

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS
SUPPORTING PORT OF ENTRY
COMMUNITY WORKING GROUP RECOMMENDATIONS**

WHEREAS, the City of El Paso is engaged in a review of all existing ports of entry within the El Paso region to develop recommendations to improve cross-border mobility in the region, which study is referred to as the El Paso Regional Ports of Entry Operations Plan ("POE Plan");

WHEREAS, the POE Plan study team is currently being led by Cambridge Systematics and involves substantial public input;

WHEREAS, part of the task of the POE Plan study is to create an inclusive public involvement plan ("PIP") to insure that all interested groups in the El Paso region, including both sides of the U.S.-Mexico border and southeastern New Mexico are actively engaged in the planning, development, and implementation of the POE Plan;

WHEREAS, during the development of the POE Plan, staff of the City of El Paso has instructed those working on the study to assist in the implementation of short term projects identified by community stakeholders and supported by the City to be important in achieving the objectives of improving border security and mobility in the region;

WHEREAS, on April 5, 2010 Mayor John F. Cook of El Paso, Mayor Jose Reyes Ferriz of Cd. Juarez, and David P. Buchmueller, Chief Operating Officer of the Paso Del Norte Group, submitted a letter to the Secretary of State, Hillary Clinton, and the Secretary of the Department of Homeland Security, Janet Napolitano, recommending the creation of model border port pilot projects for the El Paso region to improve border security as well as trade and passenger facilitation;

WHEREAS, the City of El Paso, the El Paso Chamber of Commerce, the El Paso Regional Economic Development Corporation, the Paso Del Norte Group, among others established a community working group, which collaborated in the development of a list of recommendations to improve cross-border mobility and security in the El Paso region ("Working Group") to submit to U.S. Customs and Border Protection ("CBP");

WHEREAS, on April 30, 2010, the Working Group participated in a presentation to the Commissioner of CBP, the Honorable Alan Bersin, regarding recommendations to improve and facilitate the secure entry of goods and people through our ports of entry located in El Paso region;

WHEREAS, at the time of the presentation a recommendation list was submitted to Commissioner Bersin regarding short, medium, and long term port related projects concerning the commercial cargo, pedestrian, and passenger environments; and

WHEREAS, the Paso Del Norte Group received funding from the U. S. Agency for International Development under the Merida II initiative;

WHEREAS, the funding will be used for the implementation of social, economic, alternative energy and human services programs in the Paso Del Norte Region;

WHEREAS, some of the projects presented to Commissioner Bersin may qualify for such funding;

WHEREAS, El Paso and Ciudad Juarez are inextricably linked by social, cultural and economic ties which are critical to the vibrancy of this border region and the nation;

WHEREAS, cross border trade contributes enormously to the economic vitality of both countries, especially in the border region;

WHEREAS, each day about a billion dollars of commerce and a million people cross the U. S. – Mexico border;

WHEREAS, a full economic recovery depends upon our region's ability to create jobs and the facilitation of secure trade and commerce is a core component to our region's ability to create jobs, including job in Mexico;

WHEREAS, Mexico and the U.S. have a shared interest in creating a 21st century border that promotes the security and prosperity of both countries;

WHEREAS, the U.S. and Mexican governments have launched a range of initiatives to develop a framework for a new 21st century border management;

WHEREAS, the new framework is based on the principles of joint border management, co-responsibility for cross-border crime, and shared commitment to the efficient flow of legal commerce and travel;

WHEREAS, based on the trade volume and history of cooperation of this region on secure trade initiatives (e.g. Dedicated Commuter Lane, FAST lane), the El Paso region should continue to serve as a leader in new initiatives to improve secure cross-border trade and travel;

WHEREAS, the Working Group described above, consisting of public and private stakeholders from both sides of the border, has developed a list of recommendations designed to facilitate the creation of a 21st century border; and

WHEREAS, the City of El Paso Committee on Border relations has reviewed the recommendations compiled by the Working Group and unanimously agreed to advise the Mayor and the City Council that the City of El Paso should approve the recommendations, continue to participate in the activities of the Working Group and assist in the implementation of the recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO, TEXAS:

1. That the City Council of the City of El Paso supports the implementation of the Working Group recommendations outlined in Exhibit "A" attached hereto and in concert with the City's POE Plan under development, to support the implement of the initiatives listed.
2. That the City of El Paso will provide input and staff support to obtain the appropriate funding through private and public options.
3. That the City of El Paso will continue to work in the collaborative manner with our sister city, Cd. Juarez, Chih., and other relevant governmental agencies in the El Paso, Juarez borderplex to address issues related to the implementation of initiatives outlined in Exhibit "A".
4. That the City of El Paso considers the items listed in Exhibit "A" to be supportive of its initiatives and vision to improve border security in concert with the facilitation of legitimate trade and commerce across our international ports of entry; and that the efficient use of limited resources by our federal agencies allows them to focus such resources on security risks.

ADOPTED this ____ day of August 2010.

THE CITY OF EL PASO, TEXAS

John F. Cook
Mayor

ATTEST:

Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Sylvia Borunda Firth
Senior Assistant City Attorney

Jane Shang
Deputy City Manager
Transportation & Mobility Services

MODEL BORDER PORTS RECOMMENDATIONS

List	Subcommittee	Recommendation	Timing	Change: \$, Admin, Legislative	Type	Description
1	Commercial	Integrated entry/exit process - commercial	Short Term	Obtain Canadian doc	Process	Require shippers to present only one document that would serve as both an entry and an exit document. Obtain Canadian document as template.
2	Commercial	Establish clear remedies and processes for C-TPAT shippers who self-report	Short Term	Admin	C-TPAT/ SENTRI	Participant companies who self-report a possible breach in their security should be given the benefit of the doubt. These companies have been vetted by CBP and have been given the agency's seal of approval. Shippers deserve a clear understanding of what will happen to their C-TPAT status if they self-report. Specifically, CBP should commit to completing a post-incident report within a predictable timeframe. We recommend no more than ten business days.
3	Commercial & Secured Manufacturing	Implement Container Security Initiative-type pilot program in El Paso/Juarez	Medium Term	\$, Admin	Process	Working with Mexican Aduanas, CBP would examine cargo upon arrival in Mexico, rather than subjecting shipments to duplicate inspections, one upon exit from U.S. and another upon arrival in Mexico. Designing a secure pre-inspection point is critical to this project.
4	Commercial	Streamline inspection process performed by FMCSA and DPS	Medium Term	Admin or Legislative?	Process	FMCSA and DPS perform the same truck/trailer inspection. Personnel savings and a more efficient inspection could be achieved if the inspection were performed once. Recommend a Model Border Port should have DPS perform the inspection and FMCSA can use the results.

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5	Commercial & Passenger	Add Ombudsman to improve Customer Service and Professionalism Training Standards and Metrics:	Short Term	Admin	Personnel	(1) Customer service and professionalism must be a core element of the CBP training program. (2) CBP should partner with the private sector to develop and sustain such programs. (3) Metrics to measure the customer service performance of CBP Officers should be included in this new program. (4) designate a public information officer for each port. (5) Design and publish complaint process for passenger and commercial customers.
6	Commercial & Passenger	Expand C-TPAT benefits and enrollment	Medium Term	Admin	C-TPAT/ SENTRI	Have joint CBP and stakeholder enrollment fairs to increase enrollment. C-TPAT could expand its benefits by allowing expedited SENTRI as well as consular processing for employees of certified companies. In addition, CBP could provide a point of contact for expedited review of admission related issues concerning such employees as well as a pre-registration process for I-94 issuance and a data notice option through C-TPAT database for departure confirmation by the company of such employees. Employees eligible initially could be limited to professionals, managers, and executives. In addition, employees with six months of more of employment with the CTPAT certified employer could also be included. Dependents (spouses and unmarried children under 21) could also be considered for the program. All applicants would also have to meet the admissibility requirements set forth in the Immigration and Nationality Act, as amended. Employee eligibility could be established by referral to the company's registration on file with DOS and available to the inspector through CCD.
7	Commercial & Passenger	Support increased staffing at the ports of entry	Ongoing	Possible funding required	Personnel	While the trade community supports increased staffing, we also request more information sharing from CBP regarding the allocation of current staffing. We understand that much of this must be kept classified so as not compromise the security of our ports, but surely enough information can be shared that will help the trade community become more effective advocates on behalf of CBP. We also understand that the critical issue for port staffing is available front line officers not just allocated port staffing.

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8	Commercial & Passenger	Streamline I-94 Issuances for those registered in SENTRI, Nexus	Short Term	\$ required for ATM, kiosk	Process	Create public/private partnership to pay for the machines described herein: (1) Post adjudication by the CBP officer of admissibility, the applicant could be instructed to pay the \$6.00 fee via an ATM like machine located in the waiting area and return with the receipt for payment to I-94 issuing officer. This ATM like machine could accept a debit or credit card and the USVISIT tracking number could be read via the machine readable zone on the I-94. If too complex, the use of the ATM machine could be reduced to just intake of the I-94 number and the \$6.00 fee. This automation of the I-94 would free up administrative support for other tasks. (2) For those foreign nationals enrolled in the SENTRI program, a GOES kiosk could be provided to document not only the receipt of the \$6.00 fee but also the issuance of the typical GOES receipt in lieu of an actual I-94 for a default six month admission as to those requesting B1 or B2 admissions. Hence, an application of a "paperless " I-94 in the land environment to those registered in SENTRI or Nexus. (3) "Front of Line" I-94 processing for SENTRI
9	Passenger	Streamline Immigrant Visa Admission, including FAST	Short Term	Admin + \$ for computer changes?	Process	Those holding recently issued immigrant visas issued by the US Consulate in Cd. Juarez, should only be processed for an I-94 admission. There should be no fingerprint intake or application process for the creation of the I-551 resident alien card at the port of entry. Data for card creation should be transmitted directly by CBP to the USCIS card facility post CBP admission confirmation.
10	Passenger	SENTRI Processing - Admission and Revocation Transparency	Short Term	Admin	C-TPAT/ SENTRI	We recommend a regular review of admission and revocation requirements/guidelines for SENTRI processing. A single customs or immigration violation that occurred many years ago should not result in failure to qualify. Requirements should weigh security risk, time since violation, and severity of violation. CBP should be more transparent as to its decisions to revoke participation in the project, including the establishment of a meaningful administrative review process. We request that CBP work with stakeholders to create transparency as to requirements, as well as the review process.
11	Passenger	Expand SENTRI enrollment	Short Term	Admin?	C-TPAT/ SENTRI	Develop and implement strategies in conjunction with the El Paso/Juarez community to increase SENTRI enrollment from the current level of approximately 28,000 to a target of 50,000.

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12	Passenger	Use technology at land ports to achieve accurate intake of departure information from return of I-94s.	Medium Term	\$ possibly required for computer changes	Process	We encourage simultaneous testing of various exit process technologies and solutions, including -- creation of a public/private partnership to establish a pilot program at El Paso's land border to install mechanisms similar to those used by certain air carriers to scan and receive I-94s to document departure at the ports. This would confirm the individual's departure in real time. Another option is to coordinate with the US State Dept. to allow appointments at the Application Support Centers in Mexico for the return of the I-94 and the input of data into US VISIT documenting timely departure.
13	Passenger	Dedicated veh inspection lanes for US citizens and/or holders of an I-94 or I-94W and SENTRI	Medium Term	Admin, any studies needed?	Process	Based on crossing volumes, consider whether implementation of U.S. citizen lanes in passenger vehicle lanes could potentially expedite inspection times. The same could be considered for those already in possession of an I-94 or I-94W. Also, allow registered guests in SENTRI vehicle. Designate lane for elderly/disabled.
14	Passenger	Immigration SMEs stationed at ports	Medium Term	\$ possibly for staffing of SME's	Personnel	Ports should maintain subject matter experts regarding immigration processing. If staffing is insufficient of such SMEs, then there should be 24/7 hotline for both CBP officers and the public when addressing port admission issues, especially when access to counsel at the ports is so limited. The CBP customer service number does not provide SMEs.
15	Passenger	Information Sharing	Medium Term	Admin	Miscellaneous	CBP should create a more detailed website for each of its ports of entry so that admission related data is more readily available to the public. While the FAQ section of cbp.gov is helpful, the data related to customs issues is far more detailed than that related to immigration issues. CBP inspection data should be readily available to the public.
16	Passenger	Signage	Medium Term	\$ for new signs or existing budget?	Miscellaneous	CBP should provide signage at each port as to the filing of a complaint, how to request review by a supervisor, locations of public transportation, notices from the City, and the severe consequences of any misrepresentations to a CBP officer.

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17	Light Rail/ Infrastructure	Implement technologies to improve metrics for tracking crossing times for trucks and passenger vehicles (POV).	Short Term	\$2-\$4M	Infrastructure/ Technology Improvements	Implement a pilot program using an RFID-based system to measure truck crossing times and a mobile device signal detection technology (Bluetooth) to measure POV crossing times
18	Light Rail/ Infrastructure	Traffic improvements to alleviate southbound bottlenecks at BOTA and Zaragoza	Short Term	Large funding requirement	Infrastructure/ Technology Improvements	Improve southbound approaches to alleviate bottlenecks at BOTA and Zaragoza.
19	Light Rail/ Infrastructure	Northbound Dedicated Commuter Lane and southbound managed lane at Bridge of the Americas (BOTA)	Medium Term	Large funding requirement, treaty	Infrastructure/ Technology Improvements	Utilizing existing infrastructure, a single lane can be dedicated for use as a northbound commuter lane at BOTA.
20	Light Rail/ Infrastructure	Make additional needed improvements to BOTA	Long Term	Large funding requirement, treaty	Infrastructure/ Technology Improvements	Expand the number of passenger and commercial vehicular inspection booths; improve pedestrian facilities; fill in the gap area between the southbound and northbound bridges; placement of larger turning radius for vehicular access to inspection booths; placement of ramp from BOTA for access to Border Highway West
21	Light Rail/ Infrastructure & Secured Manufacturing	Universal Freight Shuttle	Long Term	Feasibility study to be completed 2011	Infrastructure/ Technology Improvements	Electricity-powered, monorail system to move freight both north and southbound; incorporates "inspect in motion" technologies

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22	Secured Manufacturing	Create incentives for personnel to facilitate trade, in addition to such incentives that exist for interdiction	Short Term	Admin	Personnel	Recommend that CBP investigate possible methodologies to incentivize and reward inspectors for facilitating trade and legitimate travelers. Inspectors should receive recognition for achieving a certain percentage of secondary inspection referrals that result in some sort of enforceable action. Furthermore, inspectors who have a low percentage of secondary referrals that result in enforcement action should receive further training. RFID based system to measure truck crossing time will help develop these incentives and metrics.
23	Secured Manufacturing	Request CBP's active participation in the "El Paso County Secure Border Trade Demonstration Project" and determine funding to equip additional tractor/trailers with state-of-the-art intelligent transportation devices after the demonstration project.	Short Term	\$ additional for larger sample	Infrastructure/ Technology Improvements	\$3.1 million in Coordinated Border Infrastructure (CBI) funding has been secured by the County of El Paso through the El Paso MPO for a demonstration project to equip 30 tractors/trailers transporting valuable goods between the U.S. and Mexico, with state-of-the-art intelligent transportation system devices. Working with three maquiladoras the devices will secure cargo and transmit key location data into a central repository where the data will be analyzed in real-time. The data captured from the onboard components with which the trucks are to be equipped is combined with cargo, truck, driver, weather conditions and traffic conditions data. The unique aspect of this system is that it will be fully automated and the central software will determine if an event, or combination of events that compromises the security of the cargo, has occurred for which an alert should be issued.