

March 8, 2024

The Honorable Bill Cassidy
Ranking Member
Committee on Health, Education, Labor, and Pensions
United States Senate
Washington, DC, 20510

Dear Ranking Member Cassidy:

On behalf of the Intermodal Association of North America (IANA), a leading transportation trade association representing the combined interests of the intermodal freight industry, I am writing to express our support for the Congressional Review Act resolution (S.J. Res. 63) that seeks to preserve the independent contractor business model by repealing the Department of Labor's (DOL) final rule, "Employee or Independent Contractor Classification Under the Fair Labor Standards Act."

IANA represents more than 1,000 corporate members, including railroads, ocean carriers, ports, intermodal truckers and over-the-road highway carriers, intermodal marketing and logistic companies, and suppliers to the industry. IANA's associate (non-voting) members include shippers, academic institutions, government entities, and non-profit trade associations.

For decades, the prevailing business model for over 80 percent of intermodal trucking companies that transport containerized freight has involved the use of independent contractors. Not only is the independent contractor model essential to industry operations, but it is also the preferred model among drivers. According to an American Transportation Research Institute study, 73 percent of independent drivers expected significant decreases in their job satisfaction if they were to be reclassified as employees. Moreover, a client survey by American Truck Business Services found that only 17 percent of leased owner-operators would seek company driver opportunities if leasing were no longer an option.

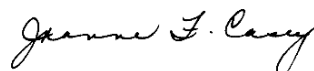
The trucking industry has faced significant workforce shortages for many years. Based on anticipated increases in freight demand and current driver demographic trends, the shortage could grow from 78,000 in 2022 to 160,000 in 2031. Over the next decade, nearly 1.2 million new drivers will be needed to meet growing freight needs and to replace drivers who leave the industry.

Without the passage of the Congressional Review Act resolution, the DOL final rule will force the reclassification of independent contractors across numerous industries, including drayage drivers. This forced reclassification would negatively impact the entire supply chain by exacerbating existing driver shortages, which will ultimately result in delays and cost increases for consumers.

Our association maintains a white paper that further explores the indispensable nature of the independent contractor model to the intermodal industry. I have linked this resource [here](#) for your reference and use as appropriate in discussing the importance of the Congressional Review Act resolution.

IANA applauds your leadership and supports this important legislation. If I can be a resource on this topic, please do not hesitate to contact me at jcasey@intermodal.org or 301-982-3400 ext. 349.

Sincerely,



Joanne F. Casey
President and CEO
Intermodal Association of North America