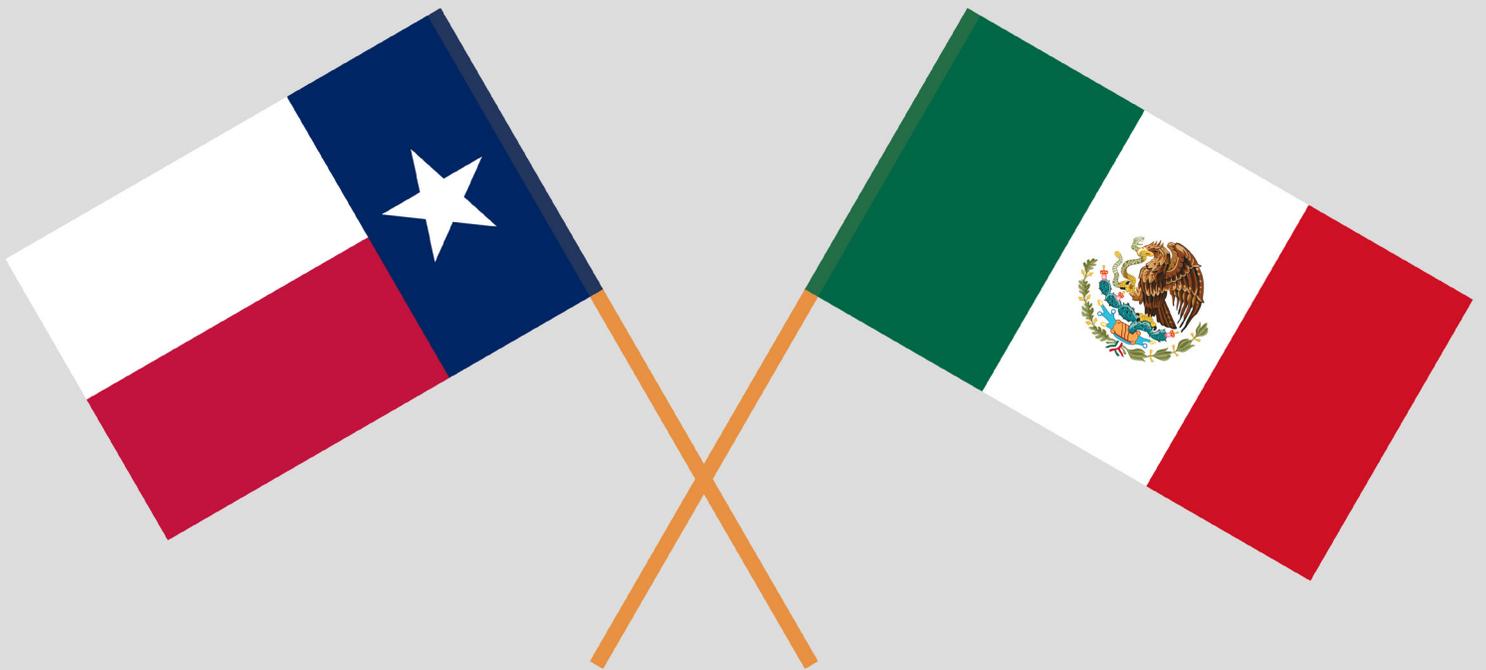


TEXAS–MEXICO RELATIONSHIPS: UNDERSTANDING THE TIES



by Carine Martinez

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Texas Public Policy
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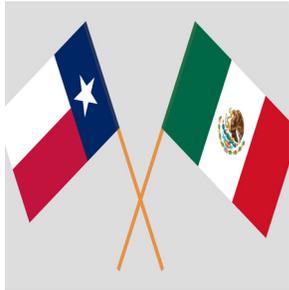


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Texas-Mexico Relationships: Understanding the Ties

Carine Martinez

Introduction

The state of Texas and Mexico share a long history, as well as elements of culture and, to some extent, political governance. These common traits can help overcome the divergences that also exist between the United States of America and Mexico.

The United States of America and the United Mexican States are both federal republics, with 50 and 32 states, respectively. In both countries, foreign policy is an area reserved to the federal government, but leeway exists for the states to cultivate international relations at the subnational or substate government level—what has become known as paradiplomacy.

This paper aims to review the relationship—formal and less formal—between the state of Texas and its political subdivisions and the United Mexican States and its government units. Agreements that involve more than just both countries' federal government or aim to take over where the federal government is absent exist between Texas and Mexico. No comprehensive list of these subnational agreements exists. Some agreements are known, others less so because they are of concern only to the local communities that entered into them. In Mexico, inter-institutional agreements entered into by individual states are supposed to be reported to and approved by the *Secretaría de Relaciones Exteriores* (SRE, Secretariat of Foreign Affairs in English), the equivalent of the U.S. State Department. Nonetheless, research has found that these agreements are not always sent to SRE, and hence formally approved by the federal government of Mexico (Schiavon, 2019, p. 170).

The goal of the paper is not to establish a comprehensive list but rather to illustrate the relationship that exists between the Lone Star State and its sub-governments and the states of Mexico by inventorying the most consequential and formal agreements, along with a few less formal, less far-reaching ones that demonstrate that Texas and Mexico can and do seek to maintain friendly, beneficial, and outcome-oriented relations.

The paper will start by looking at the extent to which the U.S. and Mexican states can cooperate without infringing on the federal government's role in both countries. It will then analyze what the local cooperation—paradiplomacy—consists of and how it is used today. In a second part, the paper will focus on Texas–Mexico relationships with a brief review of agreements with historical importance, followed by the analysis of the modern context and its agreements.

Key Points

- Foreign policy is the domain of the federal government in the U.S. and Mexico. However, foreign affairs or international relations are not completely out of reach of both countries' states and their political subdivisions.
- These local-government international relationships, sometimes called paradiplomacy, have increased around the world in the past 50 years.
- Texas and Mexico's states are no exceptions and, due to historical, cultural, and trade ties, they have increased cooperation to tackle local issues with or without the help of their federal government.
- Areas of cooperation allowed and explored include economic development, cultural and educational exchanges, development of infrastructure, protection of the environment, and public health.

[Article II, Section 2](#), gives the president the power “by and with the Advice and Consent of the Senate, to make Treaties . . . and he shall nominate, and by and with the Advice and Consent of the Senate, shall appoint Ambassadors, other public Ministers and Consuls.”

The United Mexican States

Mexico is also a constitutional federal republic, and, as for his northern neighbor, the federal government is entrusted with the power to make foreign policy.

The [Constitución Política de los Estados Unidos Mexicanos](#) lists foreign policy and the capacity to execute international treaty (“*Dirigir la política exterior y celebrar tratados internacionales*”), as well as modifying, amending, or suspending these treaties, with the authorization of the Senate (“*así como terminar, denunciar, suspender, modificar, enmendar, retirar reservas y formular declaraciones interpretativas sobre los mismos, sometiéndolos a la aprobación del Senado*”), among the powers and duties of the president, under [Article 89 X](#).

Also similarly to the U.S. Constitution, the Mexican Constitution reserves the powers not granted expressly to the federal government to the states under [Article 124](#) (“*Las facultades que no están expresamente concedidas por esta Constitución a los funcionarios federales, se entienden reservadas a los Estados o a la Ciudad de México, en los ámbitos de sus respectivas competencias*”).

The Mexican [Ley Orgánica de la Administración Pública Federal](#) lists the Secretaría de Relaciones Exteriores’ functions, among which are, in [Article 28 I](#), the coordination of foreign affairs conducted by agencies and entities that are part of the federal public administration (“*Promover, propiciar y asegurar la coordinación de acciones en el exterior de las dependencias y entidades de la Administración Pública Federal*”) and conducting foreign policy while respecting each entity’s attributions (“*y sin afectar el ejercicio de las atribuciones que a cada una de ellas corresponda, conducir la política exterior, para lo cual intervendrá en toda clase de tratados, acuerdos y convenciones en los que el país sea parte*”).

When engaging in international relations in areas they are allowed to engage, Mexican states use inter-institutional agreements, which they must report to the Secretaría de Relaciones Exteriores. The Mexican agency can then confirm that the agreements are legal and enter them in a registry that is available online (Schiavon, 2019, pp. 138–139; [Dirección General de Coordinación Política, n.d.](#)).

Similarly to the U.S. Constitution, the Mexican Constitution reserves the powers not granted expressly to the federal government to the states under Article 124.

What Is Paradiplomacy?

Definition, Scope, and Use

Although the federal government has authority over foreign policy in both countries, some issues related to international relations can affect communities at the local level, leading states, municipalities, and counties to engage in relations with their neighboring countries and subnational foreign counterparts through less formal agreements such as memoranda of understanding, bilateral agreements, interlocal cooperation contracts, inter-institutional agreements, or diplomatic missions.

Paradiplomacy (for parallel diplomacy), also called substate governments or subnational governments international relationships, consists of government units below the national level engaging in international relations with other states or governments or foreign substate peers. These relations can involve cultural links made explicit, agreements to create a common program or to adopt a similar policy, or a petition to the parties’ national governments in order to influence foreign policy. The example that often comes to mind first is the one of sister cities, but it is not the only type of relations: “they range from concluding non-binding, sisterhood and inter-institutional agreements, to participating in local, regional and international networks and organizations” (Schiavon, 2019, p. 8).

According to Schiavon (2019), the frequency of such relationships, translated into more or less formal agreements of cooperation, has increased with globalization, competition for investment from national and local economies, and decentralization of power. Analyzing the work of Kuznetsov on the subject, Schiavon points out that “ineffectiveness of the central government’s foreign policy, asymmetries between the SSGs [substate governments], the role of sub-state leaders and the role of borders” (p. 10) can also be a cause for increasing paradiplomacy. The concept is relatively new, and with its increased use—and, according to Schiavon, conflicts at times arising between international relation activities at the national and subnational

levels—research has been developing on its effects and effectiveness, or lack thereof, only in the past 50 years or so.

In reviewing the existing literature on the subject, Schiavon (2019) reports that there are several reasons for subnational governments to engage in paradiplomacy, the most important ones being economic development and cultural ties and exchanges, which, he reports, are generally accepted at the national level. Of particular interest to our study, border issues are also high on the list of reasons for U.S. border communities to exercise transborder paradiplomacy (p. 80).

Schiavon (2019) compared paradiplomacy activities in different countries, but his work is particularly interesting for the purposes of our paper as he went into the details of paradiplomacy in Mexico. As he explains,

Mexican SSGs do not participate directly in the definition or implementation of Mexican foreign policy; however, they have powers to conduct international relations in those areas that are not constitutionally defined as exclusive powers of the central Executive. According to the Mexican Constitution and the Law of the Conclusion of Treaties, Mexican SSGs do paradiplomacy in those areas in which they have legal attributions, and these activities have grown exponentially during the last two decades. (p. 15)

Not surprisingly perhaps, “Mexican SSGs that share a border with the USA have a significantly higher share of their agreements signed with the USA than the national average” (Schiavon, 2019, p. 143) and a granular analysis highlights a significant cooperation between Mexican SSGs and the state of Texas:

US SSGs have the largest number of IIAs [inter-institutional agreements] with their Mexican counterparts ... considerably more than the next four partners: Spain, ... Cuba, ... Canada and China. Once again, the Mexican states located at the northern border with the USA have much higher levels of cooperation with this country compared to the national average of 24.85% (Baja California, 50.00%; Coahuila, 88.89%; Chihuahua, 39.29%; Nuevo León 41.03%; Sonora, 100%; and Tamaulipas, 83.33%). **It is particularly worth noting that the number of IIAs (60, equivalent to 8.98% of the total) that have been signed with one single US state, Texas, is close to the total number of those concluded with Spain, and more than with any other country of the world [emphasis added].** Half of them (30, exactly 50%) have been signed with

neighboring Mexican counterparts (Chihuahua, Coahuila, Nuevo León and Tamaulipas). (pp. 143–148)

To reiterate the importance of the cooperation going on between Mexican SSGs and Texas, Schiavon underlines that “if [Texas] were a country, it would only be third in degree of cooperation after the USA as a whole and Spain” (p. 149).

However, on both sides of the Rio Grande, the involvement of both federal governments on border-related issues remains important. The Texas Department of Transportation described the situation in the following terms:

The development of policies that impact the U.S.-Mexico border follows a hierarchical relation, reflecting the binational nature of the relationship. Federal agencies in both countries oversee the overarching policies that impact the border crossings. States and local agencies have a more limited role, primarily supporting the implementation of federal-level policies. ([TxDOT, 2021, p. 2–5](#))

Additionally, “policies issued at the state level cannot contradict similar policies issued at the federal level” ([TxDOT, 2021, p. 2–7](#)).

Types of Agreements Used

Because subgovernments in both countries cannot engage in foreign policy, the agreements used are somewhat restricted and are not always legally binding the parties to anything but a mutual agreement or promise of cooperation.

One such agreement is the memorandum of understanding (MOU) or letter of intent, which the Black’s Law Dictionary defines as “a written statement detailing the preliminary understanding of parties who plan to enter into a contract or some other agreement; a noncommittal writing preliminary to a contract. A letter of intent is not meant to be binding and does not hinder the parties from bargaining with a third party” (Thomson Reuters, 2014, p. 1044). These are one of the most-often used tool of cooperation between SSGs.

Under the Texas Government Code, [Chapter 791](#), local governments can also enter into an “interlocal cooperation contract,” whose purpose is to “increase the efficiency and effectiveness of local governments by authorizing them to contract, to the greatest possible extent, with one another

and with agencies of the state.” The statute defines “local government” as a “county, municipality, special district, junior college district, or other political subdivision of this state or another state” (Section 791.003(4)). Unlike the MOU, this is a contract that implies an exchange of products or services and is binding.

Inter-institutional agreements are another form of agreements used by SSGs, and the type of agreements used by Mexican SSGs. The Inter-American Juridical Committee (2020) defines an inter-institutional agreement as one “concluded between State institutions, including national ministries or sub-national territorial units, of two or more States. Depending on its terms, the surrounding circumstances, and subsequent practice, an inter-institutional agreement may qualify as a treaty, a political commitment, or a contract” (p. 25).

The definition, however, varies depending on the country, especially since it is unclear in terms of international law. The Inter-American Juridical Committee explains that “Mexico ... defines the scope of its inter-institutional agreements as those ‘concluded in written form between any area or decentralized entity of the federal, state, or municipal public administration and one or more foreign government entities or international entities’” (p. 57).

The Inter-American Juridical Committee (2020) of the Organization of American States (OAS) recently released guidelines on “binding and non-binding agreements” in the context of such paradiplomacy agreements and in order to clarify definitions and expectations between member states, indicating potential grey areas on the legality or at least ability to enforce some of these agreements (pp. 23–24).¹

Texas Executive as Main Liaison With Mexico

The first and main figures representing Texas in paradiplomacy with Mexico are the governor and the Texas secretary of state.

The Texas Border and Mexican Affairs Division within the Office of the Secretary of State serves as a liaison between

the governor and Mexico and monitors issues between Texas and Mexico. Former Texas Governor George W. Bush invested the agency with this role through executive order ([Exec. Order No. 98-01, 1998](#)). The secretary of state was also appointed Border Commerce Coordinator ([Texas Secretary of State, n.d.](#)).

In these roles, the secretary of state oversees or coordinates several cooperation tools, such as the Interagency Workgroup on Border Issues ([Texas Secretary of State, n.d.](#)), the Border Trade Advisory Committee, to which the border commerce coordinator is the presiding officer ([Texas Secretary of State, 2022](#)), or the Texas–Mexico Strategic Investment Commission ([Texas Government Code, Chapter 490B](#)).

In the Office of the Governor, the State of Texas Mexico Office ([Office of the Texas Governor, n.d.](#)) serves as the state partner to Texas businesses that seek to export their products or services to Mexico, or to Mexican businesses interested in investing in Texas. This is the only trade and investment office that the state of Texas has established abroad.

In the next section, we review some of the agreements that link the two countries’ SSGs.

Cooperation Between Texas and Mexican SSGs History

While the purpose of this paper is to focus on current or recent agreements, setting the context for what led to an important level of local cooperation between the substate governments is useful.

The origin of the substate cooperation between Texas and Mexican SSGs is often attributed to the Bracero program.² The program was instituted in 1942 at the federal level in both countries, but Texas initially opposed it. Local farmers lobbied to weaken the terms of the agreements, fearing that some terms judged favorable to migrant workers would eventually apply to domestic workers, and they initially bypassed these terms by hiring workers directly in Mexico, outside of the program ([Koestler, 1995](#)). In 1943, Mexico

1 The OAS was created in 1948 to promote, among the member states of the Americas, “an order of peace and justice, ... their solidarity, to strengthen their collaboration, and to defend their sovereignty, their territorial integrity, and their independence” ([OAS, n.d., para. 3](#)). The Inter-American Juridical Committee (2020) exists “to serve the Organization as an advisory body on juridical matters; to promote the progressive development and the codification of international law; and to study juridical problems related to the integration of the developing countries of the Hemisphere and, insofar as may appear desirable, the possibility of attaining uniformity in their legislation” ([back of front cover](#)).

2 The program was a farm guest-worker program instituted in 1942 between the United States and Mexico. It lasted until 1964 ([Koestler, 1995](#)). The goal was to provide much-needed workforce to American farms during the war, and the consecutive agreements that framed the program clearly delineated the conditions in which the migrant workers were allowed to work in the United States.

banned Mexican workers from going to Texas “because of discrimination against Mexicans” ([Green, 1976, para. 2](#)). In response, the state of Texas created the Good Neighbor Commission to “handle social, cultural, and economic problems of Mexican Americans in Texas and to strengthen political ties” ([para. 1](#)). Mexico lifted the ban in 1947.

Under the chairmanship of Neville Penrose, the commission established the International Good Neighbor Council in 1954 to “promot[e] congeniality between Texas and its bordering Mexican states and studying border-related issues” ([Wheeler, 2022, para. 4](#)).

One important historical and local cooperation between Mexican and U.S. states (including Texas) was the Border Governors Conference. This annual meeting of American and Mexican border states started in the 1980s and was tentatively scheduled alternatively in a Mexican and an American member state ([XXVIII Border Governors Conference, n.d.](#)). The conference focused on a variety of subjects related to local economic development, border security, public health, or the environment. A joint declaration was signed at the end of each meeting. Tensions related to immigration ([Lacey, 2010](#)) between the two countries ended the annual meeting in 2010. The border governors, as a result of the conference, sometimes petitioned their respective federal government to address issues they had identified at the local level ([XXVIII Border Governors Conference, n.d.](#); [Chabin, 2021](#)).

Economic Cooperation

The most important focus of Texas–Mexico SSG cooperation today is economic opportunities and growth.

Texas and Mexico are crucial trade partners. In 2016, Mexico and Texas ranked first as each other’s leading market for both imports and exports, ahead of any other state or country ([Cox & Alm, 2018, Exhibit 2](#)). In 2018, Texas exported \$109.7 billion in goods to Mexico out of \$315.9 billion in total state exports, or 35%, making Mexico its first market ([Office of the U.S. Trade Representative, n.d.](#)). In 2019, 68% of trade between the U.S. and Mexico was passing through the Texas border ([TxDOT, 2021](#)). It is hard to underestimate the importance of these trade partners, estimated to reach together an annual GDP of \$4 trillion, making them as a hypothetical single entity the world’s sixth largest economy ([Cox & Alm, 2018, p. 6](#)).

In 1971, the state of Texas established its only foreign trade and investment office in Mexico City, the State of Texas Mexico Office (Office of the Texas Governor, [n.d., 2019](#)) to help Texas businesses willing to export or establish operations in Mexico, as well as Mexican businesses seeking to export to or invest in Texas. The office assists with market research, local contacts and networks, and facilitation of access to trade shows.

In order to foster economic cooperation, Texas also has 33 Foreign-Trade Zones (FTZs), which is more than any other U.S. state ([Office of the Texas Governor, 2022a](#)). Seven of these are located at the border and another ten are located on or near the Gulf of Mexico.

FTZs allow some businesses to benefit from streamlined customs procedures and to avoid some tariffs ([Wong, 2019](#)). The most used benefit of such zones is a reduction of duty through inverted tariff. If a business imports parts from abroad in order to manufacture a final product in the United States and the tariff on parts is higher than the one on the final product, the company can import the parts and use them to manufacture the final product in the FTZ and only be taxed on the final product when it transits out of the FTZ. This is one of several benefits provided by FTZs.

FTZs require the approval of the federal government ([International Trade Administration, n.d.-a](#)). Although the grantee of the zone is often a local public entity such a county or a municipality ([p. 6](#)),³ it is the U.S. FTZ Board, established by the Depression Era U.S. Foreign Trade Zones Act and made up of the Secretary of Commerce and the Secretary of the Treasury, that approves application ([Wong, 2019](#)). The zones, once established, are under the supervision of Customs and Border Protection.

Another essential tool of economic paradiplomacy in general consists in foreign missions that generally include members of the executive or legislative body of an SSG and representatives of private entities (corporations or business associations), or, on the other side, on receiving foreign officials and dignitaries. For example, the mayor of Houston recently led an economic development mission to Monterrey and Mexico City, which was described as “part of an aggressive strategy to reinforce Houston’s position as the top city for global trade, tourism, business, and leisure travel from Mexico” ([Houston Mayor’s Office, 2022, para. 2](#)). The delegation met with both federal and state

3 The details on each FTZ can be found on the website of the International Trade Administration ([n.d.-b](#)).

of Nuevo León government officials. A delegation from Mexico visited Houston a month later. The missions notably resulted in the signing of a memorandum of understanding pledging future collaboration between the Greater Houston Partnership and the state of Nuevo León ([Ruiz, 2022](#)).

However, even in terms of economic development, SSGs can be limited by what they can do. Schiavon (2019) gives the example of negotiations started between the state of Texas and the state of Tamaulipas that would have led to a form of local free trade agreement (p. 108). However, the Secretaría de Relaciones Exteriores contacted both parties to stop any agreement because trade policy was reserved for federal governments, and therefore out of reach for SSGs.

Border Issues

Immigration and related border issues have traditionally been the domain of the federal government, but the current border crisis has spurred Texas, to the extent it can, to step in.

In April 2022, Gov. Abbott signed memoranda of understanding with the governors of the Mexican border states to try to rein in the skyrocketing number of illegal crossings ([Moritz, 2022](#)). These agreements were signed following pressure from the Texas governor, who had imposed drastic inspections on commercial vehicles entering Texas to try to limit illegal crossings. The governor’s move put pressure on his Mexican counterparts to show goodwill and try to help manage the flow of illegal crossings in exchange for going back to normal trade crossings at the border. According to the *Caller Times* article, Gov. Abbott explained that “there is the expectation that the Mexican states I have negotiated deals with will do what is necessary to reduce illegal immigration. And there’s the consequence that, if not, 100% inspections will be reinstated” ([para. 5](#)).

This exercise in local parallel diplomacy happened as Title 42 in the context of COVID-19 was expected to end.⁴ In a press release, Gov. Abbott explained:

These MOUs with the State of Chihuahua and the State of Coahuila signal yet another historic step taken

by the State of Texas to solve the border crisis, keep our communities safe, negotiate with our partners in Mexico, and fill in the gaps left by the inaction of the Biden Administration ... Until President Biden decides to fulfill his constitutional duty to secure the border, we will continue to do whatever it takes to protect the safety and security of all Texans. ([Office of the Texas Governor, 2022b, para. 4](#))

On June 27, 2022, more than 50 migrants were found dead in an abandoned truck in San Antonio, the victims of human smuggling. A *Washington Post* article ([Hernández et al., 2022](#)) reported that the truck passed through a U.S. Border Patrol checkpoint but was not inspected, and unlike ports of entry, checkpoints have less authority and manpower resulting in not all trucks being inspected.

Following this event, on June 29, 2022, Gov. Abbott reinstated semi-truck inspections at checkpoints ([Office of the Texas Governor, 2022c](#)).

As mentioned earlier, these agreements are not binding but can serve as powerful tools when the federal government is not helping—or even hindering progress.

Infrastructure Cooperation

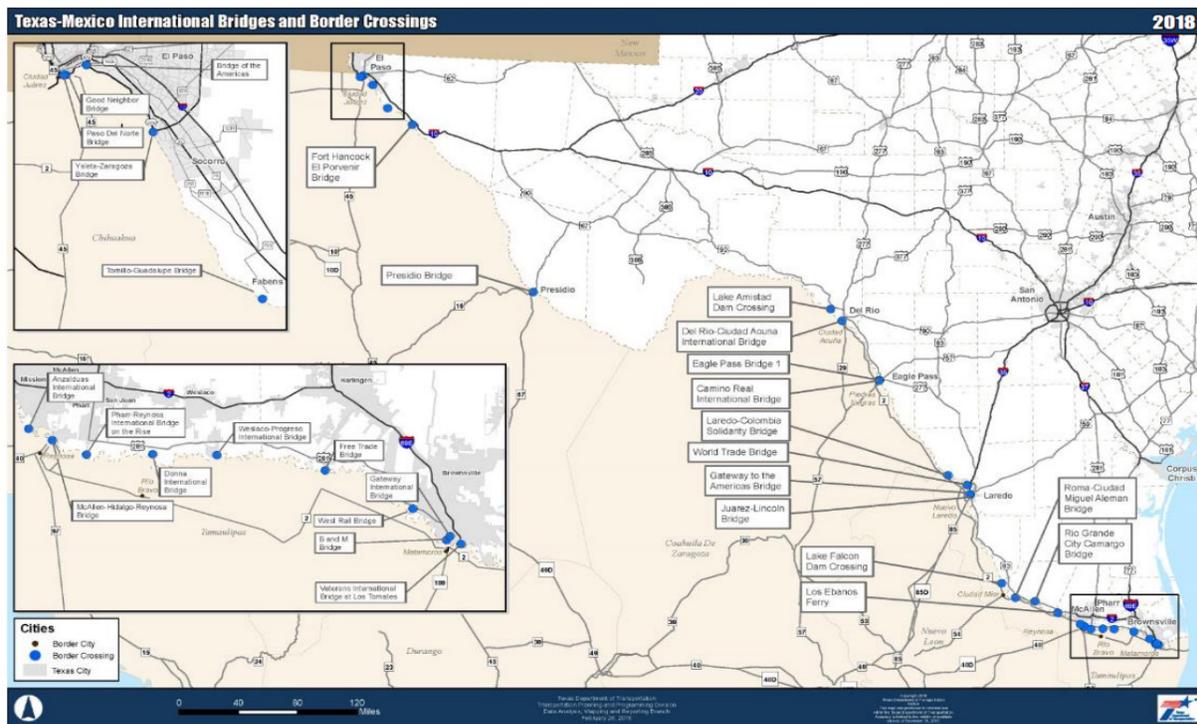
Texas and Mexico are major trade partners. The Texas–Mexico border represents 64% of the entire U.S.–Mexico border ([TxDOT, n.d.](#)) and accommodates 28 of the 49 vehicle and pedestrian border crossings between the two countries ([TxDOT, 2021](#)). These border crossings allow pedestrians and vehicles (privately owned vehicles or POV, trains, and busses) to go from one country to another.

International bridges facilitate border crossings of both individuals and goods at U.S. ports of entry (POEs) into the United States and to Mexico. This infrastructure requires a mix of federal and local intervention on the side of the U.S. and is the responsibility of the federal government in Mexico.

In 1981, both countries joined to create the U.S.–Mexico Binational Bridges and Border Crossings Group (BBBXG), whose goal is to oversee the efficiency and coordination of new border crossings. The group includes participants

⁴ Title 42 in the U.S. Code is related to public health and allows the U.S. government to deny entry or deport migrants coming from a country that is exposed to a communicable disease that could be spread in the United States ([42 U.S. Code § 265](#)). The Trump administration used Section 265 of Title 42 to deny entry to migrants at the southern border during the COVID-19 pandemic, hence creating a strong disincentive to try to illegally cross the border. The policy was maintained by the Biden administration for a time ([Hesson & Dwyer, 2021](#)). The announcement of its end, on the other hand, created hope for many migrants—and a lucrative opportunity for human traffickers—who rushed to the border to cross it, in part leading to the current crisis.

Figure 2
2018 Map of Texas–Mexico International Bridges and Border Crossings



Note. Map reproduced from *Texas-Mexico International Bridges and Border Crossings*, Texas Department of Transportation, 2019, p. 6 (<https://ftp.dot.state.tx.us/pub/txdot/move-texas-freight/studies/texas-mexico-bridges-crossings-2019.pdf>).

at the federal levels of both countries and the 10 U.S. and Mexican border states (TxDOT, 2021, p. 2–9). Proposals for new border crossings must first be submitted to the BBBXG.

Proposals for new international bridges require approval both at the federal and state level on the U.S. side, and at the federal level on the Mexican side. Texas Transportation Code, Section 201.612, allows for “political subdivision or private entity authorized to construct or finance the construction of a bridge over the Rio Grande’ the ability to “concurrently seek approval from the [Texas Transportation] commission and the United States.”

The passage of the [International Bridge Act of 1972](#), codified in [33 U.S. Code 535](#), gave Congress’ consent to the construction of international bridges and the signing of agreements between SSGs on both sides of the U.S.–Mexico border to sign agreements to allow the construction of such bridges: “The consent of Congress is hereby granted to the construction, maintenance, and operation of any bridge and approaches thereto, which will connect the United States with any foreign country” (§ 535), as well as

the “consent of Congress ... for a State or a subdivision or instrumentality thereof to enter into agreements ... with the Government of Mexico, a Mexican State, or a subdivision or instrumentality of either, in the case of a bridge connecting the United States and Mexico, for the construction, operation, and maintenance of such bridge” (§ 535a). Such an agreement, however, has to be approved by the secretary of state and “no bridge may be constructed, maintained, and operated as provided in section 535 ... unless the President has given his approval” (§ 535b).

On the Mexican side and headed by the Secretaría de Relaciones Exteriores, the Inter-Sectorial Group for Bridges and International Crossings reviews, considers, and approves applications before coordinating with binational groups (TxDOT, 2021, p. 2–10).

Other approvals may be needed by the U.S. Coast Guard and the International Boundary & Water Commission/ Comisión Internacional de Límites y Aguas (IBWC/CILA) when international waters (such as the Rio Grande) are involved.

The 28 ports of entry include 2 dams and a hand-drawn ferry. In addition to those 28 POEs, two bridges were closed as of 2019 but could be reopened, and three new bridges had been proposed, two of which have received signed presidential permits ([TxDOT, 2019, pp. 3, 5](#)).⁵ The ports of entry are owned or operated, on the Texas side, mostly by Texas SSGs (the state, cities, and counties) and, in fewer cases, by the Department of Homeland Security, the IBWC, or a private company. For Mexico, the ownership is more centralized: The TxDOT report lists the government of Mexico in most cases, with a few instances owned or operated by CILA (for the same POEs as for Texas) and private companies. Several bridges/ports of entry were built before 1972 and as a result did not need a U.S. presidential permit.

Other ways for individuals or goods to cross the border include freight rail crossings, airports, seaports, and import-export pipelines ([TxDOT, 2021, p. 1–4](#)).

In the early 2010s, Texas and Mexico SSGs started developing three border master plans for transportation:

- El Paso/Santa Teresa- Chihuahua Border Master Plan.
- Laredo-Coahuila/Nuevo León/Tamaulipas Border Master Plan.
- Lower Rio Grande Valley—Tamaulipas Border Master Plan. ([TxDOT, 2021, p. 1–6](#))

Following these examples, a broader and more integrated plan for border transportation was created—the Texas-Mexico Border Transportation Master Plan (BTMP). This plan is future-oriented, taking into account current issues and anticipating future potential issues as well as opportunities. The BTMP as well as the regional plans underline that different needs and solutions may be needed, although all plans need to be integrated and follow federal and state laws.

The 2021 Texas-Mexico Border Transportation Master Plan is a result of a collaboration between TxDOT, the Border Trade Advisory Committee, Binational Regional Steering Committees, binational private and public stakeholders, as well as the general public through public meetings ([TxDOT, 2021, p. 1–9](#)). The BTMP is “a comprehensive, multimodal, long-range plan for the Texas-Mexico

border region and identifies transportation issues, needs, challenges, opportunities, and strategies for moving people and goods efficiently and safely across the Texas-Mexico border, the border regions, and beyond” ([p. 1–6](#)). Its vision is to “collaboratively foster integrated and efficient Texas-Mexico transportation mobility of people and goods across the Texas-Mexico border and to promote economic development that benefits the binational Texas-Mexico border region and the United States and Mexico” ([p. 2–1](#)).

Border region SSGs also strive to find new solutions to connect the two countries. A plan for a high-speed train that would link Monterey, in the Mexican state of Nuevo León, to San Antonio, in Bexar County, Texas, is said to have been first conceived in the 1980s but was later abandoned due to unrealistic travel times and high costs. However, a recent agreement was signed between the two countries to start new feasibility studies ([Diamond, 2021; Tovar, 2021](#)). While the plan would need to involve the U.S. federal government, Texan SSGs have pushed for the project for decades and are likely to get involved, as would the Texas Department of Transportation. Uncertainty remains on how the project would be funded though.

Educational and Cultural Cooperation

One of the most prolific areas of cooperation between Texas and Mexico is educational and cultural cooperation.

Educational

Several agreements exist at Texan public universities to encourage the exchange of students between Mexico and the U.S.

First, the state of Texas provides a number of state financial aid programs for Mexican border communities.

Mexican citizens with financial needs can benefit from a nonresident tuition waiver to enroll in certain Texas public universities while paying the resident tuition rate. The program offers two different options depending on whether the Mexican citizen is from a border county or not.

Border county applicants can get a waiver to a limited number of Texas public universities (in counties bordering Mexico) but there is no limitation in the number of students who can receive such a waiver ([College for All Texans, n.d.-a](#)). In 2004–05, 2,613 students received such

⁵ The TxDOT (2019) report provides detailed information about each crossing point (history, ownership, types of crossings, and crossing trends between 2008 and 2018).

waivers ([Texas Higher Education Coordinating Board \[THECB\], n.d.](#)).

Mexican citizens from non-border counties can benefit from the same waiver in any Texas public university, but the number of waivers each university can obtain for these students is limited ([College for All Texans, n.d.-b](#)). In 2004–05, 274 students received such waivers ([THECB, n.d.](#)).

The conditions are laid out in the [Texas Administrative Code, Chapter 21, Subchapter BB](#). The program allows eligible students to pay the resident rate.

Mexican residents and nonimmigrant aliens who are citizens of Mexico and live in Texas and who enroll in a graduate degree program in public health in a border-county Texas public university can also benefit from a nonresident tuition waiver ([College for All Texans, n.d.-c](#)).

Finally, the Good Neighbor Scholarship Program ([College for All Texans, n.d.-d](#)) provides tuition assistance (an award representing the payment of tuition for 12 months) to students from the Americas, including Mexico (and excluding Cuba and the United States), who enroll in Texas public higher education institutions. One of the eligibility criteria the applicant must fulfill is to intend to return to his or her native country after completing the program of study.

Then, public universities have their own exchange programs. Texas A&M University has a Mexico Partnership Services office within its Department of Global Engagement that highlights that, “from student participation and initiatives in neighboring communities on both sides of the Rio Grande to academic collaboration across Mexico, the impact in teaching, research, and service through engagement and collaboration continue to enhance our connected future” ([Mexico Partnership Services, n.d.](#)). The university’s partnerships page lists several bilateral agreements with Mexican institutions for academic partnerships, services, or research.

In 2003, the University of Texas at Austin (UTA) signed an agreement with the Ministry of Foreign Relations in Mexico “to promote the presence and participation of distinguished Mexicans from the public and private sectors, as well as from academia, to foster greater understanding of Mexican culture and society” ([Teresa Lozano Long Institute of Latin American Studies, n.d., para. 1](#); [Secretaría de Relaciones Exteriores \[SRE\], 2019](#)). The Matías Romero

Visiting Scholars Program was stopped during the COVID-19 pandemic ([SRE, 2020](#)) and, according to the UTA website, “has been suspended by the Mexican government until further notice.” The program could support up to 10 research projects per academic year, in any discipline, and the Mexican Foreign Ministry picked the candidates.

Texas State University’s website lists a number of international inter-institutional agreements and memoranda of understanding with countries all over the world, including several with Mexico ([Texas State University, n.d.](#)). The Mexican institutions Texas State has partnered with are the Campus Universitario Siglo XXI, the Instituto Universitario Franco Inglés, the Comisión de Derechos Humanos del Estado de México, the Universidad Autónoma de San Luis Potosi, the Universidad Autónoma del Estado de México, and the Universidad Politécnica de Guanajuato. The agreements aim to promote academic relationships, research, and teacher exchanges.

Educational partnerships are not limited to higher education. TTU K–12 ([n.d.](#)), the kindergarten through 12th grade school administered by Texas Tech University has partnered with schools around the world to offer its students the possibility to earn a foreign high school diploma in addition to a Texas one. In Mexico, TTU K–12 has partnered with the Instituto Césare in Alfredo V. Bonfil, south of Cancún, in the Mexican state of Quintana Roo.

Cultural Initiatives

Cultural initiatives between Mexican and Texan SSGs can be more difficult to track, since they are more localized and their impact is more likely to be concentrated in the communities concerned, rather than spreading through two states.

However, one well-known the world over example of cultural initiative through SSG agreements is the one of sister cities. Sister cities or twin cities are agreements passed between two foreign cities or communities to foster cultural, educational, and commercial relationships ([Sister Cities International, n.d.-a](#)). The modern concept of sister cities is said to have been born after World War II not so much as a political tool but from the desire of communities that had been severely hit by the war to create links of friendships to try and maintain peace ([Baker, 2016](#)). However, the agreements, or rather their suspension or cancellation, have been used for political purposes since, often to take a stand against another community’s or country’s policies ([Squires, 2012](#); [Smith, 2022](#)).

Figure 3

American and Mexican Children Exchanging Flags During an Abrazo Ceremony



Note. Picture of an Abrazo Ceremony reproduced from *Abrazo Ceremony to temporarily halt traffic at Juarez-Lincoln Bridge*, KGNS.TV, February 21, 2021 (<https://www.kgns.tv/content/news/Abrazo-Ceremony-to--568072861.html>).

There are several types of agreements or statuses for this type of subnational relationship from a formal partnership agreement that needs to be approved by elected officials from both cities (sister cities) to a less formal one (friendship cities), to one that is “dormant” (emeritus cities; [Sister Cities International, n.d.-b, p. 6](#); [City of San Antonio, n.d.](#)).

According to Sister Cities International ([n.d.-b](#)), in 2019, 23 cities in Texas had a total of 177 sister cities agreements with cities around the world, including 63 Mexican cities. The city of Laredo had by far the greatest number of connections with Mexican cities, followed McAllen and San Elizario, all three border cities ([pp. 32–34](#)).

A less formal but traditional demonstration of cross-border, subnational cultural ties can be found in the Abrazos Ceremony that happens every year in February on the Juárez-Lincoln International Bridge between Laredo in Texas and Nuevo Laredo in Mexico in the context of the celebration of George Washington’s birthday ([Griego, 2011](#); [Laredo IGNC Chapter, n.d.](#)). The ceremony consists of four children exchanging an *abrazo* or hug. Two children represent George and Martha Washington for the U.S., and the two others represent a Mexican couple. This celebration, symbolically happening on an international

bridge, attracts representatives of the two countries, at the federal, state, and local levels ([Ayala, 2019](#)). The ceremony is organized by the Laredo chapter of the International Good Neighbor Council.

Another *abrazo* ceremony, albeit with adults, happens between the sister cities of Hidalgo, Texas, and Reynosa, Tamaulipas, Mexico ([Gobierno Municipal de Reynosa, 2022](#)).

Some agreements are also born out of the necessity or collaboration of border communities and are meant to answer temporary needs. One such example is the recent donation by the city of McAllen, Texas, of a septic truck to the city of Reynosa, Mexico ([Sanchez, 2020](#)), and used an inter-local cooperation contract for that purpose between the McAllen Public Utility and the city of Reynosa ([Notice of a Regular Meeting, 2020, pp. 22–28](#)).

Environment

Environmental concerns, especially at the border, have also brought communities from both countries to collaborate locally.

The Texas Commission on Environmental Quality (TCEQ) is involved in a number of agreements and programs with Mexican SSGs (TCEQ, [2022a](#), [2020](#)). The initiative, working groups, and agreements focus on air and water quality along the border, as well as natural resources preservation. According to the Texas agency, “since 2008, TCEQ’s Border Initiative has served Texans in the 32 border counties and engaged sister agencies in the four neighboring Mexican states, as well as local and federal stakeholders on both sides of the border” ([TCEQ, 2020, p. 1](#)).

Although the federal government plays an important part in developing environmental policies, SSGs have been involved in parallel to help local communities better face local issues. For example, while the United States and Mexico developed a binational Joint Contingency Plan for emergency response ([Office of Emergency Management, 2017](#)), TCEQ also developed local plans with “six pairs of sister cities in the four-state region” ([TCEQ, 2021, para. 1](#)). Issues related to water quality and resources linked to the application of treaties between the two countries are handled by the binational International Boundary & Water Commission (IBWC).⁶

The Mexican federal government can also sometimes slow down or make more difficult more local forms of cooperation. In a study on the management of groundwater at the Texas–Mexico border, Sanchez and Eckstein ([2020](#)) found that

long-standing centralized groundwater governance structures, as well as a presumption that the International Boundary and Water Commission–Mexico Section (CILA) is the de facto authority for all waters shared with the United States, have created institutional barriers at the local and regional levels to the expansion of knowledge of and cooperation over these transboundary resources. ([para. 3](#))

Sanchez and Eckstein ([2020](#)) interviewed stakeholders on both sides of the border regarding the management of groundwater resources. Although the interviewees tended to favor a formal binational (country to country) groundwater agreement, some argued that a more realistic and short-term approach would be to develop

local management approaches without the involvement of the federal government. In fact, these informal local approaches could be a way to eventually lead to more formal agreements. Some of the interviewees (especially local officials, the private sector, and academics) argued that “formal transboundary groundwater agreements would create more conflict than informal efforts, and the more formal the process, the greater the tension and lower the likelihood for actual ‘success’” ([“Local Versus Systemic Impacts” section](#)).

And indeed, some programs initiated at the local level end up involving more than Texas and Mexico SSGs. An example is the recent creation of the Binational Air Quality Fund, initiated locally by the states of Texas, Chihuahua, and New Mexico and the city of Ciudad Juárez to address issues with the El Paso Air Basin. The North American Development Bank, “a binational financial institution established by the Governments of the United States and Mexico” ([North American Development Bank, n.d.](#)),⁷ will manage the fund ([Janecka, 2021](#); [Joint Advisory Committee, n.d.](#)).

Public Health

Health is another area where the federal government in both countries has traditionally been in charge, but local initiatives can sometimes be needed.

Binational Health Councils were created in 1963 to “promote unity and collaboration between health officials of [border] sister cities” ([Texas Health and Human Services, 2021a, para. 1](#)). The Texas Health and Human Services created an Office of Border Public Health following a mandate to do so passed by the Texas Legislature in 1991 ([Texas Health and Human Services, 2021b](#)). One of the goals of the department is to “build sustainable partnerships with key border and binational organizations at federal, state, and local levels to promote communication, coordination and collaboration” ([Goals](#)), with the mission of “improv[ing] health and well-being along the Texas–Mexico border” ([Mission](#)).

This local cooperation targets specific health concerns, such as through the Texas Binational Tuberculosis Program administered by the Texas Department of State Health

⁶ The IBWC provides “binational solutions to issues that arise during the application of United States - Mexico treaties regarding boundary demarcation, national ownership of waters, sanitation, water quality, and flood control in the border region” ([IBWC, n.d., Welcome](#)).

⁷ The goal of the North American Development Bank ([n.d.](#)), or NADBank, is “to provide financing to support the development and implementation of infrastructure projects, as well as to provide technical and other assistance for projects and actions that preserve, protect or enhance the environment in order to advance the well-being of the people of the United States and Mexico.”

Services (2022). The program “provides TB prevention and care services addressing the high incidence of TB cases along the Texas-Mexico border to reduce transmission of TB and to protect public health in Texas” (para. 1) and comprises four binational programs.

During the COVID-19 pandemic, vaccination programs were started. An agreement between the cities of Reynosa in Mexico and McAllen, Hidalgo, and Mission in Texas allowed Mexican public school teachers in the state of Tamaulipas and living near the border region to get vaccinated against COVID-19 ([Gobierno Municipal de Reynosa, 2021](#)). Similarly, thousands of Mexican maquiladora workers from the Mexican states of Nuevo León, Tamaulipas, and Chihuahua were able to get vaccinated in the U.S. ([Sanchez, 2021](#); [Bio El Paso-Juárez, 2021](#)).

Conclusion

Texas, the states of Mexico, and their political subdivisions are limited in how they can influence the foreign policy of their respective countries or act at the international level, but they still can and do play a role in the international relationships of the two countries. As we have tried to demonstrate, Texas, Texas municipalities and counties, and Mexican states and cities have found a variety of ways to step in to not only maintain the relationships between the two countries but also address specific common issues.

Due to globalization, growing economic competition between economies, decentralization, and at times failure of central governments to step in where they should, the use of paradiplomacy has been growing around the world over the past 30 years. Texas and the Mexican states are not isolated cases.

The state of Texas should create some mechanism to track these agreements in a way similar to what the Mexican Secretaría de Relaciones Exteriores is doing.

Although the memoranda of understanding, sister city agreements, and other partnerships may not always be binding or change foreign policy, they allow the two communities that are best placed to know first-hand the issues they are facing to discuss and initiate solutions. These initiatives can then serve as good starting points for Texas and Mexican SSGs to lobby their respective federal government to implement binational and formal solutions.

However, the state of Texas should create some mechanism to track these agreements in a way similar to what the Mexican Secretaría de Relaciones Exteriores is doing. Considering the role that the Office of the Secretary of State is already playing in the Texas–Mexico relationship, the Legislature could require all such agreements not involving the federal government to be reported to the Secretary of State. The most consequential ones could also be reviewed and approved by the Secretary of State. The Secretaría de Relaciones Exteriores also makes these agreements available to the public on its website. A similar registry would bring additional transparency around these agreements. ★

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Carine began working in public policy as a policy intern at the Foundation in 2014. She later worked as a policy analyst for Texas Action during the 84th Legislature and then spent a year in Washington, D.C., working as a research associate for the Charles Koch Institute. She joined the Foundation as managing editor in 2016.

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About Texas Public Policy Foundation

The Texas Public Policy Foundation is a 501(c)3 non-profit, non-partisan research institute. The Foundation promotes and defends liberty, personal responsibility, and free enterprise in Texas and the nation by educating and affecting policymakers and the Texas public policy debate with academically sound research and outreach.

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