

AMENDMENT TO RULES COMMITTEE PRINT 118-
10
OFFERED BY MR. JOHNSON OF SOUTH DAKOTA

At the end of title XXXV, add the following:

1 **SEC. 35 ____ . INDEPENDENT STUDY AND REPORT ON SHANG-**
2 **HAI SHIPPING EXCHANGE.**

3 (a) STUDY.—Not later than 1 year after the date of
4 the enactment of this Act, the Secretary of Transportation
5 shall enter into an agreement with an appropriate inde-
6 pendent entity described in subsection (d) to conduct a
7 study and assessment of the business practices of the
8 Shanghai Shipping Exchange, including—

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

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

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

17 (1) The influence of the government of the Peo-
18 ple’s Republic of China on the Shanghai Shipping
19 Exchange.

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

3 (3) The ability of a shipping exchange reg-
4 istered under section 40504 of title 46, United
5 States Code, and based in the United States to iden-
6 tify market manipulation as described in subsection
7 (a)(2) or any otherwise concerning practices by the
8 Shanghai Shipping Exchange and report such inci-
9 dents to the Federal Maritime Commission and
10 other Federal regulators.

11 (4) Any other matters the Secretary or the ap-
12 propriate independent entity that enters into an
13 agreement under this section determines to be ap-
14 propriate for the purposes of the study.

15 (c) REPORT.—

16 (1) IN GENERAL.—Not later than 1 year after
17 the date on which the Secretary of Transportation
18 enters into an agreement under this section, the ap-
19 propriate independent entity shall submit to the Sec-
20 retary, the Committee on Commerce, Science, and
21 Transportation of the Senate, and the Committee on
22 Transportation and Infrastructure of the House of
23 Representatives a report setting forth the results of
24 the study conducted under subsection (a).

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

5 (d) APPROPRIATE INDEPENDENT ENTITY DE-
6 SCRIBED.—An appropriate independent entity described
7 in this subsection is—

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

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

12 (3) the Government Accountability Office; or

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

16 (e) OBTAINING OFFICIAL DATA.—The appropriate,
17 independent entity that enters into an agreement under
18 this section may secure directly from any department or
19 agency of the Federal Government information necessary
20 to enable such entity to carry out this section. Upon re-
21 quest of such entity, the head of such department or agen-
22 cy shall furnish such information to the appropriate inde-
23 pendent entity, unless doing so would not be in the public
24 interest.

