



**BTA** | Border  
Trade  
Alliance

Border Trade Alliance

# 2023

POLICY AGENDA

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

**Working Together. We Win.**

# Dear Friends,

On behalf of the Border Trade Alliance, we are pleased to present the 2023 edition of our annual Policy Agenda as we embark on another year of advocacy on behalf of North America's cross-border trade community.

As we've done since our founding in 1986, the BTA will continue to be the voice for the United States-Mexico and U.S.-Canada borders, promoting public policy that enhances these unique regions' economic competitiveness and quality of life.

This year represents an opportunity for the borders to return to a pre-pandemic operating environment that includes a restoration of service levels at the ports of entry and fewer supply chain disruptions. But there are also challenges, ranging from staffing pressures at the ports, to potential disputes between the USMCA partner countries. The BTA will be there to provide the perspective of the public and private sector stakeholders whose livelihoods depend on an efficient, secure, and well-managed border.

We look forward to working with policymakers to ensure our ports of entry are properly resourced, that the letter and spirit of USMCA is upheld, that cross-border trade and travel are not interrupted by irregular migration flows or external events, and that border infrastructure is enhanced to keep pace with increasing trade volumes.

As always, there are many more issues we are working on – from the modernization of customs regulations to agriculture to inspection technology and more. No matter the topic, the BTA in 2023 is proud to serve as the voice for free and efficient trade in North America. If your company or community isn't already a member, we would welcome you to join our mission.



  
**Lance Jungmeyer**  
*Chairman*



  
**Britton Mullen**  
*President*



## BTA Security and Trade Committee



**Jim Smith, Chair**  
AO Smith  
Ashland City, 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. The subcommittee also monitors and makes recommendations on trade policies regarding tariffs and seasonality proposals.



*“The Border Trade Alliance has been there for the importing industry time and time again. BTA organizes timely meetings with high-level border officials, including Customs and Border Protection and even up to the White House. Because of this, our members enjoy access to information and resources. Even more importantly, because of the power of the BTA network, our voice is heard, and our requests are acted upon.”*

**– Lance Jungmeyer, BTA Board Chair  
President, Fresh Produce Association  
of the Americas**

## 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.

### Unified Cargo Processing

The committee supports the continued rollout of Unified Cargo Processing (UCP) at ports of entry, which is a thoughtful use of limited inspection resources designed to promote greater efficiency, security and agency cooperation. 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 implementation 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.

The BTA supports similar pre-clearance projects at the U.S.-Mexico border that would encourage private vehicle and pedestrian crossings to occur in a less time consuming, more predictable way, and that would allow CBP officers to determine quickly whether a traveler can proceed quickly through the primary inspection lane or whether they require 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.

## 2023 GOALS

### Achieving economic growth and security

#### **Collaboration, communication, and consistency between governments and state and local officials to allow for safe cross-border trade and travel**

The BTA strongly supported the Department of Homeland Security’s decision in fall 2021 to ease the travel restrictions that were imposed at the U.S. land borders in March 2020. We believe the U.S. federal government should now fully restore to pre-pandemic levels any remaining reductions in hours of service, or changes in crossing protocols or inspection offerings, such as Unified Cargo Processing.

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

The BTA throughout its history has argued that devoting governmental resources to facilitating trade – human resources, technology, and infrastructure – also enhances national security. More resources devoted to facilitating trade means more resources devoted to the interdiction of contraband and the prevention of smuggling and unlawful entries.

To that end, the BTA strongly urges the Department of Homeland Security to prepare ports of entry for sporadic but dramatic increases in migrants seeking asylum in the U.S., including taking all practicable steps to ensure that CBP Officers are not redeployed away from ports of entry to support Border Patrol, especially for administrative functions.

#### **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.

## 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. The trade community and government stakeholders should seek to determine best practices in the collection of crowd-sourced border wait time data and share those practices with the trade communities of the U.S.-Canada and U.S.-Mexico borders.

## Promoting Cross-Border Travel

### Strengthening trusted traveler programs

The BTA will advocate 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 encourages 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

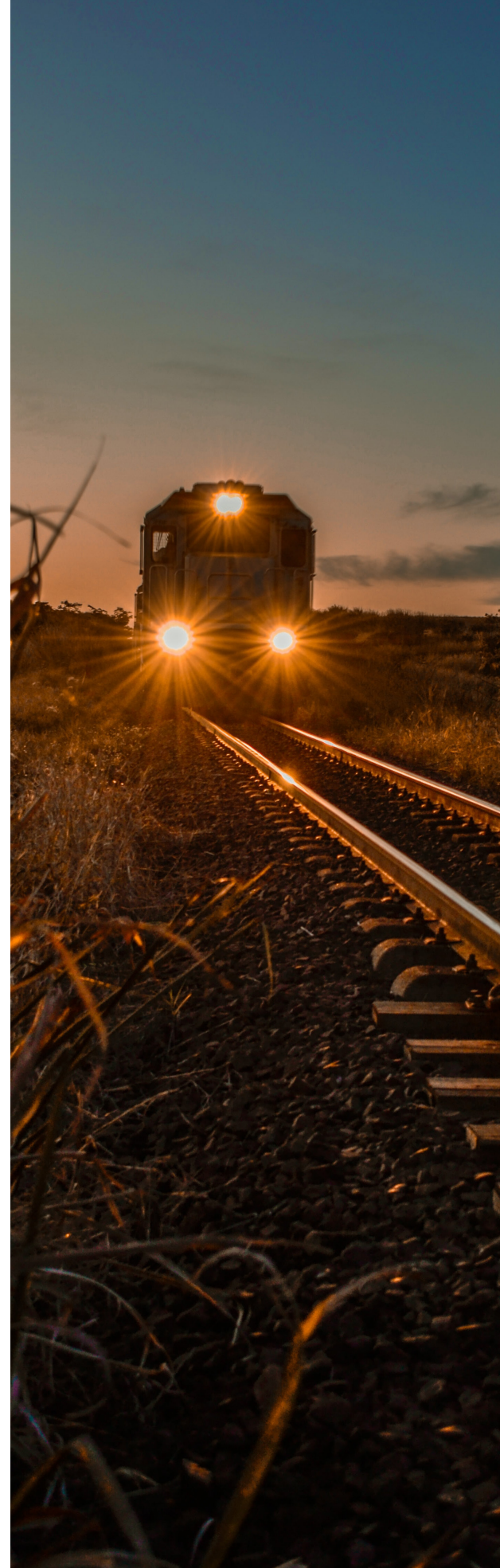
The BTA applauds CBP for its development of the revised Minimum Security Criteria, and we appreciate the agency's transparency in its ongoing development of trusted trade programs. As part of our desire to see continued improvement in the programs, and as an acknowledgement of the costs to business to adopt the criteria, as well as the benefits to supply chain security, 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 communicate with the trade community on how mutual recognition will work.

### 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 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.



# Agribusiness Subcommittee



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

## 2023 GOALS

### 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 strongly believes that for North American agricultural trade to remain competitive that the agencies charged with inspections and processing must be properly resourced. This includes CBP Agriculture Specialists and technicians, USDA entomologists, and FDA investigators. Every port with high volumes of agriculture imports should have entomologists on site, and we recommend an assessment of the potential for improving crossing efficiency by expanding the release authority for CBP Agriculture Specialists.

#### **Promote the acquisition of funding in Mexico that facilitates import and export operations, including SADER inspections and Aduanas resources.**

U.S. importers have cited challenges with many of the smaller Mexican states having too few inspectors to certify facilities, or to clear the company to be accepted or denied by FDA Division of Import Operations.

The BTA encourages regular consultations between the U.S. and Mexico to ensure that Mexican personnel have the requisite training and experience to inspect agricultural goods. Proper training helps ensure fewer delays in the border crossing process.

### 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 technical 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 and quality 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 increase costs, harm U.S. consumers, sacrifice jobs, and undermine USMCA's promise.

We would urge partner countries, affected industries, and U.S. and foreign government agencies to rely on USMCA's dispute resolution mechanism and avoid unilateral protectionist actions that run counter to the agreement.

#### **Harmonization of standards where possible**

Trade partners should look for areas to align standards. Potential areas include pesticide residue standards, tariff codes, quality and SPS inspections, and paperwork.

#### **Monitor progress of USDA organic certification program**

The BTA supports sensible and efficient regulatory measures that advance and promote a healthy trade environment between USMCA partners. Any change in standards must be applicable to all countries. BTA would oppose any such efforts that place an undue and costly burden on the industry, as well as any policy or regulation that disproportionately affects a single country.

### Technology, policies and procedures that facilitate trade, reduce delays

#### **Seek funding for additional NII (Non-Intrusive Inspection) equipment at the major perishable commodities-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 increases the flow of goods and services across the border to the benefit of all.

*"When Texas implemented 100% DPS inspections on all inbound cargo from Mexico, it was BTA that came to the support of the fresh produce industry. They didn't hesitate to speak out against the issue, they helped our organization get national attention on the matter by directing inquiries to our office, and most importantly, they got the important and nuanced details of our challenges into the hands of federal decision makers. Our voice was heard because of BTA's support."*

**– Dante Galeazzi**  
President/CEO, Texas International Produce Association.

### 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. GSA design plans should incorporate refrigerated inspection capacity in all import lots currently or considering allowing perishable agriculture or other food commodities to cross.

### 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.

# Public Policy Committee



**Dave Panko, Chair**  
City of El Paso  
El Paso, Texas

The Department of Homeland Security and its associated agencies should be prepared for ongoing challenges resulting from the pandemic in the near future. The Department's goal should be to responsibly control the virus' spread without interruption to commercial truck and rail, private vehicle, or pedestrian border crossings, all while consistently meeting the needs of the trade community, which includes adequate staffing to meet demand.

## 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.

The BTA encourages CBP, as part of its overall recruitment efforts, to seek individuals who can also fulfill roles within the agency that might be more administrative in nature and do not necessarily require a highly trained CBP officer. Such staffing measures will lessen the likelihood that front-line officers will be redeployed to act in support roles to Border Patrol during migrant surges.

CBP staffing levels must be commensurate with trade volumes and the challenges that come from migrant 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 2023:

- 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.

## 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.

## 2023 GOALS

### 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 – and responding accordingly – to sectors of economic growth that will affect global trade flows, including by ensuring the proper allocation of resources geographically to meet demand. Government agencies should involve the trade community in their decision-making process.

In light of the explosive economic growth in the border region and increased reshoring/nearshoring activity, Congress and the administration must be especially attuned to CBP resources and staffing levels to ensure the agency can meet ever increasing trade volumes.

### Restoring service at ports of entry, minimizing disruptions to trade and travel

#### Preventing disruptions to trade and travel

The BTA urges the Department of Homeland Security to restore pre-pandemic hours of service, crossing protocols, and inspection services like Unified Cargo Processing to all ports of entry where such services were reduced during the pandemic.



# 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.

The Committee also has a Seaports Subcommittee that monitors and makes recommendations regarding seaport infrastructure and policies.



*“The BTA has been instrumental in supporting policies that help ports of entry move international freight along the Canada/Mexico borders efficiently, which directly impacts the need for port expansion and modernization to meet trade demand.”*

**– Sam Vale**  
President, Starr-Camargo Bridge Company

## 2023 GOALS

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

#### Implementation of Infrastructure Investment and Jobs Act

The implementation of the bipartisan Infrastructure Investment and Jobs 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

#### Extending and improving the Donation Acceptance Program

The current Donation Acceptance Program allows local governments and private sector entities to donate capital improvements to the federal government. The program in 2021 was extended until 2026, offering lawmakers the opportunity to work with trade stakeholders on additional reforms to the program.

Reforms to DAP that BTA believes would improve the program and increase participation include:

- While Congress increased the maximum total value of projects eligible for the program to \$75 million from the previous \$50 million, due to rising costs and inflationary pressures, the Committee recommends an additional increase in the eligible project value.

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 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. We support 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.

Following our support for \$300 million in the USMCA implementation bill for the Border Water Infrastructure Program, we support increasing funding for the Environmental Protection Agency’s implementation of the BWIP to \$100 million in the next Interior and Environment Appropriations Bill.

### The development of new infrastructure financing options

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 North American Development Bank to provide financing for projects related to energy sources that reduce greenhouse gas emissions, with an emphasis on cross-border energy distribution and consumption while ensuring the energy security of the United States and Mexico.

### 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

#### 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

Inspection equipment currently on the market represents a dramatic improvement over the scanning equipment that is available at most ports of entry. 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 BTA applauds the improved and streamlined presidential permit process made possible by presidential executive order. We would urge accompanying guideline changes. We would encourage the administration to continue to seek to reduce regulatory burdens wherever possible.

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.

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

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

### 2023 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 more than 31 million jobs.

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.

#### Ensuring commercial operational support at seaports for CBP cargo clearance

The subcommittee supports the use of the Merchandise Processing Fee (MPF) collected at seaports as a source of funds that permit CBP to invest in projects that facilitate the execution of the agency's mission, including improvements that would allow seaports to host CBP officers on site.



**BTA** | Border  
Trade  
Alliance

[www.thebta.org](http://www.thebta.org)