

## Mexican trucks to keep rolling in U.S.

by David Washburn

SAN DIEGO - The Bush administration will continue to operate a controversial, cross-border trucking program despite language in the \$555 billion appropriations bill signed by President Bush Wednesday aimed at eliminating the program's funding.

The administration's move, while not unexpected, sparked outrage from Democratic and Republican members of Congress who have fought to kill the three-month-old pilot program, which allows long-haul Mexican trucks to travel throughout the United States.

"The administration seems to believe that the law doesn't apply to them," Sen. Byron Dorgan, D-N.D., the author of the appropriations bill amendment that sought to cut funding for the program, said in a statement.

Dorgan and other opponents of the program say the amendment's language is unambiguous, and that the administration's action will be challenged in Congress and the courts.

The Federal Motor Carrier Safety Administration began implementing the one-year experimental program Sept. 6. It allows as many as 100 Mexican companies to send their trucks into the United States from coast to coast.

Bush and other supporters of the program view it as a step toward fulfilling a North American Free Trade Agreement obligation to open all roads in the United States, Mexico and Canada to trucks from all three countries.

Historically, Canadian trucking companies have had full access to U.S. roads, but since 1982, Mexican trucks have been able to travel only about 20 miles inside the country at certain border crossings, such as San Diego and El Paso, Texas.

Dorgan, more than 100 other members of Congress and several interest groups, such as the Teamsters union and independent truck drivers, contend that the program lacks sufficient safeguards to ensure that Mexican trucks meet the same standards as American trucks.

Rep. Duncan Hunter, R-San Diego, has said the program demonstrates a "complete disregard" for the safety of U.S. motorists and the security threat posed by Mexican truckers.

U.S. transportation officials deny such assertions and say Mexican trucks and their drivers undergo strict inspections before they are allowed in the country.

Supporters of the program include the U.S. Chamber of Commerce and the Mexican government. They say it will greatly benefit the economies of both countries.

"The Mexican Embassy welcomes the decision by the DOT to continue operating the ongoing cross-border trucking demonstration program," Mexican Embassy spokesman Ricardo Alday said Wednesday. "The administration's position strongly supports the view that complying and expanding the benefits of NAFTA is in the best interest of both our nations."

Opponents of the program say they are incensed with how the administration parsed language to justify its continuation.

Dorgan's amendment to the appropriations bill included the following: "None of the funds made available under this Act may be used to establish a cross-border motor carrier demonstration program to allow Mexico-domiciled motor carriers to operate beyond the commercial zones along the international border between the United States and Mexico."

Officials with the Federal Motor Carrier Safety Administration stated Wednesday that the amendment allows programs that have already begun to continue.

"(The) U.S. Department of Transportation will not establish any new demonstration programs with Mexico," a government statement released Thursday said. "The current cross-border trucking demonstration project - established in September - will continue to operate in a manner that puts safety first."

Many observers expected the administration to follow this logic, but opponents say it is shaky.

"Despite this subjective interpretation by the agency, it is clear that the omnibus (spending bill) prohibits federal funds from being applied to the program over the fiscal year," said Joe Kasper, a spokesman for Hunter.

Others were more pointed with their criticism.

"This is yet another example of a rogue administration thumbing its nose at Congress and thumbing its nose at the concerns of the American people," said Todd Spencer, spokesman for the Owner-Operator Independent Drivers Association.

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