

103D CONGRESS
1ST SESSION

H. R. 56

To amend the Shipping Act of 1984 to provide for equitable treatment of United States ocean freight forwarders by ocean carrier conferences.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 5, 1993

Mrs. BENTLEY introduced the following bill; which was referred to the Committee on Merchant Marine and Fisheries

A BILL

To amend the Shipping Act of 1984 to provide for equitable treatment of United States ocean freight forwarders by ocean carrier conferences.

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. INDEPENDENT ACTION.**

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

7 “(8) provide that—

8 “(A) any member of the conference may
9 take independent action on any rate, service
10 item, or level of ocean freight forwarder com-

1 pensation required to be filed in a tariff under
2 section 8(a) upon not more than 10 calendar
3 days notice to the conference; and

4 “(B) the conference will include the new
5 rate, service item, or level of ocean freight for-
6 warder compensation in its tariff for use by
7 that member, effective no later than 10 cal-
8 endar days after receipt of the notice, and by
9 any other member that notifies the conference
10 that it elects to adopt the independent rate,
11 service item, or level of ocean freight forwarder
12 compensation on or after its effective date, in
13 lieu of the existing conference tariff provision
14 for that rate, service item, or level of ocean
15 freight forwarder compensation;”.

16 **SEC. 2. PROHIBITION ON DENYING COMPENSATION.**

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

20 “(5) deny in the export foreign commerce of the
21 United States compensation to an ocean freight for-
22 warder, or limit that compensation to less than 1.25
23 percent of the aggregate of all of the rates and
24 charges applicable under the tariff assessed against

- 1 the cargo on which the forwarding services are pro-
- 2 vided; or”.

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