

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 President, I ask unanimous consent that the order for the quorum call be rescinded.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 President, I ask unanimous consent that the order for the quorum call be rescinded.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

Any truck with a safety violation will be stopped until the problem is fixed. Yes, that ought to happen. So we have a very distinct list of items we are trying to do here.

In the first 30 days of the program, 17 Mexican truck companies will be given operating authority. Additional companies will be added each month. So there is some order to this program.

I say to my colleagues that this has been dealt with very methodically. The requirements of Congress have been met. It is a pilot program on a temporary basis with a 6-month audit. We ought to do this program.

I cannot help but think that there is something more going on here than safety concerns. I do think there is an attitude: We don't want those Mexican truckdrivers up here. Sure, there are some who might not be as good as they should be, but that is true with American truckdrivers, too, on occasion. What about Canadian truckdrivers?

I feel we are making a mistake if we try to stop this temporary pilot program, and I think it is going to seriously damage our ability to work with the Mexican Government, with their new President, in not only this area but a lot of other areas.

I urge my colleagues to look carefully at what has been done by our Department of Transportation. Let's not assume the worst of our neighbors from Mexico. I have known a lot of truckers, and I know the kinds of problems one can have with trucking. But these are well-intentioned, hard-working people. They are an important part of our economy, and we need to have free-flowing trade that benefits both countries, all countries in a way of which we can be proud.

If we find a problem, fix it. But to just say no, we are going to stop it after 14 years of planning and preparation because some people—I don't know—don't want the competition? This is not an immigration issue. This is a transportation issue. We can do this. We can do it sensibly. But we should defeat the Dorgan amendment. We should allow the pilot program to go forward and make sure it is done properly.

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

The PRESIDING OFFICER (Mr. MENENDEZ). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### TRANSPORTATION APPROPRIATIONS

Mr. LAUTENBERG. Mr. President, I want to take a few minutes to talk about the bill that is presently on the floor. It is a good bill, and it couldn't be done at a more appropriate time. It is a critical issue. We hear many people

talking about our decaying transportation infrastructure. The bill is focused primarily on the transportation side, but it also applies to other important subjects, including housing. But when we see the reports about how structurally deficient and functionally obsolete our transportation system is, and where we stand relative to other countries—even some third world countries—we should want to catch up here.

When flights are taking off and landing on time, when our railroads are carrying more passengers and cargo safely, when our roads and bridges are in good condition—our economy thrives, and so does the well-being of our people. We don't have anything that measures the stress factor of motorists, but I am sure if every driver were wearing some kind of a meter that recorded stress levels, the needles would go off their face. Tempers rise, time is lost, and appointments are not kept.

But when we fail to adequately fund these priorities, our economy and our infrastructure falters. That is why this bill is critical to our economy.

My colleague, the Presiding Officer, also from the wonderful State of New Jersey, knows we have to get things done. We have to get people and cargo moving. We have a tiny State, with lots of people, the most crowded State in the country, and transportation is essential. However, we don't have a monopoly on congestion, delays, and pollution from travel.

I remember days when I went back and forth to work from the Capitol and that the ride used to be 15 minutes. Now sometimes it can take half an hour. Look at the bridges and the roads around the Capitol, and we see it. Go anywhere that has a thriving population and you will find the same problem.

Our State of New Jersey is a global gateway and a national crossroad for transportation—air, railroad, and sea. We have the largest seaport on the East Coast. Each year, millions of cargo containers are put on trucks and trains at New Jersey's ports, bound for cities and towns across the interior of America. Newark's Liberty International Airport is one of the busiest, and is the most delayed in the country. We have that unfortunate distinction right now.

Each week, many of New Jersey's almost 9 million residents ride trains or buses or drive their cars across bridges and through tunnels connecting them to jobs outside the State or within the State. Last year, 54 million cars, trucks, and buses crossed the George Washington Bridge from Fort Lee, NJ, into New York City, by way of example.

After the tragedy in Minnesota, I began working with State leaders to make sure our bridges in New Jersey could safely and effectively handle the increasing volume of cars and trucks. I know many of my colleagues did the same thing. Thirty-four percent of the

bridges in the State of New Jersey are deficient, which is higher than the national average of 27 percent. Think about what these percentages mean. It is saying that one out of three bridges is structurally deficient or functionally obsolete and in trouble. That is the way it seems to be in many places in the country. Enormous parts of the highway system are not able to handle the volume of traffic that passes over these areas.

Congress understands that bridges in America should not disappear into dust and rubble, costing lives and untold economic consequence. That is why in this bill we included \$5 billion for Federal bridge programs, a 20-percent increase over last year. I was pleased to work with Senator MURRAY to add another \$1 billion to strengthen our bridges.

As the chairman of two subcommittees overseeing Federal transportation programs, I am going to continue to do my part to keep our bridges strong so New Jerseyans can get to their jobs and back to their families safely.

We want to strengthen these bridges and give people the assurance that when they cross over they are safe. I talk to people who say they are reluctant to cross over some of the bridges we have in our area. Reluctant. But we take it for granted you have to do it in order to get where you must be.

I want to thank Subcommittee Chairman MURRAY and Ranking Member BOND for building a smart and strong transportation and housing appropriations bill. It funds Federal bridge repair programs, airline safety inspections, bus and rail transportation systems, and even operation of the air traffic control system.

In particular, I am pleased that the committee agreed to increase funds for Amtrak, our Nation's passenger railroad. Between the lines of cars on the highway and the long security lines at airports, American travelers need and deserve a choice. If one wants to see what a difference it could make, travel to some of the countries in Europe or Japan where they have world-class passenger rail service, where a trip from Brussels, Belgium, to Paris, France, a 200-mile distance, is accomplished in 1 hour 25 minutes. If you tried to get an airplane to take you that distance, you couldn't. They do not fly that way anymore. It is superfluous when you can get from the inside of one city to inside the other city and not have to go through the torment of the long lines and other inconveniences of getting on airplanes.

Today I had the experience of getting on an airplane at LaGuardia Airport in New York. My home in New Jersey is mid-way between LaGuardia and Newark airports. The weather didn't look that bad. We got on the airplane at 9 o'clock for a 38-minute flight to be here for a vote at 11. But due to congestion, we arrived here at a quarter past 11. It is somewhat amusing, with an odd twist, when the pilot gets on and tells