



National Association of Waterfront Employers

January 12, 2024

NAWE News

Latest with NAWE

Join Us for a Day of Advocacy at NAWE On The Hill (NOTH) January 29-30, 2024 – NAWE will be holding its first NAWE On The Hill (NOTH) event of 2024 on January 29-30. We encourage all NAWE members who have not yet registered to consider joining us for this event. NOTH is a great way to kick off a new year of advocacy as we continue to build support for our industry's priorities. On January 29, NAWE will host a reception from 5:30-7:30 p.m. in the Transportation & Infrastructure Committee Meeting Room, where NAWE members will have the opportunity to establish and deepen relationships with congressional leaders and their staff on Capitol Hill as well leaders in the Executive Branch. On January 30, there will be a busy day of Capitol Hill meetings scheduled for those in attendance. For those unable to attend this event, NAWE will be holding a second NOTH in May 2024. Event details are as follows:

Event: NAWE On The Hill (NOTH)

When: January 29-30, 2024 ([Click here](#) to Register)

Where: Washington, DC

Room Rate: \$239 + tax/per night ([Click here to reserve](#))

Event: NAWE On The Hill (NOTH)

When: May 13-14, 2024 ([Click here](#) to Register)

Where: Washington, DC

Room Rate: \$399 + tax/per night ([Click here to reserve](#))

2024 Legislative Outlook – A divided Congress has returned to Washington in 2024 with a full agenda and fewer days to accomplish important legislative priorities. Not only must House and Senate lawmakers continue to work on the unfinished business of 2023, including passage of the fiscal year 2024 appropriations bills, the Coast Guard Authorization Act (CGAA) of 2023, and other measures, but they must also tackle the new business of 2024, including passing the fiscal year 2025 National Defense Authorization Act (NDAA) and funding the government through the new fiscal year. This will all occur during an election year in a highly politicized environment with a compressed schedule. This year, Congress will be in session six fewer weeks through the election in early November than it was in 2023, due to the addition of a month-long district work period for members in October and party conventions.

This abbreviated legislative schedule is primed to influence the timing and outcome of a number of NAWE's legislative priorities. The CGAA of 2023, which reauthorizes the activities of the U.S. Coast Guard each year and serves as a vehicle for a number of maritime-related provisions that affect our industry, has already experienced delays since passing the House Transportation and Infrastructure Committee in April, and may experience further delays. Congress may also opt to pass temporary funding extensions (which will prohibit the establishment of new programs or stall the release of funds for long-term projects), pass a

quicker, less thorough version of the NDAA (which may affect the maritime package within the legislation), or punt these legislative priorities into a lame duck session after the election. Given the potential for these developments to affect our members and our industry, it is important for NAWE and our members to remain vigilant in reaching out to congressional lawmakers to advocate for our priorities. NAWE will also continue to keep members apprised of new legislative developments as they occur throughout the new year.

NAWE Welcomes New Members DCLI and Terminal Security Solutions – NAWE is pleased to announce that Direct ChassisLink, Inc. (DCLI) and Terminal Security Solutions (TSS) have become our association's newest members. DCLI is the nation's largest provider of marine and domestic container chassis to the U.S. intermodal industry. With over 500 locations on or near key port facilities and intermodal hubs throughout the U.S., DCLI owns or manages more than 270,000 marine and domestic chassis and serves ocean carriers, motor carriers, beneficial cargo owners and domestic shippers. TSS is a maritime security services firm specializing in cruise and cargo terminal security, crew safeguarding services, MTSA and ISPS consulting, and U.S. Coast Guard (USCG) accredited education. The firm specializes in providing customer service-focused solutions along with tailored operating procedures, cutting-edge training programs, security technology, and the requisite oversight to operate in a heavily regulated industry. NAWE welcomes DCLI and Terminal Security Solutions to our organization, and we are looking forward to working together on advancing our industry's priorities.

NAWE Launches New Industry Job Board – NAWE recently launched a [new job board on our website](#) dedicated to industry job postings. This new web page will be regularly maintained by NAWE staff and updated per member request. We are happy to promote any openings you would like to share on this page. All job posting submissions must include a PDF or word document explaining the open position and any other details candidates should know when applying. Check out the new page, share any jobs you would like posted, and please reach out if you have any questions.

NAWE Legislative Updates

Congress Reconvenes as Deadline to Avoid Partial Government Shutdown Looms – The House and Senate reconvened this week for the Second Session of the 118th Congress after recessing for the holidays several weeks ago. Both chambers will return to work on pressing issues that were left unfinished in 2023, including passage of the fiscal year 2024 appropriations bills.

Over the weekend, a deal was struck on a top-line federal funding level for FY 2024 between Senate Majority Leader Chuck Schumer (D-NY) and House Speaker Mike Johnson (R-LA-04). According to reports, this broad agreement keeps intact the FY 2024 spending levels set by the Fiscal Responsibility Act ("FRA") or the debt limit bill President Biden and former Speaker McCarthy agreed to last year, which if you recall, the House Freedom Caucus cited McCarthy's support for the debt limit bill as one of the primary reasons for his ouster. As a potential sweetener for House conservatives, the deal reportedly provides \$20 billion in funding cuts sought by the GOP, including approximately \$16 billion in rescissions of previously appropriated, but unspent, funding for COVID-19 relief and the IRS.

The topline agreement is an important step toward avoiding a potential partial federal government shutdown that may occur on January 20, 2024. However, both chambers of Congress still need to decide on allocations for each of the 12 FY 2024 appropriations bills, finalize funding levels for specific federal programs, and reach agreements on several contentious policy riders. Under the agreement, overall spending comes in at \$1.659 trillion—\$773 billion for non-defense discretionary spending and \$886 billion for defense.

As reported in previous editions of NAWE News, Congress approved a "laddered" continuing resolution (CR) that provides temporary funding to continue the federal government's operations. Under the CR, four out of 12 government spending bills, including Transportation-HUD (T-HUD), Energy and Water, Agriculture, and Military Construction-VA, are set to expire on January 19, while the remaining eight appropriations bills are set to expire on February 2. This means Congress will have only 10 days to come to a deal to avoid a partial government shutdown.

Earlier this week, Senate Republican leaders, including Minority Leader Mitch McConnell (R-KY), acknowledged that Congress needs more time to resolve remaining spending differences before the deadline and that another temporary spending measure would be needed to avert a partial government shutdown. Senate Minority Whip John Thune (R-SD) suggested on Tuesday that Congress might extend government funding until March. Although House Speaker Mike Johnson vowed in November to oppose any more short-term funding bills, he acknowledged to a small group of House Republicans that a government shutdown will not benefit the GOP.

While most understand the negative impacts of a federal shutdown, there are also unfavorable consequences that result from extended CRs. When appropriations bills are not enacted at the start of the fiscal year and federal agencies operate under a CR, they are unable to begin new project starts and are only able to carry out their duties at the previously appropriated fiscal year levels. When operating under extended CRs, federal agencies release money on a quarterly basis, which negatively impacts long-term projects and obligations.

To date, the House has passed seven of its appropriations bills (including Energy and Water—which provides funding for US Army Corps of Engineers dredging and navigation projects) and the Senate has passed three, including T-HUD. As previously mentioned, only 10 days remain before the first CR expires, and much work remains to hammer out the details of the appropriations bills. Therefore, it seems quite possible that the current CRs will need to be extended yet again for some period of time.

The NAWE team will continue to closely monitor and report further on any significant developments on FY 2024 appropriations and supplemental funding measures.

NAWE Regulatory Updates

FMC Industry Advisory – Requiring No Cost Access to Tariff Publication Systems – On January 4, 2024, the Federal Maritime Commission (FMC) posted an industry advisory stating Common Carriers and Conferences must provide public access to their tariff publication systems free of charge effective February 1, 2024. This requirement is established pursuant to [a Final Rule](#), published on January 2, 2024, amending 46 CFR §520. A Common Carrier or Conference that fails to provide the public access to a tariff publication system free of charge in accordance [with 46 CFR § 520.9\(c\)\(2\)](#) could be assessed civil penalties. Click [here](#) for more information.

Commission Announces New Secretary – On January 2, 2024, FMC Chairman Daniel Maffei announced the hiring of David Eng to serve as Secretary of the Commission. Mr. Eng is a career government attorney who possesses more than 10 years of legal and management experience. He most recently worked as a Branch Chief at the Departmental Appeals Board of the U.S. Department of Health and Human Services. The Office of the Secretary is the gateway for all matters and documents submitted to and emanating from the Commission. It also manages the Commission’s agenda, votes, and meetings. For more information, [click here](#).

Impacts on Threats to Shipping – On December 21, 2023, the FMC posted that it is aware that ocean common carriers are adjusting vessel operations and deployments in response to threats to commercial shipping in the Red Sea and Gulf of Aden regions, and that in doing so, carriers are announcing rate increases and/or instituting fees or surcharges, ostensibly to recoup expenses associated with longer voyages and/or higher costs of insurance and security. The FMC states that charges must meet strict legal requirements, competition among carriers must not be suspended, and carriers and parties to vessel sharing agreements must continue to obey the Shipping Act, other U.S. competition laws, and all other applicable laws. The FMC is monitoring actions taken by ocean common carriers related to rates, fees, and surcharges to ensure their compliance with all statutory and regulatory requirements. To read the announcement, [click here](#).

Commissioner Sola Attends Cruise Forward Summit to Talk About Zero Emission Efforts in the Maritime Industry – Late last year, FMC Commissioner Louis E. Sola participated on a panel at the Cruise Forward Summit that addressed “Pathways to

Net Zero Emissions by 2050” for maritime transport. The Cruise Lines International Association organized the summit, which was held in Miami, Florida from November 29, 2023, through December 1, 2023. Commissioner Sola highlighted regulatory issues related to maritime decarbonization efforts and discussed his vision for the role the Federal Maritime Commission could play in helping the shipping industry meet its 2050 net zero emission targets. Information from last month’s event may be viewed, [click here](#).

DOT Infrastructure Grant Program Updates

Biden Administration Posts Open and Upcoming Infrastructure Funding Opportunities – On November 2, the Biden Administration posted an updated list of open and upcoming infrastructure funding opportunities under the Bipartisan Infrastructure Law (BIL). The document highlights funding opportunities that communities can apply for today, as well as a calendar of key upcoming funding opportunities for the remainder of 2023 and 2024. To view the full list of programs, their descriptions, and deadlines, please click [here](#).

FY 2024 Open Grant Opportunities – The U.S. Department of Transportation (DOT) and the U.S. Department of Energy (DOE) have announced that they are now accepting FY 2024 applications for the following programs:

- 1) DOT Maritime Administration’s Port Infrastructure Development Program (PIDP)** – PIDP assists in funding eligible projects for the purpose of improving the safety, efficiency, or reliability of the movement of goods through ports and intermodal connections to ports. There is \$450 million available to be awarded. **Applications must be submitted no later than April 30, 2024.** For more information on the application process, [click here](#).
- 2) DOT’s Rebuilding American Infrastructure with Sustainability and Equity (RAISE) Program** – The RAISE program allows project sponsors at the state and local levels to obtain funding for multi-modal, multi-jurisdictional projects that are more difficult to support through traditional DOT programs. There is \$1.5 billion available to be awarded. **Applications must be submitted no later than February 28, 2024.** For more information on the application process, [click here](#).
- 3) DOE’s Grid Resilience and Innovation Partnerships (GRIP) Program** – The U.S. Department of Energy is accepting applications for fiscal year 2024-2025 grants under the Grid Resilience and Innovation Partnerships (GRIP) Program. Successful projects will deploy federal funding to maximize grid infrastructure deployment at-scale and leverage private sector and non-federal public capital to advance deployment goals. There is up to \$3.9 billion available to be rewarded.

Concept papers are a required first step in the [application process](#). **Applications are due by 5 p.m. ET on January 12, 2024.** An informational webinar was held on November 20. To access the webinar’s recording and transcripts, [click here](#).

FY 2023 DOT Infrastructure Grant Applications and Award Deadlines – The application deadlines for the majority of FY 2023 DOT infrastructure grants of interest to NAWE members are now expired. According to the White House’s “Upcoming Infrastructure Funding Opportunities” webpage, remaining NOFOs and program awards that may possibly be released before the end of the year (in “Winter 2023 or early 2024”) are:

- 1) DOT’s Consolidated Rail Infrastructure & Safety Improvements (CRISI)** – TBD
- 2) DOT’s Railroad Crossing Elimination Program** – TBD
- 3) EPA’s Clean Ports Program** – TBD

DOT Posts List of Grant Application Resources – The DOT has posted an updated list of its popular “Grants Navigator Application Resources”. Below are links to the DOT’s resources:

- [Understanding Non-Federal Match Requirements](#)
- [Discretionary Grant Preparation Application Checklist](#)
- [Checklist for a Strong Climate Change Mitigation, Adaptation and Resilience Grant Application](#)
- [Federal Tools to Determine Disadvantaged Community Status](#)
- [Use of DOT Funds for Public Involvement](#)

The NAWE team continues to monitor and will report any updates on the 2024 round of NOFOs for federal grant program opportunities of interest to NAWE members

NAWE Event Updates

Join NAWE on the West Coast in March – On March 3, 2024, NAWE will host a gathering for our members in Long Beach, California. The gathering will be at the Grand Hyatt Centric Topsail Rooftop Pool and Bar on Sunday, March 3, 2024, from 5-7 p.m. Space is limited, so please RSVP in advance [at this link](#).

New Events Page -- We are pleased to launch a new events page on our website that includes all 2024 events. You can download calendar appointments directly from our website now. [Click here to view the page!](#)

Member Company Spotlight

We are excited to officially launch our member company spotlight this year that will highlight good news from NAWE member companies and around the industry. As a reminder, this is a self-reported section and all submissions can be directed to ckennedy@nawe.us to be included in future NAWE News editions.

- **Long Beach Container Terminal was awarded the “Sustainable Innovation Project of the Year”** by the U.S. Green Building Council-Los Angeles for its \$2.5 billion investment in advanced zero-emission technologies, innovative cargo-handling efficiencies, and carbon slashing strategies as well as its commitment to becoming the first true Net Zero operation of its kind by 2030. For the full release, [please click here](#).
- **Georgia Ports Authority To Invest \$4.5 billion in port infrastructure projects** – Georgia Ports Authority CEO Ed McCarthy recently detailed GPA’s plans to invest \$4.5 billion in plans and projects that will enhance port infrastructure over the next decade. For more details, [click the link here](#).

Articles of Interest

Journal of Commerce

[US retailers urge USMX, ILA to restart contract talks to avoid disruptions](#)

January 9, 2024

Maritime employers and the union representing longshore labor at ports along the US East and Gulf coasts need to restart negotiations for a new contract to avoid “potential disruptions” for shippers, the National Retail Federation (NRF) said Tuesday.

Maritime Executive

[American Cruise Lines to Improve Fleet Accessibility in ADA settlement](#)

January 9, 2024

American Cruise Lines, which operates a fleet of U.S.-flagged coastal and inland passenger cruise ships, has reached an agreement with the U.S. Attorney’s Office that calls for improving accessibility on its ships and shore operations.

Journal of Commerce

[Northeast US ports forecast return to growth after down 2023](#)

January 9, 2024

Ports in the US Northeast expect containerized cargo volumes to follow historical growth patterns as consumer spending on imported goods returns to normal seasonal trends after a steep post-pandemic decline in demand.