

# Oppose the Cross Border Trucking Proposal

**From: The Honorable Duncan Hunter**

**Date: 4/4/2011**

Dear Colleague:

Recently an announcement was made that the U.S. and Mexico have reached an agreement regarding cross border trucking. I have concerns over this agreement and hope you will join me in sending a letter to the Secretary of Transportation expressing opposition to this proposal.

Congress has been on record on four occasions, expressing concern and eventually terminating the cross-border trucking demonstration program put in place in 2007. While it is important to remove the unfair tariffs that Mexico has imposed on U.S. agriculture produces, it should not come at the expense of the safety of our highways.

Please join me in urging Secretary LaHood to cancel plans for this program.

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*(Updated)*

The Honorable Ray LaHood  
Secretary, U.S. Department of Transportation  
1200 New Jersey Avenue Southeast  
Washington, D.C. 20590

Dear Secretary LaHood:

We are writing to express our concerns over the announced agreement between the U.S. and Mexico regarding cross border trucking. Based on the recently released details by the Department of Transportation, we have concerns that this proposed program could impact the safety of our roads and may create a security breach along our southern border.

Over the years, Congress has demonstrated its opposition to this ill-advised program. In 2007, votes were taken to require safety related restrictions to the pilot program and, in 2009, the pilot program was terminated by Congress. While we understand the need to work to remove the unfair tariffs that Mexico has imposed on U.S. agriculture products as a result, doing so should not come at the expense of the safety of our highways.

The earlier demonstration project showed serious gaps in the Federal Motor Carrier Safety Administration's (FMCSA) ability to properly manage the program when they failed to assure that every Mexican truck was properly inspected at the border. This is critical from a

safety perspective to ensure that the vehicle is being operated by a licensed driver and has completed a safety inspection. With the limited number of Mexican trucks that participated in this demonstration there is concern with the FMCSA's ability to properly monitor a future demonstration project.

In addition, the program will require that Mexican motor carriers have Electronic On Board Recorders (EOBRs) on their vehicles. This requirement comes at the same time FMCSA is working on a rulemaking to require EOBRs for all U.S. carriers. An appalling difference, however, is that funds from the Highway Trust Fund will be used to pay for these devices for Mexican truckers while U.S. drivers will be required to pay for their EOBRs themselves. We feel this is an inappropriate use of the highway funds and an unreasonable expenditure for taxpayers.

More importantly with the recent rise in violence in Mexico and the changing tactics of the Mexican drug cartels, we are also concerned that moving forward with this cross border trucking program at this time is not in the best interests for security along our border. The El Paso Intelligence Center reports that commercial vehicles are widely-used by Mexican drug trafficking organizations. Setting up a program that allows Mexican long-haul trucks to cross the border and move freely throughout the U.S. could increase this method of smuggling by the drug cartels and serve as a resource for their criminal activity.

Again, we do not believe this cross border trucking program in the best interest of the taxpayer or our security. The current system of Mexican carriers operating within a defined commercial zone is working well for both safety and border security. We strongly oppose the Administration's cross-border trucking proposal.

With best wishes.