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(Original Signature of Member)

119TH CONGRESS
1ST SESSION

H. R. _____

To authorize appropriations for the Federal Maritime Commission for fiscal
years 2026 through 2029, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

Mr. JOHNSON of South Dakota introduced the following bill; which was
referred to the Committee on _____

A BILL

To authorize appropriations for the Federal Maritime Com-
mission for fiscal years 2026 through 2029, 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 “Federal Maritime
5 Commission Reauthorization Act of 2025”.

6 **SEC. 2. TABLE OF CONTENTS.**

7 The table of contents for this Act is as follows:

Sec. 1. Short title.

Sec. 2. Table of contents.

- Sec. 3. Authorization of appropriations.
- Sec. 4. Purposes.
- Sec. 5. Definitions.
- Sec. 6. Complaints against shipping exchanges.
- Sec. 7. Repeal.
- Sec. 8. Data collection.
- Sec. 9. Investigations.
- Sec. 10. National advisory committees.
- Sec. 11. Annual report and public disclosures.
- Sec. 12. Containerized freight indexes.
- Sec. 13. Technical amendments.

1 **SEC. 3. AUTHORIZATION OF APPROPRIATIONS.**

2 Section 46108 of title 46, United States Code, is
3 amended by striking “\$32,869,000 for fiscal year 2022,
4 \$38,260,000 for fiscal year 2023, \$43,720,000 for fiscal
5 year 2024, and \$49,200,000 for fiscal year 2025” and in-
6 serting “\$49,200,000 for fiscal year 2026, \$51,660,000
7 for fiscal year 2027, \$54,243,000 for fiscal year 2028, and
8 \$57,016,000 for fiscal year 2029”.

9 **SEC. 4. PURPOSES.**

10 Section 40101 of title 46, United States Code, is
11 amended—

12 (1) in paragraph (2) by striking “in the ocean
13 commerce of the United States” and inserting “for
14 the common carriage of goods by water in the for-
15 eign commerce of the United States”; and

16 (4) in paragraph (4) by striking “promote” and
17 inserting “support”.

18 **SEC. 5. DEFINITIONS.**

19 (a) IN GENERAL.—Section 40102(9) of title 46,
20 United States Code, is amended—

1 (1) in subparagraph (B) by striking the period
2 and inserting “; or”;

3 (2) by redesignating subparagraphs (A) and
4 (B) as clauses (i) and (ii), respectively, and by ad-
5 justing the margins accordingly;

6 (3) by striking “means an ocean common car-
7 rier” and inserting the following: “means—

8 “(A) an ocean common carrier”; and

9 (4) by adding at the end the following:

10 “(B) such a carrier that is owned or con-
11 trolled by, a subsidiary of, or otherwise related
12 legally or financially (other than a minority re-
13 lationship or investment) to a corporation based
14 in a country—

15 “(i) identified as a nonmarket econ-
16 omy country (as defined in section 771(18)
17 of the Tariff Act of 1930 (19 U.S.C.
18 1677(18))) as of the date of enactment of
19 the Federal Maritime Commission Reau-
20 thorization Act of 2025;

21 “(ii) identified by the United States
22 Trade Representative in the most recent
23 report required by section 182 of the
24 Trade Act of 1974 (19 U.S.C. 2242) as a

1 priority foreign country under subsection
2 (a)(2) of that section; or
3 “(iii) subject to monitoring by the
4 United States Trade Representative under
5 section 306 of the Trade Act of 1974 (19
6 U.S.C. 2416).”.

7 (b) CONFORMING AMENDMENT.—Section
8 46106(b)(7) of title 46, United States Code, is amended
9 by striking “ocean common carriers, particularly such car-
10 riers that are controlled carriers” and all that follows
11 through the period at the end and inserting “controlled
12 carriers;”.

13 **SEC. 6. COMPLAINTS AGAINST SHIPPING EXCHANGES.**

14 (a) IN GENERAL.—Section 40504(c) of title 46,
15 United States Code, is amended—

16 (1) in the subsection heading by inserting “AND
17 INVESTIGATION” after “EXEMPTION”;

18 (2) by striking the period at the end and insert-
19 ing “; and”;

20 (3) by striking “may exempt” and inserting the
21 following: “may—

22 “(1) exempt”; and

23 (4) by adding at the end the following:

24 “(2) investigate complaints submitted under
25 section 40505.”.

(b) COMPLAINTS AGAINST SHIPPING EXCHANGES.—
Chapter 405 of title 46, United States Code, is amended
by adding at the end the following:

“§ 40505. Complaints against shipping exchanges

“(a) IN GENERAL.—A person may submit to the
Federal Maritime Commission, and the Commission shall
accept, information concerning alleged incidents of market
manipulation or other anticompetitive practices by ship-
ping exchanges registered under section 40504.

“(b) INVESTIGATION.—Upon receipt of a submission
of information under subsection (a), the Commission shall
promptly investigate the accuracy of such information.

“(c) REPORT TO CONGRESS.—The Commission shall
submit to the Committee on Transportation and Infra-
structure of the House of Representatives and the Com-
mittee on Commerce, Science, and Transportation of the
Senate the results of any investigation in which the Com-
mission finds incidents of market manipulation or anti-
competitive practices by shipping exchanges registered
under section 40504.”.

(c) CLERICAL AMENDMENT.—The analysis for chap-
ter 405 of title 46, United States Code, is amended by
adding at the end the following:

“40505. Complaints against shipping exchanges.”.

1 **SEC. 7. SHIPPING EXCHANGE REGISTRY.**

2 Section 40504(d) of title 46, United States Code, is
3 amended—

4 (1) by striking “3 years after the date of enact-
5 ment of the Ocean Shipping Reform Act of 2022”
6 and inserting “2 years after the date of enactment
7 of the Federal Maritime Commission Reauthoriza-
8 tion Act of 2025”;

9 (2) by striking “set standards necessary to
10 carry out” and inserting “ensure consistency with”;
11 and

12 (3) by striking “by” and inserting “via”.

13 **SEC. 8. REPEAL.**

14 (a) IN GENERAL.—Section 40706 of title 46, United
15 States Code, is repealed.

16 (b) CLERICAL AMENDMENT.—The analysis for chap-
17 ter 407 of title 46, United States Code, is amended by
18 striking the item relating to section 40706.

19 **SEC. 9. DATA COLLECTION.**

20 Section 41110 of title 46, United States Code, is
21 amended—

22 (1) by striking “The Federal Maritime Commis-
23 sion” and inserting the following:

24 “(a) QUARTERLY REPORT.—The Federal Maritime
25 Commission”; and

26 (2) by adding at the end the following:

1 “(b) LIMITATION ON DUPLICATION.—Unless the
2 data described in paragraphs (1) and (2) is not available
3 in a timely manner or in a form that allows the Commis-
4 sion to meet the requirements of subsection (a), data re-
5 quired to be reported under subsection (a) may not dupli-
6 cate information submitted—

7 “(1) to the Corps of Engineers pursuant to sec-
8 tion 11 of the Act entitled ‘An Act authorizing the
9 construction, repair, and preservation of certain pub-
10 lic works on rivers and harbors, and for other pur-
11 poses’, approved September 22, 1922 (33 U.S.C.
12 555), by an ocean common carrier acting as a vessel
13 operator;

14 “(2) pursuant to section 481 of the Tariff Act
15 of 1930 (19 U.S.C. 1481) to U.S. Customs and Bor-
16 der Protection by merchandise importers; or

17 “(3) to the Department of Commerce pursuant
18 to section 301 of title 13.”.

19 **SEC. 10. INVESTIGATIONS.**

20 Section 41302 of title 46, United States Code, is
21 amended by adding at the end the following:

22 “(f) NONDISCLOSURE.—Information and documents
23 developed by the Federal Maritime Commission under this
24 section shall not be disclosed unless the Commission deter-
25 mines by majority vote of the Commission that such infor-

1 mation and documents are relevant to an administrative
2 or judicial proceeding and agrees by a majority vote to
3 disclose such information and documents.”.

4 **SEC. 11. NATIONAL ADVISORY COMMITTEES.**

5 (a) NATIONAL SHIPPER ADVISORY COMMITTEE.—
6 Section 42502 of title 46, United States Code, is amend-
7 ed—

8 (1) in subsection (a) by striking “Committee.”
9 and inserting “Committee (in this section referred to
10 as the ‘Shipper Committee’).”;

11 (2) by striking subsection (b);

12 (3) by redesignating subsection (c) as sub-
13 section (b); and

14 (4) in subsection (b), as so redesignated, by
15 striking “Committee” each place it appears and in-
16 serting “Shipper Committee”.

17 (b) NATIONAL PORT ADVISORY COMMITTEE.—Chap-
18 ter 425 of title 46, United States Code, is amended—

19 (1) by redesignating section 42503 as section
20 42506; and

21 (2) by inserting after section 42502 the fol-
22 lowing:

1 **“§ 42503. National port advisory committee**

2 “(a) ESTABLISHMENT.—There is established a Na-
3 tional Port Advisory Committee (in this section referred
4 to as the ‘Port Committee’).

5 “(b) MEMBERSHIP.—

6 “(1) IN GENERAL.—The Port Committee shall
7 consist of 13 members appointed by the Commission
8 in accordance with this section.

9 “(2) EXPERTISE.—Each member of the Port
10 Committee shall have particular expertise, knowl-
11 edge, and experience in matters relating to the func-
12 tion of the Port Committee.

13 “(3) REPRESENTATION.—Members of the Port
14 Committee shall be appointed as follows:

15 “(A) 5 members shall represent marine
16 terminal operators, as such term is defined in
17 section 40102.

18 “(B) 5 members shall represent port au-
19 thorities.

20 “(C) 3 members shall represent longshore
21 and maritime labor.

22 **“§ 42504. National ocean carrier advisory committee**

23 “(a) ESTABLISHMENT.—There is established a Na-
24 tional Ocean Carrier Advisory Committee (in this section
25 referred to as the Carrier Committee”).

26 “(b) MEMBERSHIP.—

1 “(1) IN GENERAL.—The Carrier Committee
2 shall consist of 9 members appointed by the Com-
3 mission in accordance with this section.

4 “(2) EXPERTISE.—Each member of the Carrier
5 Committee shall have particular expertise, knowl-
6 edge, and experience in matters relating to the func-
7 tion of the Committee.

8 “(3) REPRESENTATION.—Members of the Car-
9 rier Committee shall represent ocean carriers serving
10 such seaports and terminals, of which at least 3
11 shall be ocean transportation intermediaries (as such
12 term is defined in section 40102).

13 **“§ 42505. Function**

14 “The covered Committees shall advise the Federal
15 Maritime Commission on policies relating to the competi-
16 tiveness, reliability, and efficiency of the international
17 ocean freight delivery system.”.

18 (c) CONFORMING AMENDMENTS.—

19 (1) DEFINITIONS.—Section 42501(2) of title
20 46, United States Code, is amended to read as fol-
21 lows:

22 “(2) COVERED COMMITTEE.—The term ‘cov-
23 ered Committee’ means—

24 “(A) the National Shipper Advisory Com-
25 mittee established under section 42502;

1 “(B) the National Port Advisory Com-
2 mittee established under section 42503; and

3 “(C) the National Ocean Carrier Advisory
4 Committee established under section 52504.”.

5 (2) ADMINISTRATION.—Section 42506 of title
6 46, United States Code, as redesignated by sub-
7 section (b)(1), is amended—

8 (A) by striking “The Committee” each
9 place it appears except in subsection (k) and in-
10 serting “Each covered Committee”;

11 (B) in subsection (a) by striking “the
12 Committee” and inserting “each such Com-
13 mittee”;

14 (C) in subsections (b), (c), (d), (e), (f), and
15 (j) by striking “the Committee” each place it
16 appears and inserting “a covered Committee”;

17 (D) in subsection (h)—

18 (i) in paragraph (1)—

19 (I) by striking “Chair of the
20 Committee” and inserting “Chair of
21 each covered Committee”; and

22 (II) by striking “function of the
23 Committee” and inserting “function
24 of the applicable Committee”; and

1 (ii) in paragraph (2) by striking “the
2 Committee” and inserting “each covered
3 Committee”;

4 (E) in subsection (i)—

5 (i) in paragraph (1) by striking “the
6 Committee if the function of the Com-
7 mittee” and inserting “any relevant cov-
8 ered Committee if the function of such
9 Committee”;

10 (ii) in paragraph (2) by striking “the
11 Committee” and inserting “each such
12 Committee”;

13 (iii) in paragraph (3)—

14 (I) by striking “from the Com-
15 mittee” and inserting “from a covered
16 Committee”; and

17 (II) in subparagraph (B) by
18 striking “to the Committee” and in-
19 serting “to the submitting Com-
20 mittee”; and

21 (iv) in paragraph (4) by striking
22 “from the Committee” and inserting “from
23 a covered Committee”; and

1 (F) in subsection (k) by striking “The
2 Committee” and inserting “The covered Com-
3 mittees”.

4 **SEC. 12. ANNUAL REPORT AND PUBLIC DISCLOSURES.**

5 (a) REPORT ON FOREIGN LAWS AND PRACTICES.—
6 Section 46106(b) of title 46, United States Code, is
7 amended—

8 (1) in paragraph (6)—

9 (A) by striking “and” at the end; and

10 (B) by striking “under this part” and in-
11 serting “under chapter 403”;

12 (2) in paragraph (7)—

13 (A) by inserting “anticompetitive, non-
14 reciprocal trade, or” before “otherwise con-
15 cerning practices”;

16 (B) by inserting “or marine terminal oper-
17 ators” after “controlled carriers”; and

18 (C) by striking the period at the end and
19 inserting “; and”; and

20 (3) by adding at the end the following:

21 “(8) an analysis of any trade imbalance result-
22 ing from the business practices of ocean common
23 carriers, including an analysis of the data collected
24 under section 41110; and

1 “(9) the aggregated findings and results of the
2 Vessel-Operating Common Carrier Audit Program
3 established by the Commission on July 18, 2021,
4 pursuant to the Commission rule interpreting section
5 41102(c).”.

6 (b) PUBLIC DISCLOSURE.—Section 46106(d)(2) of
7 title 46, United States Code, is amended by inserting “or
8 marine terminal operator” after “common carrier”.

9 **SEC. 13. CONTAINERIZED FREIGHT INDEXES.**

10 (a) IN GENERAL.—Not later than 1 year after the
11 date of enactment of this Act, the Federal Maritime Com-
12 mission shall promulgate an advance notice of proposed
13 rulemaking on price indexes for containerized ocean
14 freight for shippers (as such term is defined in section
15 40102 of title 46, United States Code) in the United
16 States published by a shipping exchange registered under
17 section 40504 of title 46, United States Code.

18 (b) FINAL RULE.—Not later than 3 years after the
19 date of enactment of this Act, the Commission shall pub-
20 lish a final rule with respect to the advance notice of pro-
21 posed rulemaking required under subsection (a).

22 **SEC. 14. TECHNICAL AMENDMENTS.**

23 (a) NATIONAL ADVISORY COMMITTEES.—The anal-
24 ysis for subtitle IV of title 46, United States Code, is

- 1 amended by striking the item relating to chapter 425 and
2 inserting the following:

“425. NATIONAL ADVISORY COMMITTEES 42501”.

- 3 (b) ANALYSIS.—The heading and analysis for chapter
4 425 of title 46, United States Code, is amended to read
5 as follows:

6 **“CHAPTER 425—NATIONAL ADVISORY**
7 **COMMITTEES**

“Sec. 42501. Definitions.

“Sec. 42502. National Shipper Advisory Committee.

“Sec. 42503. National Seaport Advisory Committee.

“Sec. 42504. National Ocean Carrier Advisory Committee.

“Sec. 42505. Function.

“Sec. 42506. Administration”.