

April 20, 2022

The Honorable Maria Cantwell  
Chairman  
Senate Committee on Commerce,  
Science and Transportation  
Washington, DC 20510

The Honorable Roger Wicker  
Ranking Member  
Senate Committee on Commerce  
Science and Transportation  
Washington, DC 20510

The Honorable Peter DeFazio  
Chairman  
House Committee on Transportation  
and Infrastructure  
Washington, DC 20515

The Honorable Sam Graves  
Ranking Member  
House Committee on Transportation  
and Infrastructure  
Washington, DC 20515

Dear Chairman Cantwell, Ranking Member Wicker, Chairman DeFazio and Ranking Member Graves,

On behalf of the undersigned companies and trade associations representing U.S. importers, exporters, transportation providers and other supply chain stakeholders, we are writing to thank you for your leadership on passage of the Ocean Shipping Reform Act (S. 3580/H.R. 4996) in both chambers. The bills have passed with overwhelming bipartisan support. We now encourage you and your colleagues to come together to conference the differences between the two bills. We believe these differences can be easily resolved through a conference negotiation.

As you know, the reforms included in both versions of the OSRA will help address the longstanding, systemic supply chain and port disruption issues which have been further exacerbated by the COVID-19 pandemic. While we know that the supply chain disruptions will continue through 2022 and perhaps into 2023, it is time to finalize the OSRA so that industry can begin to make the necessary changes to help address some of the unreasonable business practices the bill targets, especially strengthening the role of the Federal Maritime Commission (FMC).

The two bills, as passed, are very complementary. However, we believe there are a few provisions that need to be discussed and reconciled as part of a conference negotiation. These provisions, which the undersigned support, include:

- A requirement for ocean carriers to adhere to minimum service standards that meet the “public interest.”
- A certification requirement for a demurrage and detention charge.
- An explicit prohibition of carriers from declining export booking.
- A provision 1) prohibiting carriers from failing to furnish or 2) causing a contractor to fail to furnish the facilities and instrumentalities needed to perform the transportation services.
- A provision allowing third parties to intervene in FMC action against ocean carriers alleging anticompetitive conduct.

We again thank you for your strong leadership on this bill to address long standing maritime shipping issues. Promptly reaching a final OSRA bill, followed by swift final Congressional passage and the president’s signature, will help ensure U.S. competitiveness and

continued economic recovery. We look forward to working with you on a final conference product.

Sincerely

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| Accessories Council                                    | Foreign Trade Association  |
| Agricultural Retailers Association                     | Fragrance Creators Association                                     |
| Agriculture and Food Transporters Conference           | Gemini Shippers  |
| Agriculture Transportation Coalition (AgTC)            | Glass Packaging Institute (GPI)                                    |
| Air-Conditioning, Heating, and Refrigeration Institute | Global Cold Chain Alliance   |
| American Apparel & Footwear Association (AAFA)         | Green Coffee Association   |
| American Association of Exporters and Importers        | Greeting Card Association  |
| American Automotive Policy Council                     | Halloween Industry Association                                     |
| American Bakers Association                            | Harbor Trucking Association  |
| American Bridal and Prom Industry Association (ABPIA)  | Hardwood Federation  |
| American Chemistry Council                             | Health Industry Distributors Association (HIDA)                    |
| American Down and Feather Council                      | Healthcare Distribution Alliance                                   |
| American Forest & Paper Association                    | Home Fashion Products Association                                  |
| American Foundry Society                               | Institute for Scrap Recycling Industries (ISRI)                    |
| American Home Furnishings Alliance                     | International Association of Movers (IAM)                          |
| American Lighting Association                          | International Bottled Water Association (IBWA)                     |
| American Pyrotechnics Association                      | International Housewares Association                               |
| American Seed Trade Association                        | International Warehouse Logistics Association (IWLA)               |
| American Trucking Associations                         | Intermodal Motor Carriers Conference                               |
| Association of Bi-State Motor Carriers                 | Juvenile Products Manufacturers Association ~ JPMA                 |
| Association of Food Industries                         | Leather and Hide Council of America                                |
| Association of Home Appliance Manufacturers            | Meat Import Council of America                                     |
| Auto Care Association                                  | Motor & Equipment Manufacturers Association (MEMA)                 |
| Autos Drive America                                    | Motorcycle Industry Council  |
| Can Manufacturers Institute                            | National Association of Chemical Distributors (NACD)               |
| CAWA – Representing the Automotive Parts Industry      | National Association of Manufacturers                              |
| Color Pigments Manufacturers Association               | National Association of Music Merchants                            |
| Consumer Technology Association                        | National Confectioners Association                                 |
| Council of Fashion Designers of America (CFDA)         | National Electrical Manufacturers Association (NEMA)               |
| Distilled Spirits Council of the United States         | National Fisheries Institute (NFI)                                 |
| Experiential Designers & Producers Association         | National Industrial Transportation League (NITLeague)              |
| Fashion Accessories Shippers Association               | National Milk Producers Federation                                 |
| Fashion Jewelry & Accessories Trade Association        | National Pork Producers Council                                    |
| Footwear Distributors & Retailers of America (FDRA)    | National Restaurant Association                                    |
|  | National Retail Federation   |
|  | National Sporting Goods Association                                |
|  | New Jersey Motor Truck Association                                 |
|  | North American Association of Food Equipment Manufacturers (NAFEM) |
|  | North American Home Furnishings Association                        |
|  | North American Meat Institute                                      |
|  | Outdoor Industry Association                                       |
|  | Personal Care Products Council                                     |

Pet Advocacy Network  
Plumbing Manufacturers International  
Promotional Products Association International  
(PPAI)  
Recreational Off-Highway Vehicle Association  
Retail Industry Leaders Association (RILA)  
Society of Chemical Manufacturers &  
Affiliates (SOCMA)  
Specialty Equipment Market Association  
(SEMA)

Specialty Vehicle Institute of America  
Sports & Fitness Industry Association  
The Fertilizer Institute  
Toy Association  
Travel Goods Association (TGA)  
U.S. Dairy Export Council  
United States Fashion Industry Association  
Vinyl Institute

CC: Chairman Gary Peters, Senate Committee on Commerce, Science and Transportation  
Subcommittee on Surface Transportation, Maritime, Freight, and Ports  
Ranking Member Deb Fischer, Senate Committee on Commerce, Science and Transportation  
Subcommittee on Surface Transportation, Maritime, Freight, and Ports  
Chairman Salud O. Carbajal, House Committee on Transportation and Infrastructure  
Subcommittee on Coast Guard and Maritime Transportation  
Ranking Member Bob Gibbs, House Committee on Transportation and Infrastructure  
Subcommittee on Coast Guard and Maritime Transportation