

Congress of the United States
Washington, DC 20515

November 6, 2025

Ambassador Jamieson Greer
Office of the U.S. Trade Representative
600 17th St NW
Washington, DC 20508

Dear U.S. Trade Representative Greer:

As the U.S., Mexican, and Canadian governments undertake the mandatory six-year review of the renegotiated North American Free Trade Agreement (NAFTA), the U.S.-Mexico-Canada Agreement (USMCA), we urge you to significantly strengthen Chapter 24, Environment. Without an enforceable, meaningful environmental chapter, clean air, water, and land and safe, good-paying jobs are all at risk in a race to the bottom. No Party should gain a comparative advantage over others by undermining, repealing, and sabotaging their environmental protections. Strong and enforceable environmental protections ensure that American workers and businesses can compete on a level playing field and are not unfairly penalized for following U.S. laws that guarantee safe workplaces free from environmental hazards and that support healthy, sustainable communities.

Trump has said he supported “fully enforceable” environmental provisions. To achieve that objective, reforms must be adopted. The USMCA made modest progress in creating a more level playing field, but the lack of meaningful enforcement undermines existing protections. Under the current agreement, there is little to no recourse against signatory countries that fail to adopt and enforce strong environmental protections, which essentially amounts to unfair corporate subsidies through suppressed regulations and environmental “dumping” that threaten U.S. companies and U.S. employment. For example, since the U.S. strengthened its lead air quality standards in 2008, corporations have dramatically increased their used lead battery exports to Mexico to evade this law, shipping battery-recycling jobs abroad in the process. An updated USMCA should level up the playing field, not reward companies that skirt environmental protections. An agreement providing for enforcement of the environmental standards necessary to ensure workers safety and public health would not incentivize this sort of race-to-the-bottom decimation of American jobs, as NAFTA did and the current USMCA failed to remedy. Indeed, unless binding language directing Parties to maintain and enforce environmental regulations is made enforceable, corporations will continue to offshore investment and jobs from the United States knowing that they can profit from an environmental exploitation. USMCA must end these

de facto subsidies that encourage corporations to offshore production, jobs, and investments to take advantage of weak environmental laws, at the expense of good-paying jobs and clean air, water, and land.

Needless and unacceptable delays have plagued enforcement of the USMCA's current environmental provisions. In 2022, the Office of the U.S. Trade Representative requested Environmental Consultations with the Mexican government under Chapter 24 with concerns Mexico may have failed to enforce its environmental protection laws with respect to the vaquita porpoise, a species now reduced to only six living members, as the use of illegal gillnets to catch shrimp and totoaba for export endanger the remaining vaquita. Investigations began after two years of delay, with the factual report echoing the longstanding observations of civil society groups in concluding that Mexico has not sufficiently taken enforcement actions. Despite these findings in August 2025, and the long delay that preceded the report, there has been no subsequent enforcement to hold Mexico accountable and protect the vaquita porpoise. Until forced to change course by real penalties for practices that violate the USMCA, the Mexican government will have no incentive to intervene to stop illegal fishing practices, pushing the vaquita porpoise closer to extinction. Meanwhile, firms violating the law will be free to profit from this conduct. Failures to enforce environmental protections require timely action. The current USMCA allows for dangerous delays that allow corporations to abuse existing environmental laws to the detriment of workers, consumers, and our planet.

To rectify these shortcomings an updated USMCA must make a host of reforms. Most importantly, we call for the establishment of an enforcement mechanism, similar to the Rapid Response Mechanism (RRM) for Labor Violations, for point-source pollution violations of the USMCA and other relevant environmental standards and protections by specific facilities. Like the Labor RRM, we support a facility-specific enforcement mechanism. Additionally, we ask for modifications to the structure of an RRM to allow escalation to company-specific enforcement mechanisms for repeat violations to ensure an Environmental RRM promotes economy-wide gains. Concomitant harmonized data collection and reporting requirements for air, water, and land emissions and discharges must accompany an Environmental RRM to provide investigators uniform and consistent information on facilities and companies.

An Environmental RRM must be fully funded to operate efficiently and effectively. USMCA partners should be required to identify relevant enforcement agencies and commit to certain minimum standards with respect to staffing levels; funding; sanctioning authority at levels that pose a meaningful deterrent; environmental monitoring; and health and safety standards, such as clean water and air standards. Failures to maintain baseline enforcement levels should result in tariff adjustments and penalties that may be used to ensure effective enforcement in the non-compliant Party.

It is imperative that any revisions to the USMCA build upon and not undermine the progress made limiting the investor-state dispute settlement (ISDS) system. Terminating the ISDS between the U.S. and Canada in addition to significantly scaling back U.S.-Mexico ISDS in 2019 helped preserve American sovereignty, discourage outsourcing, and support environmental standards among the Parties. However, the remaining loophole for ISDS cases between the U.S. and Mexico for oil and gas firms continues to allow powerful multinational corporations to intimidate Parties from enforcing and strengthening their environmental protection laws, which again can amount to an unfair corporate subsidy and contribute to more offshoring of US jobs. ISDS should be removed entirely from the agreement to protect Parties' sovereignty.

The European Union, the United Kingdom, and Australia—a substantial percentage of the global market—have begun to design and implement Carbon Border Adjustment Mechanisms (CBAM) that equalize manufacturing costs by placing import fees on high-carbon industrial products. To remain competitive, USMCA Parties must establish their own approach to increasing competitiveness of the region's industrial materials, starting with steel and aluminum. Such a mechanism should adopt a harmonized approach to calculating the carbon intensity of steel and aluminum; a reporting system through which governments agree to share verified accounts of embedded emissions; and a report of the carbon intensity of covered products, including finished goods. In addition to strengthening low emission U.S. producers in the North American market, creating such a mechanism will facilitate ongoing access to important export markets for USMCA-qualifying goods.

More specifically, revisions to Chapter 24.11, Air Quality, should establish a working group involving all Parties to harmonize monitoring, verification, and reporting requirements for industrial facilities manufacturing steel, cement, or aluminum, and for derived finished goods, covering greenhouse gas emissions, particulate matter, nitrous oxides, and heavy metals. U.S., Mexican, and Canadian producers will all benefit from studying and publishing the average product emissions intensity. Reporting will demonstrate a comparative advantage globally, strengthening marketability and the global competitiveness of U.S. firms. These reporting requirements will help to preempt possible efforts by foreign governments to claim U.S., Mexican, and Canadian products are dirty and should be tariffed.

Additionally, an updated USMCA must revise the environmental chapter language to include binding obligations, such as “shall ensure” instead of the existing formulations, such as “shall strive to ensure.” Requirements within Chapter 24.4, Enforcement of Environmental Laws, that environmental violations must be “sustained and recurring” and shown to have occurred “in a manner affecting trade or investment” are loopholes for industry to exploit—delaying and undermining investigations and enforcement actions. Current language establishes an impossibly high and vague standard, requiring a burdensome amount of evidence before proceeding to enforcement. These loopholes should be removed. Without binding language, corporations can

continue outsourcing jobs to Parties without strong environmental protections, where they can pollute without penalty.

We additionally call for revisions to 24.8, Multilateral Environmental Agreements (MEA), to ensure U.S. goods enjoy a level playing field. An updated 24.8 must incorporate a revised NAFTA “grandfather clause” clearly mandating Parties comply with their obligations to the covered agreements, even if doing so would conflict with other USMCA rules. Elevating compliance with the MEAs over the USMCA is not a new idea—it is a return to NAFTA’s core environmental provision. This should be a basic pillar of our trade agreements: to preserve our international environmental commitments and disincentivize Parties from providing unfair subsidies to corporations by allowing them to abide by lesser rules and regulations than others globally. Additionally, updates must include a provision expanding the covered list of MEAs to include any current and future agreement to which all three partners are or become a party, and that MEAs which two Parties have adopted shall be binding between those Parties. It is imperative that 24.8 maintain flexibility to add new, relevant MEAs as Parties will face new environmental challenges and needs throughout the lifetime of this agreement. Furthermore, actions taken by Partners to comply with these important obligations should, all else being equal, not be unduly limited by “least trade restrictive” clauses or the like.

We look forward to working with you on improvements to the Environmental Chapter throughout the USMCA review and renegotiation process. A revised agreement that includes these improvements is crucial to ensure the USMCA provides a level playing field and fair business practices while protecting the air we breathe and the water we drink.

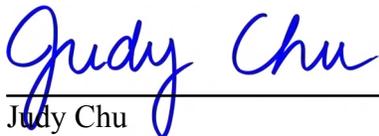
Sincerely,



Lloyd Doggett
Member of Congress



Brendan F. Boyle
Member of Congress



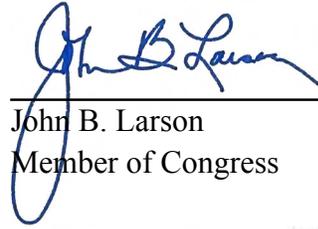
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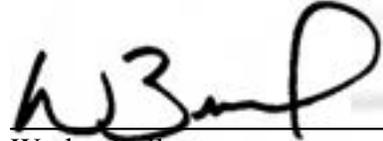
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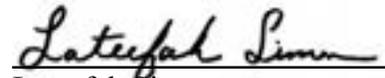
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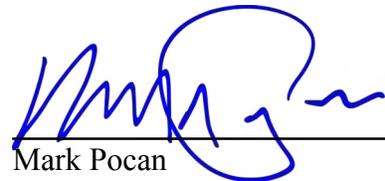
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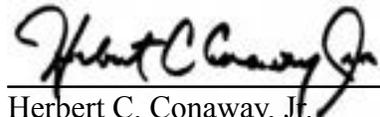
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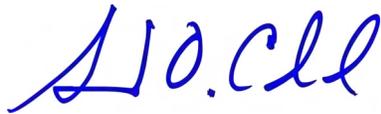
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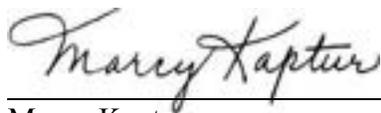
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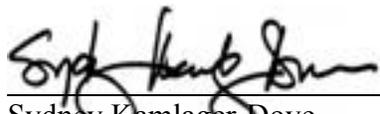
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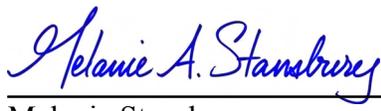
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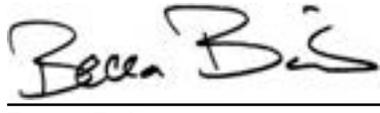
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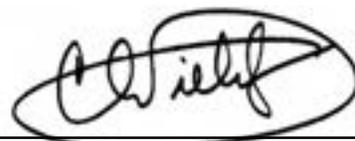
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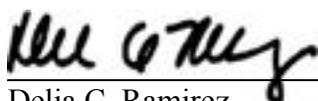
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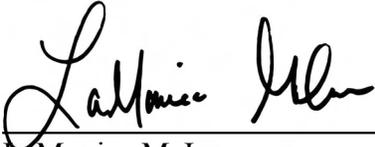
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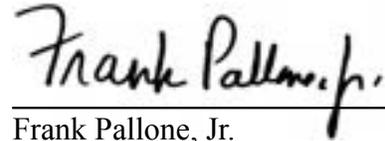
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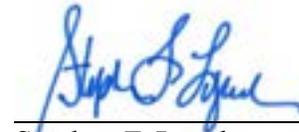
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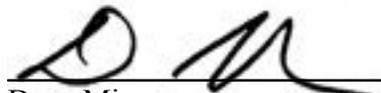
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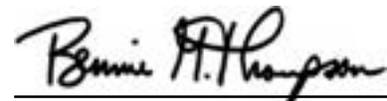
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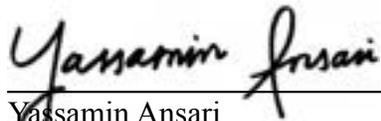
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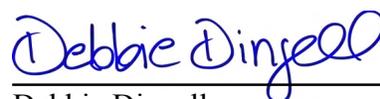
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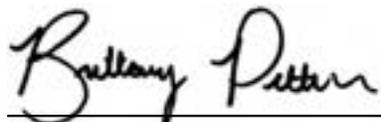
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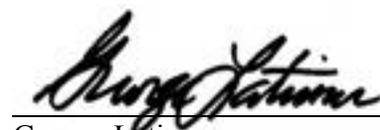
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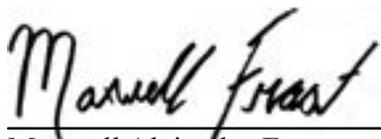
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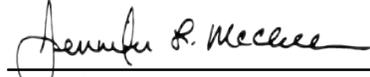
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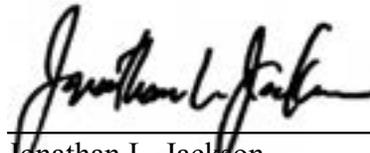
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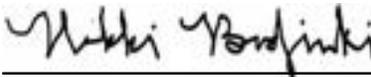
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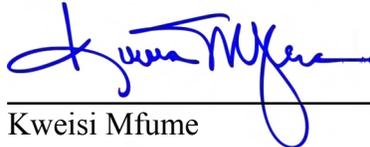
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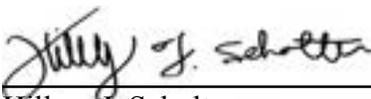
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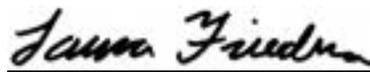
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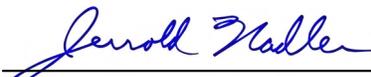
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