



# TIA ON THE HILL

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



## IN THIS ISSUE

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### **INFRASTRUCTURE SAGA CONTINUES**

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### **TIA FILES COMMENTS ON NCCDB**

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### **TIA MEET & GREET WITH SENATOR BRAUN**

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### **DEAL REACHED ON DEBT LIMIT**

## **Infrastructure Saga Continues**

The saga that is the bipartisan infrastructure package or BIF and the \$3.5 trillion “human infrastructure” continues to take many twists and turns along its path to becoming law. Nothing gets more stranger than people in Washington, D.C. paddling out to West Virginia Senator Joe Manchin's (D-WV) houseboat in protest of his opposition to the large \$3.5 trillion price tag or protesters in Arizona following their Senator, Krysten Sinema (D-AZ) into a bathroom and filming her because of her opposition. These are certainly strange things.

President Biden spoke early last week and indicated that the reconciliation package is shaping up to see a trim across the top line. The White House is debating now a trim-and-slash approach to some of the key programs in the package, that could reduce the impact of certain programs over a shorter period. At the TIA Policy Forum two weeks ago, Senator Capito (R-WV) who joined us at the TIAPAC event noted this as the next step the Administration would take. Essentially, what would happen is the White House would look to reduce the time frame for funding a program, which could drastically reduce the price tag, but required further action sooner than Members of Congress would like. Members of the progressive wing of the Democratic party, do not like this solution as it hampers the impact of the program for a while.

Grab the popcorn and a nice cold drink, this story is not done yet...

## TIA Files Comments on NCCDB

On September 3, 2021, the Federal Motor Carrier Safety Administration (FMCSA) filed a notice and request for comments regarding the National Consumer Complaint Database (NCCDB). In response to this notice and request for comments, TIA prepared comments to file in strong opposition to the lack of enforcement of complaints filed in the database, specifically as it relates to double brokering and unlawful brokerage activities.

“Since, the passage of MAP-21, the number of double brokering “cases” continues to rise, and this is in large part because there is a lack of enforcement from the FMCSA using the existing laws to hold these fraudulent motor carriers accountable for illegally brokering freight. To our knowledge, there has never been one single violation against an entity for unlawful brokerage activities from the Agency. TIA knows of several dozen complaints that have been reported to the Agency through the NCCDB for unlawful brokerage activities, with no enforcement action taken. It is quite frankly mindboggling to believe this to be the case, as we know this practice continues to happen daily.”

TIA also points out in their comments that the system is not user-friendly and quite frankly confusing for Members to go in and make a complaint about a bad actor. The system needs to be updated and refined to help the public and industry accurately and timely file reports.



A screenshot of the National Consumer Complaint Database (NCCDB) website. The header includes the U.S. Department of Transportation logo, the Federal Motor Carrier Safety Administration name, and the NCCDB title. A search bar is present. The main content area has a heading: "Have you experienced safety, service or discrimination issues with a moving company, bus or truck company, including hazardous materials, or cargo tank facility? Please call 1-888-DOT-SAFT (368-7238) from 9am-7pm, Mon-Fri EST or file a complaint below." Below this is an important notice: "IMPORTANT: if this is a safety emergency, please call 911 immediately. The NCCDB complaint system is intended only for investigation of past events." There are three main categories: "Public" (listing people using interstate movers, brokers, passengers, and motorists), "Drivers" (listing bus and truck drivers and other employees), and "Industry" (listing bus and truck companies, shippers, insurers, brokers, and purchasers). Each category has a "Start" button. At the bottom, there is a "Frequently Asked Questions" link and a footer with contact information for the FMCSA.

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## **TIA Meet & Greet with Senator Braun**

TIA will be back on the road for another event toward the end of October. TIA will have representation at a meet and greet for Senator Mike Braun (R-IN) at his company's office. Senator Braun, before his election in 2018, served as the Founder and CEO of Meyer Distribution in his hometown of Jasper, Indiana, a large 3PL and logistics company in Indiana.

TIA has invited dozens of local Indiana Members to join this great event. The event is being hosted by one of our coalition partners, the Customized Logistics and Delivery Association (CLDA). We have worked closely with CLDA on issues like the PRO Act and the commercial vehicle driving age. We are proud to work with them on growing our two brands, educating members of Congress about the supply chain, and issues that impact our Member companies which eventually impact consumers across the country.

TIA Members will be eager to meet the Senator in Jasper to speak with him about a couple of pressing issues that face our members. We will talk to the Senator about co-sponsoring S. 2322, the C-TPAT Pilot Program Act of 2021 and working closely with TIA on other priorities of the Association.

## **Deal Reached on Debt Limit**

The U.S. Senate punts again on the debt limit. Senate Majority Leader, Chuck Schumer (D-NY) announced on Thursday a bipartisan deal to avoid economic catastrophe by pushing the debt ceiling debate to December 3rd. Of course, December 3rd is the same date that the government runs out of money, so it creates two deadlines, making for an eventful beginning to the Holiday season.

The potential compromise was agreed to by Senator Minority Leader Mitch McConnell (R-KY) to avoid an imminent default albeit at a fixed number that politically does not help President Biden popularity. It remains to be seen how quickly and the what the U.S. House of Representatives will act on the short term deal, as Speaker of the House Pelosi has agreed to give her Members at least 72 hours notice before any votes that might be set during a scheduled recess.

Votes on the agreement from the Senate would mean scrapping a previously scheduled procedural vote on House-passed legislation that would suspend the nation's borrowing authority through the end of next year. That vote was expected to fail amid almost unilateral GOP opposition.

The debt ceiling, however, only covers spending that has already been authorized by the federal government. The Biden administration has warned that the Treasury Department could run out of money as soon as Oct. 18, which could send financial markets into a tailspin, raise interest rates and jeopardize critical safety net payments to millions of Americans.