

Congress of the United States
Washington, DC 20515

April 30, 2021

The Honorable David E. Price,
Chairman
House Appropriations Committee
Subcommittee on Transportation, and
Housing and Urban Development, and
Related Agencies
2358-A Rayburn House Office Building
Washington, DC 20515

The Honorable Mario Diaz-Balart
Ranking Member
House Appropriations Committee
Subcommittee on Transportation and
Housing and Urban Development, and
Related Agencies
1036 Longworth House Office Building
Washington, DC 20515

Dear Chairman Price and Ranking Member Diaz-Balart:

As you draft the Fiscal Year 2022 Transportation, Housing and Urban Development, and Related Agencies Appropriations bill, we write to express support for report language to address the concern that certain vessel-operating common carriers (VOCCs) may be declining to ship U.S. agricultural commodity as well as the general congestion and delays American exports face at our ports.

Over the past year, American producers, exporters, and entire economic sectors have grappled with widespread delays, bottlenecks, and increasing fees at our ports. These challenges are exacerbated by reports that VOCCs are delivering shipments to U.S. ports and then electing to leave without refilling empty containers with American goods for export. Combined, these could have devastating, long-term effects for entire supply chains. These conditions are unsustainable for exporters, put significant strain on the U.S. economy, and simply unacceptable.

Specifically, we request language that would require the Federal Maritime Commission (FMC) to send quarterly reports on what enforcement actions it has taken to address this crisis so far and what additional authorities and resources the Commission needs to properly support American exports. We recognize the ongoing Fact Finding No. 29, "International Ocean Transportation Supply Chain Engagement," which was launched by the Commission in March 2020, as well as its expansion in November 2020 to include reports of the practices listed above by certain VOCCs. However, Congress needs timely updates and this additional information to properly support these ongoing efforts.

We also recognize that the scope of this emergency does not stop with VOCCs and necessitates the involvement of the Department of Transportation (DOT). Therefore, we request report language requiring the DOT to develop and submit a strategy for transporting American goods through our ports in a timely and efficient manner. This report should also include what additional authorities and resources the Department needs to accomplish these objectives.

Lastly, to ensure that sufficient resources are devoted to assisting those impacted by VOCCs, we request report language that directs that no less than 15 percent of the total funding provided to the FMC goes to support the Office of Consumer Affairs and Dispute Resolution Services (CADRS). CADRS is the office within the FMC that provides direct assistance to US exporters in the event an international ocean carrier acts unreasonably, unfairly, or is being uncooperative. Such language will ensure that the FMC prioritizes these functions and resources to those along the US shipping supply chain.

The congestion, bottlenecks, and increasing fees at our ports pervades through our entire economy – from farmers to small businesses to truck fleets, down to our consumers. Without additional oversight and information, this crisis will continue to impact our supply chains. Thank you for your consideration.

Sincerely,



Adrian Smith
Member of Congress



Jim Costa
Member of Congress

/s/
Jimmy Panetta
Member of Congress

/s/
Dusty Johnson
Member of Congress

/s/
Jackie Walorski
Member of Congress

/s/
Sanford D. Bishop, Jr.
Member of Congress

/s/
Troy Balderson
Member of Congress

/s/
Barry Moore
Member of Congress

/s/
Trent Kelly
Member of Congress

/s/
Bill Huizenga
Member of Congress

/s/

Antonio Delgado
Member of Congress

/s/

Rick Allen
Member of Congress

/s/

Bob Gibbs
Member of Congress

/s/

Rodney Davis
Member of Congress

/s/

Doug LaMalfa
Member of Congress

/s/

Peter Meijer
Member of Congress

/s/

Jefferson Van Drew
Member of Congress

/s/

Kurt Schrader
Member of Congress

/s/

Eric A. "Rick" Crawford
Member of Congress

/s/

Darin LaHood
Member of Congress

/s/

Chris Jacobs
Member of Congress

/s/

John Garamendi
Member of Congress

/s/

Austin Scott
Member of Congress

/s/

Lloyd Smucker
Member of Congress

/s/

David Kustoff
Member of Congress

/s/

Michelle Fischbach
Member of Congress

/s/

James R. Baird
Member of Congress

/s/

Vicky Hartzler
Member of Congress

/s/

Lisa McClain
Member of Congress

/s/

John Katko
Member of Congress

/s/

Kat Cammack
Member of Congress

/s/

Dan Meuser
Member of Congress

/s/

Ron Kind
Member of Congress