



TIA ON THE HILL

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



IN THIS ISSUE

BIDEN FOCUSES ON SUPPLY-CHAIN CRISIS

VACCINE MANDATES ROLLING OUT FROM ADMINISTRATION

TIA TECHNOLOGY COMMITTEE COMING BACK

NEW PERSONNEL COMING TO DOT

Biden Focuses on Supply Chain Crisis

President Biden last week met with industry stakeholders from the supply-chain including labor unions, port and trucking officials, retailers, and shipping companies to discuss his “90-day sprint” to relieve the supply-chain crisis and bottlenecks that has led to inflation and massive shortages of goods. After the meeting was concluded, the President announced that the Port of Los Angeles would start operating on a 24/7 schedule and companies like Wal-Mart, FedEx and UPS would increase operations during non-peak hours.

Additionally, Department of Transportation Secretary Pete Buttigieg announced that he was considering extending the amount of hours truck drivers could work and speeding up the process of getting a commercial driver’s license as part of the Department’s plan to address these concerns as well. Nothing official has been decided yet.

TIA has been in contact with House Transportation and Infrastructure Committee and Senate Commerce, Science, and Transportation staff who are seeking input from TIA and our members on how 3PLs and brokers are handling the crisis. The issues of supply-chain and port issues is not a new one but is only being exacerbated with the increased capacity shortage and the upcoming holiday season. As we indicated to Congressional staff, TIA members are tirelessly working to make sure goods are being moved safely and efficiently as possible to the end user.

Administration Rolling Out Vaccine Mandates

The Federal Government, specifically the General Services Administration (GSA) and the Labor Department, are rolling out new vaccine mandates as part of their effort to control the COVID virus and its variants. Though the federal government is somewhat limited in the scope of mandates, there are narrow situations in which the Federal Government can mandate the vaccine.

OSHA or Occupations Safety and Health Administration is the government agency under the Department of Labor that is tasked with ensuring a safe workplace. The Federal Government uses the following code to legally mandate a vaccine in companies with 100 employees or more. The code states: “(A) that employees are exposed to grave danger from exposure to substances or agents determined to be toxic or physically harmful or from new hazards, and (B) that such emergency standard is necessary to protect employees from such danger.” The penalty for non-compliance is \$13,653 per violation. This order is expected to be challenged in court. This concept of 100 employees or more was originally intended to be healthcare focused but as the pandemic has continued to spread, it was eventually broadened to all industries.

The latest mandate order from the Federal Government stems from the White House’s Executive Order 14043, “Requiring Coronavirus Disease 2019 Vaccination for Federal Employees.” This order states that any entity that contracts or subcontracts with the federal government must have the entirety of their employees vaccinated, including visitors to the office building.

The Executive Order does not apply to the following:

- Grants;
- Contracts, contract-like instruments, or agreements, with Indian tribes under the Indian Self-Determination and Education Assistance Act (P.L. 93-639), as amended;
- Contractors or subcontractors whose value is equal to or less than the simplified acquisition threshold, as defined in section 2.101 of the Federal Acquisition Regulation (currently \$25,000); and
- Subcontracts solely for the provision of products.

TIA will continue to monitor both the Department of Defense’s logistics arm and the GSA for guidance on COVID-19 and vaccine mandates.

TIA Technology Committee Coming Back

Last month at the TIAPAC Policy Forum and Board of Directors meeting met and approved the reformation of the TIA Technology. Chairwoman of the Committee Ramona Hood, President of FedEx Custom Critical laid out the new path for the Committee.

The TIA Technology Committee will not prescribe technology solutions, but rather will report on technology to all TIA members, both 3PL and non-3PL. It is not TIA's intent to offer technology services to membership. The TIA Technology Committee will provide a forum for business owners, chief technology officers, chief information officers, and those holding similar positions of technical expertise. The Committee will discuss and report to TIA membership on technological advancements that are going to reshape the 3PL industry and global supply chains. The Committee will focus on delivering value to the Members and the public at large on the three following areas:

1. Resources and Frameworks focused on technology;
2. Solutions and best practices in addressing cyber-security threats; and
3. Develop the content and subject areas for the TIA Technovations Conference.

TIA looks forward to reforming this important Committee and will share more information soon on it.

New Personnel Coming in DOT

In the coming weeks the Senate Commerce, Science, and Transportation Committee is slated to take on a slew of Presidential Nominations. These will be important votes which will send the candidate to the Senate Floor for a full vote. These are key positions in the new administration that will help President Biden roll out his agenda. The nomination to head the FMCSA is included in these picks, Ms. Meera Joshi, nominated for the role of Administrator. Ahead of Joshi if confirmed is a length to-do list including initiatives from MAP-21, the Surface Transportation bill from more than 10 years ago.

Also included in this list of personnel position post is Max Vekich who has been nominated to serve as Commissioner on the Federal Maritime Commission. This position would be replacing Commissioner Michael Khouri who has served a 5-year term. Vekich served in Washington's House of Representatives from 1983 to 1991. He later served as a member of the International Longshore and Warehouse Union's executive board.

The FMC is under a microscope with huge issues facing the supply chain. The Commissioners recently visited the Port of Long Beach and Los Angeles to see firsthand the port back up and disruption. If Vekich is to be confirmed, there is a lot of work to be done from this important body.

TIA continues to monitor personnel decisions from the White House and will weigh in on them as our members see fit.