



August 20, 2019

The Honorable Richard Shelby
Chairman, Committee on Appropriations
United States Senate
304 Russell Senate Office Building
Washington, DC 20510-4502

The Honorable Patrick Leahy
Ranking Member, Committee on Appropriations
United States Senate
437 Russell Senate Office Building
Washington, DC 20510-4502

Dear Chairman Shelby and Ranking Member Leahy:

We write to express strong opposition to Section 134 of the House of Representatives-passed fiscal year (FY) 2020 Transportation, Housing and Urban Development and Related Agencies (T-HUD) Appropriations bill. As the Senate Appropriations Committee begins work on FY 2020 appropriations bills this fall, we urge the committee to reject this dangerous and misguided policy rider. Furthermore, we also urge the committee to ensure that the provision is removed in the House/Senate conference committee process.

Section 134 of the House-passed FY 2020 T-HUD bill, which would do irreparable harm to the current efforts underway to improve the Federal Motor Carrier Safety Administration's (FMCSA) Crash, Safety Accountability (CSA) program, states that:

SECTION. 134. Notwithstanding any restriction under part II of subtitle B of title V of the FAST Act, not later than 18 months after enactment of this Act, the Administrator of the Federal Motor Carrier Safety Administration shall make available on a public website information regarding analysis of violations developed under the agency's Compliance, Safety, Accountability program, consistent with the data that the agency made publicly available immediately before December 4, 2015.

This dangerous policy rider would be a step backwards for safety, rolling back the important legislative reforms in the FAST Act to repair the flawed CSA scoring system—a system that both the Government Accountability Office (GAO) and the National Academy of Sciences (NAS) found to be unsound, using incomplete and unreliable data to develop motor carrier safety scores. The FAST Act directed a full diagnostics and reboot of the CSA system, yet, this provision would disregard that legislative directive, as well as the ongoing work at DOT to improve CSA, instead returning CSA to a system of inaccurate scores. Section 134 would disregard the important ongoing work at DOT to improve the CSA program to the detriment of highway safety.

The Association of the Professional 3PL Industry

As you begin work on the Senate FY 2020 T-HUD Appropriations bill this fall, we urge you to oppose any attempts to pre-empt the bi-partisan reform language included in the FAST Act. Our nation deserves to have the safest motor carriers operating on our nation's highways and roads. FMCSA is trying to fix this flawed system that plays a major role in identifying those motor carriers. Congress needs to give the Agency the time they need to ensure public safety throughout our transportation system.

Additionally, included in the recently approved two-year budget deal is an agreement not to include controversial policy riders in future spending bills. We welcome this agreement, and hope that it cements that Section 134, which is clearly a controversial poison pill policy rider, will not be included as part of the final spending package agreed to by the House and Senate, and signed into law by the President.

Thank you for your consideration of our concerns.

Sincerely,

