CONGRESSWOMAN
YVETTE **HERRELL**
PROUDLY SERVING NEW MEXICO
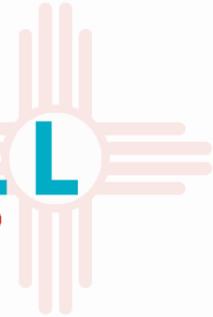
Rep. Herrell Co-Sponsors Ocean Shipping Reform Act to Defend American Industry

WASHINGTON - Rep. Yvette Herrell has co-sponsored the Ocean Shipping Reform Act of 2021, legislation that would support American exports by establishing reciprocal trade opportunities to help reduce the United States' longstanding trade imbalance with China and other countries.

"I am proud to co-sponsor the bipartisan Ocean Shipping Reform Act to help correct our trade imbalance with China," said Rep. Herrell. "We are not going to tolerate unfair trade practices anymore. American industries and producers are being shut out of Asian markets, while foreign sellers can dump their cheap goods on our shores freely. This legislation, supported by both Republicans and Democrats, will level the playing field, helping American businesses and their workers."

The text of the bill may be found **here**.

The "Ocean Shipping Reform Act of 2021" would:

- Establish reciprocal trade to promote U.S. exports as part of the Federal Maritime Commission's (FMC) mission.
- Require ocean carriers to adhere to minimum service standards that meet the public interest, reflecting best practices in the global shipping industry.
- Require ocean carriers or marine terminal operators to certify that any late fees — known in maritime parlance as "detention and demurrage" charges—comply with federal regulations or face penalties.
- Shift burden of proof regarding the reasonableness of "detention or demurrage" charges from the invoiced party to the ocean carrier or marine terminal operator.
- Prohibit ocean carriers from declining opportunities for U.S. exports unreasonably, as determined by the FMC in new required rulemaking.
- Require ocean common carriers to report to the FMC each calendar quarter on total import/export tonnage and twenty-foot equivalent units (loaded/empty) per vessel that makes port in the United States.
- Authorize the FMC to self-initiate investigations of ocean common carrier's business practices and apply enforcement measures, as appropriate.