

**National Shipper Advisory Committee
Committee Meeting**

Meeting Minutes

Date: March 5, 2025

Time: 2:30 p.m. – 4:30 p.m. PST

Location: Long Beach Convention Center, Long Beach, California

NSAC Attendees:

In-person

- Mike Symonanis, Louis Dreyfus, Chairman
- Ken O'Brien, Gemini Shippers Group, Vice Chairman
- Rich Roche, Mohawk Global Logistics
- Debb Minsky, IKEA
- Bob Connor, Mallory Alexander International Logistics, LLC
- Gabriel Rodriguez, A Customs Brokerage, Inc.
- Steve Hughes, MEMA/Auto Care Association
- Morgan Jackson, Walmart
- Alison Leavitt, Wine and Spirits Shippers Association
- Adnan Qadri, Amazon
- Ken Sine, Wayfair
- David Shanks, Tractor Supply Company
- Sean Healy, Cargill Incorporated
- Selwyn Moore, Blue Diamond Growers

Virtual

- Tony DeBower, Tyson Foods, Inc.
- Claudia Moshiri, Brenntag North America, Inc.
- Alexis Jacobson, BOSSCO Trading LLC
- Fernando Lagonell, DuPont
- Colby Eymann, The Scoular Company
- Justin Cauley, CHS, Inc.
- Chris Crutchfield, American Commodity Company

Designated Federal Officer's Introduction and Determination of Quorum

Designated Federal Officer Mark Bragança welcomed attendees and provided an introduction and overview of the National Shipper Advisory Committee (NSAC) and of himself, as the Designated Federal Officer (DFO).

DFO Bragança clarified that the NSAC meeting is separate from S&P Global and the Journal of Commerce and expressed gratitude for their generosity in hosting the NSAC meeting.

DFO Bragança acknowledged Federal Maritime Commission (FMC) attendees: Commissioner Rebecca Dye, Commissioner Max M. Vekich, Director John Crews, Deputy Director Erik Cox, Counsel to Commissioner Vekich Cory Cinque, and Alternate DFO Alanna Beck.

DFO Bragança introduced the meeting agenda and reminded attendees that the meeting is recorded and that the minutes and presentation materials will be available on the NSAC website.

The meeting of the NSAC was called to order at 2:40 p.m. Pacific time. A quorum was present.

Agenda Items

I. Remarks from NSAC Leadership

Chairman Mike Symonanis expressed appreciation for TPM and S&P Global for hosting the NSAC meeting, along with all meeting attendees for their attendance following the TPM Conference. Chairman Symonanis also highlighted the importance of NSAC engaging with the shipping community.

Vice Chairman Ken O'Brien expressed appreciation for the meeting attendees for their attendance and participation following the TPM Conference. Vice Chairman O'Brien noted that there is uncertainty in the industry making it important to be mindful about what is happening in the macro world and how it will affect the relationship that shippers have with their carrier partners.

II. Recognition of New NSAC Members

Chairman Symonanis introduced Colby Eymann (The Scoular Company), David Shanks (Tractor Supply Company), and Selwyn Moore (Blue Diamond Growers) as new NSAC

members.

III. Digital Container Shipping Association (DCSA) Update on Data Initiatives and Member Deployment Progress

External Presenter: Dominique Willems

Presentation Materials: Slideshow

Mr. Willems presented on who the DCSA is, what the association does, what the association has achieved recently, and future goals for the association. Mr. Willems specifically addressed updates related to the DCSA's bill of lading standards and booking standards (end-to-end process) and introduced a new formalized mechanism for the DCSA to receive input from non-members (DCSA+).

Mr. Willems concluded with the following recommendation for the NSAC: to continue work on data reliability and availability and facilitate the conversation about this topic.

Q&A

Chairman Symonanis asked Mr. Willems if there is anything currently underway to widen the data engagement with class one railroads, MTOs, and port authorities. Mr. Willems affirmed and replied that, in addition to DCSA's partnership program (DCSA+), the DCSA is looking to find other ways to have these discussions without breaching compliance rules.

NSAC Member Morgan Jackson asked about the response from DCSA members to a letter from U.S. shipper and forwarder organizations referenced during the presentation. Mr. Willems stated that there has been a response and provided some detail regarding his knowledge of the response. Mr. Willem also clarified the letter was sent to the members of the DCSA and not sent by the DCSA, so the DCSA does not have an oversight of the responses.

Vice Chairman O'Brien asked Mr. Willems to provide a sense of the demographics regarding who is making API calls. Mr. Willems stated that he is not allowed to know; that it is the members who provide the data directly to their customers.

IV. National Industrial Transportation League (NITL) Overview on Ocean Shipper Bill of Rights

External Presenter: Siva Narayanan

Presentation Materials: PDF document

Mr. Narayanan introduced the NITL's Ocean Shipper Bill of Rights and walked through each "right" outlined in this document.

Q&A

NSAC Member Rich Roche inquired as to where the Ocean Shipper Bill of Rights get lodged and how will it be enforced. Mr. Narayanan provided three mechanisms for enforcement: (1) contract enforcement (if rights are in the contract); (2) advocacy and public awareness; and (3) law enforcement (if rights are provided for in legislation). Mr. Roche followed by highlighting the difficulties in negotiating these rights into the contract as small and medium-sized shippers and expressed his support for public awareness.

Vice Chairman O'Brien inquired as to the NITL's plan to solicit feedback from the carriers. Mr. Narayanan stated that it was rolled out today at the meeting and that as a result of it being public, the NITL expects feedback from the carriers.

Chairman Symonanis stated an observation that the NITL is moving towards what it reasonable and that this is a start of a dialogue. Chairman Symonanis further stated that there is not a current consensus of the shipping community regarding what they want and what is reasonable and highlighted the importance of community engagement.

Vice Chairman O'Brien further inquired as to where to find the document. Mr. Narayanan stated that it will be available on the NITL and the NSAC websites.

V. Data / Visibility NSAC Subcommittee Update

NSAC Presenter: Subcommittee Co-Chairman Gabriel Rodriguez
Presentation Materials: Slideshow

Mr. Rodriguez provided an update regarding meetings of the Data / Visibility Subcommittee and ongoing communications with DCSA. Mr. Rodriguez also provided an overview of all the Subcommittee's recommendations to the FMC and noted that these recommendations are available on the NSAC website. Mr. Rodriguez concluded with a discussion of ongoing work in 2024 and into 2025, the importance of greater data transparency and reliability, and the Maritime Transportation Data System (MTDS) proposals by Commissioner Bentzel.

Q&A

Chairman Symonanis made an observation that the recommendations referenced during the presentation were made to cover the shipment over water and the intermodal piece and the

expansion to ocean carriers. Chairman Symonanis noted that Commissioner Bentzel's report came out in December 2024 and the NSAC needs to look and see about opportunity there and that the work needs to continue regarding data transparency and reliability.

VI. Fees & Surcharges Subcommittee Update

NSAC Presenter: Subcommittee Chairman Rich Roche

Presentation Materials: Slideshow

Mr. Roche presented on five unresolved issues post-Ocean Shipping Reform Act of 2022 (OSRA), namely, jurisdiction on rail storage charges; detention and demurrage on government holds; early receipt date changes; notices of availability; and the container return process. Mr. Roche provided a summary, examples, and thoughts going forward for each issue. Mr. Roche also noted the Subcommittee's recommendations on the first three issues and the FMC's responses are available on the NSAC website.

Q&A

NSAC Member Bob Connor noted that it is important to identify where terminals fit into the process as the vendors to the carriers and that there needs to be some reliability and connectivity between the carriers and terminals.

VII. Port Best Practices Subcommittee Update

NSAC Presenter: Subcommittee Chairman Debb Minskey

Presentation Materials: Slideshow

Ms. Minskey introduced the Northwest Seaport Alliance Task Group (NWSA Task Group) comprised of members of the NSAC and other Beneficial Cargo Owners (BCOs) in the area representing both importers and exporters. Ms. Minskey discussed the goals of the NWSA Task Group and work that the Group is undertaking.

Q&A

Chairman Symonanis noted the confluence of issues that all NSAC Subcommittees are addressing.

NSAC Member Adnan Qadri asked a question regarding the themes in the information that the NWSA Task Group had received so far and the next steps. Ms. Minskey stated that there isn't any one theme that stands out and that most of the information is typical. Ms. Minskey

further stated that the next step is to look at what is happening at the terminals and identify what needs to be addressed.

NSAC Member Morgan Jackson, a fellow Subcommittee member, requested Ms. Minskey provide an overview of how the Subcommittee connected with Northwest Seaport Alliance and how the NWSA Task Group got started. Ms. Minskey replied that the Northwest Seaport Alliance approached the Subcommittee with interest and the Subcommittee found that it would be a great opportunity for cooperation and collaboration. Ms. Jackson followed with an expression of gratitude to Northwest Seaport Alliance for this collaboration.

Commissioner Dye provided a statement regarding these processes as a format for discussion and stated that these processes are critical to improving terminal and port operations in the U.S. Commissioner Dye also stated that there is a supply innovation team, and that if there is interest in engaging the team to let the FMC know and expressed her gratitude for the work of the Subcommittee.

VIII. Refusal to Deal Working Group Update

NSAC Presenter: Chairman Mike Symonanis
Presentation Materials: None

Chairman Symonanis provided an overview of the goals of the Refusal to Deal Working Group. Chairman Symonanis stated that the Working Group solicited but has yet to receive feedback on the Refusal to Deal FMC rulemaking.

IX. Public Listening Session

DFO Bragança opened the floor for public comment and offered a reminder that the public can always provide comments to NSAC@fmc.gov. Five members of the public offered comments.

Chairman Symonanis thanked the commenters, noted the importance of the public comments, and reminded the public they can also provide comments through the NSAC email address or with individual NSAC members.

X. Other Committee Business

Chairman Symonanis noted that the NSAC is compressing the annual public meeting schedule from four meetings to three in 2025.

The next meeting will be held in June in Savannah, Georgia. This meeting will be hosted by the Georgia Ports Authority (GPA).

There is one outstanding membership transition. NSAC Member Morgan Jackson (Walmart) will be replaced.

XI. Closing Remarks from NSAC Leadership

Vice Chairman O'Brien thanked the public commenters for commenting on the rail issue and opened further conversations regarding it.

Chairman Symonanis thanked the NSAC members for volunteering to serve and emphasized the importance of engagement and public awareness of NSAC's work.

Adjournment

The meeting adjourned at 4:20 p.m. Pacific time.