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October 2024 Newsletter



Navigating Trade Waters: A Deep Dive into the USMCA Joint Review Process and Its Impact on China and Mexico – Part Two: The Mexico-US Trade Landscape and Harris’s Potential Vision

By: [Adrienne Braumiller](#), Managing Partner, Braumiller Law Group and [Gavin Andersen](#), Senior Trade Advisor and Law Clerk

This is the second of a three-part series about the USMCA joint review process, focusing on China, Mexico, and competing visions of a “worker-centered” trade policy. Part one introduces the USMCA joint review process and explores how US trade policy would likely operate during Trump’s second term. Part two outlines some of the major trade issues that will be on the table

during joint review, focusing on the Mexico-US relationship, and anticipates Harris's likely approach to trade policy. Part three offers a critique of the worker-centered trade policy developed under the Biden administration, presents an alternative, and suggests new avenues for multi-stakeholder participation that Harris's approach might create.

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Aluminum Extrusions from 13 Countries Commerce Makes Affirmative Final AD and CVD Determinations

By Paul Fudacz, Partner, Braumiller Law Group

On September 27, 2024, Commerce announced its affirmative final determination in the ongoing AD / CVD aluminum extrusions investigation. On the same day Commerce also posted its *Final Scope Issues and Decision Memorandum*. In both, Commerce almost uniformly deferred to Petitioners in dismissing numerous comments of interested parties primarily challenging the scope of the investigation on a wide range of legal theories and practical considerations.



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China and Walmart, Please, for the Love of _____, Let's Observe a Silver Lining Partnership in an Otherwise Dismal Global Landscape

By Bob Brewer, Braumiller Law Group

At a glance, gauging where we stand in our relationship with China overall, one would assume the key operative word in most descriptions would be "dismal" at best. This is of course accurate to a certain extent but looking at trade and commerce between the two countries, let's take a look at the largest retailer in the U.S. as Walmart gives us a prime example of where we stand regarding unity as nations. Unity, you say between the two countries, hmmm. Yes, the absolute opposite of what we see and hear on a daily basis in the news regarding the highly contentious activity in the S. China sea.

READ MORE**Wyoming's DUNA Law – A Legal Framework for Non-Profit DAOs and Open-Source Blockchain Networks**

By **James Holbein** Of Counsel, Braumiller Law Group PLLC and **Justin Holbein**, web3 Consulting

**Background on DAOs**

Decentralized Autonomous Organizations (DAOs) are a novel form of governance for blockchain-based protocols. Unlike traditional companies or non-profits, DAOs are member-controlled organizations that operate without a central authority or hierarchical management. Instead, DAOs use smart contracts, often on the Ethereum blockchain. DAOs often use governance tokens to enable members to vote on proposals, make collective decisions about the organization's operations, treasury, and future development.

READ MORE**What's Going on With Section 321 De Minimis Entries?**

By **Bruce Leeds**, Senior Counsel, Braumiller Law Group

There is an increasing demand to do something about the de minimis shipments under §321 of the Tariff Act (19 USC 1321).

What is §321? Let's take a look at some of the text from Title 19:

“The Secretary of the Treasury, in order to avoid expense and inconvenience to the Government disproportionate to the amount of revenue that would otherwise be collected, is authorized, under such regulations as he shall prescribe, to—

(2) admit articles free of duty and of any tax imposed on or by reason of importation, but the aggregate fair retail value in the country of shipment of articles imported by one person on one day and exempted from the payment of duty shall not exceed an amount specified by the Secretary by regulation, but not less than—

(C) \$800 in any other case.”

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The Future of Environmental Protection Laws and Trade Agreements

By [Victoria Holmes](#), Braumiller Law Group

Historically, trade agreements have focused on reducing barriers to trade—such as tariffs and quotas—while encouraging economic integration and growth. Environmental protection was often considered a separate issue, addressed primarily through national regulations or multilateral environmental agreements like the Paris Agreement. However, recent developments suggest that trade and environmental concerns are converging, with many new trade agreements incorporating specific environmental provisions.



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The Reform to the Mexico Judicial System

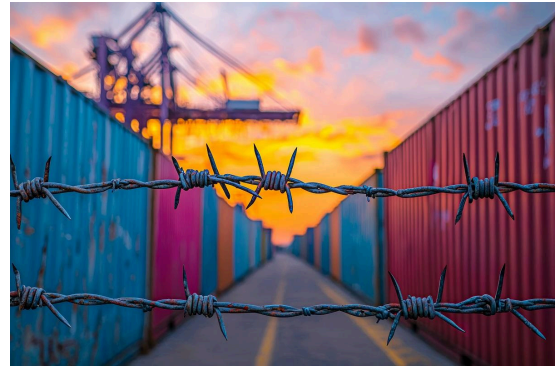
By [Brenda Cordova](#), Braumiller Law Group
Mexico Counsel

On September 15th, 2024, the Mexican Congress published on the *Diario Oficial de la Federacion* (Mexican Official Gazette) a decree to amend, add, and abolish several provisions of the Mexican Constitution regarding the Judicial Power. This reform, as it is being called, is one of the major changes to the Mexican Judicial System and has been met with heated debates by opponents who fear it will put the balance and separation of power at risk as it will result in a weakened and deteriorated judicial system overpassed by the legislative and executive powers.

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Legal and Other Issues Being Resolved by Port Strike

By **James R. Holbein**, Braumiller Law Group PLLC



Parties to the Dispute

The union and management teams reached a settlement agreement that was announced on October 4, 2024 to end the port strike. The settlement does not resolve the issues, but extends the master contract to Jan. 15, 2025, to allow the sides to negotiate outstanding issues. A final agreement must be ratified by union members.

The 2024 U.S. port strike involved nearly 50,000 dockworkers from the International Longshoremen's Association, AFL-CIO, (ILA), and affected 36 ports along the East and Gulf coasts, including New York/New Jersey, Houston, Savannah, and Miami. The ILA has a total membership of 85,000 longshore workers employed at ports on the Atlantic and Gulf Coasts; major U.S. rivers; Great Lakes region, Puerto Rico, Eastern Canada and the Bahamas.

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Join Braumiller Law Group Senior Counsel Bruce Leeds for the next presentation in a monthly series regarding

Hot Topics in International Trade Compliance

Section 321 Clearance

Thursday, October 10th – 11:30-12:30 CST

Registration: [Webinar: Section 321 Clearances by Braumiller Law/Braumiller Consulting \(bigmarker.com\)](https://bigmarker.com/webinar/section-321-clearances-by-braumiller-law-braumiller-consulting)

October 10th, from 12:00 to 1:00 PM (CST-MX), BLG Mexico Legal Counsel Brenda Cordova, will participate as a speaker sharing her experience and knowledge on “Mexican Customs Proceedings for Trade Facilitation” at the Seminario Permanente de Economía Comercio y Negocios Internacionales.

Online registration: <https://events.teams.microsoft.com/event/6bc19b36-0475-4834-8190-3acfoed47638@60681658-of2d-4a4e-aaf1-6fd5f2dba33f/registration>

In Person: Facultad de Economía, UASLP, Av. de los pintores S/N, Burócratas del Estado, 78200, San Luis Potosí, SLP.

Brenda's participation is part of a series of events which will take place from October 9th to 11th within the 7th National Week for Social Science from the Seminario Permanente de Economía Comercio y Negocios Internacionales (SPECNI), presented by the *Consejo Mexicano de Ciencias Sociales, A.C. (COMECOSO)* in coordination with the School of Economics from the *Universidad Autónoma de San Luis Potosí*.

Managing Partner Adrienne Braumiller and Brenda Cordova, BLG Mexico Legal Counsel will be speaking at the upcoming ICPA Fall Conference in Grapevine, October 21st and 22nd Details: <https://conta.cc/3XV82hP>

Join ICPA and Global Partner [Braumiller Law Group](#)

for an informative webinar on:

[IMMEX 3.0 - Real World Scenarios](#)

Tuesday, November 5th, 2024, 10:30 a.m. - 11:30 a.m. CST

Registration: simply click the link below.

[Summary - Webinar: IMMEX 3.0 - Real World Scenarios \(Braumiller Law\) \(cvent.com\)](#)

Join ICPA and [Braumiller Law Group](#) Managing Partner Adrienne Braumiller, with VP of Braumiller Consulting Robert Stein for an informative webinar:

Year End Review [What Happened and Where Are We Going?](#)

December 12th, 2024, 10:30 a.m. - noon CST

Registration: [Summary - Webinar: What Happened and Where Are We Going? \(Braumiller Law\) \(cvent.com\)](#)



If you are so inclined and have a moment, or two, or ten, check out our podcasts and videos regarding all things in International Trade Compliance

Podcasts: [BLG Podcast - Braumiller Law Group](#)

Videos: [Videos - Braumiller Law Group](#)

SO, YOU RECENTLY DISCOVERED THAT YOU MADE A MISTAKE AND HAVE BEEN USING THE WRONG CLASSIFICATION CODE FOR THE LAST YEAR.



To err is human.

Besides, we are not the most intelligent beings in the universe.

Never have been. Never will be.

Problem is, Customs does not take that into consideration.

Need a Prior Disclosure?

We can assist.



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