

**AMENDMENT**  
**TO RULES COMMITTEE PRINT 116-57**  
**OFFERED BY MR. YOUNG OF ALASKA**

At the end of subtitle A of title XXXV, add the following:

1 **SEC. \_\_\_\_ . NATIONAL SHIPPER ADVISORY COMMITTEE.**

2 (a) IN GENERAL.—Part B of subtitle IV of title 46,  
3 United States Code, is amended by adding at the end the  
4 following:

5 **“CHAPTER 425—NATIONAL SHIPPER**  
6 **ADVISORY COMMITTEE**

“Sec.  
“42501. Definitions.  
“42502. National Shipper Advisory Committee.  
“42503. Administration.

7 **“§ 42501. Definitions**

8 “In this chapter:

9 “(1) COMMISSION.—The term ‘Commission’  
10 means the Federal Maritime Commission.

11 “(2) COMMITTEE.—The term ‘Committee’  
12 means the National Shipper Advisory Committee es-  
13 tablished by section 42502.

1 **“§ 42502. National Shipper Advisory Committee**

2 “(a) ESTABLISHMENT.—There is established a Na-  
3 tional Shipper Advisory Committee.

4 “(b) FUNCTION.—The Committee shall advise the  
5 Federal Maritime Commission on policies relating to the  
6 competitiveness, reliability, integrity, and fairness of the  
7 international ocean freight delivery system.

8 “(c) MEMBERSHIP.—

9 “(1) IN GENERAL.—The Committee shall con-  
10 sist of 24 members appointed by the Commission in  
11 accordance with this section.

12 “(2) EXPERTISE.—Each member of the Com-  
13 mittee shall have particular expertise, knowledge,  
14 and experience in matters relating to the function of  
15 the Committee.

16 “(3) REPRESENTATION.—Members of the Com-  
17 mittee shall be appointed as follows:

18 “(A) Twelve members shall represent enti-  
19 ties who import cargo to the United States  
20 using ocean common carriers.

21 “(B) Twelve members shall represent enti-  
22 ties who export cargo from the United States  
23 using ocean common carriers.

1 **“§ 42503. Administration**

2       “(a) MEETINGS.—The Committee shall, not less than  
3 once each year, meet at the call of the Commission or a  
4 majority of the members of the Committee.

5       “(b) EMPLOYEE STATUS.—A member of the Com-  
6 mittee shall not be considered an employee of the Federal  
7 Government by reason of service on such Committee, ex-  
8 cept for the purposes of the following:

9               “(1) Chapter 81 of title 5.

10              “(2) Chapter 171 of title 28 and any other  
11 Federal law relating to tort liability.

12       “(c) ACCEPTANCE OF VOLUNTEER SERVICES.—Not-  
13 withstanding any other provision of law, a member of the  
14 Committee may serve on such committee on a voluntary  
15 basis without pay.

16       “(d) STATUS OF MEMBERS.—

17              “(1) IN GENERAL.—Except as provided in para-  
18 graph (2), with respect to a member of the Com-  
19 mittee whom the Commission appoints to represent  
20 an entity or group—

21                      “(A) the member is authorized to rep-  
22 resent the interests of the applicable entity or  
23 group; and

24                      “(B) requirements under Federal law that  
25 would interfere with such representation and  
26 that apply to a special Government employee

1 (as defined in section 202(a) of title 18), in-  
2 cluding requirements relating to employee con-  
3 duct, political activities, ethics, conflicts of in-  
4 terest, and corruption, do not apply to the  
5 member.

6 “(2) EXCEPTION.—Notwithstanding subsection  
7 (b), a member of the Committee shall be treated as  
8 a special Government employee for purposes of the  
9 committee service of the member if the member,  
10 without regard to service on the Committee, is a spe-  
11 cial Government employee.

12 “(e) SERVICE ON COMMITTEE.—

13 “(1) SOLICITATION OF NOMINATIONS.—Before  
14 appointing an individual as a member of the Com-  
15 mittee, the Commission shall publish a timely notice  
16 in the Federal Register soliciting nominations for  
17 membership on such Committee.

18 “(2) APPOINTMENTS.—

19 “(A) IN GENERAL.—After considering  
20 nominations received pursuant to a notice pub-  
21 lished under paragraph (1), the Commission  
22 may appoint a member to the Committee.

23 “(B) PROHIBITION.—The Commission  
24 shall not seek, consider, or otherwise use infor-  
25 mation concerning the political affiliation of a

1 nominee in making an appointment to the Com-  
2 mittee.

3 “(3) SERVICE AT PLEASURE OF THE COMMIS-  
4 SION.—Each member of the Committee shall serve  
5 at the pleasure of the Commission.

6 “(4) SECURITY BACKGROUND EXAMINATIONS.—  
7 The Commission may require an individual to have  
8 passed an appropriate security background examina-  
9 tion before appointment to the Committee.

10 “(5) PROHIBITION.—A Federal employee may  
11 not be appointed as a member of the Committee.

12 “(6) TERMS.—

13 “(A) IN GENERAL.—The term of each  
14 member of the Committee shall expire on De-  
15 cember 31 of the third full year after the effec-  
16 tive date of the appointment.

17 “(B) CONTINUED SERVICE AFTER TERM.—  
18 When the term of a member of the Committee  
19 ends, the member, for a period not to exceed 1  
20 year, may continue to serve as a member until  
21 a successor is appointed.

22 “(7) VACANCIES.—A vacancy on the Committee  
23 shall be filled in the same manner as the original ap-  
24 pointment.

1           “(8) SPECIAL RULE FOR REAPPOINTMENTS.—  
2       Notwithstanding paragraphs (1) and (2), the Com-  
3       mission may reappoint a member of a committee for  
4       any term, other than the first term of the member,  
5       without soliciting, receiving, or considering nomina-  
6       tions for such appointment.

7           “(f) STAFF SERVICES.—The Commission shall fur-  
8       nish to the Committee any staff and services considered  
9       by the Commission to be necessary for the conduct of the  
10      Committee’s functions.

11          “(g) CHAIR; VICE CHAIR.—

12           “(1) IN GENERAL.—The Committee shall elect  
13       a Chair and Vice Chair from among the committee’s  
14       members.

15           “(2) VICE CHAIRMAN ACTING AS CHAIRMAN.—  
16       The Vice Chair shall act as Chair in the absence or  
17       incapacity of, or in the event of a vacancy in the of-  
18       fice of, the Chair.

19          “(h) SUBCOMMITTEES AND WORKING GROUPS.—

20           “(1) IN GENERAL.—The Chair of the Com-  
21       mittee may establish and disestablish subcommittees  
22       and working groups for any purpose consistent with  
23       the function of the Committee.

24           “(2) PARTICIPANTS.—Subject to conditions im-  
25       posed by the Chair, members of the Committee may

1 be assigned to subcommittees and working groups  
2 established under paragraph (1).

3 “(i) CONSULTATION, ADVICE, REPORTS, AND REC-  
4 OMMENDATIONS.—

5 “(1) CONSULTATION.—Before taking any sig-  
6 nificant action, the Commission shall consult with,  
7 and consider the information, advice, and rec-  
8 ommendations of, the Committee if the function of  
9 the Committee is to advise the Commission on mat-  
10 ters related to the significant action.

11 “(2) ADVICE, REPORTS, AND RECOMMENDA-  
12 TIONS.—The Committee shall submit, in writing, to  
13 the Commission its advice, reports, and rec-  
14 ommendations, in a form and at a frequency deter-  
15 mined appropriate by the Committee.

16 “(3) EXPLANATION OF ACTIONS TAKEN.—Not  
17 later than 60 days after the date on which the Com-  
18 mission receives recommendations from the Com-  
19 mittee under paragraph (2), the Commission shall—

20 “(A) publish the recommendations on a  
21 public website; and

22 “(B) respond, in writing, to the Committee  
23 regarding the recommendations, including by  
24 providing an explanation of actions taken re-  
25 garding the recommendations.

1           “(4) SUBMISSION TO CONGRESS.—The Commis-  
2           sion shall submit to the Committee on Transpor-  
3           tation and Infrastructure of the House of Represent-  
4           atives and the Committee on Commerce, Science,  
5           and Transportation of the Senate the advice, re-  
6           ports, and recommendations received from the Com-  
7           mittee under paragraph (2).

8           “(j) OBSERVERS.—The Commission may designate a  
9           representative to—

10           “(1) attend any meeting of the Committee; and

11           “(2) participate as an observer at such meeting.

12           “(k) TERMINATION.—The Committee shall terminate  
13           on September 30, 2029.”.

14           (b) CLERICAL AMENDMENT.—The analysis for sub-  
15           title IV of title 46, United States Code, is amended by  
16           inserting after the item related to chapter 423 the fol-  
17           lowing:

**“425. National Shipper Advisory Committee .....42501”.**

