

able exclusively in the same forum and in the same manner as provided in section 2342(3)(B) of title 28.

(Pub. L. 109-304, §7, Oct. 6, 2006, 120 Stat. 1554.)

HISTORICAL AND REVISION NOTES

Revised Section	Source (U.S. Code)	Source (Statutes at Large)
42307	46 App.:1710a(i).	Pub. L. 100-418, title X, §10002(i), Aug. 23, 1988, 102 Stat. 1572.

CHAPTER 425—NATIONAL SHIPPER ADVISORY COMMITTEE

Sec.¹

- 42501. Definitions.
- 42502. National Shipper Advisory Committee.
- 42503. Administration.

§ 42501. Definitions

In this chapter:

- (1) COMMISSION.—The term “Commission” means the Federal Maritime Commission.
- (2) COMMITTEE.—The term “Committee” means the National Shipper Advisory Committee established under section 42502.

(Added Pub. L. 116-283, div. G, title LVXXXVI [LXXXVI], §8604(a), Jan. 1, 2021, 134 Stat. 4762.)

§ 42502. National Shipper Advisory Committee

(a) ESTABLISHMENT.—There is established a National Shipper Advisory Committee.

(b) FUNCTION.—The Committee shall advise the Federal Maritime Commission on policies relating to the competitiveness, reliability, integrity, and fairness of the international ocean freight delivery system.

(c) MEMBERSHIP.—

(1) IN GENERAL.—The Committee shall consist of 24 members appointed by the Commission in accordance with this section.

(2) EXPERTISE.—Each member of the Committee shall have particular expertise, knowledge, and experience in matters relating to the function of the Committee.

(3) REPRESENTATION.—Members of the Committee shall be appointed as follows:

(A) Twelve members shall represent entities who import cargo to the United States using ocean common carriers.

(B) Twelve members shall represent entities who export cargo from the United States using ocean common carriers.

(Added Pub. L. 116-283, div. G, title LVXXXVI [LXXXVI], §8604(a), Jan. 1, 2021, 134 Stat. 4762; amended Pub. L. 118-159, div. C, title XXXV, §3535(h), Dec. 23, 2024, 138 Stat. 2315.)

Editorial Notes

AMENDMENTS

2024—Subsec. (c)(3). Pub. L. 118-159 substituted “REPRESENTATION.—Members of the Committee shall be appointed as follows:” for “REPRESENTATION.—REPRESENTATION.—Members of the Committee shall be appointed as follows: —”.

¹ Editorially supplied.

¹ See References in Text note below.

§ 42503. Administration

(a) MEETINGS.—The Committee shall, not less than once each year, meet at the call of the Commission or a majority of the members of the Committee.

(b) EMPLOYEE STATUS.—A member of the Committee shall not be considered an employee of the Federal Government by reason of service on such Committee, except for the purposes of the following:

- (1) Chapter 81 of title 5.
- (2) Chapter 171 of title 28 and any other Federal law relating to tort liability.

(c) VOLUNTEER SERVICES AND COMPENSATION.—

(1) Notwithstanding any other provision of law, a member of the Committee may serve on such committee on a voluntary basis without pay.

(2) No member of the Committee shall receive compensation for service on the Committee.

(d) STATUS OF MEMBERS.—

(1) IN GENERAL.—Except as provided in paragraph (2), with respect to a member of the Committee whom the Commission appoints to represent an entity or group—

(A) the member is authorized to represent the interests of the applicable entity or group; and

(B) requirements under Federal law that would interfere with such representation and that apply to a special Government employee (as defined in section 202(a) of title 18), including requirements relating to employee conduct, political activities, ethics, conflicts of interest, and corruption, do not apply to the member.

(2) EXCEPTION.—Notwithstanding subsection (b), a member of the Committee shall be treated as a special Government employee for purposes of the committee service of the member if the member, without regard to service on the Committee, is a special Government employee.

(e) SERVICE ON COMMITTEE.—

(1) SOLICITATION OF NOMINATIONS.—Before appointing an individual as a member of the Committee, the Commission shall publish a timely notice in the Federal Register soliciting nominations for membership on such Committee.

(2) APPOINTMENTS.—

(A) IN GENERAL.—After considering nominations received pursuant to a notice published under paragraph (1), the Commission may appoint a member to the Committee.

(B) PROHIBITION.—The Commission shall not seek, consider, or otherwise use information concerning the political affiliation of a nominee in making an appointment to the Committee.

(3) SERVICE AT PLEASURE OF COMMISSION.—Each member of the Committee shall serve at the pleasure of the Commission.

(4) SECURITY BACKGROUND EXAMINATIONS.—The Commission may require an individual to have passed an appropriate security background examination before appointment to the Committee.