



Congress of the United States
House of Representatives
Washington, DC 20515

July 10, 2017

The Honorable Mario Diaz-Balart
Chairman
Subcommittee on Transportation, Housing
and Urban Development, and Related
Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

The Honorable David Price
Ranking Member
Subcommittee on Transportation, Housing
and Urban Development, and Related
Agencies
Committee on Appropriations
U.S. House of Representatives
Washington, DC 20515

Dear Chairman Diaz-Balart and Ranking Member Price,

As you begin deliberations on the Transportation, Housing and Urban Development, and Related Agencies Appropriations Act for Fiscal Year 2018, we write to express our support for the inclusion of the below language, submitted by Congressman Valadao, that would provide a one year delay implementation of electronic logging devices (ELDs) for livestock haulers.

SEC. ____ EXEMPTION FROM REQUIREMENT FOR ELECTRONIC LOGGING DEVICE.

None of the funds appropriated or otherwise made available to the Department of Transportation by this Act or any other Act during the current fiscal year may be obligated or expended to implement, administer, or enforce the requirements of section 31137 of title 49, United States Code, or any regulation issued by the Secretary pursuant to such section, with respect to the use of electronic logging devices by operators of commercial motor vehicles, as defined in section 31132(1) of such title, transporting livestock as defined in section 602 of the Emergency Livestock Feed Assistance Act of 1988 (7 U.S.C. 1471) or insects.

Time spent on a truck can be stressful for cattle. Unnecessary stops or multiple loads and unloads add additional stress resulting in potential livestock weight loss and increased animal sickness and death. Recent research conducted at Kansas State University, continues to support this guidance, noting that while cattle will begin to show signs of fatigue after 15 hours there is a substantial increase in morbidity and mortality rates after 30 hours of transport.

Research also concluded that while rest stops for feed and water consumption might have good intentions, no positive gains were shown when these stops were included because of the added stress from the additional loading and unfamiliar surroundings. In addition, rest stops increase the likelihood the animals are introduced to unfamiliar pathogens. In this industry, it is imperative the animals arrive to their destination as quickly as possible, with limited offloading.

Congress of the United States
House of Representatives
Washington, DC 20515-1601

Livestock haulers across the country have the difficult task of ensuring motorist safety while also tending to the health and welfare of the animals transported. Unfortunately, the pending December 18, 2017 ELD enforcement date and existing hours of service rules do not adequately accommodate this subset of the industry. A one year delay would allow time for industry members and authorities concerns to be addressed, as well as receive sufficient training to ensure uniform compliance and enforcement.

When recently questioned on the long-term solutions for this issue, and on the specifics of the ELD devices and their impact on livestock haulers and the animals, Secretary Chao was unable to provide an adequate response, unaware this was an issue for the industry. We believe that providing a delay in the implementation of ELDs would allow for proper analysis of the unintended consequences of this mandate on our livestock haulers.

Motorist safety remains a top priority of ours, as does the welfare of our livestock. We strongly urge you to include the language submitted by Rep. Valadao. We thank you for the effort and dutiful consideration of FY 2018 appropriations request. Your leadership on the Appropriations Committee is most appreciated.

Sincerely,



Roger Marshall, M.D.
Member of Congress



Frank Lucas
Member of Congress



Jason Smith
Member of Congress