DEAR FRIENDS,

The Border Trade Alliance is pleased to share its annual policy agenda. This year’s edition arrives following several months of disruption and uncertainty amid a pandemic that has upended trade not just across our borders but around the globe.

We open 2021 with the promise of brighter days ahead thanks to unprecedented medical ingenuity and effort and the hope that public health will be restored, as will cross-border trade and commerce.

As you will read in the following document, the BTA builds on its now 35-year record as a steadfast champion for the prosperity and economic competitiveness that results from free trade. We were one of USMCA’s most vocal proponents and welcomed last year’s bipartisan adoption solidifying North America as the world’s most competitive trade bloc. But early in the agreement’s implementation there are already reminders that we must be vigilant to ensure the accord is enforced in both letter and spirit.

We look forward to working with this new administration to shape public policy that strengthens the USMCA, increases trade volumes, and lowers barriers between trade partners, manufacturers, growers, and consumers. We also look forward to continuing to work with federal agencies and local stakeholders in the public and private sectors to resume cross-border travel and tourism safely and responsibly.

The BTA is proud to represent a wide cross-section of the North American trade community and to advocate for policies that grow communities, create jobs and generate economic security. If you are not already a member, we encourage you to join North America’s most prominent voice for free, secure, and efficient trade.

Sergio Contreras, Chair
Rio Grande Valley Partnership, Texas

Britton Mullen, President

BTA SECURITY AND TRADE COMMITTEE

Jim Smith, Chair
AO Smith
Ashland, Tennessee

Committee Scope

The Security and Trade Committee oversees policies and procedures at the land border ports of entry, promoting policies that encourage and foster legitimate trade and travel while ensuring that border agencies – specifically Customs and Border Protection – have the tools necessary to carry out their important enforcement mission. The Committee also interacts with other North American customs agencies, the Canadian Border Services Agency and Mexican Aduanas.

The committee has an Agribusiness Subcommittee, which monitors policy issues related specifically to the trade of produce and livestock, including inspection procedures, staffing resources, and phytosanitary standards.

2021 Goals

Achieving economic growth and security

Collaboration between local officials to work with Customs and Border Protection to allow for safe cross-border travel of all kinds

Severe restrictions on cross-border travel have devastated the communities and businesses along the country’s borders with Mexico and Canada. Further restrictions will exacerbate the damage and cause an economic calamity.

Ensuring ports of entry are properly resourced to process trade and travel without interruption

More resources devoted to facilitating trade means more resources devoted to the interdiction of contraband and the prevention of smuggling and unlawful entries.

Further, the BTA maintains its position that congressional appropriators should fund DHS and the agencies at U.S. ports of entry at levels commensurate with current and projected trade and travel volumes.

Ensuring all work performed in FTZs qualifies for USMCA

The committee supports a policy reform that would ensure any manufacturing performed within a designated Foreign Trade Zone (FTZ) would qualify the resulting component or product for tariff-free treatment under USMCA. Doing so would increase the U.S.’ competitiveness in the manufacturing sector.

Congressional participation in and oversight of tariff policy, including Sec. 232 tariffs

Congress should exercise robust oversight in determining tariffs’ effect on particular industries and the overall economy.

The BTA also believes that invoking Section 232 of the Trade Expansion Act of 1962 in order to impose tariffs for national security purposes should be done so only in rare cases where the security concern is apparent and clearly defined.

Innovative trade processing solutions

Unified Cargo Processing

UCP was codified in USMCA and, as a result, it should become the default inspection model. Further, we support UCP’s expansion to the rail environment.

Technological pre-inspection

The BTA supports the pilot testing of a “technological pre-inspection” model at the Peace Bridge spanning the Niagara River between Buffalo, New York and Ft. Erie, Ontario, whereby technology like license plate readers, VACIS non-intrusive inspection machines, biometric verification and under-vehicle inspection technology is relocated to the Canadian side of the border, while scanning imagery is transmitted to an analysis center in the U.S. and adjudicated while the truck is crossing the bridge.
Support continued development and refinement of North American Single Window objectives

The Committee strongly supports the North American Single Window objectives for entry and exit from all three North American countries, which allows parties involved in trade and transport to lodge standardized information and documents with a single entry point to fulfill all import, export, and transit related regulatory requirements.

Trade-friendly public-private partnerships

The BTA’s support for the P3 concept is not intended to imply support for passing any increases in bridge tolls or other fees along to industry. We believe free bridges should remain free.

Also, fee payers should have confidence that their payments to the federal government should go to specific trade facilitation purposes, not to the general fund.

The BTA supports reimbursable fee agreements where there are clear, measurable improvement goals in staffing and infrastructure.

Improving trade efficiencies

Implement consistent metrics for border wait times

A consistent and standardized measurement process for inbound and outbound wait times on both sides of the border is critical. Measurements should be compared to wait time goals and results should be made available to the trade community.

Promoting Cross-Border Travel

Reforming visa policy

The committee recommends negotiations with Mexico to allow business visitors to enter Mexico without a visa and to remove the requirement for an FMM permit, which is currently valid for only six months, does not permit multiple entries, and is required to visit manufacturing facilities in Mexico.

Strengthening Trusted Shipper Programs: CTPAT, PIP and OEA

Making trusted shipper programs more attractive to business

We recommend:

- Expanded hours of service for trusted shipper traffic at ports of entry; and
- Continued pursuit of additional benefits, such as automatic in-bond release and Tier 3 for cross-border carriers.

Ensuring strong diplomatic ties

Continued strong diplomatic ties between the U.S. and its border neighbors

Now more than ever, the importance of the maintenance of fully staffed and resourced U.S. embassies and consulates in each country is apparent as countries work to align definitions of critical industries, public health protocols, and more. Administrations should strive to ensure that U.S. embassies in Ottawa and Mexico City are led by a Senate-confirmed ambassador.

AGRIBUSINESS SUBCOMMITTEE

Dante Galeazzi, Chair
Texas International Produce Association
Mission, TX

2021 Goals

Properly resourced ports of entry

Work with administration and congressional appropriators to ensure personnel levels at ports of entry are commensurate with trade volumes

The agencies charged with agricultural product inspection and processing must be properly resourced. The Subcommittee urges the administration and congressional appropriators to pay particular attention to the following positions:

CBP Agriculture Specialists, technicians:

The BTA strongly supports bipartisan legislation authorizing CBP to hire enough Specialists above attrition to meet the agency’s workforce targets and was pleased that the Protecting America’s Food & Agriculture Act of 2019 was signed into law in March 2020.

Furthermore, the Subcommittee believes that the Department of Homeland Security should take all necessary steps to avoid the redeployments of CBP Officers away from ports of entry, which results in Agriculture Specialists performing duties unrelated to their core mission and in the slow-down of perishable cargo processing.

USDA Entomologists:

Similar to CBP, USDA APHIS PPQ personnel figures have not grown to keep pace with the increasing $11.7 billion of fresh produce entering the U.S. from Mexico. This creates both a risk to domestic agriculture as well as impedes the crossing activities for fresh produce loads that have to wait for the limited access to inspectors. The Subcommittee urges the Government Accountability Office to investigate on a port-by-port basis each port’s agency staffing levels in comparison to the agricultural tonnage the port processes.
Cross-border cooperation and harmonization

Resist growth of non-tariff barriers to trade
In the early days of USMCA, we are concerned that there is already evidence of actions that run counter to the agreement’s goals, specifically when it comes to a narrow segment of regional interests driving policy over the importation of certain fresh fruits and vegetables. We strongly oppose any perceived safeguard actions that could spark retaliatory actions by our trade partners, which would harm U.S. consumers, sacrifice jobs, and undermine USMCA’s promise.

We would urge partner countries and affected industries to rely on USMCA's dispute resolution mechanism and avoid protectionist actions that run counter to the agreement.

Encourage the U.S. and Mexico to develop mutually beneficial relationships
The Subcommittee supports efforts that would allow agricultural agencies – i.e. SADER, SENASICA and USDA – to inspect goods in their home country, rather than the destination country agency performing the inspection.

Harmonization of standards where possible
Trade partner should look for areas to align standards. Potential areas include pesticide residue standards, tariff codes, and paperwork.

Monitor progress of USDA organic certification program
Several of the regulations suggested or implied in the recent Federal Registry for the Organic Standards Certification program may implement unnecessary and onerous document requirements for carriers of Mexican-grown organic agriculture items. BTA would oppose any such efforts that place an undue and costly burden on the industry.

Advocate for consistent enforcement of USDA regulations on wood pallets and wood packaging materials
The BTA is concerned by the uneven enforcement regulations regarding the handling of wood packaging material violations. Inconsistent enforcement increases costs on the trade, leads to port shopping, and makes the supply chain less efficient.

Technology, policies and procedures that facilitate trade, reduce delays
Seek funding for additional NII (Non-Intrusive Inspection) equipment at the major produce-crossing land ports.
Furthering the use of NII technology will: reduce wait times; prevent trucks from opening cargo doors and breaking the cold chain; free up government agency personnel; and increase the flow of goods and services across the border to the benefit of all.

Increasing refrigerated inspection capacity
BTA supports Congress and the administration increasing funding to expand the infrastructure for refrigerated inspection capacity at the ports of entry.

Ensure Unified Cargo Processing encompasses all trade, including produce and livestock
UCP should also be used to inspect all types of trade, which includes agricultural goods such as fresh produce and livestock.

Representation for agricultural trade needs in Congress
Border state representation on relevant committees
The Subcommittee calls on House and Senate leadership to ensure that border states are represented on the relevant committees with responsibility over agricultural trade-related issues.

Support for cross-border studies
The Subcommittee supports efforts to gather reliable data via studies for the purpose of identifying areas of greatest benefit or need to further expand fresh produce trade between the three countries.

TRANSPORTATION AND INFRASTRUCTURE COMMITTEE

Danny Rios, Chair
S&B Infrastructure
McAllen, Texas

Committee Scope
The Transportation and Infrastructure Committee is responsible for developing the BTA's positions on issues regarding mobility, trade-facilitating infrastructure, environmental infrastructure such as wastewater treatment and water delivery systems, cross-border energy transmissions and telecommunications, and cross-border trucking and rail policy. The Committee also assesses policies affecting the presidential permitting process and promotes efforts to increase private sector and local community participation in the development of border infrastructure.

The Committee supports policies and funding levels that improve transportation efficiency and that are aimed at developing infrastructure that is reflective of today’s cross-border trade volumes.

2021 Goals
Supporting a long-term, pro-trade transportation plan
FAST Act reauthorization
Ensure that the next long-term transportation reauthorization facilitates trade-facilitating infrastructure investment in and around ports of entry, contains strategies for promoting freight mobility, delivers maximum flexibility for border state departments of transportation, and includes regulatory reforms that move projects from concept to completion more quickly.
Improving border infrastructure, especially in and around ports of entry

Improving the Donation Acceptance Program
We support Congress’ one-year extension in 2020 of the Donation Acceptance Program, a tool that promotes greater cooperation between local trade community stakeholders in port of entry infrastructure enhancements.

We will work with Congress to improve the DAP to make it more effective and to reauthorize it for the long-term.

Upgrading border region environmental infrastructure
The Committee believes the quality of life in our border regions is enhanced when modern environmental infrastructure is available to facilitate water delivery, treat wastewater, and improve air quality.

The Committee is particularly concerned about the spillage of sewage from Mexico into U.S. border communities that has resulted in public health concerns as well as disruptions to the local tourist economy, port operations, and military readiness.

The development of new infrastructure financing options, such as increased capitalization for the North American Development Bank
We support efforts to allow for the NADB to provide financing for projects related to natural gas, with an emphasis on cross-border energy distribution and consumption while ensuring the energy security of the United States and Mexico; as well as the expansion or new construction of international land border crossings to help facilitate the lawful flow of goods and travel across the U.S.-Mexico border.

The BTA supports the creation of a commission or department within NADBank to assess basic infrastructure needs in and around ports, as well as public environmental health challenges in border communities.

Enhancing technological infrastructure
Dramatically increasing broadband access at ports of entry

The BTA believes that land border ports of entry are in need of greater access to internet broadband. Upgrading broadband availability will lead to greater trade throughput by increasing the mobility of CBP officers around the port campus, preventing them from being tied to inspection booths. Improved broadband will also allow CBP to move to a command center model that allows for remote inspection targeting and increase the likelihood that future agency resource decisions are based on reliable, fresh data.

Deploy leading-edge non-intrusive inspection equipment that can lead to 100 percent inspections
The BTA supports the deployment of this leading-edge inspection technology that provides officers a clear picture of the contents of containers that, with the proper broadband technology, could be relayed to a remote command center where personnel can recommend further inspection.

A regulatory environment to encourage trade throughput and enhance border infrastructure

Improving the permitting process
The BTA advocates intra-agency coordination between the U.S. Department of Transportation and the U.S. State Department to develop actionable means of dealing with the unique challenges of permitting and approving border-oriented projects. The permitting process should also indicate the justification for the construction of new ports of entry, including existing trade flows, congestion and other economic reasons, and should ensure that existing ports of entry are being utilized to the optimal degree.

Presidential permits should also be extended when events warrant so as not to increase time and costs necessary to bring a project to completion.

The importance of a multi-modal freight strategy
The BTA believes that a multi-modal approach to freight transportation can help solve critical international infrastructure congestion with faster project delivery and lower costs to both shippers and governmental entities. BTA advocates that no mode – trucking, rail, maritime or aviation – is unfairly disadvantaged by border infrastructure, access, inspection levels, or allocation of CBP resources.

Ensuring safe cross-border transportation
Consistently applied, border-wide safety inspection regime
The committee believes that state transportation and public safety departments should work closely with the Federal Motor Carrier Safety Administration to ensure that trucks are not subject to duplicative safety inspections that lead to costly shipping delays. Our concern over duplicative inspections extends to the rail environment, as well.

SEAPORTS SUBCOMMITTEE

Eduardo A. Campirano, Chair
Port of Brownsville
Brownsville, Texas

2021 Goals
Increasing freight capacity at seaports
Seaports are vital to North America’s economic health. In the U.S., cargo activity at seaports accounts for 26 percent of the economy and they are responsible for over 31 million jobs.

In order to ensure seaports are equipped to process increasing trade volumes and to accommodate larger ships, the Subcommittee supports infrastructure improvements at seaports, including maintaining the authorized drafts and to support funding of congressionally authorized projects to deepen ship channels.
PUBLIC POLICY COMMITTEE

Kathy Neal, Chair
Regal Beloit
Dallas, Texas

Committee Scope
The Public Policy Committee Serves as the main advocacy arm of the Border Trade Alliance, representing the organization’s policy committees’ priority issue positions before lawmakers and agencies.

2021 Goals

Nimble governmental responses to emerging challenges
The past year has demonstrated a real and emergent need for North American governments to be able to adapt to new challenges that risk tremendous economic harm to the region. U.S. inspection agencies must be prepared for:

Ongoing challenges resulting from the Covid-19 global health pandemic
The Department’s response should be to responsibly control the virus’ spread without interruption to commercial truck and rail, private vehicle, or pedestrian border crossings.

Further, the Department should carefully calibrate its response in coordination with local officials in border communities. The criteria the Department relies on should be publicly communicated.

Anticipating surges in asylum-seeking migrants at the U.S.-Mexico border
The federal government must be prepared with a practical and humane response that does not result in disruptions to lawful trade and travel.

The BTA encourages CBP, as part of its overall recruitment efforts, to seek individuals who can also fulfill roles within the agency that are more administrative in nature and do not require a highly trained CBP officer. We believe strongly that highly trained specialists should not be redeployed away from ports of entry, as doing so will exacerbate delays at the ports and increases the likelihood that an immigration crisis could quickly become a trade, travel and economic crisis.

The BTA will continue to advocate before Congress that CBP staffing levels must be commensurate with trade volumes and the challenges that come from migrant flows.

Rethinking port facility ownership and modernization
The current scheme results in occasional jurisdictional conflicts, multiple congressional oversight and appropriations committees, and agencies whose missions do not neatly align.

CBP is the agency best equipped to respond to the port modernization and construction needs and shifting demands of trade and travel. We would urge Congress and the administration to explore how to shift governmental POE ownership away from GSA.

Further, the BTA recommends an at-least-one-year extension to the Donation Acceptance Program as well as reforms to the program that include creating opportunities for local government donors to establish concession programs to retire bond or loan debt on donated projects.

Preserving and growing the maquiladora sector
The maquiladora (or IMMEX) manufacturing operation allows U.S. companies to utilize highly skilled Mexican workers to manufacture or assemble goods in high-volume quantities. This helps fill the labor gap in many U.S. cities. Factory jobs in Mexico result in warehouse, distribution, administrative, and design/engineering jobs in the U.S. and helps keep skilled workers employed in Mexico.

Opposing technical, non-tariff barriers to trade.
The BTA welcomed the 2019 adoption and implementation of the United States-Mexico-Canada Agreement, a significant achievement that preserves North America’s position as the globe’s most competitive regional trade bloc.

To that end, we will focus on resisting efforts in all three countries that attempt to circumvent USMCA’s goals of tariff-free trade. This includes advocating for greater congressional oversight of tariff policy; opposing unilateral executive branch efforts to establish new tariffs, including Section 232 tariffs; and ensuring that trade policy is crafted to benefit all stakeholders.

The BTA supports USMCA’s dispute resolution options as the preferable mechanism for settling disagreements between parties rather than unilateral actions by member governments.

As we seek to fulfill the promise of USMCA, we would further urge the partner countries to address unfinished work. This includes adhering to the rules around the TN Visa for professionals in Canada and Mexico and ensuring that all manufacturing performed in a Foreign Trade Zone receives tariff- and duty-free treatment.