April 20, 2022

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

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

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