

The Honorable Wilbur L. Ross, Jr.
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Avenue, NW
Washington, DC 20230

Re: American Association of Port Authorities' Comments on Section 232 National Security Investigation of Imports of Mobile Cranes

Dear Secretary Ross,

On behalf of the American Association of Port Authorities (AAPA), I write to submit the port industry's comments in connection with the Department of Commerce's (Department) Bureau of Industry and Security's (BIS) national security investigation of imports of mobile cranes, under Section 232 of the Trade Expansion Act of 1962, as amended at 19 USC § 1862.¹ The Department developed regulations in accordance with the statute at 15 CFR § 705.² AAPA submits these comments pursuant to the request for comments at BIS Federal Register Notice, 85 Fed. Reg. 31439.

As argued below, AAPA respectfully requests that the Department exclude Maritime Cargo Handling Equipment used at American public seaports from any trade enforcement recommendation.

Only one crane used at ports overlaps with the Petition's HTS codes, the mobile harbor crane.³ However, Manitowoc is identifying a line of cranes different in specification, manufacture, and use than those used at ports.

The following Maritime Cargo Handling Equipment is *neither available from any American-owned producers nor is it included in the Petition for this investigation, and therefore it should be excluded.*

- Overhead/hammerhead cranes
- Straddle carriers
- Overhead traveling cranes
- Cantilevered rail-mounted gantry cranes
- Automatic stacking cranes
- Ship-to-shore cranes
- Shuttle trucks
- Rubber-tire gantry cranes
- Rail-mounted gantry cranes

Introduction

AAPA is the unified voice of the seaport industry in the Americas, representing 78 geographically diverse public port authorities in the United States (US). AAPA submits these comments on behalf of its

¹ 19 U.S.C. § 1862 (2018).

² 15 C.F.R. § 705 (2020).

³ Mannesmann Demag Corp., N.Y. 868210 (1991).

US members.⁴ Oceans, lakes, and rivers are *by far* the number one means of international trade. Therefore, AAPA's member ports are the gatekeepers of the American economy and trading system.⁵ America's seaports deliver vital goods to consumers, facilitate the export of American made goods, create jobs, and support local and national economic growth. According to Martin Associates, the total economic value generated in terms of revenue to the business, personal income, and economic output generated by ports accounts for 26% of GDP. Our ports directly employ over 650,000 Americans.⁶

Ports also play a role in national defense. Sixteen of our member ports are designated Strategic Seaports by the Department of Defense (DOD).⁷ These ports have set aside space for berthing and have developed readiness plans for emergencies.⁸

However, the day-to-day business of ports is peaceful trade. Our ports help move American exports and help provide American consumables. All the while, they work with government partners to keep illicit items out of our country and to collect billions of dollars in revenue for reinvestment into the American economy. They consistently strive to make this process more efficient by purchasing cranes specifically designed for cargo and container handling in a commercial environment. These efforts play a crucial role in getting goods and essentials to American businesses and consumers.

AAPA Methods for Data Collection to Support this Comment

AAPA has collected data from our ports about their crane and cargo handling equipment usage and their expected demand for the same orders to provide the Department with the latest information. For this initial submission, AAPA focused on its 'operating ports.'⁹ At an operating port, the port authority purchases and owns the cranes and cargo handling equipment and hires the labor to move the cargo.¹⁰ The port's workers are responsible for picking the cargo up and bringing it to the storage site. At a 'landlord port,' the port authority rents the space to the terminal operator, which is a co-investor in cranes and cargo handling equipment.¹¹ The terminal operators also hire the dockworkers to operate lift machinery.¹² Despite leasing their space, landlord ports work closely with their terminal operators to expand dock capacity. Therefore, landlord ports do not solely bear the cost of cranes and equipment; yet price heavily affects their investment decisions.¹³ Operating ports would be most directly affected by

⁴ AAPA's government relations activities are limited to our US members.

⁵ See generally U.S. Dep't of Transp., Port Performance Freight Statistics in 2018: Annual Report to Congress 2019, § 1, 1 (2020).

⁶ American Ass'n of Port Auth.'s, *Exports, Jobs & Economic Growth*, Advocating For U.S. Ports (last visited 7/10/2020), <https://www.aapa-ports.org/advocating/content.aspx?ItemNumber=21150>.

⁷ AAPA's 16 members that are strategic seaports:

⁸ Ronaldo C. Baez, *The Strategic Seaport Program: Ensuring Transportation Readiness*, US ARMY (January 10, 2017), <https://www.maritime.dot.gov/ports/strong-ports/national-port-readiness-network-nprn>.

⁹ AAPA's Operating Ports include Jaxport, MassPort, Port of Houston, Port of Mobile, Port of Panama City, Port of Savannah, Port of Virginia, Port of Wilmington, NC.

¹⁰ U.S. Env'tl. Prot. Agency, Ports Primer, § 3.1, 8 (2020).

¹¹ *Id.* With major infrastructure investments at landlord ports - such as with maritime cargo handling equipment - the investment and ownership interests vary from port to port; nevertheless, whether increased prices are felt directly by the port or by its tenants and customers, *the net harm to the maritime transportation industry from increased equipment prices is the same*.

¹² U.S. Env'tl. Prot. Agency, *supra* note 8 at §3.1, 8.

¹³ AAPA Operating Ports Data Collection.

increased prices on Maritime Cargo Handling Equipment. However, landlord ports are also affected by and are price-sensitive to their capital inputs as well as those of their tenant terminal operators.

I. As a Technical Matter, One of the Petition's Harmonized Tariff Schedule (HTS) Codes Overlaps With Maritime Cargo Handling Equipment. However, These Are Very Different Types of Cranes. Beyond That Particular HTS Code, The Petition Never Mentions Any Other Maritime Cargo Handling Equipment.

Manitowoc (Petitioner) does not manufacture cranes that are used for day-to-day cargo-handling.¹⁴ The Petition does not mention Maritime Cargo Handling Equipment at all, and the cranes the Petition does identify are distinct from Maritime Cargo Handling Equipment. Our ports have confirmed they do not use mobile cranes like crawlers, rubber-tired telescopic cranes, boom trucks, or others that the Petitioner manufactures.¹⁵

The Petition cites the HTS codes to push for an investigation of a specific type of cranes, which are different than Maritime Cargo Handling Equipment. Section 705.5 asks petitioners to "describe how the quantity, availability, character, and uses of a particular imported article, or other circumstances related to its import, affect the national security."¹⁶ A particular article is commonly defined using the HTS.¹⁷ The distinctions between HTS codes are based on the specialization and manufacturing required. The Petition follows this protocol, listing specific HTS codes along with a detailed definition of each of the products affected: 8426.41 and 8426.49.¹⁸ Cargo handling equipment has four HTS codes.

Table 1: The most common Maritime Cargo Handling Equipment that the Department should exclude from any enforcement action	
Name	HTS Code
Mobile Harbor Crane	8426.41
Overhead/Hammerhead Cranes, Ship-to-shore cranes	8426.11
Straddle Carriers, Shuttle Trucks	8426.12
Overhead Traveling Cranes, Rubber Tire Gantry Cranes, Cantilevered Rail Mounted Gantry Cranes, and rail-mounted Gantry Cranes, Automatic stacking cranes	8426.19

¹⁴ Manitowoc’s cranes have been used to repair cargo handling gantry cranes and have done some training at ports, but these are distinct from cargo handling cranes.

¹⁵ AAPA Operating Ports Data Collection.

¹⁶ 15 C.F.R. § 705.5 (2020) (emphasis added).

¹⁷ See Bureau of Indus. and Sec., The Effect of Imports of Steel on the National Security, 21 (2018) (“the product scope covers steel mill products (“steel”) which are defined at the Harmonized System 6-digit level”); See also, Bureau of Indus. and Sec., The Effect of Imports of Aluminum on the National Security, 20 (2018) (“for this report, aluminum is defined at the Harmonized Tariff Schedule 4-digit level.”).

¹⁸ The Manitowoc Co., Petition of the Manitowoc Company, Inc. Under Section 232 of the Trade Expansion Act of 1962 for Relief from Imports of Mobile Cranes that Threaten National Security, 8 (2019).

The mobile harbor crane is the only crane used at ports that overlaps with the Petition's HTS codes.¹⁹ However, Manitowoc is identifying cranes that are different in specification, manufacture, and use.

Manitowoc spends a substantial amount of its petition describing its line of cranes that can "be mounted on wheels or treads."²⁰ In contrast, the mobile harbor crane is set on big rubber tires and built to the port's specifications.²¹ Mobile harbor crane manufacturers ensure that their cranes have "simultaneous and independent operations of slewing, main hoist, and boom hoist motions under full load and speed."²² This vital distinction is laid out in the DOT's recent sourcing waiver, discussed below.

Mobile harbor cranes have different uses than Manitowoc's cranes. Manitowoc fulfilled the US military's needs for rough terrain cranes by creating cranes that have "superior off-road mobility and fast highway speeds."²³ However, ports do not need these features. Instead, mobile harbor cranes have limited mobility. They must be delivered to work sites by ships; then, they operate only within the bounds of the port.²⁴ Manitowoc's cranes are used to "construct barriers, set up areas of operation, build bridges, [and] tow vehicles."²⁵ The Petitioner does not claim its cranes are used to move shipping containers that are 40 feet long. Port mobile harbor cranes are used to transport moving containers, bulk products, scrap handling, and cargo handling.²⁶



Figure 1: Mobile Harbor Crane in the Port of Savannah (source: worldcargonews.com)

In addition to leaving out the mobile harbor crane, the Department should not recommend trade restrictions on cargo handling equipment that has different HTS codes than the Petitioner's cranes. This Maritime Cargo Handling Equipment is classified at 8426.11, 8426.12, and 8426.19.²⁷ This group of Maritime Cargo Handling Equipment utilizes an "elevating platform, fork, or carriage to support their loads in accomplishing the necessary lifting and handling."²⁸

¹⁹ Mannesmann Demag Corp., NY 868210 (1991).

²⁰ The Manitowoc Co., *supra* note 18, at 11.

²¹ See also, *Maritime Cranes*, Liebherr <https://www.liebherr.com/en/usa/products/maritime-cranes/port-equipment/port-equipment.html>; *Port, Shipyard and Container Handling Cranes*, Konecranes (2020) <https://www.konecranes.com/port-shipyard-and-container-handling-cranes>.

²² Buy America Waiver Notification for the Federal Highway Administration, 85 Fed. Reg. 38013, 38013 (June 24, 2020).

²³ *Grove All-Terrain Cranes*, Manitowoc, <https://www.manitowoc.com/grove/all-terrain-cranes> (last visited July 2, 2020); See also The Manitowoc Co., *supra* note 18, at 11-16.

²⁴ See also, *Maritime Cranes*, *supra* note 21; *Port, Shipyard and Container Handling Cranes*, *supra* note 21.

²⁵ The Manitowoc Co., *supra* note 18, at 21.

²⁶ There is an additional description of the distinctions between mobile harbor cranes and Manitowoc's cranes in the Konecranes submission. See also *Different Cranes Used in Ports*, Elebia Autohooks S.L.U. Blog (Feb. 25, 2018), <https://elebia.com/types-of-cranes-used-in-ports/>; see also *Maritime Cranes*, *supra* note 21; *Port, Shipyard and Container Handling Equipment*, *supra* note 21.

²⁷ U.S. Int'l Trade Comm'n, *Harmonized Tariff Schedule of the United States*, 14 USITC Pub. 5088 (July 2020).

²⁸ Mi-Jack Products, HQ 959626 (1997). See table 1 for a complete list of the cranes and their HTS codes.



Figure 2: Kalmar Straddle Carrier (Source: Kalmarglobal.com)



Figure 2: Rubber Tired Gantry Cranes in the Port of Charleston (Source: Instagram @SCPorts)



Figure 4: Ship to Shore Container Cranes at the Port of NY/NJ (Source: panvni.gov)

These cranes are classified under different HTS codes than those in the Petition because they require different manufacturing processes and levels of specialization than Manitowoc's cranes. *The U.S. Customs and Border Agency (CBP) has consistently ruled that this Maritime Cargo Handling Equipment is different than mobile cranes.* In 1990, CBP classified straddle carriers at HTS 8426.12.²⁹ In 2019, CBP classified automatic stacking cranes, rail-mounted gantry cranes, and rubber tire gantry cranes as HTS 8426.19.³⁰ These cranes, though generally considered mobile cranes, should not be included in the investigation because they are under different HTS codes. The arguments about the use and structure laid out above apply to these cranes too. *Therefore, all the types of cranes most important to cargo movement as ports are beyond the Petition.*

Including Maritime Cargo Handling Equipment in the Department's investigation would broaden the investigation beyond the Petition and what is available from American companies. It would put tariffs on the products outside the narrow line of products that Petitioner and its industry partners manufacture. BIS should follow the Petition's product description narrowly to ensure it is not harming American businesses.

II. Any Enforcement Recommendations Should Exclude All Maritime Cargo Handling Equipment Because No American-Owned Company, Including Petitioner, Makes Them.

American companies do not produce Maritime Cargo Handling Equipment. Just this month, after years of looking into the matter, *the US Department of Transportation (DOT) concluded that no US company could feasibly manufacture mobile Maritime Cargo Handling Equipment.*³¹ Placing tariffs on Maritime Cargo Handling Equipment would contradict prior actions of the Federal Government.

This conclusion has been the continual position of the Federal Highway Administration (FHWA) at DOT. The FHWA has granted Buy America Waivers multiple times because neither full compliance nor 'maximizing' domestic production is possible.³² In 2016, the FHWA granted a Buy America Waiver for ship-to-shore container gantry cranes because there were no domestic manufacturers.³³

²⁹ Valmet Materials Handling Equipment, Inc., HQ 086888 (1990).

³⁰ Kalmar USA, Inc., N307367 (2019).

³¹ Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 38014.

³² *Id.*

³³ Buy America Waiver Notification for the Federal Highway Administration, 81 Fed. Reg. 87125 (Dec. 2, 2016).

Even after President Trump ordered agencies to minimize the use of Buy America Waivers, the FHWA correctly continued to grant them because of the lack of American-owned manufacturing.³⁴ In 2017, the Georgia Ports Authority received a Buy America Waiver when it showed no company produced rail-mounted gantry cranes domestically.³⁵

On June 24, 2020, the FHWA granted a Buy America Waiver because it was infeasible to move production of a mobile harbor crane to the US.³⁶

While the Department might use tariffs to protect US interests or industries, if they did so here they would harm a *vital* US industry for a *non-existent* industry. The ports' historical and expected demand for Maritime Cargo Handling Equipment is not enough to create a sustainable domestic mobile crane industry. While some of these cranes are purchased annually, the majority are part of larger projects that take years to complete. Each of our ports attests that its total demand in 2020 for Maritime Cargo Handling Equipment will be in the single digits. For example, the Port of Savannah announced in 2019 it would purchase six additional ship-to-shore cranes in 2020, adding another twelve over the next seven years.³⁷

There is a saying in the port industry, "once you've seen one port, you've seen one port." The same applies to the equipment at ports, which manufacturers build to specifications drawn months or years in advance. Each port has different needs for its equipment based on the cargo; needs that range from the type of tire to the capacity and radius of the crane. The size of the outriggers and the structural limitations of the pier come into play when designing and manufacturing Maritime Cargo Handling Equipment.³⁸ Ports have issued requests for proposals, but American-owned companies have not been able to meet these needs.³⁹ This problem has also affected the terminal operators at landlord ports.⁴⁰

Whether a port's request for proposal brings in one bid or four, the Petitioner is never one of them. One reason for this is the unique needs of each port. One of our member ports highlighted that there are no American manufacturers and very few international manufacturers that can build the cranes to specification. Currently, it takes six to twelve months from specification to delivery. It would take far longer, both at the outset and beyond, to move that manufacturing and delivery if production were taken up by American companies. Even if a tariff policy *could* achieve this, it would leave ports in a lurch, and create a shortage of critical equipment, which ports source on an annual cycle. In other words, a shortage would create a significant artificial supply dearth that would hamper the ports' a) ability to meet their annual needs and b) expand terminals. Should this market change in the future, our ports would gladly explore domestic sourcing. *However, until that industry exists in the US, a tax*

³⁴ See Executive Order 13788, Daily Comp. Pres. 255 (April 18, 2017).

³⁵ Buy America Waiver Notification for the Federal Highway Administration, 82 Fed. Reg. 55153 (Nov. 20, 2017).

³⁶ Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 83014.

³⁷ Press Release, Ga. Ports, Ports Draw \$5 Billion Investment, 12K Jobs to Georgia (September 12, 2020) (<https://gaports.com/press-releases/mobile-harbor-cranes-expand-container-capabilities/>).

³⁸ Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 83013.

³⁹ *Id.*

⁴⁰ AAPA Operating Ports Data Collection.

imposed on a highly productive and vital facet of our transportation network would harm larger national goals.

It would be counterproductive for the Department to increase costs on entities like the American public seaports to protect a non-existent industry segment. When amending the Trade Expansion Act, Congress directed the Secretary and the President to "recognize the close relation of the economic welfare of the nation to our national security."⁴¹ Congress identified two economic factors for the analysis; "1) the impact of foreign competition on the economic welfare of individual domestic industries; and 2) serious effects resulting from the displacement of any domestic products by excessive imports shall be considered, without excluding other factors."⁴² Factors the Department has used in its economic welfare analysis have included employment, financial performance, research and development expenditures, capital expenditures, and prices.⁴³ Congress does not specify that the impact has to be on the industry that sells the cranes. It allows for the economic analysis to include *any* individual domestic industries.⁴⁴

One of these domestic industries is the port industry. Increased prices and/or limited supply of equipment would hurt American ports and American port workers. The infeasible shift to American-owned production would increase the price of cargo handling equipment by at least 35% and delivery time by 18 months.⁴⁵ One of our member ports notes that an American company placed a bid for a rail-mounted gantry crane; however, the bid was three-times the cost of a gantry crane is from a non-US manufacturer. Such a significant increase would make it more costly for ports to update aging machinery. It would also force ports to reassess the efficiency of the labor to capital ratio of this equipment. In other words, more costly equipment might imperil jobs and place our critical infrastructure at risk.

At one operating port alone, 235 people work directly with Maritime Cargo Handling Equipment to move containers.⁴⁶ These workers are members of unions like the International Longshoremen's Association. They work alongside hundreds of other port workers. Indeed, the foreign-owned crane companies directly employ American union workers for crane installation, operation, maintenance, and more.

Neither public seaports nor Maritime Cargo Handling Equipment companies seek to undermine the goals of the Trade Expansion Act of 1962. When Congress amended to the current language in 1988, the Administration was balancing international market competition and protecting markets from countries that undermine trade deals.⁴⁷ Congress intended to protect American jobs, which is precisely what these companies have done.⁴⁸ Rather than undermine American manufacturing, they are investing

⁴¹ 19 U.S.C. § 1862 (2018).

⁴² *Id.* (Internal numerals added).

⁴³ *Id.*

⁴⁴ *Id.*

⁴⁵ Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 38014.

⁴⁶ AAPA Operating Ports Data Collection.

⁴⁷ 134 Cong. Rec. S10711-01 (daily ed. Aug. 3, 1988) (statement of Sen. Danforth).

⁴⁸ *Id.* (statement of Sen. Domenici).

in it.⁴⁹ Liebherr is expanding factories in Virginia and has another factory in Florida.⁵⁰ Those factories employ over a thousand American workers who are often union members, and they adding jobs with their expansions.⁵¹ Placing restrictions on foreign companies that are investing the American economy but cannot efficiently manufacture Maritime Cargo Handling Equipment in the US would hurt US industries. The Department should not punish these industries and American ports with unfair and harmful attempts at trade adjustments.

III. The Department Should Not Include Maritime Cargo Handling Equipment Because It Is Used For Peaceful Trade, Not National Security. Ports Facilitate International Trade and Exports That Combine to Project US Strength and Influence Around the World.

To our knowledge, in working with American Strategic Ports, DOD has never questioned the availability of Maritime Cargo Handling Equipment. Even during war mobilization or war itself, equipment supply has never been in question from allied nations with sizable American presences and with American dual-citizens serving at the highest levels of board rooms and executive officer roles.⁵²

AAPA understands that the Federal Government is engaging with public ports on the issues of war crane usage and supposed vulnerabilities. AAPA stands ready to help in these conversations. However, to date, neither the availability nor the operability of Maritime Cargo Handling Equipment has ever come into question in a war situation, let alone during normal operations. One of our ports noted that while they purchased crane frames from foreign companies, they sourced the technology and controls locally, thereby minimizing 'connectedness' and hacking issues.⁵³

Trade restrictions might cause perverse unintended consequences in competition.⁵⁴ If the Department is concerned about supply chains and imbalanced trade with non-allied countries, then market-distorting tariffs might be the perfect opening for competitors to pounce. Such tariffs could make non-allied products *relatively more competitive* in the short run. Attempted trade adjustments could inadvertently increase market penetration of non-allied countries, allowing them to expand in the US.

Overall, defense capacity is a minuscule portion of the role of ports day-to-day. Ports mainly facilitate peaceful international trade, which is an embodiment of Congress's goals when it amended the Trade Expansion Act in 1988. Congress said, "instead of turning away from the international economy, the trade bills make a commitment to meet global competition. Instead of blocking imports, the trade bill concentrates on making American exports more competitive."⁵⁵ The top 25 ports and their Maritime

⁴⁹ See Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 83014; *see also* Konecranes submission.

⁵⁰ Buy America Waiver Notification for the Federal Highway Administration, *supra* note 22, at 83014.

⁵¹ *See id.*

⁵² Press Release, Konecranes, Konecranes Appoints Rob Smith As President And Ceo (Oct. 7, 2019) (<https://www.konecranes.com/press/releases/2019/konecranes-appoints-rob-smith-as-president-and-ceo#:~:text=He%20is%2054%20years%20old,Germany%20and%20the%20United%20States.>).

⁵³ AAPA Operating Ports Data Collection.

⁵⁴ *See* 19 U.S.C. § 1862 (2018).

⁵⁵ 134 Cong. Rec. S16450-01 (daily ed. Oct. 18, 1988) (statement of Sen. Byrd).

Cargo Handling Equipment supported a 12.3% increase in export tonnage in 2018 alone.⁵⁶ Since 2015, export tonnage in the top 25 ports has increased by over 25%.⁵⁷ The amount of exports that ports handle has continued to increase since 2011.⁵⁸ When cargo cranes load liquefied natural gas from Pennsylvania or soybeans from Oklahoma onto vessels bound for foreign markets, they are facilitating the growth of Made in America products and influence around the world. Cargo equipment makes it possible for American exports to compete in the global economy. Placing trade restrictions on Maritime Cargo Handling Equipment hurts American's competitiveness globally, and it would run counter to Congress's intent when amending the Trade Expansion Act of 1962.

Congress amended section 232 in 1988 to lay out a realistic, predictable timetable for action by the Administration to attack trade imbalances caused by unfair foreign barriers.⁵⁹ In this case, there is no unfair foreign barrier, no harm to American manufacturing, no domestic/foreign domestic competition, and no predominant defense use. Maritime Cargo Handling Equipment is not being imported into the US in such quantities or under such circumstances to threaten to impair national security. For these reasons, AAPA requests that the Department:

- 1) Exclude mobile harbor cranes - classified at 8426.41 - because they are distinct from the Petition's cranes and do not threaten national security;**
- 2) Exclude all other types of Maritime Cargo Handling Equipment - classified at 8426.11, 8426.12, and 8426.19 - because the Petition does not include them and because they do not threaten national security.**

Respectfully Submitted,

Christopher J. Connor
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cc Mr. Mark Esper, Secretary, U.S. Department of Defense
cc Mr. Cordell Hull, Acting Undersecretary for Industry and Security, U.S. Department of Commerce
cc Mr. Joseph Semsar, Acting Under Secretary for International Trade, U.S. Department of Commerce
cc Mr. Larry Kudlow, Director, National Economic Council
cc Mr. Peter Navarro, Director, Office of US Trade and Manufacturing
cc Hon. Chuck Grassley, Chairman, Senate Committee on Finance
cc Hon. Ron Wyden, Ranking Member, Senate Committee on Finance
cc Hon. Richard Neal, Chairman, House Ways and Means Committee
cc Hon. Kevin Brady, Ranking Member, House Ways and Means Committee
cc Hon. Roger Wicker, Chairman, Senate Committee on Commerce, Science, & Transportation
cc Hon. Maria Cantwell, Ranking Member, Senate Committee on Commerce, Science, & Transportation

⁵⁶ US Dep't of Transp., Port Performance Freight Statistics in 2018: Annual Report to Congress 2019, 11 (2020).

⁵⁷ *Id.*

⁵⁸ Matthew Chambers and Mindy Liu, *Maritime Trade and Transportation by the Numbers*, Bureau of Transp. Statistics Archive, (last updated May 20, 2017),

https://www.bts.gov/archive/publications/by_the_numbers/maritime_trade_and_transportation/index.

⁵⁹ 134 Cong. Rec. S16450-01 (daily ed. Oct. 18, 1998) (statement of Sen. Byrd).

cc Hon. Frank Pallone, Chairman, House Energy and Commerce Committee
cc Hon. Greg Walden, Ranking Member, House Energy and Commerce Committee
cc Hon. Peter DeFazio, Chairman, House Transportation and Infrastructure Committee
cc Hon. Sam Graves, Ranking Member, House Transportation and Infrastructure Committee