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Federal Maritime Commission
800 North Capitol Street NW
Washington, DC 20573-0001

RE: Docket 19-05, Demurrage & Detention Comments

Ladies and Gentlemen:

Demurrage and detention, as defined in your NPRM, is a HUGELY abused charge levied in many cases unreasonably by the carriers, marine terminals, and railroads acting as marine terminals, and your proposed rules for reasonableness are GREATLY needed! As of today, my customers have been charged \$73,248.00 just since January 1, 2019, for demurrage and detention as you define them. Please note that my small company consists of only 9 employees, and we make only about 8,000 entries per year. This problem nationwide is clearly enormous!

Please allow me to give you an example. We were just told this morning by a Maersk representative that as soon as one of our customer's containers were pulled to the CES in Houston, that per diem would start. As customs brokers only, we primarily deal with imports and government inspections, and we can think of NO carriers or terminals that extend free time or otherwise suspend charges for any government exam. We neither can think of any carriers that use demurrage and/or detention solely to incentivize cargo movement and the productive use of assets – they are CLEARLY revenue streams from frequently unreasonable application of them. Your proposed rules will go a long way in rectifying this grossly abused charge by the carriers and terminals.

Sincerely,

Lee Hardeman

Lee Hardeman,
President