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(Original Signature of Member)

118TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To amend title 46, United States Code, to make technical corrections with respect to ocean shipping authorities, and for other purposes.

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**IN THE HOUSE OF REPRESENTATIVES**

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

**A BILL**

To amend title 46, United States Code, to make technical corrections with respect to ocean shipping authorities, 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 Implementation Act of 2023”.

6       **SEC. 2. PURPOSES.**

7       Section 40101 of title 46, United States Code, is  
8       amended—

1 (1) in paragraph (1) by striking “with” and all  
2 that follows through “regulatory costs”;

3 (2) in paragraph (2) by striking “in the ocean  
4 commerce of the United States” and inserting “for  
5 the common carriage of goods by water in the for-  
6 eign commerce of the United States”;

7 (3) in paragraph (3) by striking “and” at the  
8 end;

9 (4) in paragraph (4)—

10 (A) by striking “promote” and inserting  
11 “support”;

12 (B) by striking “, and” and all that follows  
13 through the period and inserting “; and”; and

14 (5) by adding at the end the following:

15 “(5) promote reciprocal trade in the common  
16 carriage of goods by water in the foreign commerce  
17 of the United States.”.

18 **SEC. 3. DEFINITIONS.**

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

21 (1) in subparagraph (A) by striking “or” at the  
22 end;

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

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

1           “(C) owned or controlled by, a subsidiary  
2           of, or otherwise related legally or financially  
3           (other than a minority relationship or invest-  
4           ment) to a corporation based in a country—

5           “(i) identified as a nonmarket econ-  
6           omy country (as defined in section 771(18)  
7           of the Tariff Act of 1930 (19 U.S.C.  
8           1677(18))) as of the date of enactment of  
9           this paragraph;

10          “(ii) identified by the United States  
11          Trade Representative in the most recent  
12          report required by section 182 of the  
13          Trade Act of 1974 (19 U.S.C. 2242) as a  
14          priority foreign country under subsection  
15          (a)(2) of that section; or

16          “(iii) subject to monitoring by the  
17          United States Trade Representative under  
18          section 306 of the Trade Act of 1974 (19  
19          U.S.C. 2416).”.

20          (b)       CONFORMING        AMENDMENT.—Section  
21          46106(b)(7) of title 46, United States Code, is amended  
22          by striking “controlled carriers” and all that follows  
23          through the period at the end and inserting “controlled  
24          carriers.”.

1 **SEC. 4. SERVICE CONTRACTS.**

2 Section 40502(c)(9) of title 46, United States Code,  
3 is amended by inserting “and minimum contract require-  
4 ments” after “essential terms”.

5 **SEC. 5. COMPLAINTS AGAINST SHIPPING EXCHANGES.**

6 (a) IN GENERAL.—Chapter 405 of title 46, United  
7 States Code, is amended by adding at the end the fol-  
8 lowing:

9 **“§ 40505. Complaints against shipping exchanges**

10 “(a) IN GENERAL.—A person may submit to the  
11 Federal Maritime Commission, and the Commission shall  
12 accept, information concerning—

13 “(1) alleged violations by shipping exchanges  
14 (as such term is defined in section 40504);

15 “(2) alleged violations of regulations issued by  
16 the Commission; or

17 “(3) alleged incidents of market manipulation  
18 or other anticompetitive practices by such shipping  
19 exchanges.

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

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

“40505. Complaints against shipping exchanges.”.

1 **SEC. 6. DATA COLLECTION.**

2 Section 41110 of title 46, United States Code, is  
3 amended—

4 (1) by striking “The Federal Maritime Commis-  
5 sion” and inserting “(a) QUARTERLY REPORT.—The  
6 Federal Maritime Commission”; and

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

8 “(b) PROHIBITION ON DUPLICATION.—Data required  
9 to be reported under subsection (a) may not duplicate in-  
10 formation—

11 “(1) submitted to the Corps of Engineers pur-  
12 suant to section 11 of the Act entitled ‘An Act au-  
13 thorizing the construction, repair, and preservation  
14 of certain public works on rivers and harbors, and  
15 for other purposes’, approved September 22, 1922  
16 (33 U.S.C. 555), by an ocean common carrier acting  
17 as a vessel operator; or

18 “(2) submitted pursuant to section 481 of the  
19 Tariff Act of 1930 (19 U.S.C. 1481) to U.S. Cus-  
20 toms and Border Protection by merchandise import-  
21 ers.”.

22 **SEC. 7. NATIONAL ADVISORY COMMITTEES.**

23 (a) NATIONAL SHIPPER ADVISORY COMMITTEE.—  
24 Section 42502 of title 46, United States Code, is amend-  
25 ed—

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

4 (2) in subsections (b) and (c) by striking “Com-  
5 mittee” each place it appears and inserting “Shipper  
6 Committee”; and

7 (3) in subsection (c)(3)—

8 (A) in subparagraph (A) by inserting “, in-  
9 cluding ocean transportation intermediaries (as  
10 such term is defined in section 40102)” after  
11 “ocean common carriers”; and

12 (B) in subparagraph (B) by striking  
13 “ocean common carriers” and inserting “ocean  
14 common carriers described in subparagraph  
15 (A)”.

16 (b) NATIONAL SEAPORT ADVISORY COMMITTEE.—  
17 Chapter 425 of title 46, United States Code, is amended—

18 (1) by redesignating section 42503 as section  
19 42504; and

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

22 **“§ 42503. National Seaport Advisory Committee**

23 “(a) ESTABLISHMENT.—There is established a Na-  
24 tional Seaport Advisory Committee (in this section re-  
25 ferred to as the ‘Seaport Committee’).

1       “(b) FUNCTION.—The Seaport Committee shall ad-  
2       vise the Federal Maritime Commission on policies relating  
3       to the competitiveness, reliability, and efficiency of the  
4       international ocean freight delivery system.

5       “(c) MEMBERSHIP.—

6               “(1) IN GENERAL.—The Seaport Committee  
7       shall consist of 24 members appointed by the Com-  
8       mission in accordance with this section.

9               “(2) EXPERTISE.—Each member of the Sea-  
10       port Committee shall have particular expertise,  
11       knowledge, and experience in matters relating to the  
12       function of the Seaport Committee.

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

15                       “(A) Eight members shall represent ma-  
16       rine terminal operators, as defined in section  
17       40102.

18                       “(B) Sixteen members shall represent port  
19       authorities.”.

20       (c) CONFORMING AMENDMENTS.—

21               “(1) DEFINITIONS.—Section 42501 of title 46,  
22       United States Code, is amended by striking para-  
23       graph (2) and inserting the following:

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

1           “(A) the National Shipper Advisory Com-  
2           mittee established under section 42502; and

3           “(B) the National Seaport Advisory Com-  
4           mittee established under section 42503.”.

5           (2) ADMINISTRATION.—Section 42504 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 and inserting “Each covered  
10                  Committee”;

11                  (B) in subsection (a) by striking “the  
12                  Committee” each place it appears and inserting  
13                  “each such Committee”;

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”; and

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”.

1 **SEC. 8. ANNUAL REPORT AND PUBLIC DISCLOSURES.**

2 (a) REPORT ON FOREIGN LAWS AND PRACTICES.—

3 Section 46106(b) of title 46, United States Code, is  
4 amended—

5 (1) in paragraph (6)—

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

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

9 (2) in paragraph (7)—

10 (A) by inserting “anticompetitive, non-  
11 reciprocal trade, or” before “otherwise con-  
12 cerning practices”;

13 (B) by inserting “or marine terminal oper-  
14 ators” after “ocean common carriers”; and

15 (C) by striking the period at the end and  
16 inserting a semicolon; and

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

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

22 “(9) the findings and results of the Vessel-Op-  
23 erating Common Carrier Audit Program established  
24 by the Commission on July 18, 2021, pursuant to  
25 the Commission rule interpreting section 41102(c).”.

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

4 **SEC. 9. POLICY WITH RESPECT TO LOGINK.**

5 (a) IN GENERAL.—Chapter 503 of title 46, United  
6 States Code, is amended by adding at the end the fol-  
7 lowing:

8 **“§ 50309. Prohibited use**

9 “(a) IN GENERAL.—A covered port authority shall  
10 not utilize—

11 “(1) the national transportation logistics public  
12 information platform (commonly referred to as  
13 ‘LOGINK’) provided by the People’s Republic of  
14 China; or

15 “(2) a similar system provided by Chinese  
16 state-affiliated entities.

17 “(b) GUIDANCE.—The Secretary of Transportation  
18 shall publish on the website of the Department of Trans-  
19 portation, and update regularly, a list of prohibited logis-  
20 tics information technologies provided by the People’s Re-  
21 public of China or Chinese state-affiliated entities.

22 “(c) CONSULTATION.—The Secretary shall consult  
23 with the United States-China Economic and Security Re-  
24 view Commission established under section 1238 of the  
25 Floyd D. Spence National Defense Authorization Act for

1 Fiscal Year 2001 (Public Law 106–398) in carrying out  
2 this section.

3 “(d) REVIEW.—In preparing the guidance under sub-  
4 section (b), the Secretary shall review the list of Chinese  
5 state-affiliated entities included in—

6 “(1) the list of Communist Chinese military  
7 companies published in the Federal Register pursu-  
8 ant to section 1237(b) of the National Defense Au-  
9 thorization Act for Fiscal Year 1999 (50 U.S.C.  
10 1201 note); and

11 “(2) the most recent ‘Non-SDN Chinese Mili-  
12 tary-Industrial Complex Companies List’ published  
13 by the Secretary of the Treasury pursuant to Execu-  
14 tive Order 14032 of June 3, 2021 (86 Fed. Reg.  
15 30145; relating to Addressing the Threat From Se-  
16 curities Investments That Finance Certain Compa-  
17 nies of the People’s Republic of China).

18 “(e) COVERED PORT AUTHORITY DEFINED.—In this  
19 section, the term ‘covered port authority’ means a port  
20 authority that receives funding after the date of enactment  
21 of this section under—

22 “(1) the port infrastructure development pro-  
23 gram under subsections (a) and (b) of section  
24 54301; or

1 “(2) the maritime transportation system emer-  
2 gency relief program under section 50308.”.

3 (b) CLERICAL AMENDMENT.—The analysis for chap-  
4 ter 503 of title 46, United States Code, is amended by  
5 adding at the end the following:

“50309. Policy with Respect to LOGIN.”.

6 **SEC. 10. MARINE TERMINAL AND DWELL TIME STATISTICS.**

7 (a) IN GENERAL.—Chapter 63 of title 49, United  
8 States Code, is amended by adding at the end the fol-  
9 lowing:

10 **“§ 6315. Marine terminal and dwell time statistics**

11 “(a) DEFINITIONS.—In this section:

12 “(1) DIRECTOR.—The term ‘Director’ means  
13 the Director of the Bureau of Transportation Statis-  
14 tics.

15 “(2) MARINE CONTAINER.—The term ‘marine  
16 container’ means an intermodal container with a  
17 length of—

18 “(A) not less than 20 feet; and

19 “(B) not greater than 53 feet.

20 “(3) MARINE TERMINAL OPERATOR; OCEAN  
21 COMMON CARRIER.—The terms ‘marine terminal op-  
22 erator’ and ‘ocean common carrier’ have the mean-  
23 ing given such terms in section 40102 of title 46.

24 “(4) OUT OF SERVICE PERCENTAGE.—The  
25 term ‘out of service percentage’ means the propor-

1       tion of the chassis fleet for any defined geographical  
2       area that is out of service at any one time.

3           “(5) STREET DWELL TIME.—The term ‘street  
4       dwell time’, with respect to a piece of equipment,  
5       means the quantity of time during which the piece  
6       of equipment is in use outside of the terminal.

7       “(b) AUTHORITY TO COLLECT DATA.—

8           “(1) IN GENERAL.—The Director shall collect  
9       such data as the Director determines to be necessary  
10      for the implementation of this section, subject to  
11      subchapter III of chapter 35 of title 44 from—

12           “(A) each port, marine terminal operator,  
13      and ocean common carrier; and

14           “(B) each chassis owner or provider with a  
15      fleet of over 50 chassis that supply chassis for  
16      a fee.

17       “(2) APPROVAL BY OMB.—Not later than 60  
18      days after the date of enactment of this section, the  
19      Director of the Office of Management and Budget  
20      shall approve an information collection for purposes  
21      of this section.

22       “(c) PUBLICATION.—Not later than 240 days after  
23      the date of enactment of this section, and not less fre-  
24      quently than monthly thereafter, the Director shall publish  
25      statistics relating to—

1           “(1) the dwell time of equipment used in inter-  
2           modal transportation at the top 25 ports, including  
3           inland ports, by 20-foot equivalent unit, including—

4                   “(A) total street dwell time, from all  
5                   causes, of marine containers and marine con-  
6                   tainer chassis; and

7                   “(B) the average out of service percentage,  
8                   which shall not be identifiable with any par-  
9                   ticular port, marine terminal operator, or chas-  
10                  sis provider; and

11           “(2) for each port—

12                   “(A) the yard capacity for marine con-  
13                   tainers;

14                   “(B) the yard utilization by marine con-  
15                   tainers;

16                   “(C) the berthing schedule and windows;

17                   “(D) the total number of marine con-  
18                   tainers leaving (commonly referred to as ‘gate-  
19                   out’);

20                   “(E) the total number of marine con-  
21                   tainers entering (commonly referred to as ‘gate-  
22                   in’);

23                   “(F) the total number of marine con-  
24                   tainers unloaded daily from vessels;

1           “(G) the total number of marine con-  
2           tainers loaded daily from vessels; and

3           “(H) the average turn time for a commer-  
4           cial motor vehicle (as defined in section 13102)  
5           operated by a motor carrier (as defined in such  
6           section).

7           “(d) FACTORS.—To the maximum extent practicable,  
8           the Director shall publish the statistics described in sub-  
9           section (c) on a local, regional, and national basis.”.

10          (b) RULEMAKING TO DEFINE TURN TIME.—

11           (1) DEADLINE.—Not later than 90 days after  
12           the date of enactment of this Act, the Secretary of  
13           Transportation shall promulgate an advance notice  
14           of proposed rulemaking to define turn time and  
15           specify the methods for collecting and reporting in-  
16           formation relating to average dwell time to the Bu-  
17           reau of Transportation Statistics under section 6315  
18           of title 49, United States Code.

19           (2) CONTENT.—The rulemaking under para-  
20           graph (1)—

21           (A) shall address the amount of time a  
22           commercial motor vehicle operated by a motor  
23           carrier spends waiting in line outside the gate  
24           of a port; and



1 (B) may address the ability of a port to  
2 collect dwell times from operators of commercial  
3 motor vehicles operated by motor carriers, in-  
4 cluding from motor carrier telematic capabili-  
5 ties.

6 (b) CLERICAL AMENDMENT.—The analysis for chap-  
7 ter 63 of title 49, United States Code, is amended by add-  
8 ing at the end the following:

“6315. Marine terminal and dwell time statistics.”.

9 (c) REPEAL.—Section 16 of the Ocean Shipping Re-  
10 form Act of 2022 (Public Law 117–146) is repealed.

11 **SEC. 11. CONTAINERIZED FREIGHT INDEXES.**

12 Not later than 1 year after the date of enactment  
13 of this Act, the Federal Maritime Commission shall pro-  
14 mulgate an advance notice of proposed rulemaking on  
15 price indexes for containerized ocean freight for shippers  
16 (as such term is defined in section 40102 of title 46,  
17 United States Code) in the United States published by a  
18 shipping exchange registered under section 40504 of title  
19 46, United States Code.

20 **SEC. 12. DATA STANDARD FOR MARITIME FREIGHT LOGIS-**  
21 **TICS.**

22 (a) IN GENERAL.—Not later than 180 days after the  
23 date of enactment of this Act, the Federal Maritime Com-  
24 mission shall promulgate an advance notice of proposed  
25 rulemaking on a data standard for maritime freight logis-

1 ties and ocean transportation in the foreign commerce of  
2 the United States.

3 (b) CONSULTATION.—During the public comment pe-  
4 riod for the rulemaking under subsection (a), the Commis-  
5 sion shall consult with—

6 (1) the National Shippers Advisory Board es-  
7 tablished under section 42502 of title 46, United  
8 States Code; and

9 (2) the Secretaries of Transportation, Com-  
10 merce, and Agriculture.

11 (c) CONTENTS.—The rulemaking under subsection  
12 (a) shall—

13 (1) develop a data standard for the voluntary  
14 sharing of appropriate supply chain data with—

15 (A) a common lexicon of standard terms  
16 and methods of measurements;

17 (B) a method to exchange data in real  
18 time amongst relevant stakeholders;

19 (C) appropriate data protections to ensure  
20 confidentiality of proprietary business informa-  
21 tion; and

22 (D) appropriate cybersecurity measures to  
23 protect data from unauthorized use;

24 (2) incorporate data from stakeholders to facili-  
25 tate—

1 (A) the arrival, unloading, loading, and de-  
2 parture of vessels;

3 (B) cargo availability and pick up reserva-  
4 tion;

5 (C) chassis availability; and

6 (D) other data elements the Commission  
7 consider prudent; and

8 (3) consider relevant data standards used or  
9 under development within the private sector and  
10 whether to adopt or otherwise incorporate such  
11 standards into the rule finalized under this sub-  
12 section, with priority given to standards that—

13 (A) are developed in open, transparent, im-  
14 partial, balanced, consensus-based processes;

15 (B) are performance-based, technology  
16 neutral, and vendor neutral;

17 (C) are interoperable, allowing for the ex-  
18 change and use of data between devices and  
19 systems;

20 (D) are market relevant and globally appli-  
21 cable;

22 (E) are nonduplicative of, and coherent  
23 with, other relevant standards, guides, best  
24 practices, and frameworks; and

1 (F) allow information owners to control  
2 what information is shared, when information is  
3 shared, with whom, and for what purpose; and  
4 (4) be consistent with section 12(d) of the Na-  
5 tional Technology Transfer and Advancement Act of  
6 1995 (Public Law 104–113; 15 U.S.C. 272 note) in-  
7 cluding any standard for the voluntary sharing of  
8 appropriate supply chain data developed thereunder.

9 (d) THIRD-PARTY AGREEMENT.—The Commission  
10 may enter into an agreement with 1 or more appropriate  
11 independent entities based in the United States that oper-  
12 ate as voluntary consensus standards setting organizations  
13 as defined for purposes of section 12(d) of the National  
14 Technology Transfer and Advancement Act of 1995 (Pub-  
15 lic Law 104–113) and Office of Management and Budget  
16 Revised Circular A–119, published in the Federal Register  
17 on January 27, 2016 (81 Fed. Reg. 4673) to develop the  
18 data standard for maritime freight logistics and ocean  
19 transportation in the foreign commerce of the United  
20 States for the rulemaking under subsection (a) and for  
21 procurement or other relevant programmatic activities,  
22 consistent with the requirements of this section.

23 (e) GRANT CRITERION.—If the rulemaking under  
24 subsection (a) is finalized, the Secretary of Transportation  
25 may require a covered port authority to adopt any data

1 standard issued pursuant to this section for relevant oper-  
2 ational use cases, as determined by the Secretary.

3 (f) DEFINITION OF COVERED PORT AUTHORITY.—

4 In this section, the term “covered port authority” means  
5 a port authority that receives funding after the date on  
6 which a rule is finalized under this section under—

7 (1) the port infrastructure development pro-  
8 gram under section 54301(a) of title 46, United  
9 States Code; or

10 (2) the maritime transportation system emer-  
11 gency relief program under section 50308 of title 46,  
12 United States Code.

13 (g) RULE OF CONSTRUCTION.—Nothing in this sec-  
14 tion shall be construed to require the Commission to de-  
15 velop a data standard that violates the confidentiality and  
16 disclosure policies established under subchapter III of  
17 chapter 35 of title 44, United States Code.

18 **SEC. 13. INDEPENDENT STUDY AND REPORT ON SHANGHAI**  
19 **SHIPPING EXCHANGE.**

20 (a) STUDY.—Not later than 1 year after the date of  
21 the enactment of this Act, the Secretary of Transportation  
22 shall enter into an agreement with an appropriate inde-  
23 pendent entity described in subsection (d) to conduct a  
24 study and assessment of the business practices of the  
25 Shanghai Shipping Exchange, including—

1           (1) any anticompetitive advantages benefitting  
2           the Shanghai Shipping Exchange; and

3           (2) the ability of the Ministry of Transport of  
4           the People's Republic of China and the Shanghai  
5           Shipping Exchange to manipulate container freight  
6           markets.

7           (b) ELEMENTS.—The study and assessment required  
8           under to subsection (a) shall address the following:

9           (1) The influence of the government of the Peo-  
10          ple's Republic of China on the Shanghai Shipping  
11          Exchange.

12          (2) The impact of such business practices or in-  
13          fluence on American consumers and businesses.

14          (3) The ability of a shipping exchange reg-  
15          istered under section 40504 of title 46, United  
16          States Code, and based in the United States to iden-  
17          tify market manipulation as described in subsection  
18          (a)(2) or any otherwise concerning practices by the  
19          Shanghai Shipping Exchange and report such inci-  
20          dents to the Federal Maritime Commission and  
21          other Federal regulators.

22          (4) Any other matters the Secretary or the ap-  
23          propriate independent entity that enters into an  
24          agreement under this section determines to be ap-  
25          propriate for the purposes of the study.

1 (c) REPORT.—

2 (1) IN GENERAL.—Not later than 1 year after  
3 the date on which the Secretary of Transportation  
4 enters into an agreement under this section, the ap-  
5 propriate independent entity shall submit to the Sec-  
6 retary, the Committee on Commerce, Science, and  
7 Transportation of the Senate, and the Committee on  
8 Transportation and Infrastructure of the House of  
9 Representatives a report setting forth the results of  
10 the study conducted under subsection (a).

11 (2) PUBLIC AVAILABILITY.—The Secretary  
12 shall publish the report required under paragraph  
13 (1) on a publicly accessible website of the Depart-  
14 ment of Transportation.

15 (d) APPROPRIATE INDEPENDENT ENTITY DE-  
16 SCRIBED.—An appropriate independent entity described  
17 in this subsection is—

18 (1) a federally funded research and development  
19 center sponsored by a Federal agency;

20 (2) the Transportation Research Board of the  
21 National Academies;

22 (3) the Government Accountability Office; or

23 (4) an organization described in section 501(c)  
24 of the Internal Revenue Code of 1986 and exempt  
25 from taxation under section 501(a) of such Code.

1 (e) OBTAINING OFFICIAL DATA.—The appropriate  
2 independent entity that enters into an agreement under  
3 this section may secure directly from any department or  
4 agency of the Federal Government information necessary  
5 to enable such entity to carry out this section. Upon re-  
6 quest of such entity, the head of such department or agen-  
7 cy shall furnish such information to the appropriate inde-  
8 pendent entity, unless doing so would not be in the public  
9 interest.

10 **SEC. 14. TECHNICAL AMENDMENTS.**

11 (a) ADMINISTRATION.—Section 15109 of title 46,  
12 United States Code, is amended—

13 (1) in subsection (a)(2) by striking “15102,”  
14 and inserting “15102”; and

15 (2) in subsection (k)(1) by inserting “or to  
16 which this chapter applies” after “under this chap-  
17 ter”.

18 (b) INVESTIGATIONS.—Section 41302(a) of title 46,  
19 United States Code, is amended by striking “conduct  
20 agreement” and inserting “conduct, agreement”.

21 (c) AWARD OF REPARATIONS.—Section 41305(c) is  
22 amended by striking “section subsection” and inserting  
23 “subsection”.

24 (d) NATIONAL SHIPPER ADVISORY COMMITTEE.—  
25 Section 42502(c)(3) of title 46, United States Code is



1 amended by striking “(3) REPRESENTATION” and all that  
2 follows through “Twelve members” and inserting the fol-  
3 lowing:

4 “(3) REPRESENTATION.—Members of the Com-  
5 mittee shall be appointed as follows:

6 “(A) Twelve members”.

7 (e) MONETARY PENALTIES OR REFUNDS.—The anal-  
8 ysis for chapter 411 of title 46, United States Code, is  
9 amended by striking the item relating to section 41107  
10 and inserting the following:

“41107. Monetary penalties or refunds.”.

11 (f) NATIONAL ADVISORY COMMITTEES.—The anal-  
12 ysis for subtitle IV of title 46, United States Code, is  
13 amended by striking the item relating to chapter 425 and  
14 inserting the following:

“425. National Advisory Committees ..... 42501”.

15 (g) ANALYSIS.—The analysis for chapter 425 of title  
16 46, United States Code, is amended to read as follows:

“CHAPTER 425—NATIONAL ADVISORY COMMITTEES

“Sec.

“42501. Definitions.

“42502. National Shipper Advisory Committee.

“42503. National Seaport Advisory Committee.”.

17 (h) ANNUAL REPORT AND PUBLIC DISCLOSURE.—

18 (1) CONFORMING AMENDMENT.—The heading  
19 for section 46106 of title 46, United States Code, is  
20 amended by inserting “**and public disclosure**”  
21 after “**report**”.

1           (2) CLERICAL AMENDMENT.—The analysis for  
2       chapter 461 of title 46, United States Code, is  
3       amended by striking the item related to section  
4       46106 and inserting the following:

“46106. Annual report and public disclosure.”.

5       (i) ANALYSIS AMENDMENT.—The item relating to  
6       section 41307 in the analysis for chapter 413 of title 46,  
7       United States Code, is amended by striking “sought”.