

# Bureau of Transportation Statistics



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FLOW

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## Frequently Asked Questions About FLOW

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### Why was FLOW established?



FLOW — a government/industry partnership called Freight Logistics Optimization Works — was established as an information exchange for a forward-looking, integrated view of supply chain conditions in the U.S. The U.S. Department of Transportation serves as a secure independent steward of FLOW participant information.

### Is FLOW voluntary?



Yes. FLOW is a completely voluntary program managed by the U.S. Department of Transportation. It is a partnership between supply chain stakeholders designed to provide a common picture of goods movement throughout the supply chain.

### How is FLOW different from other freight programs?



In the freight industry, data sharing commonly occurs between parties to a freight shipment. For example, in moving a shipping container packed full of goods, the information about that shipment would typically be shared with the logistics partners in that chain (i.e., track and trace). Participants in FLOW share limited shipment data across a network of participants *outside* of the contracted movers of freight.

While there will always remain a series of two-way communications between partners in the supply chain on container status and location, with only two-way communication, it is difficult to paint a picture of supply chain context across parties. FLOW aims to provide an integrated picture of future supply chain conditions for use by participants to support a more resilient freight network.

### What are the benefits of participating in FLOW?



Through FLOW, the U.S. Department of Transportation is providing participants aggregate incoming container demand and supply-side asset availability. With this information, FLOW participants will have a preview window into supply chain performance to enhance overall fluidity and maximize asset utilization.

### What data would I share as a FLOW member and how often?



FLOW participants provide individual asset information to be anonymized into aggregated supply and demand information. Depending on the participant, this may be total incoming demand as measured by purchase orders or bookings, or available supply-side assets as measured by including terminal slots, tractors, chassis, and warehouse space. This information is provided on a daily basis (if automated) or weekly (if manual).

## How do I know my information is confidential and secure?

The information that is submitted by each participant is aggregated and anonymized, meaning the data will not be associated with a specific entity or business. This information is treated in accordance with and protected by the Confidential Information Protection and Statistical Efficiency Act (CIPSEA), which establishes uniform confidentiality protections for information collected for statistical purposes.

The Bureau of Transportation Statistics (BTS) within the U.S. Department of Transportation operates FLOW according to CIPSEA standards. Under CIPSEA, it is a felony, punishable by up to \$250,000 in fines and up to 5 years in jail, for BTS or its agents to release identifiable data confidentially submitted in reports by individuals, companies, or other entities. BTS has very strict protocols in place for collecting and protecting such data. CIPSEA protections include, but are not limited to:

- protection from subpoenas and Freedom of Information Act disclosure
- protection from release to the public or any other government agency
- protection from uses other than statistical purposes

## Who is BTS and what is its role in FLOW?

The Bureau of Transportation Statistics (BTS) was established in 1992 as a federal statistical agency within the U.S. Department of Transportation with the mission to serve the public and other Federal agencies with trusted information to inform decisions.

As a federal statistical agency, BTS' primary function is the compilation and analysis of relevant and accurate data and the dissemination of information for statistical purposes, thereby allowing data users to make informed decisions. Principles for all Federal statistical agencies include relevance to policy issues, credibility among data users, trust among data providers, and independence from political or other undue external influence.

BTS is also policy-neutral (i.e., an objective broker for the facts) and has authority and obligation per statute and CIPSEA to protect confidentiality of data. It is not a regulatory agency and has no authority to issue fines or penalties.

For FLOW, BTS serves as the independent steward of FLOW participant information confidentially and securely.

## What is CIPSEA and how does it ensure data protection?

Congress passed into law the Confidential Information Protection and Statistical Efficiency Act (CIPSEA) in 2002 and recodified it in the 2018 Foundations for Evidence-Based Policymaking Act (or OPEN Government Data Act, Pub. L. 115–435). CIPSEA stipulates that a federal statistical agency may collect information under pledge of confidentiality for statistical purposes

CIPSEA protections include:

- No government agency may require, for any reason, a copy of a respondent's report
- Court cannot require a copy of any respondent's report
- Reports are immune from the legal process and cannot be admitted as evidence
- Reports are exempt from Freedom of Information Act (FOIA) requests
- Information may not be disclosed in identifiable form for any non-statistical purpose without the informed consent of a respondent
- Willful disclosure of confidential information by Federal employees, agents, and contractors may incur sanctions and penalties o  
Breach of confidentiality can occur through either direct (names, telephone numbers, etc.) or indirect identifiers (geographical location, equipment, linking of electronic files, etc.)

Data requiring confidentiality protection include sensitivity, proprietary, or private data; examples include, whether paper or electronic, original FLOW reports provided directly to BTS and BTS working documents.

## Does FLOW change personnel policies or contractual relationships between supply chain stakeholders?

No. FLOW is a partnership between government and industry to allow the optimization of goods movement in the supply chain. Participation in FLOW does not constitute an alteration in collective bargaining relationships at U.S. ports or elsewhere. It does not change the jurisdictions of workers covered under collective bargaining agreements or disrupt the interchange of data or information defined by collective bargaining agreements.

## What does it mean to become a FLOW member?

Participation in FLOW means sharing data as part of the exchange either daily (if automated) or weekly (if manual). The FLOW program also convenes a 15-minute update meeting every other week for FLOW participants to hear updates on the program as well as working groups for those who have specific areas of interest.

## How do I become a FLOW participant?

To express interest in joining FLOW, send an email to [FLOW@dot.gov](mailto:FLOW@dot.gov). From there a FLOW program representative will contact you to answer any questions you may have and proceed with the onboarding process, which includes the following five steps: 1) sign the memorandum of agreement, 2) have an initial data meeting, 3) send a test file, 4) receive a FLOW account, and 5) begin regular data exchange.

## Who are FLOW participants?

FLOW participation requires providing qualified data, namely equipment owners and operators within the logistics supply chain including: Beneficial Cargo Owners (BCOs), Intermodal Equipment Providers (IEPs), Logistics Real Estate, Marine Terminal Operators (MTOs), Motor Carriers, Ocean Carriers, Non-Vessel Operating Common Carriers (NVOCCs), Rail Carriers, and Third-Party Logistics (3PLs). Entities who are not owners or operators who are interested in staying informed about FLOW should check the FLOW website for updates on the program.

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U.S. DEPARTMENT OF TRANSPORTATION

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