

BYRON DONALDS  
19TH DISTRICT, FLORIDA  
donalds.house.gov

COMMITTEE ON THE BUDGET  
COMMITTEE ON OVERSIGHT AND REFORM  
COMMITTEE ON SMALL BUSINESS

Congress of the United States  
House of Representatives  
Washington, DC 20515-0919

February 23, 2022

WASHINGTON, DC OFFICE  
523 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515  
(202) 225-2536

COLLIER COUNTY OFFICE  
3299 TAMiami TRAIL EAST, SUITE 105  
NAPLES, FL 34112  
(239) 252-6225

LEE COUNTY OFFICE  
1039 SE 9TH AVENUE, SUITE 308  
CAPE CORAL, FL 33990  
(239) 599-6033

The Honorable Joseph R. Biden  
President  
United States of America  
1600 Pennsylvania Ave., NW  
Washington, D.C. 20220

The Honorable Justin Trudeau  
Prime Minister  
Canada  
80 Wellington Street  
Ottawa, ON K1A 0A2

Dear President Biden and Prime Minister Trudeau:

We write today to express our concern about the ongoing trucker protests taking place on the U.S.-Canada border. The origins of the protests arose from the implementation of COVID-19 vaccination travel requirements between the United States and Canada. Your travel-related protocols and the resulting trucker protests are especially concerning in the midst of the ongoing global supply chain crisis, skyrocketing prices, and historic inflationary rates.

At the beginning of this year, the Biden administration and the Canadian Ministry announced COVID-19 vaccine mandates for all travelers at land ports of entry and ferry terminals.<sup>1</sup> As a result, many truckers have decided to protest near the U.S.-Canada border to ultimately voice their concerns about the arbitrary vaccine mandates. With that being said, we fear that the trucker protests will result in widespread negative economic repercussions on U.S.-Canada trade—thereby inhibiting the free flow of commerce throughout North America. To echo the recent comments of President Biden, the protests will result in “serious effects [such as] slowdowns in production, shortened work hours, and plant closures.”<sup>2</sup>

As you may know, the United States and Canada represent the world’s most comprehensive bilateral trade relationship, with both countries leaning heavily on ground transportation to transport their goods across the border.<sup>3</sup> In fact, nearly \$1.7 billion in goods and services cross between the U.S.-Canada border each day.<sup>4</sup> Specifically, the Canadian Trucking Alliance (CTA) expects as many as 22,000 Canadian truck drivers and 16,000 American truckers to alter their intercontinental trip itinerary due to your countries’ vaccination requirements.<sup>5</sup> Also to note, truckers transported about 70.9% of surface trade between the U.S.-Canada in FY2020—which adds up to approximately \$695 billion in profit made by the trucking industry over that fiscal year alone.<sup>6</sup> Moreover, Canada is the largest buyer of U.S. exports—with Canada being the most important

<sup>1</sup> U.S. DEPARTMENT OF HOMELAND SECURITY, *Frequently Asked Questions: Guidance for Travelers to Enter the U.S.* (Jan. 20, 2022), <https://www.dhs.gov/news/2021/10/29/frequently-asked-questions-guidance-travelers-enter-us>.

<sup>2</sup> WHITE HOUSE, *Readout of President Biden’s Call with Prime Minister Justin Trudeau of Canada*, <https://www.whitehouse.gov/briefing-room/statements-releases/2022/02/11/readout-of-president-bidens-call-with-prime-minister-justin-trudeau-of-canada/>.

<sup>3</sup> See U.S. DEPARTMENT OF STATE, *U.S. Relations with Canada*, <https://www.state.gov/u-s-relations-with-canada/>.

<sup>4</sup> *Id.*

<sup>5</sup> See TRUCKING INFO, *Canada Says Cross-Border Truckers Must Be Vaccinated*, <https://www.truckinginfo.com/10156483/canada-says-cross-border-truckers-must-be-vaccinated>.

<sup>6</sup> See AMERICAN TRUCKING ASSOCIATIONS, *Economics and Industry Data*, <https://www.trucking.org/economics-and-industry-data>.

customer for thirty-six individual states—in addition to the fact that 78% of Canadian exports are bought by Americans.<sup>7</sup> All in all, the economic impacts arising from the vaccine mandates and subsequent trucker protests may cause severe disruptions over the highly integrated U.S.-Canada supply chain—particularly by disrupting the influx of tourism which thereby harms the regional economies in cross-border communities. These statistics alone illustrate the importance of the current protests at the U.S.-Canada border, and we seek answers for transparency’s sake about the economic impacts that have resulted or may result from the continuing Coronavirus-centered trucker protests.

We also want to share our concerns about Mr. Trudeau’s use of the Emergencies Act (the Act) which gives the Canadian Government supplemental powers to handle and dispense of the trucker protests in Canada.<sup>8</sup> Specifically, the Act gives the Canadian Ministry the extraordinary ability to “take special temporary measures that may not be appropriate in normal times” to cope with an “urgent and critical situation.”<sup>9</sup> In other words, the situation must meet a high bar “that seriously endangers the lives, health or safety of Canadians.”<sup>10</sup> Specifically in this case, the Act was passed in 1988 and has never been used, which also sparks additional concerns when coupled with the overarching meaning of the truckers’ message.<sup>11</sup> While both of our countries continue to embrace the notions of democracy and federalism, unnecessary government regulation is never the answer. The protesting truckers should be able to maintain their fundamental right to express their opposition to the countries’ vaccine mandates, but using the federal government to suppress the truckers’ cause is troublesome in itself—under both the principles of America and Canada alike.

Overall, we write to state our support of the protesting truckers as they continue to express their concerns about the arbitrary vaccine travel requirements. It is an individual’s fundamental right to decide whether or not to get vaccinated. Requiring vaccinations to cross the U.S.-Canada border is intrusive, hampers international travel, and rightfully gives rise to the truckers’ ongoing protests.

With the potential global economic impacts that may result from the ongoing trucker protests, we would like both of you to answer the following questions about your current handling of the trucker protests:

- 1) What is the current status of the trucker protests in both of your countries? Approximately how many truckers are currently protesting? Where are the protests being held?
- 2) Have you spoken with the leaders of the trucker protests to hear their perspectives? What is the root cause of the protest? What solution do the truckers propose?
- 3) What are some examples of the “significant direct impacts on citizens’ lives”<sup>12</sup> that may result from the ongoing trucker protests? What are the resulting short-term and long-term economic impacts that may potentially arise from the trucker protests?
- 4) What collaborative options are there for the United States and Canada to partner in an attempt to resolve the ongoing trucker protests? What is the proposed real-time plan to ensure that the free flow of traffic between the U.S.-Canada is restored? Have there been any discussions with the private sector to leverage existing programs to prevent further interruption of the North American supply chain?

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<sup>7</sup> See OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE, *U.S.-Canada Trade Facts*, <https://ustr.gov/countries-regions/americas/canada>.

<sup>8</sup> R.S.C. 1985, c. 22 (4th Supp.).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> See *Canada Parliament Backs Trudeau on Emergency Powers*, BBC (Feb. 16, 2022), <https://www.bbc.com/news/world-us-canada-60381096>.

<sup>12</sup> *Supra* note 2.

- 5) Are the Canadian and American Governments providing public information about the current travel delays caused by the trucker protests? In other words, are the resulting delays being transparently noticed to the public?
- 6) What provision of Canadian law allows financial institutions to immediately freeze or suspend the accounts—without a court order—of individuals that support the truckers’ protest? Why has the Canadian government shared the names of individuals, entities, and their cryptocurrency wallets with financial institutions? Is this consistent with the democratic notion of financial freedom? What will happen to the truckers’ vehicle insurance if it’s suspended under the Act? Do the same criteria apply for non-truckers located in the vicinity of the trucker protests even if they are not actively protesting?
- 7) What real impact does requiring COVID-19 vaccination have on the health of individual truckers? Specifically, 90% of Canadian truckers are vaccinated.<sup>13</sup> What was the Canadian Government’s risk calculation to go after the remaining 10%? Does the support of vaccinated truckers for the unvaccinated truckers’ cause have an impact on the overall approach to resolving the current trucker protests?
- 8) Prime Minister Trudeau, can you ensure that military force will not be used to end the ongoing peaceful trucker protests?

Thanks for your attention to this important matter, and we look forward to receiving your response soon.

Sincerely,



Rep. Byron Donalds  
Member of Congress



Rep. Troy E. Nehls  
Member of Congress



Rep. Nicole Malliotakis  
Member of Congress



Rep. Jefferson Van Drew  
Member of Congress



Rep. Michelle Fischbach  
Member of Congress



Rep. Chris Jacobs  
Member of Congress

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<sup>13</sup> See Katherine Fung, *Canadian “Freedom” Truckers Protest Vaccines As 90 Percent of Drivers Vaccinated*, NEWSWEEK (Jan. 28, 2022), <https://www.newsweek.com/canadian-freedom-truckers-protest-vaccines-90-percent-drivers-vaccinated-1674109>.

cc: The Honorable Antony Blinken, Secretary  
U.S. Department of State

The Honorable Gina Raimondo, Secretary  
U.S. Department of Commerce

The Honorable Pete Buttigieg, Secretary  
U.S. Department of Transportation

The Honorable Katherine Tai, U.S. Trade Representative  
Executive Office of the President

The Honorable Seamus O'Regan Jr.  
Minister of Labor

The Honorable Chrystia Freeland  
Deputy Prime Minister and Minister of Finance

The Honorable Marco E. L. Mendicino  
Minister of Public Safety

The Honorable Mary Ng  
Minister of International Trade, Export Promotion, Small Business and Economic Development

The Honorable Omar Alhabra  
Minister of Transport