



**BTA** | Border  
Trade  
Alliance



Border Trade Alliance

**2022**

POLICY AGENDA

Bolstering Trade | Strengthening Trade Relations | Lead Advocate Promoting Efficient and Safe Borders

**Working Together. We Win.**

# Dear Friends,

The members of the Border Trade Alliance for more than two years have navigated a cross-border trade and travel environment defined by disruption and uncertainty. Yet, in the face of closures, restrictions, and mandates, we remain resilient and better prepared for a 2022 that will deliver its own set of unique challenges.

The BTA in 2022 continues to advocate before the Department of Homeland Security and Congress for a response to the pandemic that responsibly controls the virus' spread without interruption to commercial truck and rail, private vehicle, or pedestrian border crossings. Too many local economies and border businesses have been harmed by severe restrictions at the land border ports of entry –sometimes irreparably – for such restrictions to return.

We are also working with members of both parties to advance legislation that modernizes customs operations and processes while maintaining a wise balance between enforcement and facilitation. This year offers a genuine opportunity for lawmakers and Customs and Border Protection to come together on policy that achieves the goals of the 21st Century Customs Framework. An updated approach to customs practices is essential to a more streamlined supply chain and the health of the overall U.S. economy.

We continue to advocate for implementation of the United States-Mexico-Canada Agreement that adheres both to the letter and the spirit of the accord, which means ensuring that certain commodities don't become the targets of one country or special interest group trying to tilt the rules of trade in its favor. North America wins with free trade, and we don't want to lose the economic momentum the region has gained under USMCA.

The BTA remains the most consistent advocate for the funding necessary to keep our ports of entry processing trade and travel safely and efficiently, and we look forward to ensuring that the resources made possible by the implementation of the 2021 Infrastructure Investment and Jobs Act reach the northern and southern borders.

Of course, there are many more issues we are working on – from customs to transportation, infrastructure to agriculture, you can count on the BTA in 2022, as always, to be the voice for free and efficient trade in North America. If your company or community isn't already a member, we encourage and welcome you to join our mission.



**Sergio Contreras**, *Chair*  
Rio Grande Valley  
Partnership, Texas



**Britton Mullen**,  
*President*



## Public Policy Committee



**Kathy Neal**, *Chair*  
Regal Rexnord  
Corporation  
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.

### Ongoing challenges resulting from the pandemic that risk disruptions to trade and travel

#### Preventing disruptions to trade and travel

The Department of Homeland Security and its associated agencies should anticipate continued challenges resulting from the pandemic well into 2023. 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. The Department should carefully calibrate its response in coordination with local officials in border communities and avoid blanket restrictions in any community. The criteria the Department relies on should be publicly communicated.

#### Anticipating surges in asylum-seeking migrants at the U.S.-Mexico border

Migrant surges are occurring with increasing regularity, and the federal government must be prepared with a practical and humane response that does not result in disruptions to lawful trade and travel.

CBP staffing levels must be commensurate with both trade volumes and the challenges that come from migrant flows.

#### Preventing supply chain disruptions

U.S. policymakers should actively seek to relieve supply chain disruptions and relevant agencies should work with affected stakeholders to develop solutions rather than rely on top-down mandates. Federal resources should be devoted to anticipating sectors of economic growth that will affect global trade flows.

#### Policy that promotes free trade in North America

In its third year of implementation, it is paramount that all three partner countries strive to adhere to the letter and the spirit of USMCA. These principles should guide the work of the U.S., Canada, and Mexico in 2022:

- The member nations should focus on trade facilitation and resist efforts that attempt to circumvent USMCA's goals of tariff-free trade.
- USMCA's dispute resolution mechanism is the preferable method for settling disagreements between parties rather than unilateral actions by member governments.
- Manufacturing operations performed in a Foreign Trade Zone that meet the tariff shift or RVC rules should receive duty-free treatment.
- Continue efforts toward greater harmonization, such as in labeling.

The U.S. Congress should assert greater oversight of tariff policy and oppose unilateral executive branch efforts to establish new tariffs, including Section 232 tariffs. Trade policy should be crafted to benefit all stakeholders, not just certain regional interests or select commodities.



## 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.

### Achieving economic growth and security

#### 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.

#### Promoting a trade agenda that is not calibrated around trade deficits

The BTA believes that the importing component of trade is just as vital to the health of American manufacturing as exporting. Imports can provide overall benefits for manufacturers and the economy by providing necessary inputs to manufacturing processes to boost competitiveness, including when imports represent products not available or manufactured in the United States.

#### Congressional participation in and oversight of tariff policy, including Sec. 232 tariffs and Sec. 301

The BTA believes that Congress should be treated as an equal partner with the executive branch in policy surrounding tariffs, especially in the establishment of new tariffs. Congress should exercise robust oversight in determining tariffs’ effect on particular industries and the overall economy.

Invoking Section 232 of the Trade Expansion Act of 1962 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

##### 21st Century Customs Framework

The BTA supports CBP’s 21st Century Customs Framework efforts to identify regulations and/or statutes that require modernization to reflect today’s global trade environment, ensure supply chain continuity, and promote best practices. We urge CBP to minimize any negative impact on importers, however, including new data requests that risk slowing trade and commerce.

In the development of 21CCF, we support:

- The development and refinement of North American Single Window objectives for entry and exit from all three North American countries;
- Making inspection reports available and mutually recognizable;
- Post-departure filings remain an option, as they are valuable for all sectors of industry, especially those that need to ship quickly, such as agriculture;
- A single document or transmission that can be used by all three participating countries; and
- CBP exploring establishment of account-based processing that allows users to file consolidated updates on shipments.

- Open communication with the trade community in adoption of a modernized ACE system
- Begin the next COAC term as soon as possible.

#### Unified Cargo Processing

The deployment of the Unified Cargo Processing model increases efficiency of the primary inspection lanes and reduces wait times overall. UCP was codified in USMCA and, as a result, it should become the default inspection model, and it should continue without interruption throughout the ebbs and flows of the pandemic. Further, we support UCP’s expansion to the rail environment.

#### Technological pre-inspection

The BTA is encouraged by and 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. Those findings aid U.S. CBP in determining whether a conveyance can proceed quickly through the primary inspection lane or whether it requires secondary screening.

#### Trade-friendly public-private partnerships

The BTA continues to support the concept of public-private partnerships between the federal government and border stakeholders to increase staffing resources and improve aging infrastructure, and is encouraged by ongoing reimbursable fee agreements along the border to better align staffing levels with trade flows.

The BTA supports reimbursable fee agreements where there are clear, measurable improvement goals in staffing and infrastructure. We believe that DHS should strive to attract more private sector participation in the programs.



## Agribusiness Subcommittee



**Dante Galeazzi, Chair**  
Texas International Produce Association  
Mission, Texas

### Properly resourced ports of entry

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

The Subcommittee believes strongly that for North American agricultural trade to remain competitive that the agencies charged with its inspection and processing must be properly resourced. This includes CBP Agriculture Specialists and technicians, USDA entomologists, and FDA investigators. Staffing shortfalls in these areas lead to increased delays and congestion at the ports of entry, not only compromising quality integrity, but it also adds costs and challenges to an international supply chain already in disarray.

### A transparent enforcement regime

The cross-border agriculture community is a willing partner in CBP enforcement efforts and welcomes the opportunity to better understand the agency's strategy for enforcing forced labor standards, environmental regulations, and other areas affecting trade in North America. We urge enforcement policies to be communicated to trade stakeholders as transparently as possible, and to be implemented fairly and equitably at all POEs.

### Cross-border cooperation and harmonization

#### Resist growth of non-tariff barriers to trade

To ensure USMCA achieves its full economic potential, partner countries must adhere to both the letter and spirit of the agreement, resisting attempts to establish non-tariff barriers to free trade. That includes:

- Ensuring phytosanitary inspections rely on scientifically based standards and not political pressures; and
- Consistently applying standards from port to port

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.

#### Harmonization of standards where possible

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

### 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.

We also believe that assessing data by hourly output, booth output, and other infrastructure and resource utilization metrics could provide more insight to inspection agencies than is currently collected.

### Promoting cross-border travel

#### Strengthening trusted traveler programs

The BTA advocates for the continued growth and expansion of trusted traveler programs such as NEXUS, SENTRI and Viajero Confiable.

#### Supporting policies that encourage tourism

The BTA supports policies that promote tourism's importance to the U.S. economy and encourage the administration to resist policies that diminish the U.S.' standing as a desirable destination for leisure and business 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.
- CBP should begin taking CTPAT trade compliance applications.
- CBP should communication with the trade community how mutual recognition will work.

The agency should seek to minimize region-to-region variability and rely on transparent rules.

### Ensuring strong diplomatic ties

The BTA believes that the U.S. is extremely fortunate to count Mexico and Canada as neighbors, allies, and leading trade partners, with Mexico having ascended to the no. 1 position among U.S. trade partners.

The pandemic demonstrated the need for strong cross-border diplomatic ties and regular consultations between all levels of government. 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.



# 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.

## Supporting a long-term, pro-trade transportation plan

### Implementation of Infrastructure Investment and Jobs Act

The implementation of the bipartisan Infrastructure Investment and Job Act should facilitate trade, investment in and around ports of entry, promote freight mobility, ensure maximum flexibility for border state departments of transportation, and move projects from concept to completion more quickly.

## Improving border infrastructure, especially in and around ports of entry

### Improving the Donation Acceptance Program

The BTA welcomes the opportunity to continue to devise strategies to incent greater private sector participation. These agreements are intended to supplement the federal government's role at our ports, not supplant it. BTA's work in this area is merely intended to

give border communities more available options to partner with the federal government to improve their port facilities and meet the needs of users.

## Upgrading border region environmental infrastructure and technology

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 supports infrastructure improvements to prevent the continued flooding of sewage, trash, and sediment into the Tijuana River Valley and similar northward sewage flows at the New River, Imperial Valley, Ambos Nogales, Naco, Los Dos Laredos, and other areas that experience them with unfortunate regularity.

## The development of new infrastructure financing options, such as increased capitalization for the North American Development Bank

The BTA supports the development of new methods for facilitating the long-term planning and financing of large infrastructure projects. Such new methods could leverage public and private-sector dollars to help seed large projects, particularly those that span geographic regions.

The BTA supports 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.

## Enhancing technological infrastructure

### Dramatically increasing broadband access at ports of entry

Upgrading broadband availability at the ports of entry 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.

## 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.

## 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 reduces wait times, discourages cargo doors from being opened and breaking the cold chain, frees up government agency personnel, and increase the flow of goods and services across the border to the benefit of all.

## Increasing refrigerated inspection capacity

Further to our position on the importance of the integrity of maintaining the cold chain, we support 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

Further to the BTA's position that Unified Cargo Processing, codified by USMCA, should be the default inspection model at ports of entry, 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, which play a central role in producing, growing, importing, and exporting, are represented on the relevant committees with responsibility over agricultural trade-related issues.



### Shift to a command center model

Improved broadband infrastructure and access will allow the development of a command center inspection model, whereby officers in off-site locations can remotely make determinations as to which conveyances require more thorough inspection, greatly diminishing the opportunity for corruption at the ports.

### Deploy leading-edge non-intrusive inspection equipment that can lead to 100 percent inspections

This leading-edge inspection technology 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 Committee applauds recent efforts to reduce regulatory burdens in the Presidential Permitting process and the development of border infrastructure. We would encourage the administration to continue to cut red tape wherever possible.

The permitting process should 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

BTA recognizes freight rail has a critical role in moving international goods to and from our borders. Freight rail can move a ton of freight 500 miles on a single gallon of fuel. Each train removes 300+ trucks from increasingly congested border bridges and access highways. Rail points of entry are also efficient use of CBP resources used to monitor goods crossing our international borders.

Further, the BTA believes the nation's seaports should be equipped to process increased trade volumes, and fully supports efforts to maintain existing seaports at authorized drafts and to support funding of congressionally authorized deepening projects in order to accommodate larger and higher capacity vessels.

### Ensuring safe cross-border transportation

#### Consistently applied, border-wide safety inspection regime

Cross-border trucking should be conducted in a safe environment. Shippers should choose ports based on the efficient movement of freight; safety inspections should not be a determining factor in which port a shipper chooses. Safety inspections should be applied consistently from port to port and not provide one port of entry a competitive advantage over another.

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 that vary from port to port extends to the rail environment, as well.

## Seaports Subcommittee



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

### 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, especially after the passage of USMCA, 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.



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