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United States Senate

WASHINGTON, DC 20510

March 17, 2011

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

Dear Secretary LaHood:

I am writing to express my concerns with the Department of Transportation's (DOT) proposed pilot program to allow Mexican domiciled trucking companies to operate within the United States beyond the current 25 mile commercial zone.

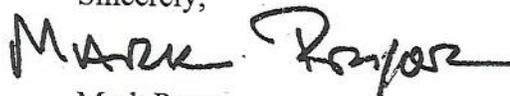
First, I would like to thank you for your attempts to engage Mexico in an effort to lift the excessive and arbitrary tariffs that Mexico recently imposed on certain goods from the United States. However, I would like you to know that I have many ongoing concerns related to the proposed pilot program. While my primary concerns are related to highway safety and homeland security, I am also greatly concerned with your recent testimony before the Senate Appropriations Subcommittee on Transportation, Housing and Urban Development, where you stated that the latest pilot project agreement included a plan to use U.S. taxpayer dollars to pay for Electronic On-Board Recorders (EOBRs) to be used by Mexican carriers.

As you know, I am a proponent of EOBRs as they are a critical tool in ensuring compliance with hours-of-service laws and keeping fatigued drivers off the roads. I also strongly support requiring Mexican carriers to use these devices should they participate in a pilot program. However, I strongly oppose using U.S. taxpayer dollars to purchase and maintain these devices for Mexican carriers. I do not believe this concept is fair for U.S. carriers who are not eligible for such payments. I also do not believe U.S. taxpayers should subsidize such purchases for Mexican trucking companies, particularly under our current fiscal constraints. For these reasons, I hope you will reconsider this aspect of the current proposal.

On a related matter, I also want to reiterate my concern for the potential of corruption of FMCSA officials and other federal officials that will be responsible for inspecting participating carriers. As I noted in recent Senate hearings in which you testified, this is an issue that I think merits attention, especially following the recent news story of an FMCSA official allegedly accepting bribes in Canada. I suggest that you consider an approach similar to a recent anti-corruption law (P.L. 111-376), which I sponsored, that would require Customs and Border Protection applicants to receive a polygraph examination and a background investigation before being offered employment, and would require relevant employees to receive periodic background investigations on a regular basis thereafter. I think it would be wise to introduce a similar initiative at the FMCSA, and I stand ready to assist you going forward.

Please know that I continue to maintain an interest in this issue. I hope we can maintain a constructive dialogue. I would appreciate you keeping me and other interested Senators informed of any future developments on this pilot program and any other plans to expand operation authority to foreign domiciled trucks.

Sincerely,

A handwritten signature in black ink that reads "Mark Pryor". The signature is written in a cursive style with a long horizontal stroke at the end.

Mark Pryor

Cc: Administrator Anne Ferro, Federal Motor Carrier Safety Administration