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Cross-Border Trucking Program Could Begin Again

by Julian Aguilar
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A proposal by the Obama administration that would grant Mexican truckers greater access to Texas roadways — and far beyond — would be a boon to businesses in the state, supporters say. But unions, the Teamsters in particular, say the plan would cost American jobs.

Three of the top five ports for trade between the United States and Mexico are Laredo, El Paso and Houston. Through the first 10 months of 2010, more than \$146 billion in trade between the United States and Mexico moved through the Port of Laredo, more than \$57 billion through El Paso and \$17.5 billion through Houston, ranking the ports No. 1, No. 2 and No. 5, respectively, in terms of trade with Mexico. Overall, the United States traded about \$324 billion with Mexico during the same period.

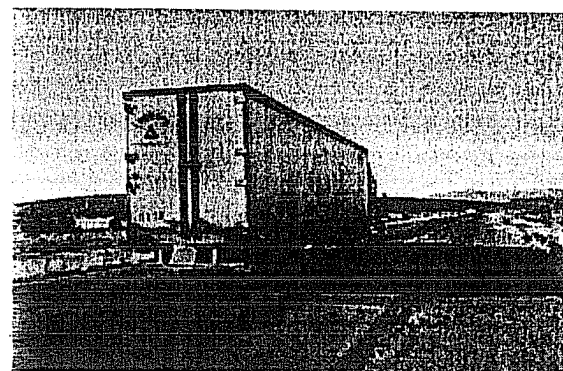


photo by: Mike Miller

A provision in the original 1994 North American Free Trade Agreement would have allowed long-haul truckers from Mexico to move about the United States without mileage restrictions, but it was never put into effect. Today, tractor-trailers entering the United States from Mexico (and vice versa) are limited to traveling within a 20-mile to 25-mile radius of ports of entry. There, Mexican truckers must drop their goods, which are then picked up by American truckers to be transported to their final destinations.

This month, the Obama administration issued what it called a “concept document” addressing many of the concerns that have blocked full carrying out of the provision.

In 2009, Congress and the administration ended a two-year-old long-haul pilot program. Labor unions, especially the Teamsters, and other critics have long opposed allowing Mexican truckers access to American roads out of concern that trucking jobs in the United States would be lost and roadways made unsafe because of differences in safety standards between the two countries. (A status report published by the Federal Motor Carrier Safety Administration in 2009 stated that American carriers had a higher out-of-service rate than other

participants in the program.)

After the pilot program ended, Mexico said the United States was in violation of NAFTA and put more than \$2 billion in tariffs on nearly 100 American products — including agricultural products like onions and peanuts — in retaliation.

The U.S. Department of Transportation's preliminary proposal includes a requirement that participating vehicles be equipped with electronic recording devices to allow monitoring of the drivers' hours of service and compliance with American trucking laws. Drivers will also have their combined American and Mexican driving records checked to ensure that they have no history of unsafe driving that would disqualify them under U.S. standards.

"The cross-border trucking program boosts trade opportunities for the U.S. and creates jobs here in Texas. Mexican trucks must be held to stringent safety requirements — just like any carrier on U.S. highways," U.S. Sen. John Cornyn, R-Texas, said in a statement after the Transportation Department issued its proposal. "It is time to take the breaks off this program, that represents a significant trade opportunity for the U.S. and a new way to create jobs and drive revenue for my home state of Texas."

Other Texas politicians have clamored to lift the ban on Mexican trucks, saying it damages the state's economic interests.

"U.S. farmers should not have to pay the price for broken diplomatic relationships," Texas Commissioner of Agriculture Todd Staples wrote to President Obama when the pilot program ended. Staples estimated that before the tariffs were imposed, Mexico was the top purchaser of Texas agricultural products, buying an estimated \$3.1 billion in goods in 2008. Staples restated his support for beginning negotiations to restart the program.

"Texas agriculture should not be penalized because Congress broke a 17-year-old agreement," he said. "I hope our trade negotiators cut a fair deal soon so Texas agriculture can continue to provide a safe, affordable food supply and good jobs for our citizens."

Mexican officials have said the tariffs would be lifted if a long-haul trucking agreement were reached. Negotiations are expected to take several months.

An official with the Federal Motor Carrier Safety Administration said NAFTA provisions required reciprocity across the border, meaning that American trucks would be able to travel farther into Mexico under the plan. But union leaders in Texas and elsewhere still say the proposal would take away jobs only from Americans.

"If the U.S. doesn't have the capacity to seal our borders now, why should we have confidence that a long-haul trucking program will maintain safety at our borders, on our roads and in the interior of our nation?" asks Ed Sills, a spokesman for the Texas AFL-CIO. "This cheap-labor program comes at too high a risk and at too large a cost to middle-class American workers who work long, hard hours to help maintain a safe commerce system in our nation."

The Texas Department of Public Safety has not weighed in on the trucking program, but it dismissed the notion that it would lead to an increase in human, drug, illicit cash or weapons smuggling.

border since 2003-2004 through border staffing grants from the Federal Motor Carrier Safety Administration in anticipation of the full implementation of NAFTA at some future date,” said Tela Mange, a spokeswoman for the Texas DPS. “All commercial vehicles, including commercial vehicles operated by Mexican-based carriers, entering the U.S. through commercial border crossings from Mexico are already subject to various types of inspections by the U.S. Customs and Border Patrol, as well as the Texas DPS”

Under the Transportation Department proposal, which the administration emphasizes is only a starting point for negotiations, Mexican carriers applying to the program would have their information vetted by the Department of Homeland Security and the Department of Justice. And for “an agreed-upon period of time,” Mexican drivers and vehicles would be inspected by American officials every time a tractor-trailer entered the United States.

Mange said the public safety department was not convinced that allowing the long-haul program would cause a meaningful change in the amount of traffic on Texas highways. That is because the goods coming across the border are currently transported by trucks, though ones driven by Americans, to destinations throughout the United States and Canada.

“The net volume of commercial traffic entering the U.S. is not expected to increase significantly, if at all,” she said. “In many cases, cross-border operations will simply be replaced with some long-haul operations.”

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