

H.R. 2951: Mr. BROWN of California.

PETITIONS, ETC.

Under clause 1 of rule XXII,

71. The SPEAKER presented a petition of Chief Ambassador and Consul General, Republic of Texas, relative to a copy of "Diplomatic Notice of Perfection of International Relations Between the United States of America and the 'Republic of Texas'"; which was referred to the Committee on the Judiciary.

AMENDMENTS

Under clause 6 of rule XXIII, proposed amendments were submitted to follows:

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OFFERED BY: MR. OBERSTAR

AMENDMENT No. 1: Page 10, line 23, strike "(5)" and insert "(5)(A)".

Page 11, line 7, strike the closing quotation marks and the final period.

Page 11, after line 7, insert the following:

"(B) Notwithstanding subparagraph (A), the essential terms of a contract entered into under this section shall be made publicly available electronically in a manner prescribed by the Commission. This subparagraph does not apply to service contracts dealing with bulk cargo, forest products, recycled metal scrap, waste paper, or paper waste.

"(C) For purposes of subparagraph (B), the essential terms of a contract shall include—

"(i) the origin and destination port ranges in the case of port-to-port movements, and the origin and destination geographic areas in the case of through intermodal movements;

"(ii) the commodity or commodities involved;

"(iii) the minimum volume;

"(iv) the line-haul rate;

"(v) the duration;

"(vi) service commitments; and

"(vii) the liquidated damages for non-performance, if any."

Page 14, line 11, insert "except as provided by section 8(b)(4)(B)," after "(B)".

At the end of section 301(a) of the bill insert the following:

The Secretary of Transportation shall delegate such functions, powers, and duties to the Surface Transportation Board.

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OFFERED BY: MR. TRAFICANT

AMENDMENT No. 2: Page 24, line 15, strike "United States carriers" insert "one or more ocean common carriers".

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AMENDMENT No. 3: Page 24, strike lines 19 through 24 and insert the following:

"(b)(1) The Secretary shall issue regulations by June 1, 1997, that prescribe procedures and requirements governing the submission of price and other information necessary to enable the Secretary to determine under subsection (g) whether prices charged by carriers are unfair, predatory, or anti-competitive.

"(2)(A) If information provided to the Secretary under this subsection does not result in a finding by the Secretary of a violation of this section or enforcement action by the Secretary, the information may not be made public and shall be exempt from disclosure under section 552 of title 5, United States Code, except for purposes of an administrative or judicial action or proceeding.

"(B) This paragraph does not prohibit disclosure to either House of the Congress or to a duly authorized committee or subcommittee of the Congress."

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AMENDMENT No. 4: At the end of title II, add the following new section:

SEC. 203. REPORT BY THE SECRETARY.

The Secretary shall report to the Congress by January 1, 1998, and annually thereafter, on—

(1) actions taken by the Secretary under the Foreign Shipping Practices Act of 1988 (46 App. U.S.C. 1710a) and section 9 of the Shipping Act of 1984 (46 U.S.C. App. 1708); and

(2) the effect on United States maritime employment of laws, rules, regulations, policies, or practices of foreign governments, and any practices of foreign carriers or other persons providing maritime or maritime-related services in a foreign country, that adversely affect the operations of United States carriers in United States oceanborne trade.