

U.S. Sen. Baldwin: House passes Baldwin's bipartisan legislation to ease U.S. shipping backlogs, boost Wisconsin exports

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WASHINGTON, D.C. – Last night, the House of Representatives passed Senator Baldwin's bipartisan *Ocean Shipping Reform Act*, legislation that will help level the playing field for American exporters by making it harder for ocean carriers to unreasonably refuse goods ready to export at ports. The Senator Baldwin-sponsored legislation passed the Senate unanimously in April and now will head to President Biden to sign into law.

“Backlogs at our ports, skyrocketing shipping costs, and broken supply chains have impacted Made In America businesses, manufacturers, and workers, in turn raising prices for consumers,” **said Senator Baldwin**. “This bipartisan legislation will ease the shipping backlogs, add transparency to the ocean carrier operators, and support our Made in Wisconsin economy, helping Wisconsin’s manufacturing and agriculture sectors get their products to market for a fair price and lowering costs for Americans.”

The legislation is endorsed by more than 100 organizations including the Wisconsin Farm Bureau, Wisconsin Agri-Business Association, Association of Port Authorities, the Agriculture Transportation Coalition (AgTC), the National Retail Federation, the American Trucking Association, and the American Association of Port Authorities, which represents more than 130 port authorities across North and South America.

The bipartisan legislation was led by Senators Amy Klobuchar (D-MN) and John Thune (R-SD), and was also cosponsored by Senators John Hoeven (R-ND), Debbie

Stabenow (D-MI), Roger Marshall (R-KS), Gary Peters (D-MI), Jerry Moran (R-KS), Richard Blumenthal (D-CT), Todd Young (R-IN), Mark Kelly (D-AZ), Mike Crapo (R-ID), Tina Smith (D-MN), Marsha Blackburn (R-TN), Cory Booker (D-NJ), Joni Ernst (R-IA), Catherine Cortez-Masto (D-NV), Mike Braun (R-IN), Raphael Warnock (D-GA), James Risch (R-ID), Michael Bennet (D-CO), Kevin Cramer (R-ND), Ron Wyden (D-OR), Roy Blunt (R-MO), Chris Van Hollen (D-MD), John Boozman (R-AR), Deb Fischer (R-NE), Alex Padilla (D-CA), and John Hickenlooper (D-CO).

The *Ocean Shipping Reform Act* will:

- Require ocean carriers to certify that 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;
- Prohibit ocean carriers from unreasonably declining shipping opportunities for U.S. exports, 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 20-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; and
- Establish new authority for the FMC to register shipping exchanges.