

Union Calendar No. 393

103^D CONGRESS
2^D SESSION

H. R. 4391

[Report No. 103-716]

A BILL

To authorize appropriations for the Federal
Maritime Commission for fiscal year 1995.

SEPTEMBER 12, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

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IN THE HOUSE OF REPRESENTATIVES

MAY 11, 1994

Mr. LIPINSKI (for himself, Mr. STUDDS, Mr. FIELDS of Texas, and Mr. BATEMAN) introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

SEPTEMBER 12, 1994

Reported with an amendment, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

A BILL

To authorize appropriations for the Federal Maritime Commission for fiscal year 1995.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Federal Maritime
5 Commission Authorization Act for fiscal year 1995”.

1 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

2 There is authorized to be appropriated to the Federal
3 Maritime Commission, \$18,900,000 for fiscal year 1995.

4 **SECTION 1. SHORT TITLE.**

5 *This Act may be cited as the "Federal Maritime Com-*
6 *mission Authorization Act for Fiscal Year 1995".*

7 **SEC. 2. AUTHORIZATION OF APPROPRIATIONS.**

8 *There is authorized to be appropriated to the Federal*
9 *Maritime Commission, \$18,900,000 for fiscal year 1995.*

10 **SEC. 3. INDEPENDENT ACTION.**

11 *Section 5(b) of the Shipping Act of 1984 (46 U.S.C.*
12 *App. 1704(b)) is amended by striking paragraph (8) and*
13 *inserting the following:*

14 *"(8) provide that—*

15 *"(A) any member of the conference may*
16 *take independent action on any rate, service*
17 *item, or level of ocean freight forwarder com-*
18 *ensation required to be filed in a tariff under*
19 *section 8(a) upon not more than 10 calendar*
20 *days notice to the conference; and*

21 *"(B) the conference will include the new*
22 *rate, service item, or level of ocean freight for-*
23 *warder compensation in its tariff for use by that*
24 *member, effective no later than 10 calendar days*
25 *after receipt of the notice, and by any other*
26 *member that notifies the conference that it elects*

1 to adopt the independent rate, service item, or
2 level of ocean freight forwarder compensation on
3 or after its effective date, in lieu of the existing
4 conference tariff provision for that rate, service
5 item, or level of ocean freight forwarder com-
6 pensation.”.

7 **SEC. 4. PROHIBITION ON DENYING COMPENSATION.**

8 Section 10(c) of the Shipping Act of 1984 (46 U.S.C.
9 App. 1709(c)), is amended by striking paragraph (5) and
10 inserting the following:

11 “(5) deny in the export foreign commerce of the
12 United States compensation to an ocean freight for-
13 warder, or limit that compensation to less than 1.25
14 percent of the aggregate of all of the rates and charges
15 applicable under the tariff assessed against the cargo
16 on which the forwarding services are provided; or”.