

103D CONGRESS
1ST SESSION

S. 1027

To amend certain cargo preference laws.

IN THE SENATE OF THE UNITED STATES

MAY 26 (legislative day, APRIL 19), 1993

Mr. BROWN (for himself, Mr. KOHL, Mr. CRAIG, Mr. GRASSLEY, Mrs. KASSEBAUM, Mr. DANFORTH, Mr. LUGAR, Mr. FAIRCLOTH, Mr. PRESSLER, Mr. NICKLES, and Mr. DURENBERGER) introduced the following bill; which was read twice and referred to the Committee on Commerce, Science, and Transportation

A BILL

To amend certain cargo preference laws.

1 *Be it enacted by the Senate and House of Representa-
2 tives of the United States of America in Congress assembled,*

3 **SECTION 1. TRANSPORTATION IN AMERICAN VESSELS OF
4 CERTAIN CARGOES.**

5 Section 901(b)(1) of the Merchant Marine Act, 1936
6 (46 U.S.C. 1241(b)(1)) is amended by striking “at fair
7 and reasonable rates for United States-flag commercial
8 vessels, in such manner as will insure a fair and reason-
9 able participation of United States-flag commercial vessels
10 in such cargoes by geographic areas” immediately before

1 the colon and inserting in lieu thereof the following: "at
2 rates which are competitive with the rates charged by com-
3 mercial vessels which are not United States-flag vessels,
4 except that if the President determines that, for reasons
5 of national security, it is necessary to use United States-
6 flag vessels, and notifies the Congress to that effect, the
7 President may require the use of United States-flag ves-
8 sels, even if the rates charged by the United States-flag
9 vessels are not competitive with the rates charged by
10 vessels which are not United States-flag vessels".

11 **SEC. 2. SHIPMENT OF EXPORTS FINANCED BY GOVERN-
12 MENT IN UNITED STATES VESSELS.**

13 The Joint Resolution entitled "Joint Resolution re-
14 quiring agricultural or other products to be shipped in ves-
15 sels of the United States where the Reconstruction Fi-
16 nance Corporation or any other instrumentality of the
17 Government finances the exporting of such products", ap-
18 proved March 26, 1934 (46 U.S.C. 1241-1), is amended
19 by striking "or at reasonable rates" immediately before
20 the period at the end and inserting in lieu thereof the fol-
21 lowing: "or at rates determined by the Secretary of Trans-
22 portation to be competitive with the rates charged by
23 vessels other than United States vessels".

1 **SEC. 3. SHIPMENT REQUIREMENTS FOR CERTAIN EXPORTS**2 **SPONSORED BY THE DEPARTMENT OF AGRICUL-**3 **CULTURE.**4 (a) IN GENERAL.—Section 2631 of title 10, United
5 States Code, is amended by striking “is excessive or other-
6 wise unreasonable” in the second sentence and inserting
7 in lieu thereof the following: “is not competitive with
8 the freight charged by vessels other than United States
9 vessels”.10 (b) NATIONAL SECURITY EXCEPTION; CONGRES-
11 SIONAL NOTIFICATION REQUIRED.—Section 2631 of title
12 10, United States Code, is amended by inserting at the
13 end: “Nothing in this section shall be construed to prohibit
14 the President from requiring the use of United States ves-
15 sels for the transportation by sea of supplies bought for
16 the Army, Navy, Air Force, or Marine Corps, if the Presi-
17 dent determines that, for reasons of national security,
18 such use is necessary and notifies the Congress to that
19 effect, even if the rates charged by the United States ves-
20 sels are not competitive with the rates charged by vessels
21 other than United States vessels.”.