

104<sup>TH</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 1081

To amend the Shipping Act of 1984 to reform certain ocean shipping practices, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 28, 1995

Mr. OBERSTAR introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

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## A BILL

To amend the Shipping Act of 1984 to reform certain ocean shipping practices, and for other purposes.

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 “Ocean Shipping Re-  
5 form Act of 1995”.

6 **SEC. 2. AMENDMENTS TO SHIPPING ACT OF 1984.**

7 (a) NEW DECLARED PURPOSE.—Section 2 of the  
8 Shipping Act of 1984 (46 U.S.C. App. 1701) is amended  
9 by striking “and” after the semicolon in paragraph (2),  
10 by striking the period at the end of paragraph (3) and

1 inserting “; and”, and by adding at the end the following  
2 new paragraph:

3 “(4) to promote the growth and development of  
4 United States exports through competitive, non-  
5 discriminatory, and efficient ocean transportation.”.

6 (b) PROHIBITION ON LIMITING ABILITY OF CON-  
7 FERENCE MEMBER TO ENTER OR PERFORM SERVICE  
8 CONTRACT.—

9 (1) IN GENERAL.—Section 10(c) of the Ship-  
10 ping Act of 1984 (46 U.S.C. App. 1709(c)) is  
11 amended by striking “or” after the semicolon at the  
12 end of paragraph (5), by striking the period at the  
13 end of paragraph (6) and inserting “; and”, and by  
14 adding at the end the following new paragraph:

15 “(7) limit the ability of another member of the  
16 conference or group from entering into or perform-  
17 ing under a service contract.”.

18 (2) CONFORMING AMENDMENT.—Section 4(a)  
19 of the Shipping Act of 1984 (46 U.S.C. App.  
20 1703(a)) is amended by adding “and” after the  
21 semicolon at the end of paragraph (5), by striking  
22 “; and” at the end of paragraph (6) and inserting  
23 a period, and by striking paragraph (7).

24 (c) SHORTENING PERIOD FOR GIVING NOTICE OF  
25 INDEPENDENT ACTION.—Section 5(b)(8) of the Shipping

1 Act of 1984 (46 U.S.C. App. 1704(b)(8)) is amended by  
2 striking “10 calendar” each place it appears and inserting  
3 “2 calendar”.

4 **SEC. 3. NEGOTIATING STRATEGY TO REDUCE FOREIGN**  
5 **GOVERNMENT OWNERSHIP AND CONTROL OF**  
6 **OCEAN COMMON CARRIERS.**

7 Not later than 180 days after the date of the enact-  
8 ment of this Act, the Secretary of Transportation shall  
9 develop, submit to the Congress, and begin implementing  
10 a negotiation strategy to persuade foreign governments to  
11 divest themselves of ownership and control of ocean com-  
12 mon carriers (as that term is defined in section 3(18) of  
13 the Shipping Act of 1984 (46 U.S.C. App. 1702)).

14 **SEC. 4. REFORM OF FEDERAL MARITIME COMMISSION.**

15 (a) REDUCTION OF STAFF.—The Federal Maritime  
16 Commission—

17 (1) during fiscal years 1996 and 1997, shall act  
18 to reduce the total number of individuals employed  
19 by the Commission to a number that, by the end of  
20 fiscal year 1997, is at least 15 percent less than the  
21 number of individuals employed by the Commission  
22 on the date of the enactment of this Act; and

23 (2) after fiscal year 1997, may not employ a  
24 total number of individuals that exceeds 85 percent

1 of the number of individuals employed by the Com-  
2 mission on the date of the enactment of this Act.

3 (b) DEVOTION OF COMMISSION PERSONNEL TO PRO-  
4 TECTING UNITED STATES SHIPPERS AND CARRIERS.—  
5 Not later than 90 days after the date of the enactment  
6 of this Act, the Federal Maritime Commission shall de-  
7 velop and submit to the Congress a plan for increasing  
8 the amount of resources of the Commission (including in-  
9 creasing the number of personnel of the Commission) that  
10 are engaged in protecting United States shippers and  
11 ocean common carriers (as those terms are defined in sec-  
12 tion 3(18) of the Shipping Act of 1984 (46 U.S.C. App.  
13 1702)) against restrictive and unfair practices of foreign  
14 governments and foreign-flag ocean common carriers.

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