AMENDMENT TO RULES COMMITTEE PRINT 118–10

OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

At the end of title XXXV, add the following:

SEC. 35. INDEPENDENT STUDY AND REPORT ON SHANGHAI SHIPPING EXCHANGE.

(a) Study.—Not later than 1 year after the date of the enactment of this Act, the Secretary of Transportation shall enter into an agreement with an appropriate independent entity described in subsection (d) to conduct a study and assessment of the business practices of the Shanghai Shipping Exchange, including—

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

(2) the ability of the Ministry of Transport of the People’s Republic of China and the Shanghai Shipping Exchange to manipulate container freight markets.

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

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(2) The impact of such business practices or influence on American consumers and businesses.

(3) The ability of a shipping exchange registered under section 40504 of title 46, United States Code, and based in the United States to identify market manipulation as described in subsection (a)(2) or any otherwise concerning practices by the Shanghai Shipping Exchange and report such incidents to the Federal Maritime Commission and other Federal regulators.

(4) Any other matters the Secretary or the appropriate independent entity that enters into an agreement under this section determines to be appropriate for the purposes of the study.

(c) REPORT.—

(1) IN GENERAL.—Not later than 1 year after the date on which the Secretary of Transportation enters into an agreement under this section, the appropriate independent entity shall submit to the Secretary, the Committee on Commerce, Science, and Transportation of the Senate, and the Committee on Transportation and Infrastructure of the House of Representatives a report setting forth the results of the study conducted under subsection (a).
(2) Public Availability.—The Secretary shall publish the report required under paragraph (1) on a publicly accessible website of the Department of Transportation.

(d) Appropriate Independent Entity Described.—An appropriate independent entity described in this subsection is—

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

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

(3) the Government Accountability Office; or

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

(e) Obtaining Official Data.—The appropriate, independent entity that enters into an agreement under this section may secure directly from any department or agency of the Federal Government information necessary to enable such entity to carry out this section. Upon request of such entity, the head of such department or agency shall furnish such information to the appropriate independent entity, unless doing so would not be in the public interest.