

United States Senate

WASHINGTON, DC 20510

January 15, 2020

The Honorable Robert Lighthizer
United States Trade Representative
600 17TH Street NW
Washington, DC 20508

Dear Ambassador Lighthizer:

We write regarding the United States-Mexico-Canada Agreement (“USMCA”). We support this agreement because it improves upon the existing North American Free Trade Agreement (“NAFTA”). It does so by updating the obligations to reflect a modern economy, and by including enforceable environmental obligations – that simply did not exist in the original NAFTA. While we are disappointed that the USMCA does not cover the Paris Agreement, ratify the Kigali Amendment to the Montreal Protocol, or more explicitly speak to climate change, we are glad to see that the USMCA – and in particular, the below changes negotiated by yourself and congressional Democrats – makes significant improvements from past trade agreements.

First, the revised agreement acknowledges the importance of ensuring we do all we can to protect the environment by requiring member countries to enforce their environmental laws and work together on environmental issues. Parties to the agreement must adopt, maintain, and implement their commitments under numerous multilateral environmental agreements regarding endangered species, marine pollution, ozone depletion, and more. These are critical steps in an effort to work together to protect the environment and address climate change.

Second, the revised agreement and its implementing legislation include rigorous monitoring and enforcement standards. These standards include the creation of a new interagency committee to oversee implementation of the agreement’s environmental obligations, capacity building to support our trading partners in living up to these strict standards, and additional enforcement measures to hold accountable those who fail to abide by the rules of this agreement. Among these provisions is a new mechanism that gives environmental stakeholders – the people on the ground seeing potential violations firsthand – a strong and direct role in enforcement matters to ensure greater transparency and accountability for this administration, and future administrations, in taking environmental enforcement actions.

Third, a significant U.S. investment of \$603 million in new federal funding accompanies this revised agreement. These funds are to be used to carry out crucial activities for implementation of the environmental obligations, including capacity building, pollution remediation, environmental enforcement, borderland improvements, water and marine programs, and a substantial recapitalization of the North American Development Bank. An investment like this affirms the commitment of the United States to ensuring the environmental standards of this agreement can be fully realized.

We believe the USMCA's environmental obligations and enforcement regime will result in concrete steps towards better protecting the planet. However, the efficacy of this new regime will also depend on the administration's commitment to using these new tools and resources. We, and our congressional colleagues, will certainly be using our position to oversee the administration's work in monitoring and enforcing the agreement's environmental obligations. As the Senate prepares to vote on USMCA, we request from you a full commitment to work with Congress and not delay oversight to ensure that both the United States and our partner trading countries abide by the letter of this agreement. We are proud of this agreement's commitment to the environment; now we must work together to ensure that we live up to it.

Sincerely,



Benjamin L. Cardin
United States Senator



Ron Wyden
United States Senator



Thomas R. Carper
United States Senator