

BEFORE THE
SUBCOMMITTEE ON HIGHWAYS AND TRANSIT
COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE
UNITED STATES HOUSE OF REPRESENTATIVES

TESTIMONY OF
JAMES P. HOFFA
GENERAL PRESIDENT
INTERNATIONAL BROTHERHOOD OF TEAMSTERS

HEARING ON
U.S. MEXICAN TRUCKING: SAFETY AND THE
CROSS BORDER DEMONSTRATION PROJECT

MARCH 13, 2007



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Chairman DeFazio, Ranking Member Duncan, and Members of the Subcommittee:

My name is Jim Hoffa, General President of the International Brotherhood of Teamsters. I am here representing 1.4 million Teamster members and their families who travel our nation's highways every day. Over 600,000 of our members earn their livelihood driving on our roads and city streets delivering goods and services to the American public. They deserve a workplace as safe as any factory or construction worker, but I am fearful that this proposed pilot program to permit Mexican trucks to travel beyond the currently permitted commercial zones will put our members, their families and the traveling public in danger. This action is reminiscent of the Dubai Port debacle, where the Bush Administration is willing to risk our national security by giving unfettered access to America's transportation infrastructure to foreign companies and their government sponsors and ignoring the safety and security of the American people.

We have many questions about how this plan will be implemented to ensure the safety of our highways and protect our homeland security, and I will outline our concerns to you in my testimony that follows. As most of you know, the House voted in 2001 to effectively ban Mexican trucks from traveling beyond the currently permitted commercial zones. The Senate then followed that action by passing a comprehensive safety regime, commonly referred to as the Murray-Shelby provisions, that prevented the DOT from expending money to review applications of Mexican carriers until certain conditions were met. I realize that some progress has been made in reaching those requirements outlined in Murray-Shelby, but I am alarmed that the Department of Transportation (DOT) is moving forward with a pilot program when so many questions remained unanswered.

My first concern is the mystery and contradiction surrounding this pilot program. Secretary Peters was asked at her confirmation hearing about it and said she "had asked the question and there are no immediate plans to do so." The Secretary went on to say "...and if confirmed, would look forward to getting to the bottom of the so-called rumors in addressing the issue." This contradicts DOT's own fact sheet (*Cross Border Truck Safety Inspection Program*) on its website which states that following the U.S. Supreme Court's decision in 2004 to reverse the U.S. Ninth Circuit Court of Appeals ruling that barred implementation of the NAFTA treaty's trucking provision, and I quote, "U.S. DOT began working immediately with its Mexican counterparts to develop a NAFTA trucking **pilot program.**" So essentially, this pilot program has been in the works since 2004, but apparently Secretary Peters was not sufficiently briefed about it before her confirmation hearing.

I also believe there is reason to question whether this pilot program conforms to all of the requirements of Section 350 of the 2002 Transportation Appropriations Act (PL 107-87), whether DOT has followed the correct statutory procedures to actually initiate a pilot program for Mexican trucks, and whether this is indeed a true pilot program whose results can be relied upon to give us an accurate assessment of the pilot program after a year's time. The statutory language of Section 350 is very clear there are 12 requirements that DOT must comply with, and 8 additional obligations that DOT's Inspector General must verify. While DOT may argue that it has complied with its 12 requirements, the recent testimony of the DOT Inspector General before the Senate Subcommittee on Transportation, Housing, and Urban Development, and Related Agencies cites two issues - requirements for monitoring Mexican drivers and conducting bus inspections - where additional improvements are needed. While buses are not part of the pilot program, the fact that the statute requires the IG to verify these requirements before "any vehicle owned or leased by a Mexican motor carrier may be permitted to operate beyond United States municipalities and commercial zones" begs the question as to whether the DOT has acted prematurely and without proper statutory authority to conduct this pilot program.

With regard to the pilot program itself, my guess is that the DOT will select the "cream of the crop" of Mexican carriers – those they find to be the safest. Whether they are large or small, this bias will slant the data on violations, crashes and other compliance issues. But DOT will proclaim the program successful, and I would expect the agency to announce a full-blown opening of the border at the end of the one-year period. In fact, I understand that the agreement signed with Mexico specifies that the border will be open after the one-year pilot, even though Secretary Peters recently testified that the criteria to measure the pilot program's success had not been determined. The DOT Inspector General cited this issue as a major concern, and I find it very disturbing that a measurement and evaluation process is not in place.

It is also unclear as to what criteria will be used to disqualify a carrier from the program or to shut the program down? How will data be gathered on carriers and drivers participating in the program? This type of sham program does not serve the interests of highway safety and should be outright rejected from the start. Furthermore, to conform to Section 4007 of TEA-21 true pilot programs are required to be noticed in the Federal Register for review and comment by stakeholders and the public. What is DOT's justification for not following this process? It does not serve the public interest to have a program that affects

highway safety in such magnitude, to be formulated and carried out behind closed doors. It's certainly not coincidental that the announcement of this program was made late on a Friday afternoon, during a Congressional recess.

While DOT has laid out an impressive public relations campaign to assure the American public that Mexican trucks and drivers will meet all U.S. safety requirements, there will be no "meeting" of those requirements without adequate enforcement and oversight, and this is where I am convinced that neither the U.S. nor the Mexican governments have the resources to carry out an aggressive oversight and enforcement program. First on the Mexican side of the border, one has to wonder what the commitment to safety is were it not for NAFTA and the cross-border trucking provisions. The Mexican government has not initiated safety requirements we are talking about today on their own. They have been forced to negotiate them if they want their trucks coming into the United States. On the U.S. side, there has been a tremendous investment in resources at the taxpayer's expense to allow for the inspection of Mexican trucks at the border. But laying out requirements and regulations on paper that stipulate that Mexican drivers will be subject to the same drug and alcohol testing program as U.S. drivers, and that Mexican drivers must properly record their hours behind the wheel in logbooks doesn't necessarily make it so.

Let me tell this Subcommittee what the Teamsters Union has learned about the current state of the Mexican trucking industry. If you have not had the opportunity to read an investigative report, *Holding the Line*, that appeared in our August 2006 Teamster magazine I suggest that you do so. Mr. Chairman, I would request that this article be made part of the hearing record. This is a story by investigative reporter, Charles Bowden, who in 1999 wrote a similar story after spending several weeks with Mexican drivers. Back then he told of exploited, exhausted Mexican truck drivers, pushed to the limit by their employers. And guess what, seven years later, he found nothing had changed. He found the same conditions within the industry in 2006 that existed in 1999. Let me read you a few excerpts from truckers who were interviewed by Mr. Bowden:

"The longest distance I drive," said a driver about 30 in a black T-shirt, "is from Ensenada to Cancun, 4500 kilometers. Five days and six nights alone. Tomatoes. The company won't pay for a second driver." Ah, but how can a man stay awake and drive for five straight days? The table erupts in laughter. The man facing the empty liter of beer smiles and says "Professional secret." The younger man in the black t-shirt offers one phrase, "Magic dust." There are more smiles and mention of "special chemicals." They are all family men who run the highways at least 25 days

a month and they are adamant about two things – that nobody can run these long hauls without cocaine and crystal meth, and now and then some marijuana to level out the rush.

“The man with the empty beer explains. “We make almost nothing – less than \$300 a week. I work 48 hours non-stop. I drive 2,400 kilometers per trip and get no time for turnarounds.”

And every man at the table agrees on their biggest problem – the government. And by that they mean the police, especially the federal police, who they say rob them at will. One said, “If you drive to Mexico City, you are robbed, for sure. Police are the first to rob you. If you report a robbery, the police try to make you the guilty person.”

These drivers are victims – victims of a system that we, the U.S., will depend on to enforce drug and alcohol testing and hours-of-service regulations of drivers in this pilot program. What kind of confidence level does this give you?

I thought it important that the Subcommittee hear these stories because I want to talk further about hours-of-service enforcement and drug and alcohol testing. Again, without sufficient enforcement on the Mexican side of the border that establishes a strong no-tolerance policy, Mexican truck drivers will arrive at the U.S. border without the benefit of government and industry practices that deter this kind of behavior.

Let’s peel back the layers a bit – first on hours-of-service. As I understand it, there has not been any real enforcement of any hours-of-service (HOS) regulations in Mexico, beyond the recent requirement of drivers having to carry log books, and those participating in the pilot program, having to produce a record-of-duty-status (RODS) at the border for the last eight days of work. Apparently there is a general prohibition against working more than eight hours a day, which I am told is ignored in most cases because it is not enforced. In fact, according to the Federal Motor Carrier Safety Administration, more than 15 percent of Mexican drivers in the commercial zone were placed out of service for not having a paper logbook to record their hours worked. To think then that all of a sudden, these Mexican drivers will change their habits overnight and adhere to U.S. HOS requirements when they cross the border is a leap of faith that does not give me great comfort for the safety of those motorists that will share the road with these potentially fatigued drivers. I have no confidence that the 8-day logbook that the Mexican driver produces at the border crossing will be indicative of his driving

record for those past eight days, primarily because there will be no rigorous enforcement of HOS on the Mexican side of the border. You can demand all the paper records you want, but without enforcement those records are suspect.

Even with enforcement, there seems to be a willingness on the part of Mexican carriers and drivers to ignore some of the basic requirements for operating in the commercial zone. I found it interesting that NAFTA SafeStat figures for 2005 show 9,205 specified traffic violations by Mexican carriers. Of that number, 8,684 are Size and Weight violations. Luckily, there are weigh-in-motion scales at the border inspection stations, but it is puzzling why there continue to be numerous citations in this area. Of the top ten Mexican driver Out-of-Service violations (OOS), 22.62 percent are for operating a Commercial Motor Vehicle (CMV) without a Commercial Drivers License (CDL) – a rather simple but necessary requirement to ensure safety.

The requirement of a drug and alcohol-testing program for Mexican drivers is of course necessary, but the need for carriers to simply provide proof that the drug and alcohol testing programs are in compliance with U.S. requirements is not enough. Aside from “paper” programs, I fail to see an effective way for the FMCSA to ensure compliance. In fact, the Inspector General testified last week of the need to ensure that drug and alcohol procedures, including the establishment of sufficient controls at the collection site, are adequate. To comply with U.S. standards, there needs to be scientifically valid random testing; a chain of custody; trained collectors and requirements for collection facilities; requirements for collection kits; and use of the same technology for testing, including two-part testing. When a U.S. driver tests positive, the driver has to attend and complete an education program and/or rehabilitation, and have a post treatment evaluation by a substance abuse professional. The driver must then have a return-to-duty test before returning to work. He can be subject to unannounced follow-up tests for one year to five years. Can we be assured that this is the type of program that the Mexican DOT will implement? Furthermore, the lack of a certified Mexican lab to which samples can be sent complicates the chain of custody issues.

What happens to a Mexican driver who may test positive in a post-accident testing scenario in the U.S.? I know he is taken out of service, but if he’s in Illinois, for example, how does he get back to Mexico? What happens to the load? What happens in a situation where a Mexican driver is in the U.S. for an extended period of time, but is selected for random drug testing? How will a driver be notified in the U.S.? Will the carrier simply wait until the driver returns to his/her domicile (wherever that may be)? What happens if the driver returns after the testing cycle

has expired? It may create an opportunity for these drivers to fall through the cracks and virtually never be tested. What happens if a carrier is found to be liable in a crash? Do U.S. legal remedies apply? These are questions that must be answered before any Mexican trucks are permitted to travel beyond the commercial zones.

Another area of concern is driver compliance with medical qualifications. In FMCSA's recent Notice of Proposed Rulemaking for combining the medical qualifications with the Commercial Drivers License (CDL) process, the FMCSA indicated that there is no agreement between the U.S. and Mexico concerning the medical qualifications for drivers, although such an agreement exists between the U.S. and Canada. While the U.S. and Mexico signed a Memorandum of Understanding that recognized the Licencia Federal de Conductor to be equivalent to the U.S. CDL, there is little known about the physical and medical criteria used to qualify truck drivers in Mexico. We need to know how their system of evaluating drivers stacks up to ours.

The DOT Inspector General, in his recent Congressional testimony to the Senate Subcommittee on Transportation Appropriations concerning the pilot program, indicated that FMCSA should correct inconsistencies or reporting problems in the border states. FMCSA reported that it had taken action to see that Texas eliminated a backlog of Mexican commercial driver license tickets that had not been entered into the database. FMCSA stated the other border states needed to take corrective action as well, and the FMCSA was encouraged to proactively monitor future reporting by the states. This leads to another issue that needs examination. Under the Motor Carrier Safety Improvement Act of 1999, U.S. drivers are subject to CDL disqualification for certain serious driving violations occurring in their personal vehicle. At the time the implementing regulations took effect, the International Brotherhood of Teamsters argued that in fairness, this same regulatory scheme should apply to Mexican drivers operating in the United States. The FMCSA dismissed our suggestion, but this situation creates a severe gap in equal treatment of drivers and could allow Mexican drivers, with what would be disqualifying offenses that sideline U.S. drivers, to operate in the U.S.

This issue of accuracy and population of the Mexican driver database is a great concern, and perhaps can be best illustrated in light of the decision that the Transportation Security Administration took with regard to the Mexican criminal data base in issuing regulations to administer the Free and Secure Trade (FAST) commercial driver card. The Subcommittee should know that when asked by Congressional staff how it would perform criminal background checks on Mexican

drivers who haul hazardous materials into the U.S., the TSA responded that it would check Mexican drivers against the U.S. criminal database. When asked why, the agency responded that the Mexican criminal database was incomplete and not easily accessible. How confident can we be in safety data of Mexican carriers and drivers, if the Mexican government's criminal database is suspect? I would venture to guess that hazardous materials transport was not included in this pilot program because of the questions it would raise with regard to the Mexican driver background check. How can checking a foreign driver against another country's criminal database provide a similar background check, as the law requires?

The Inspector General raised the issue of the accuracy of the driver database in his 2005 audit and again in his recent testimony before the Senate Subcommittee on Transportation Appropriations. He indicated that additional improvements needed to be made in the quality of the data used to monitor Mexican driver traffic convictions in the United States. This isn't only a safety issue. This is a fairness issue, especially as I stated earlier, U.S. drivers are now subject to CDL disqualification based on serious violations occurring in their personal vehicle.

While the transport of hazardous materials is not to be a part of this program, the Teamsters Union still has enforcement concerns in this area. It has been well documented that hazmat loads from Mexico crossing into the commercial zones have not been properly placarded (not reflective of the hazmat contained in the load) or placarded at all. In fact, the NAFTA Safety Stats on the FMCSA website indicate that the largest number of Hazardous Materials Inspections with OOS Violations for Mexican carriers at almost a 22 percent rate are for Prohibited Placarding, which can include the wrong identifying placard. It's fine to say that hazardous materials shipments will not be a part of the pilot, but what assurances do we have that trailers carrying hazmat will be stopped inside the commercial zones? I would suggest that any carrier participating in the pilot that is caught with a hazmat load be immediately dropped from the pilot program.

Other homeland security issues need to be examined as well. Will Mexican drivers be subject to threat assessments against the terrorist watch lists? The DOT's website has a list entitled *U.S. Safety and Security Requirements Await Trucks From Mexico*. It states, "all trucks and drivers entering the U.S. are screened by U.S. Customs and Border Protection Officers, which **could** include radiation portal monitoring and x-ray inspections of high risk cargo. We should know what "**could**," mean in terms of the frequency rate of monitoring for radiation and x-ray inspections. Since 9/11, we have strengthened our borders to protect our country against terrorism threats. While I do not consider Mexican

drivers a terrorism threat, I am fearful that their trucks could be used to carry weapons of mass destruction or be used by terrorists as a means to sneak into this country and do us harm.

I am very concerned that local and state law enforcement will not have sufficient information or the resources to monitor and properly enforce this pilot program. The decal/registration number system that is proposed will apparently assign a different letter to those trucks permitted to operate in the commercial zones and those enrolled in the pilot program that can travel anywhere in the United States. The Inspector General has raised the issue of “capturing” the 1,000 Mexican trucks participating in this pilot program at the border among the five million trucks that travel into the commercial zones every year. It is a daunting task that must be performed if we are to keep our highways safe. We are apparently relying heavily on state and local law enforcement to keep watch over a vast expanse of territory and prevent those trucks authorized to operate only in the commercial zones from entering other parts of this country. Those responsible for that task must receive the proper training so that they know what process to follow when they have to put a Mexican truck or driver out-of-service.

Finally, there will be a strong temptation by unscrupulous employers to capitalize on lower wage Mexican drivers and entice them into carrying domestic cargo in the United States. We know that this occurs now, as Mexican trucks have been caught over the years operating illegally in more than 25 states. Who will enforce our cabotage laws to prevent point-to-point movement of cargo within the United States? What happens if this occurs and a Mexican carrier is caught? Will the truck and cargo be seized? What happens to the driver? And is this a basis for disqualification from the pilot program? Again, this job will fall to state and local law enforcement. They must receive the proper training to look for this type of violation of law and to know how to deal with it.

Mr. Chairman and Members of the Subcommittee, I have raised a number of issues in my testimony that need to be addressed before any Mexican truck participates in any program that allows them to travel beyond the commercial zones. I would ask that you not permit this program to move forward. There are too many safety and homeland security issues that must be resolved before we can be assured that Mexican trucks and their drivers meet all U.S. safety requirements and that all of our national security concerns are addressed as well. I thank you for the opportunity to testify here today on this important issue, and I look forward to answering any questions you may have.

THE NAFTA TRUCKER

Holding The Line

By Charles Bowden

Investigative Reporter Charles Bowden's Story in the November 1999 Issue of The Teamster Told of Exploited, Exhausted, Unsafe Mexican Truck Drivers— Seven Years Later, Nothing has Changed.

There is a plan no one talks about very much, one that floats over the horizon like an approaching storm at sea. In this business dream, the Pacific ports of the United States will be shifted south to new massive anchorages in Mexico even though this increases the shipping distance by 30 percent for all the Asian tonnage. These new ports will be linked by major train and truck arteries—NAFTA Corridors—to the cities of the United States and Canada. Mexican trucking companies will be bought (and are being bought up now) by American firms and Mexican truckers will deliver the freight and freely drive all U.S. highways. In this plan, the shipping of the United States leaves union ports and the long haul trucking leaves union drivers.

An enlarged I-35 will reach north from the sister cities of Laredo/Nuevo Laredo 1,600 miles to Canada via San Antonio, Austin, Dallas/Ft. Worth, Kansas City, the Twin Cities and Duluth and I-69 will originate at the same crossing and streak north to Michigan. Each corridor will be about 1,200 feet wide. Six lanes will be dedicated to cars; four to trucks and in the middle will be rail and utilities. The goods will come from new Mexican ports on the Pacific coast. At the moment, at least five such corridors are on the drawing boards.

This is the story of some of the drivers who will be used by this plan. They know nothing of this scheme. They are too busy simply surviving to study such matters.

[quote]

“I stand in front of the yard of Trans Mex Swift, an American owned Mexican trucking company. The traffic of the World Trade Bridge roars past. In less than an hour, four truck tires explode. Mexican truckers are not coddled with good rigs or good tires. One semi pulls over. Both tires on the left rear back axle are gone and the trucker stares at rims resting on the pavement. One tire, he explains, went about 150 miles ago, but he had no money with which to buy another one. Now both are gone.”

PROFESSIONAL SECRETS

The five men sit at the truck stop table about 20 kilometers below the Rio Grande at Laredo-Nuevo Laredo on the Texas border. They, or their sons or grandsons, may someday be shock troops on the NAFTA Corridors. Just a few hundred yards from where the men eat and smoke, the major highway coming from the Mexican south forks. One road leads into Nuevo Laredo, the other arcs west and connects just west of the city with a trucking center on the U.S. side by means of the World Trade Bridge. This new bridge and dedicated truck highway is an early link in this NAFTA Corridor. At the moment, 5,800 trucks enter and leave this border crossing each

day, a trickle compared to the traffic that will pour north once the new ports, rails and roads come on line by 2025.

Their small lunch is finished, an empty liter of beer stands before one driver, and at the moment, they smoke and laugh and talk. For a Mexican trucker, life is an endless highway and the moments for conversation and fellowship can be few and far between.

They don't want their names used because they don't want trouble and life on the roads of Mexico is trouble enough.

"The longest distance I drive," said a driver about 30 in a black T-shirt, "is from Ensenada to Cancun, 4,500 kilometers. Five days and six nights alone. Tomatoes. The company won't pay for a second driver."

Ah, but how can a man stay awake and drive for five straight days?

The table erupts in laughter. The man facing the empty liter of beer smiles and says, "Professional secret."

The younger man in the black T-shirt offers one phrase, "Magic dust." There are more smiles and mention of "special chemicals."

And then they are off, a torrent of words and quips and smiles, and a knowing discussion of that jolt when a line of cocaine locks in. They are all family men who run the highways at least 25 days a month and they are adamant about two things—that nobody can run these long hauls without cocaine and crystal meth, and now and then some marijuana to level out the rush. And that the biggest danger on their endless runs comes from addicted Mexican truck drivers, which means all truck drivers.

DANGEROUS DRIVERS

The men earn about \$1,100 a month. In Mexico, the cost of living is roughly 80 or 90 percent that of the U.S. The only real bargain in Mexico is labor. Many other items cost more than the U.S.—the telephone rates are among the highest in the world and a sack of cement or a board foot of lumber costs more than in any American town.

None of the drivers at the table has driven in the U.S. save for short crossings where they dump the load and instantly return on special routes like the World Trade Bridge.

The man with the empty beer explains, "We make almost nothing—less than \$300 a week. I work 48 hours non-stop. I drive 2,400 kilometers per trip and get no time for turnarounds."

And every man at the table agrees on their biggest problem—the government. And by that they mean the police, especially federal, who rob them at will.

"If you drive to Mexico City," another driver adds, "you are robbed, for sure. Police are the first to rob you. If you report a robbery, the police try to make you the guilty person."

And now the table is rolling, about the bad equipment they are given, about the fact that the owners often stall them on payment, about how there is no escape from the job, that they all

know drivers who are still out there on long hauls at 70, how they have all been robbed and hijacked, have all killed people with their trucks and, given the nature of Mexican police, have all fled such accident sites, that they are all doomed to spend their lives on an asphalt treadmill. And so they take pride, enormous pride, in the fact that they can survive the life that has been dealt them.

“DUST IN THE AIR”

The basic Mexican trucker is living the life that American truckers once tasted before the Teamsters fashioned over-the road contracts. There are warm moments in this life. Women.

The men talk with smiles of cachimbas, which means fireplaces. In earlier days on the road, there would be wooden shacks with fires going, roadside brothels. Mexico now has four-lane roads for many truck routes and stouter buildings, but the term cachimba has stuck for truck stops where women and drugs are freely available.

One man says, “Don’t print that. If you do, all those American truckers will want to drive down here.”

A woman costs about \$20 and drugs are like dust in the air. A Mexican trucker can get anything at a cachimba but decent food. They all agree that the most beautiful women are on the West Coast route that snakes through the narco state of Sinaloa.

For a moment, the men are all smiles and then this moment passes.

“The worst thing,” one says with some bitterness, “is not being home. We all have two or three Sanchos,” meaning strangers who sleep with their wives when they are gone.

NO SLEEP AT ALL

Francisco Samuel Angiana is around 40 years old and he is out of sorts as he lingers at a truck stop in Santa Ana, Sonora, about 60 miles south of the Nogales, Arizona crossing. This is yet another NAFTA corridor, a sketch on some future map that will eventually be the route for torrents of Mexican truckers moving freight from the planned Mexican ports.

He was robbed the night before at a truck stop in Caborca, a narco town on the Mexican federal highway that links Baja, California with the Mexican mainland. He points to the hole in his dashboard where his CB radio and regular radio once rested. He is on his basic run from Tijuana to Mexico City. Normally, he is allowed 72 hours for this route, but sometimes he does the express run of 48 hours and then he gets no sleep at all.

“I have 20 years experience,” he adds, “Here you make the rules and take a lot of amphetamines.”

But he tries to live cleanly and so he personally uses massive vitamin doses and various power drinks of caffeine and herbs to keep him rolling. A crucified Christ hangs in one corner of his cab and when he drives he stares at portraits of his wife and three children to keep him moving. On the seat beside him is a laptop computer—he is constantly monitored by GPS and he is never told what his cargo is for security reasons. He drives at least a 130,000 miles a year, is almost

never home and earns maybe \$1,100 a month. And he is very intelligent and once planned to be a lawyer before the reality of the Mexican economy put him behind the wheel of a semi.

PAWNS IN A GAME

He has been robbed before and tries to be ready for such moments. He hauls out a small baseball bat, and his knife. He demonstrates how he can do a karate kick to the head while seated behind his steering wheel. He is a small man in jeans, blue shirt and cowboy boots and he repeatedly shows me this practiced kick to within an inch of my head.

Then he brings out his infrared binoculars. At night they prove useful, he explains. He can see lights ahead, stare out through them, and if he sees a federal police roadblock, then he pulls over and tries to find a way around the cops lest they also rob him. He also carries two sets of identification because you never really know whom you are dealing with out there on the road. He's been hijacked twice. He points to the photographs of his family and says, "They give me the energy to keep going. If you are alone, no one helps you. It is you and your truck."

He adds softly, "The hardest part of my job is staying alive."

He has never heard of the Teamsters Union. But he has a brother in the United States who drives a truck for Wells Fargo.

"He is constantly telling me to come to the U.S.," Francisco says, "That you only have to work certain hours there."

But he stays in Mexico.

Francisco is a proud man all but killing himself on Mexican roads. Now he faces a 1,000-mile leg to Mexico City without the security of his CB. He will drive a gauntlet of Mexican cops and bandits. He'll make his haul, have a few brief moments with his family, and then return to the road.

He keeps a gallon of water and a liter of apple juice on the floor where he can reach them. He will never stop rolling until he dies. It is very hard to see him and the other truckers as the enemy. They are pawns in a game that has never been explained to them.

As the truckers in Nuevo Laredo explain their lives to me, lives typical of Mexican truckers like Francisco, a demonstration of 3,000 drivers takes place at the World Trade Bridge. The truckers protest the 90-minute wait they face to cross the bridge, a delay that cuts into their earnings since they are not paid by the hour. No one at the table mentions this since no one at the table believes anything will ever get better.

LA SANTISIMA

I stand in front of the yard of Trans Mex Swift, an American-owned Mexican trucking company. The traffic of the World Trade Bridge roars past. In less than an hour, four truck tires explode. Mexican truckers are not coddled with good rigs or good tires. One semi pulls over. Both tires on the left rear back axle are gone and the trucker stares at rims resting on the pavement. One tire,

he explains, went about 150 miles ago, but he had no money with which to buy another one. Now both are gone.

Politicians, unions and lobbyists will sort out what to do about Mexican truckers coming north. But here on the actual ground, the truckers have sought their own relief. All over the country, a strange figure has appeared in the last five years or so, La Santisima Muerte, Most Holy Death. She is skeletal, wears a long robe, carries a scythe and holds the whole world in her hand. She is recognized by no church or government. But she is known to all who move down these roads.

At the cloverleaf where the truck traffic spins off the I-35 corridor to the World Trade Bridge, a small tin structure the size of a doll house appeared five years ago. Now three large chapels have come out of the ground and in front of them are two statues of the La Santisima seven or eight feet tall. Semis constantly pull over, engines idling, and the truckers walk to the statues and pray. They leave candy bars, fruits, small coins and burning cigarettes. They ask La Santisima to spare their lives, to protect them on the dangerous roads, to bring them home to their women and children. They speak softly with that careful voice of reverence normally heard only in churches.

If the free-trade bureaucrats have their way, Mexican truckers will come north and they will be overworked and underpaid and pushed almost beyond human endurance.

Right now, La Santisima is the only one watching out for them.

That will have to change or nothing will change at all.