

**AMENDMENT TO RULES COMMITTEE PRINT**

**114-32**

**OFFERED BY MR. NEWHOUSE OF WASHINGTON**

At the end of title VIII of Division A of the bill, add the following:

1 **SEC. \_\_\_\_ . FINDINGS ON PORT PERFORMANCE.**

2 Congress finds the following:

3 (1) America's ports play a critical role in the  
4 Nation's transportation supply chain network.

5 (2) Reliable and efficient movement of goods  
6 through the Nation's ports ensures that American  
7 goods are available to customers throughout the  
8 world.

9 (3) Breakdowns in the transportation supply  
10 chain network, particularly at the Nation's ports,  
11 can result in tremendous economic losses for agri-  
12 culture, businesses, and retailers that rely on timely  
13 shipments.

14 (4) A clear understanding of terminal and port  
15 productivity and throughput should help—

16 (A) to identify freight bottlenecks;

17 (B) to indicate performance and trends  
18 over time; and

1 (C) to inform investment decisions.

2 **SEC. \_\_\_\_\_. PORT PERFORMANCE FREIGHT STATISTICS**  
3 **PROGRAM.**

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

7 **“§ 6314. Port performance freight statistics program**

8 “(a) IN GENERAL.—The Director shall establish, on  
9 behalf of the Secretary, a port performance statistics pro-  
10 gram to provide nationally consistent measures of per-  
11 formance of, at a minimum—

12 “(1) the Nation’s top 25 ports by tonnage;

13 “(2) the Nation’s top 25 ports by 20-foot equiv-  
14 alent unit; and

15 “(3) the Nation’s top 25 ports by dry bulk.

16 “(b) REPORTS.—

17 “(1) PORT CAPACITY AND THROUGHPUT.—Not  
18 later than January 15 of each year, the Director  
19 shall submit an annual report to Congress that in-  
20 cludes statistics on capacity and throughput at the  
21 ports described in subsection (a).

22 “(2) PORT PERFORMANCE MEASURES.—The  
23 Director shall collect monthly port performance  
24 measures for each of the United States ports re-  
25 ferred to in subsection (a) that receives Federal as-

1       sistance or is subject to Federal regulation to submit  
2       a quarterly report to the Bureau of Transportation  
3       Statistics that includes monthly statistics on capac-  
4       ity and throughput as applicable to the specific con-  
5       figuration of the port.

6               “(A) MONTHLY MEASURES.—The Director  
7       shall collect monthly measures, including—

8                       “(i) the average number of lifts per  
9       hour of containers by crane;

10                      “(ii) the average vessel turn time by  
11       vessel type;

12                      “(iii) the average cargo or container  
13       dwell time;

14                      “(iv) the average truck time at ports;

15                      “(v) the average rail time at ports;

16       and

17                      “(vi) any additional metrics, as deter-  
18       mined by the Director after receiving rec-  
19       ommendations from the working group es-  
20       tablished under subsection (c).

21               “(B) MODIFICATIONS.—The Director may  
22       consider a modification to a metric under sub-  
23       paragraph (A) if the modification meets the in-  
24       tent of the section.

25       “(c) RECOMMENDATIONS.—

1           “(1) IN GENERAL.—The Director shall obtain  
2       recommendations for—

3           “(A) specifications and data measurements  
4       for the port performance measures listed in  
5       subsection (b)(2);

6           “(B) additionally needed data elements for  
7       measuring port performance; and

8           “(C) a process for the Department of  
9       Transportation to collect timely and consistent  
10      data, including identifying safeguards to protect  
11      proprietary information described in subsection  
12      (b)(2).

13          “(2) WORKING GROUP.—Not later than 60 days  
14      after the date of the enactment of this section, the  
15      Director shall commission a working group com-  
16      posed of—

17           “(A) operating administrations of the De-  
18      partment of Transportation;

19           “(B) the Coast Guard;

20           “(C) the Federal Maritime Commission;

21           “(D) U.S. Customs and Border Protection;

22           “(E) the Marine Transportation System  
23      National Advisory Council;

24           “(F) the Army Corps of Engineers;

1           “(G) the Saint Lawrence Seaway Develop-  
2           ment Corporation;

3           “(H) the Advisory Committee on Supply  
4           Chain Competitiveness;

5           “(I) 1 representative from the rail indus-  
6           try;

7           “(J) 1 representative from the trucking in-  
8           dustry;

9           “(K) 1 representative from the maritime  
10          shipping industry;

11          “(L) 1 representative from a labor organi-  
12          zation for each industry described in subpara-  
13          graphs (I) through (K);

14          “(M) 1 representative from a port author-  
15          ity;

16          “(N) 1 representative from a terminal op-  
17          erator;

18          “(O) representatives of the National  
19          Freight Advisory Committee of the Depart-  
20          ment; and

21          “(P) representatives of the Transportation  
22          Research Board of the National Academies.

23          “(3) RECOMMENDATIONS.—Not later than 1  
24          year after the date of the enactment of this section,  
25          the working group commissioned under this sub-

1 section shall submit its recommendations to the Di-  
2 rector.

3 “(d) ACCESS TO DATA.—The Director shall ensure  
4 that the statistics compiled under this section are readily  
5 accessible to the public, consistent with applicable security  
6 constraints and confidentiality interests.”.

7 (b) PROHIBITION ON CERTAIN DISCLOSURES.—Sec-  
8 tion 6307(b)(1) of title 49, United States Code, is amend-  
9 ed by inserting “or section 6314(b)” after “section  
10 6302(b)(3)(B)” each place it appears.

11 (c) COPIES OF REPORTS.—Section 6307(b)(2)(A) of  
12 such title is amended by inserting “or section 6314(b)”  
13 after “section 6302(b)(3)(B)”.

14 (d) TECHNICAL AND CONFORMING AMENDMENT.—  
15 The table of contents for chapter 63 of such title is  
16 amended by adding at the end the following:

“6314. Port performance freight statistics program.”.

