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February 2026 newsletter

USMCA: Negotiation Preparations

By Adrienne Braumiller, Managing Partner, Braumiller Law Group

The United States-Mexico-Canada Agreement (USMCA) is a trilateral free trade agreement that went into effect on July 1, 2020, as a replacement for its predecessor, the North American Free Trade Agreement (NAFTA). (*See* https://www.congress.gov/crs-product/R48787). The three involved governments are preparing to initiate the first formal joint review in July 2026 as part of the sixth anniversary of the agreement entering into effect. Under Article 34.7 of USMCA, the nations must assess how the pact is functioning and decided if they would like to continue the Agreement for a new 16-year term.

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Self-Declaring Under the Section 232 Automotive and MHDVP Programs

By Paul Fudacz, Partner, Braumiller Law Group

The October 17, 2025 Presidential Proclamation 10984 *Adjusting Imports of Medium- and Heavy-Duty Vehicles, Medium- and Heavy-Duty Vehicle Parts, and Buses into the United States* included a provision to self-declare certain auto and truck parts and components as being subject to the tariffs as follows:

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Advisory Opinions From DDTC – What Are They?

By Bruce Leeds, Senior Counsel Braumiller Law Group

The Directorate of Defense Trade Controls (DDTC) that administers and enforces the ITAR also issues Advisory Opinions (AO). What the heck is an AO? If you come from a Customs compliance background you know about Customs rulings and may have applied for some. An AO is sort of like a Customs ruling in that it is a written interpretation of the regulations.

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After Two Decades of Failing to Come to an Agreement "The Mother of All Deals" is Done – Kudos to India and the EU

By Bob Brewer, Braumiller Law Group

As of 1/27/2026, India and the EU have finalized a free trade agreement described by both sides as the "mother of all deals" that slashes tariffs, opens markets, and creates a combined economic region of roughly two billion people. This FTA stands as one of the most consequential global trade realignments in years, driven in part by U.S. tariff pressure and a shift in strategy toward diversifying one's supply chains. It's become the "way of the world" (Insert Earth, Wind & Fire tune here) in trade as uncertainty has steered more than a few countries to align themselves with trade partners that otherwise may never have been under consideration, much like China and Canada recently.

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Contracts Executed Between Mexican Companies and Foreigners The New Mexican Customs Requirements

By Brenda Cordova, Braumiller Law Group Mexico Legal Counsel

Mexico's customs and foreign trade legal framework has evolved into a substance-based compliance model. Authorities now expect importers to demonstrate not only what was imported, but also why, under what legal relationship, and under what economic terms the transaction took place.

In this environment, contracts are no longer merely corporate or legal instruments. They have become core customs compliance documents, particularly for companies operating under the IMMEX *(Industria Manufacturera, Maquiladora y de Servicios de Exportación).*

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Mexico's Electronic Value Manifest (Manifestación de Valor Electrónica or MVE)

By Francisco de la Cruz, Braumiller Law Group Mexico Legal Counsel

What is the Electronic Value Manifest (Manifestación de Valor Electrónica or MVE)?

The MVE, which will be enforceable as of April 1, 2026, is a digital document integrated into Mexico's Single Window for Foreign Trade (VUCEM - Ventanilla Única de Comercio Exterior) through which importers must declare the customs value of goods entering Mexico. To ensure that goods are accurately valued and therefore the taxes were correctly paid, the MVE must include information about the commercial value of goods such as the price paid or payable, valuation method, packing costs, any selling commission, the value of any assist, royalties or license fees, freight and insurance, exchange rates, contractual details etc.

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Integrating DAOs and DUNAs with Stablecoin Ecosystems

By James Holbein, Of Counsel, and Justin Holbein, Web3 Developer and Consultant

We have analyzed Decentralized Autonomous Organizations (DAOs) and how the GENIUS Act will permit regulation of payment stablecoins in prior articles.[1] This article examines how decentralized organizations interact with stablecoin ecosystems and the synergies between organizational and payment infrastructure innovation.

The connection is natural: DAOs need stable value to operate effectively, while stablecoin protocols need governance structures to manage their evolution. Wyoming's leadership in both DUNA legislation and state-issued stablecoins creates unique integration opportunities.

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Uncertainty Surrounding the Use of Artificial Intelligence (AI) in Tax and Customs/Foreign Trade Compliance

By Brenda Cordova, Braumiller Law Group Mexico Legal Counsel in collaboration with Saul Rodriguez Corona Mexico Attorney, Tax and AI Law Expert

The so-called Fifth Industrial Revolution is no longer a distant concept; it is already shaping everyday life. The term artificial intelligence dates back to 1956, when computer scientist John

McCarthy, along with a group of information systems experts, introduced it at the Dartmouth Conference[1]. Artificial intelligence (AI) has become a common term in public discourse, even as many people remain reluctant to understand it. Yet it is increasingly clear that familiarity with AI will soon be less a matter of curiosity and more a matter of necessity.

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IEEPA Litigation – Should you be Involved?

By Brandon French, Senior Associate, Braumiller Law Group

Hundreds of importers have rushed to file lawsuits challenging tariffs imposed under the International Emergency Economic Powers Act (IEEPA) as they await a Supreme Court ruling on the statute's overall legality. The lead case before the Court is *Learning Resources, Inc. v. Trump*, consolidated with *Trump v. V.O.S. Selections, Inc.*, which examines whether IEEPA authorizes the imposition of tariffs and, if so, whether that delegation of authority is constitutional. Oral argument was heard on November 5, 2025.

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Renewal of Haiti HOPE/HELP and AGOA Trade Preferences Up to Senate

By James Holbein, Of Counsel, Braumiller Law Group PLLC

Background

In its usual fashion, Congress has allowed the tariff preferences for Haiti under the United States-Caribbean Basin Trade Partnership Act (CBTPA)[1] and the African Growth and Opportunity Act (AGOA)[2] to expire on September 30, 2025. Two bills passed the House with bipartisan majorities on January 12, 2026, to renew the tariff preferences retroactively to the date of expiration and then extend them to September 30, 2028.[3] Both bills are now in the Senate Finance Committee awaiting action. This article examines the current status and likely outcomes of Senate review.

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The Upcoming USMCA/CUSMA/T-MEC Review
The Options are: A Renegotiation, A Few Revisions, or a Formal Exit

By Bob Brewer, Braumiller Law Group

The exit of a country, such as the U.S., from the USMCA, well, that's just crazy, right? Afterall, it's a powerhouse of a trade agreement between the three nations. According to the U.S. International Trade Administration, the United States conducts over $1.3 trillion in annual trade with Mexico and Canada under the USMCA framework and supports roughly 17 million jobs across North America. The USMCA also currently supports recordbreaking regional trade, with North America trading $1.8 million per minute. These figures include goods and services flowing both directions across the three economies. Mexico alone accounts for an estimated $900 billion in bilateral trade with the U.S. (based on the most recent U.S. Census data through Oct. 2025) Total two-way trade between the US and Canada for 2025 is estimated at around $800 billion. (U.S. Census data through Oct. 2025) This, among many other solid trade related economic reasons, such as decades in the making of supply chains, is why the USMCA is considered the backbone of North American economic integration. Ok, enough with the preliminary fluff, this agreement could be in trouble.

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BRICS: An Update and a Challenge

By Victoria Holmes, Braumiller Law Group

Has BRICS finally produced an alternative to the "petrodollar" after twenty years? And does it live up to the hype? Depending on where you look online, key details are being left out. So, let's slow down and review what's actually happening.

First, let's do a quick overview.

What began in 2006 as an informal grouping of Brazil, Russia, India, and China has expanded into a broader coalition commonly referred to as BRICS+. The bloc now includes Brazil, Russia,

India, China, South Africa, Egypt, Ethiopia, Iran, Indonesia, and the United Arab Emirates, following a series of expansions finalized between 2024 and early 2025.

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Mercosur Update

By Victoria Holmes, Braumiller Law Group

Let's rewind to December 6, 2024. A deal more than 25 years in the making, covering over 700 million people and a combined GDP approaching $22 trillion, became realized. Since then, the agreement has made notable institutional progress while encountering renewed legal and political resistance that will shape its path to implementation.

What's happened recently?
On September 3, 2025, the European Commission formalized a two-track legal structure for the agreement. The interim Trade Agreement (iTA) covers trade and market-access provisions and requires approval only by the European Parliament and the Council. The broader EU-Mercosur Partnership Agreement (EMPA), which includes political dialogue and cooperation elements, must be ratified by all 27 EU member states.

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The Davos Speech by Canadian Prime Minister Mark Carney, The Middle Powers Playbook, and a Global Trade Realignment in the Making

By Bob Brewer, Braumiller Law Group

For whatever reason, if you missed the spectacle created by President Trump on the world stage recently in Davos, Switzerland at the World Economic Forum, you really need to pay close attention now to the fall out. Leading up to the conference the majority of the world was watching and waiting for the outcome of the U.S. threats to take Greenland by force, combined with the threat of tariffs to be placed on those 7 EU countries and Norway who did not succumb to the demands of the Trump administration to outright own the property, who classified the annexation as necessary for international security. Top business

executives in global economies were watching and probably also wondering just who the hell was going to stand-up to the U.S. pressure campaign, and that's where Canadian Prime Minister Mark Carney stepped up to the mic and delivered a speech that sent shockwaves across continents.

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Global Chaos and Global Trade – The New World Disorder and the Ensuing Economic Carnage

By Bob Brewer, Braumiller Law Group

Well, here we are once again, with the U.S. shaking global trade up via the now recalled tariffs that were to be used as pressure on EU countries until Greenland was handed over. News reports had originally stated that President Trump was linking the Greenland threat to the Nobel Peace Prize snub, which is awarded via the Norwegian Nobel Committee, a five-member committee appointed by the Parliament of Norway. Even if that was the case it appeared that President Trump was satisfied when Venezuelan opposition leader Maria Corina Machado handed over her award to him recently at the White House. I personally believe that his infatuation with Greenland has nothing to do with the Nobel Peace Prize, and those of us who are paying close attention around the globe have seen what geopolitical chaos this type of threat and accompanying harsh rhetoric in Davos today from the President does to trade in multiple layers at once, as the effects are far more structurally deep than most people realize.

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Advanced Topics in Customs Compliance, Houston Omni Feb. 4th - 6th (sold out)
Speakers from Braumiller Law Group will be Adrienne Braumiller, Jennifer Horvath, Partner, Vicky Wu, Partner, presenting for Braumiller Consulting Group will be Eliza Seibert, Director of Trade Advisory
Information: https://www.customsconferences.com/

Managing Partner Adrienne Braumiller will be speaking at the American Institute International Trade Investigations, Enforcement & Litigation Conference Feb. 23rd, in Arlington VA on the topic of:

IEEPA in Action: Exploring Enforcement Trends, Refund Risks, and Litigation Tactics

Registration: https://www.americanconference.com/international-trade-investigations/pricing/

At the upcoming ICPA Conference in San Antonio, March 1st - 4th, Adrienne Braumiller, Vicky Wu, Partner, Jennifer Horvath, Partner, Brenda Cordova and Francisco De La Cruz, BLG Mexico Legal Counsel, & Bruce Leeds, Senior Counsel will be speaking: Information and registration:
https://web.cvent.com/event/b0d04d9b-6c18-4319-8906-575a17339ea5/summary

"Partnering for Compliance™" Export Control Training and Education
March 10th-12th Virtual and in Person
With Braumiller Law Group speakers Adrienne Braumiller, Managing Partner, and Senior Counsel, Bruce Leeds
Information & registration: https://www.partneringforcompliance.org/register.html

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

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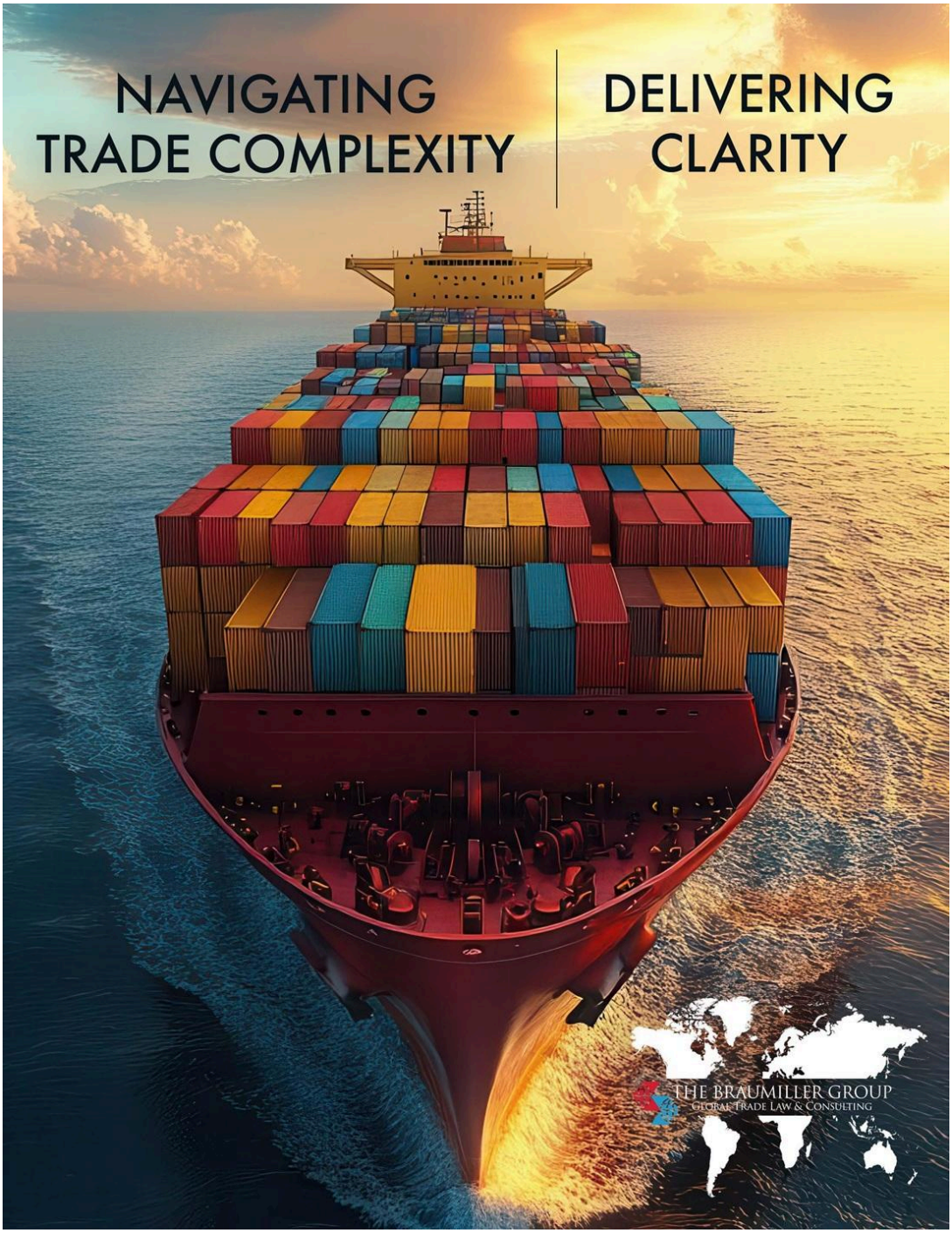

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