

February 28, 2017

Ms. Rachel E. Dickon  
Assistant Secretary  
Federal Maritime Commission  
800 North Capitol Street NW  
Washington, DC 20573

**RE: Petition of the Coalition for Fair Port Practices for Rulemaking  
[Petition No. P4-16]**

Dear Assistant Secretary Dickon:

On behalf of the International Association of Movers (IAM), I am pleased to provide comments in support of the detention and demurrage petition under consideration at the FMC. IAM is the moving and forwarding industry's largest global trade association. With more than 2,000 members, its companies provide moving, forwarding, shipping, logistics, and related services in more than 170 countries for household goods shipments.

IAM assisted in the development, and fully supports the policy statement requested by the Coalition, which would help bring about more reasonable demurrage and detention practices for household goods and other cargo moving through our nation's seaports.

In addition to delays associated with weather, labor contract negotiations, and the arrival of very large ships, IAM member companies frequently experience additional costs and delays resulting from routine customs inspections and examinations ordered by government officials.

Page 39 of the Petition explains this in detail:

*“Delays arising from governmental inspections of cargo before free time expires are beyond a shipper's, consignee's, or drayage provider's control and may arise from the ocean common carrier's, or its marine terminal operator's, failure to tender cargo to U.S. Customs and Border Protection in accordance with its priority status. Tendering goods in this manner deprives a shipper or consignee of the benefit of its free-time period. Imports or exports selected for inspection and/or examination by Customs should not be subject to demurrage and detention costs while being inspected or examined. The shipper or consignee has no control over the decision of the government to inspect a particular shipment or the timing as to when an inspection may occur.”*

Household goods shipments are unique from the majority of commercial/retail shipments as the contents of the shipment are not for commercial resale and are often shipped at personal expense by a US citizen without any foreknowledge that the clearance process through a US port could result in thousands of dollars in extra fees

only for the Government to clear the shipment. This “guilty until proven innocent” process unfairly burdens the beneficial cargo owner.

IAM asks that the Commission give thoughtful consideration to our members’ shipments of household goods, and that any FMC policy statement or future rulemaking recognize detention and demurrage resulting from routine government inspections, so our industry and others may not incur additional costs as a result.

The FMC has taken important steps over the past two years to carefully examine port congestion issues challenging carriers, shippers, terminals and intermediaries. We appreciate the effort and time Commissioners and staff have put into understanding this critical issue for our industry.

Regards,

Terry

Terry R. Head  
President