



TIA ON THE HILL

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



IN THIS ISSUE

TIA PARTICIPATES AT SUPPLY-CHAIN ROUND-TABLE

SENATE HOMELAND SECURITY COMMITTEE APPROVES C-TPAT LEGISLATION

OSHA VACCINE DEADLINE SET FOR JAN. 4, 2022

CONGRESS CONTINUES TO PETTIFOG OVER INFRASTRUCTURE

TIA Participates at Supply-Chain Round-table

Last week, TIA Vice President of Government Affairs Chris Burroughs represented TIA at a Congressional roundtable discussion with over 20 Republican Members of the House Transportation & Infrastructure Committee. TIA was one of seven witnesses from a variety of key industry stakeholders in the supply chain, including representatives from the American Association of Railroads, American Trucking Associations, the World Shipping Council, the National Retail Federation, the Port Marine Operators, and The Corn Growers Association.

The round-table lasted roughly two hours and was a great dialogue between industry stakeholders and Members of Congress, who were focused on potentially federal laws and state regulations that were contributing to the supply chain disruption and delays at our nation's port, warehousing facilities, and highways. As expected a lot of the focus was on the ports as they are in the headlines daily.

There were several key areas of concern and potential areas of improvement, I focused heavily on the attack on independent contractors, overreach from the state of California on environmental regulations, a lack of clarity in the carrier selection process, and the vaccine mandate for truck drivers. Many of these same issues were echoed by several other industry stakeholders. **Continued...**

Overall, the roundtable was a great opportunity for TIA to have a seat at the table with lawmakers and discuss the important role that you all play in the supply chain and the need for the federal government and states to reduce burdensome regulations and let you all focus on your expertise of facilitating freight throughout the vast supply chain.

Senate Homeland Security Committee Approves C-TPAT Legislation

TIA is pleased with this week's vote on S.2322, the "C-TPAT Pilot Program Act." The final vote, which took place in Senate Homeland Security and Governmental Affairs, was unanimously supported.

Non-asset-based 3PL's have been dealing with a competitive disadvantage for more than 10 years because of a willful decision by the Federal government, specifically the Customs and Border Protection. The legislation which is now before the full Senate creates a pilot program for 10 DOT licensed property brokers and 10 warehousing entities to be C-TPAT certified to add value to the larger program. The bill enjoys no opposition and was recently cosponsored by Senator Maggie Hassan thanks to tremendous outreach of Mr. Bob Freed of Transport Tech in New Hampshire.

Vice-President of Government Affairs, Chris Burroughs said this on the committee mark-up, "TIA is grateful for Senators John Cornyn, Robert Menendez, Tim Scott and Tom Carper in their leadership to see the issue that CBP created and start to change the status quo which has hurt 3PL's in their respective states." TIA members are ready to get off the sideline and support C-TPAT with their enrollment. This legislation will increase jobs, increase business, and increase national security.

OSHA Vaccine Mandate Set for Jan. 4. 2022

The Occupational Safety and Health Administration or OSHA has announced it is giving employers with more than 100 employees until January 4, 2022, to comply with President Biden's COVID-19 vaccine mandate and be faced with thousands of dollars in fines. This deadline and mandate will surely be challenged in court by Conservative leaning States and several business groups throughout the country.

Additionally, the White House announced it would be pushing back the federal contractor vaccine mandate from December 8, 2021, to January 4, 2022, as well. This is already being challenged in court by a coalition of Republican attorney generals.

Employers with more than 100 employees must ensure that all their worker are either fully vaccinated or subject to weekly testing and mask wearing. Fully vaccinated means that the employees have received two doses of the Moderna or Pfizer shots or one dose of the Johnson & Johnson shot. There has been no update to the definition of "vaccinated" to reflect the COVID-19 booster shot at the moment.

According to senior administration officials, OSHA will assist employers to develop their vaccine and testing standards. Fines for willfully failing to comply with the mandate could reach as much as \$14,000 per violation, with the potential for multiple citations per business. The rule is set to impact roughly 84 million employees; 70% of all U.S. adults are fully vaccinated, according to the administration.

Congress Continues to Pettifog over Infrastructure

TIA continues to be supportive of the Bipartisan Infrastructure Bill that was negotiated in good faith between a group of bipartisan U.S. Senators. The three provisions we support within the bill have not been touched and we urge the bill to quickly be put on President Biden's desk. This massive surface transportation reauthorization piece has already passed the traditionally more challenging Senate and waits in the House of Representatives for further action. The bill has become politically toxic as the progressives will not vote for it until the Human Infrastructure (social spending) is passed and the moderates are the same way but in reverse order.

TIA is growing more concerned with the Human Infrastructure that is in the House of Representatives awaiting floor action. Along with the bill's tax hike, there are provisions relating to the National Labor Relations Board (NLRB) which impose extreme penalties when the Board deems an officer of a company has created unfair labor practices in the workplace. We know that this can be a segway for the NLRB to go after independent contractors and deem them misclassified.

TIA will continue to weigh all the political dynamics including the path forward on TIA's top priority legislation. In the meantime, TIA will address safety directly to the Secretary of Transportation in a new TIA letter that is out today. There has been an 18% increase in fatalities on our highways in recent months, a statistic that all parties in the supply chain are disheartened to see. In our response, TIA will directly call for a new Fitness Determination Rulemaking to overhaul our current outdated system.

Additionally, TIA will highlight that today, an entity that selects a carrier does not have to check a single thing when moving forward with their vetting process. This directly impacts safety on our highways and should immediately be included in the Secretary's plan for safety.