

PUBLICATION

Businesses Invited to Comment on NAFTA Renegotiation by June 12

May 31, 2017

The Trump Administration has recently notified Congress of its intent to renegotiate the North American Free Trade Agreement (NAFTA). To assist the U.S. Trade Representative (USTR) as it develops negotiating objectives, the agency is soliciting public comments identifying changes to the agreement that U.S. individuals and businesses would like to see incorporated during renegotiation.

Submitting comments in this process may be in the interest for some businesses, especially those in industries such as agriculture, textiles and manufacturing, and those affected by high import duty rates. USTR Robert Lighthizer has also emphasized to Congress the need for NAFTA to be modernized; specifically he identified NAFTA's digital trade, labor, environmental and intellectual property rules for improvement. NAFTA could be expanded to include industries like e-commerce and data localization, which did not exist when NAFTA was negotiated 25 years ago.

If you have any questions, please reach out to our [Global Business Group](#) for more information. USTR must receive written comments and notification of an intention to testify orally at a hearing on the matter by June 12, 2017. The hearing will be held on June 27 at the U.S. International Trade Commission.

Below is a list of areas for which USTR has invited comments:

1. General and product-specific negotiating objectives for Canada and Mexico in the context of a NAFTA modernization.
2. Economic costs and benefits to U.S. producers and consumers for removal of any remaining tariffs and removal or reduction of non-tariff barriers on articles traded with Canada and Mexico.
3. Treatment of specific goods (described by Harmonized Tariff Schedule of the United States "HTSUS" numbers), including comments on:
 - Product-specific import or export interests or barriers.
 - Experience with particular measures that should be addressed in negotiations addressing any remaining tariffs on articles traded with Canada, including ways to address export priorities and import sensitivities related to Canada and Mexico in the context of the NAFTA.
 - Customs and trade facilitation issues that should be addressed in the negotiations.
 - Appropriate modifications to rules of origin or origin procedures for NAFTA qualifying goods.
 - Any unwarranted sanitary and phytosanitary measures and technical barriers to trade imposed by Canada and Mexico that should be addressed in the negotiations.

Other relevant issues including:

- Barriers to trade in services between the U.S., Canada and Mexico that should be addressed in the negotiations.
- Digital trade issues that should be addressed in the negotiations.
- Trade-related intellectual property rights issues that should be addressed in the negotiations.
- Investment issues that should be addressed in the negotiations.
- Competition-related matters that should be addressed in the negotiations.

- Government procurement issues that should be addressed in the negotiations.
- Environmental issues that should be addressed in the negotiations.
- Labor issues that should be addressed in the negotiations.
- Issues particular to small and medium-sized businesses that should be addressed in the negotiations.
- Trade remedy issues that should be addressed in the negotiations.
- State-owned enterprise issues that should be addressed in the negotiations.