can actually measure what some of the problem is.

Similarly, when we talk to the terminals, we get a different metric for driver wait time. We talked to the dray carriers, and we get a different metric for driver wait time and

the same exact date for the same gates that you're talking about. Right? So, we don't actually know how long drivers wait at the gates and how long they are taking to get in and out of the terminals.

So, that's one piece. I do think that we need to get to kind of bring us back to the topic that we were started off from, it's how do we get us to the point where we have clean, definable, and measurable data across each segment of the supply chain? And how do we kind of push this across each port and terminal in the U.S., right, so that we have one place where we can kind of figure out a way to get this data and information when we are coming in arriving into various ports and terminals across the whole country, right? So, that's one piece.

The second piece that kind of I was thinking about as I was hearing some of my colleagues speak here was that it seems like there's an opportunity for us to do whatever solutions that we are kind of putting in place to

make sure that they are a little bit longer term and they are not particularly reactionary, right? Because it takes a little while for the supply chain to adjust to some of the changes that we are making, right? So, 24/7 gates, we can shift weekend operations that turn on. If they're sporadic in nature, they're not going to necessarily help alleviate the crunch that we are feeling right now. If we say, hey, you're going to have Saturday gates for the next six months, then the supply chains can adjust to that. The dray providers can adjust their driver force, and they can figure out how to put more drivers on Saturday shifts. If you're going to do 24/7 operations making sure that they're over a very -- over a decent period of time, so that the supply chains can adjust and plan against those, it would be another thing that I think would -- I would recommend us thinking about, you know, how do we kind of go drive that instead of like more, hey, there's a lot of containers in the port. Let's figure out how to get them out by -- in the next

two weeks kind of solution, right? Because I think what we need is more sustained, defined longer term strategies that the supply chains can adjust to.

MR. RICHMOND: All right. Thank you. And I want to circle back real quick to Scott's question on the purpose of the committee. I know I've not also sort of addressed it. The function as defined by Congress, I have folks in here sitting with me and helping me out, but the function as defined by Congress, the committee shall advise the FMC or the Federal Maritime Commission on policies relating to competitiveness, reliability, integrity, and fairness of the international ocean freight delivery system.

So, with that said, Fernando Lagonell, you are next.

MR. LAGONELL: Yes, thank you. Very good comments and opinions from everyone so far. Again, definitely, we are feeling all the different issues in the supply chain. But one of

the ones that I believe we need to also look at as we look at what's happening in L.A./Long Beach, I'm really looking at the root cause. Today we see that a lot of the retailer has changed their supply chain instead of going into an IPI location. They are ending their international voyages in L.A./Long Beach. And therefore, there's a need to bring an empty back into the port while we have a lot of exports in the Midwest and cannot get containers -- and we're ready to ship, but we cannot get containers and the carriers are refusing to allocate containers or relocate containers into the IPI location. So, it seems like the solution was good, but that solution created another problem. And the underlying issue there is definitely the reliability of the rail and the railhead around the Midwest. So, I think that there needs to be more than one action to solve a lot of the issues that we're confronted today, and I hope that working together we can get some of those actions.

MR. RICHMOND: Okay. Steve Hughes?



MR. HUGHES: Yeah. I just want to follow up real quickly on what I said earlier. I know we're looking for long-term solutions here. But going back to the supply chain innovation state, we recognized many years ago that there were problems with the front gate and managing that solution. There's -- nothing has happened really to cure that. It's now exacerbated by the situation we're in now. So, this is short term, but it's long term. They have to find a solution. We have to come up with a solution for getting fluidity at the gate. If we don't get the velocity there, nothing behind the gate matters.

One of the thing -- a comment was made about driver shortages. Right now, driver shortages isn't the problem. If we get more drivers, it's just going to make a longer line to full stop. Talk to the Harbor Truckers Association, they'll say the exact same thing. Until we get that velocity, more drivers is just going to add to the traffic jam.

And then the one thing that I think --

and this is short term, but the chassis issue, we should ask for a temporary pause on the anti-dumping duty on the chassis. Until the domestic chassis manufacturers can get caught up, we need to get that done, because we're just going to be behind the eight ball until we start getting more of an inventory built up on that. I know this is short-term comments, but they affect us long term. Anyway, that was it.

MR. RICHMOND: Mike Symonanis?

MR. SYMONANIS: So, again, I think to circle back on this, I think, you know, Scott's point is right that, you know, how do we make fundamental progress? I mean, we're looking at this in terms of a bunch of different teams. You know, Steve has brought up some other things that have been focused on before years ago, right? You know, this situation we find ourselves in has -- is a consequence of the volume exacerbating existing problems, and yet all of those existing problems have been visible to everybody who's participating in this committee and everybody else

who's not participating in this committee across many different industry organizations across the contrary.

The question is, ultimately, what can we do within the scope both whether it's, you know, in other groups that are meeting to make progress, right? To the points raised, those extending gates, is that the root cause? I would say in a different part of the country that was tried, and the result was no material change to the points raised by Adnan and others, right? It's one -- doing something is not addressing the root cause. And doing something asynchronous to the rest of the supply chain system does not allow things to fundamentally shift which takes time. And so, I see that because of the magnitude of the problems that we're facing and the implications across from small to large firms across the country, there is a pressure to "do something" as opposed to step back and pragmatically focus on some of these things.

Again, I'm going to circle back on Port

of L.A. and Commissioner Dye's work with the optimizer. After this many years and the port funding it themselves, why is it not expanded down on the Port of L.A.? Why can we not get to common standards on fundamental information at the port to reduce the complexity that we're facing and trying to reconcile, as Dan said, between the two, three, or four sources to try to guide the trucker on what's going on, and as Debb raised too, that plans change and unwind with no clear guidance as to what's going on. And so, we're reacting inside the reactions on top of reactions. And that's not a recipe for success for anybody who's in this committee or anybody that we're working with to get the work done on a day-to-day basis. But I'll take it back again to these problems and opportunities are not new.

And so, what is necessary in the scope of this committee's work to move some of the stuff forward inside the mandate of the FMC? Because we'll -- to the points kind of alluded to, we'll move past the pressure of this at some point, but

what have we learned as a nation and as regions? And what are we going to be able to do with it forward to prevent this kind of outcomes from happening again at the same magnitude that they are? And that's where -- I'm not coming to the table here with an answer. I'm just saying that this is in some senses predictable. The more volume you put through the system, it's going to break down. We know where the weak points are and the points of friction. What can we do about them knowing that, as Secretary Buttigieg has said, most of the time restructure assets are on the private sectors hands at which as they should be? And so, therefore, how do we bring the parties together to start solving this beyond some of these immediate things that are unclear whether they'll yield the benefits anticipated and announced?

MR. RICHMOND: So, next on my list is Alison Leavitt.

MS. LEAVITT: Hey, Dylan and everybody. Thanks. Yeah, I really -- actually, I think Mike

just took most of the words out of my mouth on what he was just addressing. And I think that the visibility piece is really one of the most essential pieces. And I think, as Dylan mentioned, one of the jobs here is integrity and fairness. And I think integrity can mean a lot of different things in this industry. But the integrity of the information is one of the most essential pieces that is missing. There's a lot of different breakdowns in integrity across the different areas we're going to discuss, and I think the next topic was fees. But the -- you know, the first topic that was on the list was this how technology can increase fluidity and what we can do as a long-term approach. So, I really don't have -- I think Mike really just covered what I wanted to address, but I do think that visibility piece and how to figure out that platform and a go forward plan for that should be absolutely at the top of our list, because that really is essential to the entire ecosystem. So, I just wanted to throw that back out there.

MR. RICHMOND: Colin Yankee?

MR. YANKEE: I raised my hand not knowing what Michael and Alison were going to say. So, it seems like we're getting some focus and consensus here. But every column on with the Port of L.A., the leadership there is constantly encouraging the use of the port optimizer, which we use, our dray providers use, our departments at the Port of L.A. use. But obviously, we know that's just for L.A., not for Long Beach or other ports even outside the Southern California.

And this is a question for the group, and maybe something we can work on as a team is, what can the FMC do or what can they recommend the Congress to do to encourage, incentivize, or even require that data sharing? And so, first, should that data sharing requirement be tied to any money that flows from the federal government to the ports? Or are there other means to kind of push these things that have been talked about for a long time into action?

And I think about, you know, Steve's

comments earlier on the fee that was announced yesterday, you know, that's -- I understand the intent of it is to drive behavior, right? And at what point can the FMC drive behavior to get this data sharing platform beyond just kind of the Port of L.A. encouraging it? Because right now, I'd pushed forwards. I'd rather move towards a platform that is flawed and has issues that we can then work on together and figure out then this kind of status quo of only one kind of pocket of information and we're satisfied with doing nothing in other places. And so, there has to be some compelling factor that we push in order to get this moved along.

MR. RICHMOND: Rich Roche?

MR. ROCHE: Thanks. And again, we're all talking along the same lines and thinking the same lines. It's easy to wonder as we go downstream from this, but, you know, certainly one of the key provisions when -- in the supply chain innovation team, you can't manage what you can't measure. And so, digitalization of the supply



chain, getting that standardization in the language is very important.

I know that there was a comment made like, how do we get other courts involved in this and other areas? You know, the way that we were blessed to have Gene Seroka in the Port of L.A. To step up with funding this in court, and I know it's a public-private partnership, but still how do we get more of that, I think we need to entice ports and terminal management around the country to buy into this and maybe there's some government funding that we can get in place in the infrastructure bill, if that goes through. But I think it's very important to think about that, because the benefits that that brings in terms of predictive analytics and when can you actually predict that your cargo will be available to come in and get it, assuming that we get the frontend gate all worked out, and we can get back to normal flow, this has to be a long-term solution that we put into place.

As far as the hyper-demurrage that was

announced in L.A./Long Beach this week, I think it will be catastrophic. I think that the chassis are already in short supply. This will artificially suck out the rest of the containers that may be sitting in there that didn't need to be on a chassis and they're going to be parked somewhere. So, we're going to probably wipe out whatever is left in terms of chassis. I think that that's something that we have to look at potentially. As Bob Connor said, put the brakes on this.

The last thing, and it's like maybe something that we haven't really addressed so far, but as far as the IPI points, places like Memphis where they have box rules in place, these are terrible rules for our industry where chassis by one supplier may be available, but you can't use them, because your carrier says you have to use a different chassis leaser. These things have to be addressed, dray pool has to be looked at, and it's one of the things that would ease up the flow, because this is every one aspect that we have

that's problematic. It impacts all of the others. And we have to fix them, you know, maybe one at a time, but we really -- we should focus on the most egregious. And I think box rules, that is egregious. We got to get on that.

So, that's all. I'll leave that there.

MR. RICHMOND: Debb Minskey?

MS. MINSKEY: A question for our group. Do we think it would be worthwhile to actually create definitions that could be used as standard for all of the U.S.? I -- somebody had mentioned it earlier about we don't have agreements on, you know, a container discharge. You know, what does that mean? Do we need something as basic as definitions as a starting platform to then start then building the technology that goes along with it to start doing our measuring?

MR. RICHMOND: Debb, that's something that we can look into on our end as well. And I can talk with the chairs, Brian and Mike, about that afterwards, in particular.

But anyway, I think after -- next is Ken

O'Brien.

MR. O'BRIEN: Thanks, Dylan. You know, I actually have a -- Rich might be looking over my shoulder, because I have managed and measured, written down here in my notes. I think, you know, Mike Symonanis said it very well in saying that this is all -- all of this predates COVID and the COVID was likely to spark. But, you know, I think this industry has materially changed over the last decade. And I'd say it's, you know, the decentralized supply chain on the international side. The consolidation of the carrier is much bigger and much larger complex companies, divesting of terminals to private equity, the divestiture of chassis.

And, you know, when you think about what typically when I speak with our members as to their struggles, one of the things that's most apparent to me is often their struggles with someone they don't have a contractual relationship with, a terminal operator, a chassis tool provider, a railroad. And so, I think as this

group talks about how we can potentially help industry change, it has to involve the actors with which we don't particularly have a relationship with. And so, what I see often, and I think, you know, the national narrative played it out last week, right, there's a meeting in Washington and the President made his announcement 24-hour gates. Port authority leaders say 24-hour gates, instantaneously terminal heads come out in the press and say that actually won't work. We have gates there. They're open already. What's the point? It's -- there's no one in the lines, it's because all the cargo is in the warehouse. Warehouse operators very quickly say, well, we can't actually bring the empties back because there's no appointments and there's no chassis. Chassis providers say, well, actually, it turns out there's no chassis because they're at the warehouse, and this circular firing squad entails.

And I think to Rich's point, because we don't have the data to support, we can't find causation. And without the data to find the

causation, we really can't tell what is actually broken. And so, I think as I think about this group it's really a set of recommendations that ultimately become asked or potentially policy that says, what are the minimum standards of data exchange that providers of the international transportation service owe to their customer. And maybe their customer is the steamship line, or maybe it's the beneficial cargo owner at the end. But I think there's really something that needs to be done there in defining what are those causation points and how do we force the people that have that data to ultimately have to put it up in front of us. And maybe it's just the power of groups asking, or maybe it's just that it changed -- a change in drayage. I don't really have a grasp on it yet. But I think this "manage what you measure" really gets back to without the data piece, we're really stuck. And I think that's where the FMC, you know, and the interaction with, you know, the STB on the rail has failed us thus far. And certainly, the pool providers, you know,

seemingly operating in a bit of a commercial vacuum, as do the rails that relate to the international boxes. Thanks.

MR. RICHMOND: Bob Connor?

MR. CONNOR: Thank you, Dylan. When we -- this is actually more of a question for you, Dylan. You know, in organizing NSAC, each of the members were asked to develop a list of items that they thought would be viable discussion points, for lack of a better term. I mean, I know that I put in six. I know that none of my six were intended to be quick fixes. It's going to take a little more thought, and, you know, the rest of us to put our heads together to maybe address some of them. Is there any intent for you as the foreman of the group, so to speak, to assemble that list, share it back to us, so that we can see, you know, what our collective thoughts were, and maybe from that pick out a small group of items that we want to attack? Because, I mean, this is our first meeting together, the first reaction is to try and take big bites. And unfortunately, that's not

going to get -- it's going to be a bunch of small bites that will get the job done. And I just have it on my mind that at the end of the day, we're going to go back to the Commission or possibly some of the government folks that are buying, you know, changing the shipping regulations and give them hardcore recommendations as to what needs to be done. Honestly, I don't see -- we need more chassis, which we do, being something to recommend to, you know, the congressman and to the Commission. Maybe to put a little more control on chassis would be an item, but is there any intent to share that -- you know, amalgamate that list and share it back to the rest of us?

MR. RICHMOND: Yeah, that's a good question. So, I want to thank the committee members that have sort of sent their suggestions. And what I've been doing is compiling them, and then I will pass it on to the chair and vice chair. And now that we have those sort of established, I was planning on sending it to them.

Again, part of the compilation was that



-- so I'm sort of like the clearing -- I was sort of the initial clearinghouse of the committee. So, to bring those ideas, compile them, and then share them back out, at least via the chair and vice chair, and sort of let them make the decision on what the committee would like to do, the agency or the Commission is not going to dictate what the committee does, and we want to leave that up to you. But I sort of viewed it as an opportunity to sort of collect what the committee wanted to look at, and then sort of through the chair and vice chair, let them sort of start thinking about what it might be good for the committee to examine.

I want to also -- so, it's three o'clock, and we have another hour. I know there's -- on our sort of agenda, there's items about cargo fees, and I know we've sort of addressed it, or we've been sort of addressing it here and there. But I know the Commission is interested in hearing on the -- if there's room for us to address fees and how to sort of approach various fees and how we should approach our policies

towards them. We can also continue the discussion on the supply chain and/or the visibility that's been going on.

Jen Morrissey, I had you on my list for next.

MS. MORRISSEY: Thank you for that, DFO Richmond. I actually took my hand down, because so many of my peers have offered the same opinions that I was going to bring forward. I just want to commend those that talked about the inland depots as being a major sort of spot. The lack of transparency about what source of data is actually the true source of data in the actual status of the container or the appointment or your booking. And I do think that data governance among multiple platforms is the only way forward in whatever form that takes. So, by that, I primarily mean which version of the truth is the actual version of the truth that all parties involved in the movement of goods from one point to another aligned to use as a single point of data that is, you know, agreed on and aligned on by all.

And then the other point that I heard that I'm also 130 percent behind is hearing from the suppliers that we don't contract with that are the underlying suppliers of our carriers, right? So, our carriers or our contractual partners are contracting or subletting out some of the services to the other parties involved. And having transparency around and more connection with those parties actually holding there end of the responsibility in movement of the cargo from one point to another.

So, you know, I know a lot of folks have said that in one form or another, and I just wanted to reiterate for all on the call to hear that those are vital to exporters.

MR. RICHMOND: Sean Healy?

MR. HEALY: Yeah, thank you. You know, I think in terms of this committee making suggestions and advising the Federal Maritime Commission, I think it would be helpful if we understood fully what the FMC actually has authority to do in terms of making change versus

maybe what they have just influence over. I think that would be helpful. Further, I think it would also be helpful if we understood or have an understanding of the Shipping Reform Act that's being proposed and how that might either increase or decrease the FMC's authority on a lot of these issues that we're facing. So, that's number one.

Number two, just thinking out loud here, you know, if we can structure this committee in an -- in kind of an open question here, but if we could identify, you know, six major problems, does it make sense to agree on those and have a task force? So, four people and divided up, you know, into subgroups for each one of these issues. You know, just an open question on the structure of the committee.

MR. RICHMOND: Thank you, Sean.

Regarding the point on the FMC's authority, at a future meeting we could certainly have a briefing by agency officials that sort of weigh out more clearly what the agency has authority over versus what has more influence over or does not have

authority over. I will work with -- I can work with the chairs on that -- or with Brian and Mike on that.

Gabriel Rodriguez?

MR. RODRIGUEZ: Thank you, Dylan. I just wanted to pull on that string a little bit more that that was brought up by some of my colleagues as far as kind of drilling down and getting to a particular point of an action item, so to say.

So, listening to a lot of the comments and drawing a little bit on my experience, I know that one of the issues that we have, which is really the topic here, is transparency of information, right? So, that data and how do we collectively gather that data, share it, analyze it, and ensure that it operates for us in a manner that helps, you know, fluidity, as Chairman Maffei said in his directives, right?

Technology to increase fluidity, how do we do that? I know that there's programs out there. There's software out there that call

themselves community -- what is it called? I just looked it up a second ago. Community transparency programs or whatever the case may be, where some of the governments -- local governments may have adopted them to be able to share information as to what's going on.

But going back to Debb's point, you know, I'd like to see that we would define, you know, certain terms, so that they are universal at least here in the U.S., universal amongst our different terminals, universal amongst the carriers, so that there's a layman in that case, so that we can harness this information, possibly use some type of community system to make that information more visible to all the players involved.

And so, again, pulling on that string trying to draw in a focus, for me something as simple as an accurate ETA. As a customs broker, I call up steamship lines all the time and ask for arrival notices, arrival information. And many times, an answer may come back as, well, we're not

obligated to give you this. It's a courtesy that we give you this. Well, something as simple as an ETA is a very useful piece of information in order to start planning and analyzing what one does, you know, throughout the process. So, if we could, perhaps a small recommendation, instead of ETAs, as an example, being a courtesy from the carriers, perhaps it being a requirement that an accurate ETA, you know, be proposed.

So, again, I just want to drill down to specific points. You know, we want to walk away from this having given very tangible directives to -- not directives, I'm sorry. Tangible solutions or tangible suggestions to the Federal Maritime Commission. And so, that I think is a place to start, you know, defining exactly what we want in terms of defined terms, you know, across the states and then, you know, terminals and carriers and whatnot, and then drawing from there, you know, solutions that we can tackle. This issue is huge, right, and it predates COVID. And there's so many different issues, so many different

players involved. You know, so that a business book that came out, you know, 15, 20 years ago, How Do You Eat An Elephant? You take one small bite at a time. So, I'd say we kind of focus in on specific points and start drawing from there. Thank you.

MR. RICHMOND: Josh Woods?

MR. WOODS: All right. Thanks. Yeah, I just want to -- first of all, a little what I'd say will be probably reiterating what Gabriel and Ken said. You know, I'm in significant agreement to the need for data collection. You know, as we think about, you know, the transfer of data, you know, predictability in and out of our ports is extremely important, right? I mean, there are significant dollars associated with inefficiencies throughout the supply chain.

You know, so, to that point, to me looking at the issues at the -- let's just say, West Coast ports, U.S. ports, looking at those issues kind of in a silo, you know, there's a reason that it's called the supply chain. So, if



you have multiple links that are broken, and trying to fix one link, I think it doesn't really solve the problem, as many of my peers have said.

You know, but the one thing, you know, taking it back to the grassroots level, you know, I'm thinking about, you know, from a continuous improvement point of view, like, in order to optimize any business process, you got to be able to define and measure that process. And I don't feel like as a -- you know, I mean, you can say it as a port, as a carrier, as a country, I don't feel like we have a very good data collection plan. And I feel like in order for us to be able to -- whether it's this group, whether it's the FMC, whether it's, you know, whoever, in order to go out and fix issues, we have to kind of understand what those issues are. You know, so, how do we -- as the industry, how do we create things like rules of engagements with carriers to our ports, right? I mean, if a carrier wants to interact with us, how do we create those rules of engagement, so we can ensure the right and

accurate data is being transferred back and forth? Things like that. Like, how do we create a data collection plan? And it's kind of an open-ended question, not necessarily directed to anybody. But how do we create a data collection plan that's going to allow us to go find what the issues actually are versus, you know, the 50 percent emotion of what the issues are, because that's what's causing, that's what's eating my lunch, versus the actual issue as Ken was saying these underlying suppliers and, you know, all the information that may be invisible to majority of the industry.

MR. RICHMOND: Thanks, Josh. Mike Symonanis?

MR. SYMONANIS: Yeah, real quick. There was a mention on the intermodal environment, so I wanted to raise just one point, because Rich was been very involved with the -- what's going on with respect to chassis in the intermodal marketplace.

And so, I want to advise everybody

because it's not widely distributed information yet, but it is public and it has happened. The DCLI -- you know, (inaudible) has been working with DCLI to try to get inside the box rule conundrum for the Memphis area. And it sits inside the work we've been doing with Commissioner Dye's team for four years. But DCLI basically worked with BNSF and UP to agree for a suspension of gate control for mismatched containers with DCLI under that, right? So, if it's a CMA, and it should be under a track, UP, Marion, and BNSF Memphis are going to allow them in effective basically on Monday.

So, again, not wildly distributed, but this sits inside of the -- you know, as we've talked about, it's not about chassis provisioning in the sense of -- it's about the driver finding the right unit to match up, right? So, unclear that this will expand beyond the Memphis intermodal marketplace, but we've been focused on it for four years. Unclear if it'll expand with the other IEPs that are serving that market or

other intermodal markets, but it has happened. And it has happened I think to Bob's point on the small bite, right? This is not something that's going to get solved in a 24-person meeting in front of competitors, right? It was ongoing conversations about what's feasible, what is and isn't practical, how does it happen, and working together to bring parties together. And it's not saying that it's good nor bad that it actually was involved in it. I fully support what Bob mentioned on the small bites. Coming out of this deliberation, people have different energy and different impact on what we're coming together to deal with.

And so, this is an example of something that it required parties to get together and talk about it. And it's bringing about a small game in a broader set of issues inside of a system. And I'll leave it at that for now. But I wanted to make sure that people know that, you know, a lot of in the IEP conversations they've kind of -- you know, to the points they've made, don't single out

anybody, they've kind of been singled out over the course of the last four years. And in this specific case, they have moved forward to help create a change in what we've sought on the export side for merchant haulage moves, and it's going to be an impactful change as we look at the complexity in the mid-south.

MR. RICHMOND: All right. Rick DiMaio?

MR. DIMAIO: Yeah. I agree with, you know, a lot of what's been said. And I wanted to offer up just two perspectives, you know, as a -- on the shipper side of this conversation.

You know, I've sort of -- my experience has been that all fines and fees flow to us in some circuitous route through a carrier's hands or somebody else to the beneficial cargo owners. And with the idea that keeping freight moving was the spirit of these fees in the first place, we're really the only entity as a BCO that has no control over this process. Not operating terminals, you know, not running vessels, not operating trucks don't own chassis.

And I'd like to see some more accountability in our thought process as we put these deals together, you know, that there's a contract process that's -- as you read into it and you really dig into these situations now that is sort of less than efficient and doesn't drive the right outcome. And I believe that there's going to be a need for a company like mine and some others to collaborate with one another and think of common ways to better use these processes and tools. You know, moving freight through report has so many different entities involved all motivated by something slightly different. But with this common belief that we're all here to move freight --

MR. RICHMOND: Chris Crutchfield?

MR. CRUTCHFIELD: Yeah, thank you very much. I actually took my hand down. I -- Josh jumped in there and helped me and took the words right out of my mouth on accuracy and data management. But I do have one other comment that I would want to reiterate something that Sean

said, and that's, you know, I think it would be a really good idea if we could identify a certain number, who knows, he mentioned six and but it could be five or seven or something other than that, specific items that this committee wanted to address, and maybe the chair could identify those along with your help Dylan and the vice chair and then out of everything that all of us have submitted, and then assign out some smaller working groups to address each one of those.

Certainly, as we operate in the virtual world, it's difficult to, you know, really accomplish specific tasks and goals in this environment, and I -- with 24 people. And I think if you -- if we could break that down with some specific one item that a certain number of us are assigned to address and then bring that back to the group as a whole, we might find some tangible recommendations that we could take to the Commission. Thank you.

MR. RICHMOND: Thank you, Chris. Rick, did we -- were you finished speaking? You may

have been accidentally muted.

MR. DIMAIO: Yeah, I think I got muted.

MR. RICHMOND: We apologize.

MR. DIMAIO: That's okay. I don't know where it muted me, so I'll just leave it where it was.

MR. RICHMOND: Okay. Dan Miller, I saw your hand up.

MR. MILLER: Yeah. Like others, I hold my hand back down. You know, Josh had kind of said the same thing I was going to look at as well. But, you know, I think you -- what I can add to that is, you know, if we don't have the data to really, you know, quantify what the issues are, then we see a port like we're seeing now with throwing out these crazy fees, we know this is all going to come back to us. You know, I had a couple of calls with carriers yesterday, and they've already admitted that yes, these are going to be fees that are going to come back to us. And I don't think there's anybody on this call, whether it be on this committee or anybody



watching, that would admit that they're using the ports to let containers sit just because that's what they want to do.

You know, everybody has full intentions to get these containers out. But if we physically can't get in, drivers are sitting for extra hours, there's additional costs that are already coming to us on a regular basis, this just adds fuel to the fire to all the millions of dollars that are being out late today for detention and demurrage fees or driver detention sitting just because they can't get a single move done in a day. So, you know, I think this is something that really needs to be looked into.

MR. RICHMOND: Brian Bumpass?

MR. BUMPASS: Yeah, just a couple of points. You know, in response to Bob and Sean and Chris, who all kind of raised the similar issue of -- or question of, you know, prioritization of talking points or agenda items, you know, I would love to see the submissions of talking points, and my gut tells me that there's going to be a lot of

similarities between each respective list from the individuals. You know, I think the -- you know, perhaps the most effective way of moving forward in the future meetings, which will certainly have different formats than this one, I believe, is to organize those into, you know, like buckets basically and then prioritize those. We have to run it by a test to see if they're viable and within the FMC scope to actually do anything with. And if the answer to that is no, it kind of kills any discussion on that item. But then a scheduled debate with the creation of agendas for subsequent meetings, you know, this is a -- kind of a different setting. I think we're all getting used to, obviously, you know, large virtual meetings like this in the setting. And it's not necessarily, you know, encouraging a lot of debate back and forth, although I think today, out of the gates, we all pretty much agree that there's problems, and we all agree on what those problems are. But, you know, it would be great if we could again prioritize those issues, schedule them on

the agenda, and then have thorough debate with true conflict. I think, you know, the best recommendations are going to come out of disagreement, as long as it's professional. And hopefully, we can keep it that way.

On the topic of cargo fees, I fully agree with what Chris just said, and certainly with what Rick was saying. You know, fees always come back down to the shipper. You know, stuff rolls downhill. And, you know, I have a very hard time accepting any additional costs, especially for bottlenecks or inefficiencies that I have no role in creating. It seems to me -- you know, at least in my perspective, carriers kind of want to have their cake and eat it too. I don't know about the rest of you. My cargo is extraordinarily unattractive to ocean carriers. It's all heavy. I moved 20-foot containers, and half of it is hazardous, and I don't want to pay anything. So, I understand that my cargo is by no means what they're looking for to wheel on ships. However, it is essential, you know, to our

economic health, to food, to pharmaceuticals, to cosmetics, to national security in many cases. And we have POs that are sitting at dock in origin in Asia since March or April of this year that still can't get a booking confirmation because the cargo is being discriminated to that degree.

You know, so, it's sort of nonsensical to me to accept an additional fee while the carriers are still not doing their side of the equation for contractual language. We have space allocations that haven't been honored. There's no reciprocity in liquidated damages. And so, at least from our perspective, you know, we really won't accept any additional charges until there are some level of equity back -- you know, that plays back into the equation. I do think -- Dylan, correct me if I'm wrong, but I do think that this falls squarely on the FMC's ability to broker change with this new fee in Los Angeles/Long Beach, you know, and certainly bringing equity back to the table in terms of how freight is booked and carried without

discriminatory practices placed on container size or container weigh or the nature of, you know, whether there's the hazard on those products.

MR. RICHMOND: We will have to -- pardon me. We will have to get back to you on that fee issue. I have been honestly not paying attention to much anything besides this for the past few days, so I can't really comment on that. But a good point. Justin Cauley, you -- did you want to raise some points or --

MR. CAULEY: Yeah, I just messaged you. Yeah, I agree with the points of the subgroup committees that we should really kind of, as they said, pick out a few of the top whole points and maybe we submit them and we can vote on which ones we have more of passion for. And from that, we can work in smaller groups where there is that natural debate and that conflict where the best ideas come out. That's really kind of the only other thought I had, is it -- I agree this large group setting, it's just difficult to have some of those maybe deeper conversations.

MR. RICHMOND: Debb Minskey?

MS. MINSKEY: The only thing to add related to the charges is the process to get them back and to be able to identify we're -- what we're doing with the charges. Meaning, if the port is shut out an empty return, and then you can't pick up a loaded container, because you can't take the empty and to reuse the chassis, there's a cost associated with that and should that be on the BCO that can pick up a container, because they can't return it empty. And how we can kind of map that out to make it more effective for something that the FMC definitely said they can support, but it's hard for them to be able to support today with the current structure of how it works with empty returns and loads out in the supply chain. So, just as a thought and, you know, again, something else maybe to add to this list we're talking about, but that's the cost is just one part of it.

MR. RICHMOND: Thanks, Debb. All right.  
Ken O'Brien?

MR. O'BRIEN: Thanks, Dylan. You know, listening to a lot of the comments, as I think about the cargo fees, you know, I guess that core question is, is this group have the ability to recommend, or would we recommend that you should either regulate or legislate common sense approach to cargo charges? And I think that is -- there's a big question as to, you know, many of us with our views on, is that really, you know, a good thing? I for one, I'm not a big fan of overregulating anything. But at the same time, I think these cargo charges, there's a core tenant in equity, which is, is it fair and impartial and neutrality?

And so, you know, what was done this week by the ports of L.A./Long Beach is effectively an indirect tax on the American consumer. I think quite simply, you know, should we make a recommendation, or is there a debatable point that says that, you know, charges are -- you know, be them pass through charges, cost recovery charges, are they deterrence? Are they

incentives? Or are they just profit? And so, in the case of this fee, I mean, I looked quite simply, I'm -- in the middle of dealing, I'll use a one container story to tell a larger idea.

I just dealt with a container that's been sitting in the Port of L.A. for 59 days waiting to go on a train. Should that shipper have paid for that after three days? As the rule somewhat dictates, it would. Somewhere between the terminal operator, one of the two class one rails and the port rail, it just didn't happen. So, I would argue that any charge that it created that sort of fact pattern where that shipper should ultimately pay for something like that is bad policy. And I think ultimately the regulator in charge of maritime policy should not allow things like that to happen. And so, if we don't set that up, and so how do you do that? I think it's really about, again, this group making strong recommendations. It's like, you know, is there a role for the Federal Maritime Commission to weigh in on if a policy is helping or hurting?



You know, I think, Gabriel, you just talked about, you know, arrival notices as a courtesy. Well, if we all think that those are a piece of the puzzle that helped us to create cargo velocity, I'd say they shouldn't be a courtesy. They should be a requirement. I think certainly I see it on empty returns, I would say. You know, when I fly out tonight, I have to return a rental car. If they're not going to tell me where it has to go back to, it might be pretty hard to make my flight. And so, should there be a mandatory rule that says you have to tell us where the empty goes? There's a lot of hard parts that had been on the terminal side and on the liner side. I understand the complexities of that, but if we believe that at national level that that would increase velocity and fluidity, then maybe those are the sorts of recommendations this group should make. And then the steps that have to happen to enact that can occur. But I think we have to come up with some tacit. What are those roadblocks that we see? What would change them? And then

how do those policies change as opposed to just putting the layering on a fee, right? I mean, a fee is a simple solution, but it's really just a tax. It doesn't actually fix the core problem. It just creates a bucket of money. Thanks, Dylan.

MR. RICHMOND: Thank you, Ken. And actually, I wanted to follow up on your remark on government and fluidity. The final item I'd sort of like to touch on this afternoon is sort of the current state of the supply chain. I've sort of been talked about this whole time, but in particular the Commission is interested in hearing, as Chairman Maffei noted earlier, how government or how government agencies can help or hinder fluidity.

With that, Scott Fremont?

MR. FREMONT: Thank you. I won't touch on that. And just one other quick comment from a learning standpoint. So, we've talked a lot about -- and I think really good points on what we've done lately with the -- excuse me, with the scope of the FMC and the different things that we can do

within our scope here. But also curious, I'll refer to Brian and Mike as the chair and vice Chair, if we'd be able to get, you know, a pre-read next time of like, what has been tried and failed in the past? Like, these aren't new issues. You know, I know a few years ago there was a transportation bill, the FAST Act had a port metric provision in it, and that was quietly killed behind the scenes. So, I think it would also be important to kind of learn and study and understand like, what has been tried before and failed, and maybe things are different now, or should we be learning and adjusting from that? So, again, you know, Brian and Mike, your guys' call on that one, but I think that'd be good for us to know, so we don't try and do something that has been tried in the past and has failed.

MR. RICHMOND: Rich Roche, I saw your hand up. I don't know if you still wanted to speak or --

MR. ROCHE: Yeah, I was actually still on the cost bullet there. Just looking at, you

know, the FMC has done some valiant work, and putting forward the interpretive rule last year, you know, we have Ostra coming out to potentially try to codify some of the aspects of the interpretive rule. I think there's a lot of frustration that some of the points that that rule covers are being largely ignored by carriers and/or terminals. And there does not seem to be an adequate dispute resolution process, even though (inaudible) had posted, you know, dispute resolutions, some of those links are broken. They don't point directly to anything but a website in some cases. And, you know, we have a gun against our head to pay these fees. And when we do get into disputes, you know, another aspect of this is, you know, how can we make changers maybe more effective as a resolution arm of the FMC. So, all of these, I think, are things that we need to add to our lists. You know, Ostra may not actually come to be for another year or more. And so, we do also have an ANPRM that stood out from the FMC shortly, you know, how that will address a couple

of these points, maybe, you know, we'll be influential in helping really mold that, and I hope we are, but those would just be my points of -- to finish up the conversation on fees. Thanks.

MR. RICHMOND: Thank you. Sean Healy?

MR. HEALY: Yeah, just a quick couple things. You know, the empty return topic has come up here quite a bit as an issue, and we know the terminals are flooded with empty containers. You know, just thinking as we have 12 of the largest importers and 12 of the largest exporters in the country on this committee, you know, how do we incentivize straight returns, which would solve some of that issue about an empty return, right? And it would save on drayage runs and drayage costs as well. So, just throwing that out, how do we incentivize returns? It's something that we've tried to do many times to varying degrees of success, because sometimes the importers don't want to share the information with the exporters on what their forecast is containers. But I think there's real opportunity there if maybe this

committee can identify that as an opportunity and a topic.

Last thing I had, and I think maybe Steven Hughes had brought this up, about the charges being filed on such short notice. And I'd be curious to see what the responses from the FMC the 30-day filing requirements on those searches. Thank you.

MR. RICHMOND: Thank you. Adnan Qadri?

MR. QADRI: Just a couple of quick points. And so, one, maybe just a suggestion for Michael and Brian, as you're kind of looking at the list of all of the core issues that the teams have provided that -- overall, it might be a good one to maybe just kind of -- as you consolidate them and kind of bucketize them, it might be a good one to maybe put those out towards with the committee to see which ones, you know, kind of -- that most are kind of interested in kind of following up and supporting and then maybe using that as a way to get it balancing that against the FMC charter to kind of identify the four or five

critical issues that we're going to go after, and then we can potentially build, you know, five or six-member subcommittees to kind of start working behind the scene on those. I think that might be a useful piece to kind of look at as a recommendation on how to kind of move forward.

And I also wanted to kind of talk a little bit about the second topic that we were talking about, the detention and demurrage component of it. And I think Ken touched on this a little bit. Like in the past, like the whole idea behind detention and demurrage pieces was, how do you incentivize faster turns into returning equipment and bringing fluidity into the network and the supply chain? Right? In the -- in its current state, and the way current -- the supply chains are moving right now, I don't think that D&D is actually incentivizing anything. It's not -- I don't think there is a way for it to incentivize particularly, you know, like folks are not sitting on container returns, because they want to write or they don't -- they're primarily

sitting on it, because they don't have a way to kind of get those containers returned and those empties returned, and get that volume and fluidity back into the cycle.

And it's very difficult to wrap our heads around this idea of these detention and demurrage charges, which are not necessarily kind of making the process any better. And they're actually not driving any kind of positive behavior in -- currently in the way the supply chain is currently set up. And that concerns me a little bit, though, if you were saying that, hey, we're going to take this -- you know, we're going to take these charges, and we're going to use these to make the overall supply chain better. Right? And we're going to take this, and I think the BCOs might -- and the -- generally, the shippers will feel a little bit better about those, but I don't know -- I don't think there's a lot of transparency on these charges and how they're actually and where they're actually driving in terms of, you know, the supply chain benefit. I



don't -- in its current state, that's what concerns me the most, is that we are -- most of these charges don't necessarily help us improve our supply chains in the long run. And I don't think they're actually driving any benefit to the current state that we are in. So, just a thought on that.

MR. RICHMOND: Thanks, Adnan. Josh Woods?

MR. WOODS: Yeah, I want to touch on -- I'll briefly touch on detention and demurrage. I don't want to repeat what a lot of my peers have said.

You know, the one thing about detention and demurrage is, again, the lack of data. So, right now, the burden of proof really stands on the shoulders of the BCO to prove whether it's accurate or not, right? And one thing that we can't undersell, I think, is the magnitude of what we're talking about. Right? It's -- to think about, it's just randomly 5,400 containers on the ocean of those -- or container ships. So, of

those container ships, how many containers are on those ships, right? The actual tracking and tracing of those containers is significant.

You know, and so, again, the -- we -- as a -- I think as a committee and a council, we have to be able to quantify how big of a -- for lack of a better term, a journey it is to even get to the level of detail that we should be requiring in order for shippers -- or sorry, in order for vessel operators to charge us these fees, you know. And, you know, I truly believe that if the data says that those fees are accurate and true, yeah, you should pay them. As far as regulating that, and I don't know if I necessarily have an opinion about that, but I think that in order for us to be able to say that we should or shouldn't be paying these penalties or these fees, we have to have the data behind it and we just don't. So, right now, what that really boils down to is not only, you know, shippers like everybody on this council, but shippers across the country are now being forced to try to prove that they do or don't

owe -- or they don't owe these penalties.

You know, so I'll pause on that, because that really circles back to what I was saying about having a data collection plan and really forcing rules of engagement from a data perspective with our international sea freight partners. But what I really wanted to touch on is, you know, what do I think, you know, the -- you know, whether it's government or, you know, any kind of agency helps or hinders these processes is, you know -- and I think -- and we touched on it earlier in this meeting, and that is the cross-functional engagement. You know, this I think -- kudos to the FMC, right? I mean, this is the first step. But think about all of the other agencies out there, like DOT, you know, if you think about at the more private level, you think about like the Truckers Association. You know, so a lot of the cross-functional engagement, again, is going to be required, I feel like, and is needed in order to help the situation along simply because this isn't only a Federal Maritime

Commission problem, right? I think this is a DOT. This is a FMC. This is a USDA. This is a problem that has the magnitude beyond anything I don't believe any of us have ever seen. And it's going to take that type of engagement in order to help move progress along.

And so -- and I know that's a little bit high level and vague, but, you know, if you ask me from my perspective what I think the -- you know, the government and agencies are doing to hinder and help. To hinder is I think there's a little less cross-functional engagement than there probably should be. And then to help, I think there needs to be more cross-functional engagement, because that's ultimately how we're going to, you know, start plugging the holes in the dam.

MR. RICHMOND: Thank you, Josh. Gabriel Rodriguez, I will get to you in a second. I want to note that we are sort of getting towards the end of our discussion time. So, after Gabriel goes, I'll see if Mike or Brian have any comments

they would like to make. And then we'll sort of go from there.

All right. Gabriel Rodriguez?

MR. RODRIGUEZ: My comments regarding demurrage and detention kind of flow a little bit from what Josh just said. You know, as a day-to-day practitioner, being a customs broker, I'd pay the actual demurrage and detention directly to the lines and the carriers, and argue the point, and look at that data on a day-to-day basis.

And, you know, just as a small piece of like -- of data to see where we were to where we are, we did a quick analysis here. August 15th to September 15th last year, over this year, there was a 15-fold increase from last year to this year in the amount of demurrage that we paid on behalf of our customers. And as a small company, I'd pride myself on making sure our customers don't pay demurrage.

But as we analyze the situation, I'd go back to a quick comment that Brian made. You

know, you can't have your cake and eat it too. And that's exactly what's going on right now, is unfortunately, we're paying a lot of demurrage and detention for circumstances we have absolutely no control over. And the carriers, terminals, and other parties are basically, you know, forcing you to play by the rules, but not playing by the rules themselves. In the sense of, you know, if you've got four days of free time at a particular port or a terminal, you know, then make the container available and make it accessible within those four days. Don't start charging me free time, you know, with the container not really being available, and then we have to chase you down to update the free days and go through that process.

And I think a lot of that happens within what's going on right now similar to, you know, per diem charges. You can't return a container four months down the line you get an invoice for not having returned that container, then you got to go back to the carrier and prove to them that you tried to return the container. So, there's a

lot of circumstances like that that, you know, occur in the day-to-day activity that I think if we were able to make some recommendations to allow there to be some sort of manner in which either the carriers and terminals start playing by the rules, or, you know, something like what I did here, I called up my local FMC office and I said, you know, hey, there's a theft. And they said, yeah, we're not the cops. And I said, well, you guys got to operate in some way, shape, or form to help me out here, because what's going on is akin to a theft, right? You know, we're paying for stuff that we have absolutely no control over. So, as we develop these conversations, I think that statement of having your cake and eating it, too, is something that we need to dive into and see how we can, you know, maybe change a little bit of how those roles are played by. So, thank you.

MR. RICHMOND: Okay. Thank you. Brian, could you -- calling you since you're the chair here.

MR. BUMPASS: Well, I just wanted to thank everybody for their comments. I've got some copious notes here both on what we talked about today, but also on some requests that each of you made for kind of the future meetings. And I really appreciate the input and the leadership that all of you showed today. You know, certainly -- Dylan, I don't know that I have contact information for everybody on the committee. But if I -- if you can make that available to make, I'd like to reach out to each one of them individually and just share my contact information as well. I believe an open-door policy, so if there's anything that I can do, anything that you guys have requested for agendas -- I'm sure Michael, to keep an open door as well, but, you know, I'd really appreciate your involvement and your support. Thank you.

MR. RICHMOND: Mike?

MR. SYMONANIS: Yeah, I guess just echoing what Brian said, we're not the gatekeepers of priority here, right? This is 24 people



working together. We're going to try to make sure we work together closely. And so, I think, you know, I -- like, he want to have transparency. So, I -- to Bob's point, everything that's been suggested, I think we'd float it to everybody and look for commonality, consensus, and where there's traction. I know that the suggestions by Sean and others on the working groups make sense too, because some things may not be as pressing for you. But yet, it's important that you're engaged on the things that are engaged for you and your organization and your industry vertical.

What do we want from a meeting frequency standpoint? Ultimately, how do we, you know, get some of these other things in place? And, you know, what Scott said, you know, what's already been looked at and reviewed, so we don't go down along paths. And there's been a bunch of work done on it already. And really more get inside of what may be why it wasn't feasible at the time it was suggested, right, or what's kept it from getting forward. So, I think to be more informed

as we look at the universe of things we're focusing on, I think, is important.

So, I look forward to working with everybody. I agree with Brian. Let's get your private contact information, so we can engage in a more dynamic way as we move forward out of this and ready to roll in the areas that make sense for all of us.

MR. RICHMOND: Thank you, guys.

Regarding the meeting frequency, the only mandate that's in the charter is that the full committee will meet once -- at least once a year. I think we sort of assumed that the meetings may be more frequent than that, but I was going to leave that up to you all as to the frequency to the meeting schedule.

We also have the committee has the use of Zoom to use for its meetings. There I imagine will be an opportunity for in-person meetings in the not too distant future, but I'm not going to promise anything on that right now.

The next agenda item I have is a summary

of written comments. Because this is -- this committee is an advisory committee subject to the Federal Advisory Committee Act rules, there is always an opportunity for the public comment and to submit written comments to the committee. If we are doing it in person, there sometimes are opportunities for the public to present directly to the committee at their meetings. We are not doing that today, because of the nature of Zoom. But I will report that the committee received no comments so far. And as they do, I will sort of share it with the chair and vice chair and sort of distribute it through them.

With that being said, I believe it sort of concludes the meeting. I want to thank the committee members for attending today. I hope you all found the discussions fruitful. I want to thank all the participants who logged on to view. I hope you also thought that was an engaging session. And I want to thank, of course, the Chairman and the commissioners for helping set this up.

And so, with that, I believe that concludes the first meeting. So, thank you all for attending. And I will be in touch with the committee soon.

MS. JACOBSON: Thank you.

MS. MORRISSEY: Thank you.

MS. MINSKEY: Thank you.

MR. RICHMOND: Yeah.

(Whereupon, at 3:50 p.m., the  
PROCEEDINGS were adjourned.)

\* \* \* \* \*

CERTIFICATE OF NOTARY PUBLIC

DISTRICT OF COLUMBIA

I, Kendra L. Hammer, notary public in and for the District of Columbia, do hereby certify that the forgoing PROCEEDING was duly recorded and thereafter reduced to print under my direction; that the witnesses were sworn to tell the truth under penalty of perjury; that said transcript is a true record of the testimony given by witnesses; that I am neither counsel for, related to, nor employed by any of the parties to the action in which this proceeding was called; and, furthermore, that I am not a relative or employee of any attorney or counsel employed by the parties hereto, nor financially or otherwise interested in the outcome of this action.

Kendra L. Hammer

**Notary Public, in and for the District of Columbia**

**My Commission Expires: 03/14/2026**

