



# BORDER TRADE ALLIANCE 2018 POLICY AGENDA

*Photo taken by Glenn Fawcett from CBP.gov.*

## DEAR FRIENDS,

For over three decades, the Border Trade Alliance has been one of the most influential organizations in shaping public policy relating to trade between the U.S., Mexico, and Canada. Why? The BTA membership is able to provide firsthand experience in virtually every aspect of cross-border trade. It is the input and guidance from BTA's active members upon which decisionmakers rely to formulate policy affecting border trade. Your experience and input are critical for the BTA to continue to be the leading voice on today's issues, which affect not only our stakeholders, but the entire U.S. economy and that of its neighbors.

The BTA is deeply engaged in the preservation – and modernization – of the North American Free Trade Agreement. The BTA was the border trade community's most vocal proponent for the creation of NAFTA in the early 1990s. We remain a fierce champion of the agreement today. However, a trade deal crafted decades ago deserves to be updated to better meet the needs of today's economy and trade environment.

In 2018, we continue to work with the administrations and lawmakers in all three NAFTA countries to help craft a new agreement that enhances the entire region's competitive standing through streamlined customs processes, reliable dispute resolution mechanisms, and joint infrastructure developments. And as always, the BTA remains North America's leading voice for trade processes, agency staffing levels, and infrastructure that ensure secure and efficient cargo processing at the ports of entry.

On behalf of the BTA's Board of Directors, we invite you to review our policy positions that our public and private sector members have adopted. You will find an organization committed to the belief that our borders are integral components to North America's ability to compete in the global economy.



*Paola Avila*  
Paola Avila  
Chair



*Britton Clarke*  
Britton Clarke  
President

# BTA SECURITY AND TRADE COMMITTEE



Kathy Neal, *Chair*  
Regal Beloit  
El Paso, Texas



Javier Quijano, *Co-chair*  
Aptiv  
El Paso, Texas

## Committee Scope

The Security and Trade Committee oversees policies and procedures at the border ports of entry, promoting policies that encourage and facilitate 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 custom agencies, the Canadian Border Services Agency and Mexican Aduanas.

The Committee has a Trusted Shipper Subcommittee, which is charged with monitoring and making recommendations for improving the Customs Trade Partnership Against Terrorism and other trusted shipper programs in an ongoing effort to ensure that the programs are delivering benefits to its members that are commensurate with the expense necessary to remain in the programs.

## 2018 Goals

### Achieving economic growth and security

#### Promoting commerce and job growth through a modernized NAFTA

The BTA's support for cross-border tariff-free trade dates back to the organization's vocal advocacy for the North American Free Trade Agreement over 20 years ago. As a result of NAFTA's implementation, North America has experienced unprecedented economic growth. Over 38 million U.S. jobs depend on international trade, five million because of trade with Mexico and nine million because of trade with Canada. The North American manufacturing supply chain is highly integrated, making North America one of the world's most competitive regions.

We remain a NAFTA supporter today and we view a revisiting of the agreement as an opportunity to modernize the agreement to align with the realities of today's economy, not as a step toward dismantling the agreement. First and foremost, renegotiation should **do no harm**.

The BTA believes the U.S. negotiating position should be characterized thusly:

- It should be future-focused, seeking to ensure that the next NAFTA is aligned with today's economy;

- that it recognizes that tariff-free trade enhances the competitiveness of all of North America, including and especially U.S. manufacturers;
- that the agreement enhances the quality of life of U.S. consumers through greater choice, increased competition, and lower prices;
- that the renegotiation should be conducted trilaterally;
- that negotiations should be conducted with urgency, so as to minimize the uncertainty injected into the North American economy;
- that a new NAFTA should continue to seek to remove non-tariff barriers to trade, which add needless costs and delays to the conduct of cross-border business;
- that the agreement should develop a mechanism for facilitating the movement of workers needed to fill the labor gaps that exist today; and
- that renegotiation offers the opportunity for the three nations to memorialize security protocols toward promoting consensus over a shared definition of what constitutes adequate border security.

The BTA also believes that devoting governmental resources – human resources, technology, and infrastructure – to facilitating trade 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.

### 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.

The trade deficit is a complicated measure that arises from several factors, including economic conditions and standards of living, consumption and savings rates, exchange rates, domestic tax and regulatory policies, and to some extent by international trade openness and barriers. In the context of the ongoing renegotiation of the North American Free Trade Agreement, the BTA and U.S. manufacturers do not believe our country's negotiating position should be calibrated around concerns over trade deficits.

### Innovative trade processing solutions

#### Trade-friendly public-private partnerships

The BTA has played a leading role in advancing the concept of public-private partnerships between the federal government and border stakeholders to increase staffing resources and improve aging infrastructure. The BTA will continue to support the concept, as is encouraged by ongoing reimbursable fee agreements along the border to better align staffing levels with trade flows, as well as the deployment of

the Donation Acceptance Program. The BTA supports shifting DAP submissions – regardless of project size – to a year-round process rather than limiting submissions to a specific time period during the year.

Any reforms to existing P3 programs and/or legislation must be trade friendly, however. The BTA's support for the P3 concept is not intended to imply support for passing any hikes in bridge tolls or other fees along to industry. More to the point, we believe free bridges should remain free. Also, feepayers should have confidence that their payments are going to specific trade facilitation purposes, not to offset government costs generally. But the BTA supports reimbursable fee agreements where there are clear, measurable improvement goals in staffing and infrastructure, and we will assess each program during its operation accordingly.

### Unified Cargo Processing

The committee supports the emerging concept of Unified Cargo Processing (UCP), which is a thoughtful use of limited inspection resources designed to promote greater efficiency, security and agency cooperation. The continued deployment of the Unified Cargo Processing model, whereby US customs personnel and their cross-border counterparts conduct inspections side by side on US soil reduces the likelihood that a truck could be inspected on multiple occasions before its release into US commerce, increases efficiency of the primary inspection lanes, and reduces wait times overall.

### Improving trade efficiencies

#### Implement consistent metrics for border wait times

As indicated in a July 2013 GAO study, 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 committee believes that operations in Buffalo and Ft. Erie, Nuevo Laredo, and El Paso, which rely on crowd-sourced data to deliver a more accurate crossing wait-time data, represent best practices that ought to be deployed border-wide wherever practicable.

#### Ensure Mexican and U.S. border agency schedules align

Local port leadership for U.S. CBP and Mexican Aduanas should work together and with the trade community to align port operating schedules as best as possible to prevent shipping delays. Agencies should publish operating schedules far in advance to ensure alignment.

#### Advocate for necessary resources for agribusiness trade

U.S. ports of entry continue to struggle with obtaining adequate resources to process efficiently and securely U.S.-bound agricultural products. The BTA will advocate for an increased effort by CBP and USDA to train and deploy a sufficient number of CBP Agriculture Specialists and ensure they have the proper training as well as advocate

for increased specialty functions such as entomologists for identification of invasive pests.

The BTA has also observed inconsistent processing from port to port of NARP-qualified products. NARP, the National Agriculture Release Program, is intended to provide a methodology for evaluating high-volume agriculture imports that are low-risk for the introduction of plant pests and plant diseases into the United States.

The BTA also calls for increased veterinary resources to more efficiently clear the entry of cattle into the US.

## Promoting Cross-Border Travel

### Alleviating border delays for pedestrians, private vehicles

Many border communities depend on the ability of pedestrians and private vehicles (POVs) to easily cross from Mexico into the U.S. to patronize local stores, restaurants and other attractions as an integral part of their city's economic health. As part of our commitment to efficient yet secure cross-border travel, BTA will seek policy changes designed to alleviate delays in POV and pedestrian lanes and prepare land border ports to accommodate increased demand.

### 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 will advocate for policies that promote tourism's importance to the US economy and encourage the administration to resist policies that diminish the US' standing as a desirable destination for leisure and business travel.

### Reforming visa policy

A modernized NAFTA should be forward thinking and allow for professionals to move back and forth across NAFTA borders with little bureaucratic delay. For example, a skilled U.S. technician should be able to repair and service sophisticated equipment in Canada or Mexico, which not only reflects today's business

environment, but also ensures the highly skilled position remains in the U.S. Such an approach should apply to professionals involved in the administration of the supply chain, as well, such as customs brokers and freight forwarders.

We also recommend using this period as an opportunity to negotiate with Mexico to extend the duration of that country's FMM permit, which is currently valid for only six months and is required to visit manufacturing facilities in Mexico.

Finally, we urge the preservation of the TN Visa in any forthcoming agreement.

## Strengthening Trusted Shipper Programs: CTPAT, PIP and OEA

### Making trusted shipper programs more attractive to business

- Expanded hours of service where appropriate for trusted shipper traffic at ports of entry;
- Greater transparency in the ongoing development and of trusted trade programs;
- Continue to pursue additional benefits, such as automatic in-bond release and Tier 3 for cross-border carriers.

### 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 NAFTA 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-related regulatory requirements.

The Committee recognizes that all three NAFTA countries are working together to extract greater efficiencies in the import/export processes. As this cooperation continues, we recommend that:

- Inspection reports are made available and mutually recognizable; and
- 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.

# BTA 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.

## 2018 Goals

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

#### Freight mobility

The U.S. Department of Transportation is actively engaged in a national freight plan, as directed by Congress. One charge at a federal level is to help state-level freight advisory committees in the implementation of state freight plans as outlined in MAP-21. With the passage of FAST Act, a formula fund for states and local governments to plan and fund their freight mobility projects was created and called the National Highway Freight Program. The BTA will continue to advocate with border state DOTs to ensure that border infrastructure remains a high priority.

*(continued on back)*

# BTA PUBLIC POLICY COMMITTEE



Sam F. Vale, *Chair*  
Starr-Camargo Bridge Co.  
Rio Grande City, 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.

## 2018 Goals

In 2018 the Committee will coordinate BTA's advocacy for a modernized North American Free Trade Agreement, representing the organization's positions before Congress and the U.S. Trade Representative, as well as the Canadian and Mexican governments.

The Committee will continue to coordinate the BTA's interaction with decision-makers as we work to encourage border state governors to allocate transportation dollars to border infrastructure

projects; ensure sufficient agricultural inspection resources at ports of entry; and continue the expansion of public-private partnerships to increase staffing levels at the ports and to improve infrastructure.

The Committee in 2018 will also take the lead on working with inspection agencies, namely Customs and Border Protection, to investigate the development of a protocol for industry to share trade volume projections with border agencies in order to help ensure that the agencies are properly resourced to efficiently process future trade flows.

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

### Unleashing the power of the private sector and border communities through public-private partnerships

The BTA will continue to work with Congress, Customs and Border Protection and the General Services Administration to ensure smooth implementation of an initiative to allow private sector dollars or available state, county or local dollars to be used to fund border infrastructure and port of entry projects or supplement federal appropriations.

The BTA will also seek ways to fund additional staffing beyond those positions already congressionally appropriated.

Nothing in BTA's advocacy for public-private or public-public partnerships is intended implicitly or explicitly to call for: the establishment of tolls where they do not currently exist; the increasing of current tolls; or increased user fees imposed by the federal government. The organization's support of these agreements is predicated on the belief that the trade-facilitating infrastructure of our nation's borders, including its land ports, is the responsibility firstly of the federal government. 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.

### Upgrading border region environmental infrastructure

The Committee believes that 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 the Tijuana River into the San Diego region that has resulted in public health concerns as well as disruptions to the local tourist economy and military readiness.

The Committee supports bipartisan legislation that would provide grant funding and the development of a coordinated plan to update the area's infrastructure to prevent the continued flooding of sewage, trash, and sediment into the Tijuana River Valley.

Furthermore, the Committee will work with its counterparts in BTA México to encourage the Mexican federal government to make the necessary fiscal allocations required to modernize the Tijuana area's sewage system.

### Improving the Donation Acceptance Program

The current Donation Acceptance Program calls on entities donating real estate to enter into maintenance in perpetuity agreements, which requires donors to remain responsible for donated land's maintenance, even when the federal government has taken over operational responsibilities. The BTA believes the DAP should eliminate these maintenance in perpetuity agreements.

## Dramatically increasing broadband access at ports of entry

The BTA believes that 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.

### 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. 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.

The technology available is so advanced as to allow the inspection of 100 percent of trucks entering the United States with no loss in trade throughput.

### Improving the permitting process

The Committee believes that the U.S. administration's efforts to reduce regulatory burdens should extend to the Presidential Permitting process and the development of border infrastructure.

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. Through its international outreach, BTA will also advocate inter-governmental coordination between the United States, Mexico and Canada necessary to improve NAFTA trade flows between our nations, while encouraging a robust private sector role in the development of ports of entry. 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.

Finally, regulations should be eased in order to facilitate the exchange of tolls between governments.

## 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.

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.

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

As the governments of the three NAFTA nations are in the midst of a renegotiation of the trade agreement, we recommend that all elements of the pact, including the NADBank, be subject to review. The BTA welcomes the opportunity to hear from the NADBank's administration its vision for the institution's role in a next generation NAFTA.

## Ensuring safe cross-border trucking

### 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; truck safety inspections should not be a determining factor in which port a shipper chooses. Truck safety inspections should be applied consistently from port to port and not provide one port of entry a competitive advantage over another.

## Continuing safe and secure cross-border trucking in a next generation NAFTA

Consistent with the organization's longstanding historic support of NAFTA, the BTA urges that continued safe and secure cross-border trucking access be included in a renegotiated agreement.

We also believe that redundant truck safety inspection facilities should be eliminated and consolidated wherever and whenever possible.