

Mrs. MURRAY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MORNING BUSINESS

Mrs. MURRAY. Mr. President, I ask unanimous consent to proceed to morning business, with Senators allowed to speak for up to 10 minutes each.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mrs. MURRAY. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. LOTT. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

#### MEXICO TRUCKERS

Mr. LOTT. Mr. President, I wish to be heard on this Dorgan amendment, the pending amendment, with regard to the Mexican trucker demonstration project. I wish to speak on it because I was involved in it the last time this issue came up.

I have always urged that we deal with this in a fair way and in a responsible way. We don't want unsafe trucks or unsafe drivers coming into our country, whether they are coming from Mexico or Canada. But I have always felt that maybe we had an attitude toward trucks coming in from Mexico; it was very different from those which might be coming from Canada. I think we need to have rules in place and we need to have proper precautions, but I think we also need to be rational and reasonable. If we don't have at least a demonstration project, what is going to happen when our trucks want to go to Mexico? I will guarantee you one thing: If I were the President of Mexico, I would say there are not going to be any American trucks coming down here. Can't we use some common sense? This is not some enemy satellite sitting on our border. This is a place where we can begin to make progress.

I know it is easy to demagogue this issue and get into all kinds of flights of fancy about, oh, yes, this is the beginning of a superhighway coming from Mexico; that the border is just a bump in the road and this is part of the one nation movement in North America. I don't know where all this comes from. Maybe I am naive. I don't advocate that. But I think we are really turning this into another case of trying to make a bogeyman out of our neighbor to the south.

I don't have a vested interest in this. I was in the trucking business once upon a time in my life. I know a little bit about trucking. This is not a case where my State is on the border and is going to be abused one way or the

other. So I have the ability to try to look at this objectively and to ask that we try to make sense in how we deal with all of this.

This is not a new issue. We have been working on this, planning for this, preparing for this for 14 years to make sure it is done properly, including proper inspections, proper requirements. There is a program we are trying to put in place which would be subject to an additional audit at 6 months and when the project concludes. Remember, it is a pilot program. We are not putting it in place in perpetuity. We want to check it and see how it works and if it is done correctly.

Since 1982, trucks from Mexico have only been able to drive in a 25-mile commercial zone along U.S. borders. Think about that. They can come across the border, and they must stay in a 25-mile commercial zone and then offload to U.S. trucks before they can come into the United States.

The North American Free Trade Agreement contains a trucking provision that was put on hold in 1995 by President Clinton, and, without being critical of him, he wanted to make sure we had looked at it enough and that there were safety requirements, and so forth. At that time, I thought, frankly, he was probably doing the right thing. Then, in 2001, a NAFTA dispute resolution panel ruled the United States was violating NAFTA obligations by adopting a blanket ban on trucks from Mexico. So then we kind of got into a fight about it, and that is where I got directly involved, and that was in 2002 on the appropriations bill. It detailed, as a result—again, we didn't say we were going to do it regardless; we said, OK, we are going to try to find a way to do this, but we are going to have some specific requirements. We detailed 22 safety requirements that had to be met prior to allowing trucks from Mexico to drive beyond the U.S. 25-mile commercial zones.

Here are the 22 safety requirements and mandates we included in that bill. I am going to read every one of them because I want to make sure my colleagues understand that this is not something we are doing frivolously or carelessly. We had specific requirements, and they have been met:

Establish mandatory pre-authority safety audits.

Conduct at least 50 percent of the safety audits on-site in Mexico.

Issue permanent operating authority only to Mexican trucking companies who pass safety compliance reviews.

Conduct at least 50 percent of the compliance reviews on-site in Mexico—including any who do not receive an on-site pre-authority audit.

Check the validity of the driver's license every time a truck comes across the border.

Yes, we want these drivers to be licensed. I am sure that when we go forward with this, that some trucker gets in here with an unsafe truck or without a driver's license or with illegal immigrants in the belly of that truck, it will get huge coverage. I don't want any of

that to happen. So we have these safety checks, and we have a check of the validity of the driver's license.

Assign Mexican truck companies a distinct Department of Transportation number.

Inspect all trucks from Mexico that do not display the current CVSA decal.

Have State inspectors in the border States report any violations of safety regulations by trucks from Mexico to U.S. Federal authorities.

Equip all U.S.-Mexico commercial border crossing with weight scales—including weigh-in-motion systems at 5 of the 10 busiest crossings.

Study the need for weigh-in-motion systems at all other border crossings.

Collect proof of insurance.

Limit trucks from Mexico operating beyond the border zone to cross the border only where a certified Federal or State inspector is on duty.

Limit trucks from Mexico operating beyond the border zone to cross the border only where there is capacity to conduct inspections and park out-of-service vehicles.

We must ensure compliance of all—all—U.S. safety regulations by Mexican operators who wish to go beyond the border zones.

Improve training and certification for border inspectors and auditors.

Study needed staffing along the border.

Prohibit Mexican trucking companies from leasing vehicles from other companies when they are suspended, restricted, or limited from their right to operate in the U.S.

Forbid foreign motor carriers from operating in the United States if they have been found to have operated illegally in the United States.

Work with all State inspectors to take enforcement action or notify U.S. DOT authorities when they discover safety violations.

Apply the same U.S. hazardous materials driver requirements to drivers from Mexico hauling hazardous materials.

Provide \$54 million in Border Infrastructure Grants for border improvements and construction.

Conduct a comprehensive Inspector General's review—to be certified by the Secretary—that determines if border operations meet requirements—

That are required.

This is lengthy.

Now, I believe it has been pointed out on the floor that the inspector general may have indicated: Well, it may not be possible to do all this. We may not be able to check every truck—let's see here. Any truck with a safety violation we stop until the problem is fixed.

There are questions about do we have the infrastructure and capability to do that. But the specificity of the 22 mandates have been met, and these are the critical provisions that are important.

The companies in Mexico must pass a safety audit by United States inspectors, including review of drivers' records, insurance policies, drug and alcohol testing, and vehicle inspection records. Every truck that crosses the border as part of the program will be checked every time it enters. There is a question about whether we can do that. Remember, this is temporary and a pilot program. We need to check every one of them. If we don't have the infrastructure to do that, we should add it.