



# TIA ON THE HILL

*The Latest News and Updates from TIA's Government Affairs Department*



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## **TIA Scores Win with Inclusion of Dispatch Language**

The Senate Commerce, Science & Transportation Committee completed their portion of the Surface Transportation Reauthorization Bill, S. 2016, the “Surface Transportation Investment Act of 2021.” This is a major step towards the Senate’s work on the reauthorization, as the Senate Environment & Public Works Committee passed their respective portion a few weeks ago.

This development comes on the heels of the House Transportation & Infrastructure Committee having completed markup and passage of their bill last week. President Biden has made infrastructure projects a top priority of his administration and is working hard to ensure passage this Congress.

TIA has now secured major victories as it relates to the legislation that will be heading to the floors of the House and the Senate. Both the House and the Senate bills now contain language that requires the Federal Motor Carrier Safety Administration (FMCSA) to provide industry guidance on what a “dispatch service” is and how it relates to brokerage. Additionally, the language clarifies the penalties and fines associated with unauthorized brokerage activities signed into law by President Obama within the 2012 MAP-21 bill.

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## TIA Scores Win with Inclusion of Dispatch Language

This is a major issue for the Association as more and more “dispatch services” have entered the marketplace that skirt government regulations, are unregulated, and give the 3PL industry a bad name. TIA thanks the leadership of Chairwoman Cantwell (D-WA), Ranking Member Wicker (R-MS) and Senator Sinema (D-AZ) for their support on this language and including it in the Manager’s amendment.

TIA also supported language that was not included in the base text that was released last week, because of opposition from the Owner-Operator Independent Drivers Association (OOIDA). TIA worked with OOIDA and the Committee staff to find a compromise, which was identical to the House language. Senator Sinema was gracious enough to lead this amendment and offered it at Committee, and with no objections, the language was included in the Manager’s amendment.

“This is a major victory for the Association and our members, who are the epitome of professionalism in the 3PL industry and should not have to compete with unregulated entities that skirt federal regulations, decrease safety in the marketplace, and give our members a bad name,” stated Chris Burroughs, Vice President of Government Affairs for TIA.

TIA will continue to monitor both the House and Senate bills as they eventually make their way to their respective floors for consideration and ultimately a potential Conference Committee. If you have any questions, please contact [advocacy@tianet.org](mailto:advocacy@tianet.org).

To learn more about TIA's ongoing advocacy and government affairs efforts, please [visit us online](#).

**Just 4 Spots Remain - Act Now!**

**TIA PAC**  
Transportation Intermediaries Association

**2021**  
**DOVE HUNT**

ADDITIONAL DETAILS  
TO BE ANNOUNCED  
SPRING 2021

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**TRIUMPH PAY**

**14-15**  
**SEPTEMBER**  
ALBANY, TEXAS

**the save date**

## House T&I Holds Hearing on Port Delays

The House Committee on Transportation and Infrastructure, Subcommittee on Coast Guard and Maritime Transportation held an oversight hearing entitled, “Impacts of Shipping Container Shortages, Delays, and Increased Demand on the North American Supply Chain.” The committee welcomed two Commissioners of the Federal Maritime Commission (FMC) back to the witness table, FMC Commissioner Rebecca Dye and Daniel Maffei, both who TIA has met with recently to layout the priorities of the Association.

The hearing focused on several major topics, ocean carriers being stuck in between shippers and ports, manufacturers and other stakeholders complaining about delays and wait times in their shipments, demurrage and detention, the container shortage, the threat of China against our maritime operations and the supply-chain, and concerns of the delayed costs being passed down to the consumers.

The hearing had two panels of witnesses, one of public sector groups comprised of the Maritime Commissioners and one of Private Sectors that had groups like World Shipping Council and the Pork Producers Association. All parties agreed, the COVID-19 pandemic revealed many concerns in the supply chain, and they hope would continue to be addressed, some of these proposed solutions are included in the recently passed transportation and infrastructure legislation.

TIA has heard the complaints from our membership on all of these issues and the TIA Airfreight and International Logistics Conference will work towards developing Association policy positions on these concerns, while working with the FMC to have our voice heard and work towards potential solutions.

## Forced Arbitration Clauses on the Outs?

A group of 40 House Democrats have penned a letter to President Biden and Vice-President Kamala Harris asking them to end forced arbitration clauses in the contracts of those who are involved with government contractors. Because President Biden has control over the procurement and government contract process, he is able to set the standards, wages and contracts with those companies that choose to enter into contracts with the Federal Government. House Democrats are urging the Administration via executive order, to end mandated arbitration for workers who are government contractors. This change would force workers and employers into countless hours of litigation and court proceedings. There continues to be a large push in the House of Representatives for workplace equity legislation but with a 50-50 split Senate and the filibuster rule in place a lot of those efforts are wish listed. Therefore, advocates for these policies have turned to what President Obama has coined “a phone and a pen,” Executive Orders. The letter states “Forced arbitration clauses leave millions of private-sectors, non-unionized workers without fair means to seek justice when they have been subjected to workplace discrimination, making all Americans less safe at work.”

TIA has made aware to the Operations Committee this potential action. It is likely that Biden could move forward with such action as he has stated in his campaign website a promise to end forced arbitration. He stated, “Ensure workers can have their day in court by ending mandatory arbitration clauses imposed by employers on workers.”

TIA will continue monitoring this effort by House Democrats and the response from the White House. If you have any questions, please do not hesitate to contact [advocacy@tianet.org](mailto:advocacy@tianet.org).

