

Urgent Info on USMCA

By Alex Newman

As Richard Haass, the president of the Council on Foreign Relations, pointed out on Twitter, "USMCA is NAFTA plus TPP plus a few tweaks." Trump was exactly right when he said NAFTA and TPP were terrible, sovereignty-undermining agreements. With the Democrats' additions, they are even WORSE. This deal is a disaster, and Americans will eventually find out. Hopefully we can alert the president before it's too late.

This USMCA is very similar to "free trade" agreements being pursued or having been approved around the world to advance regional governments that undermine sovereignty. The European Union, which began as a Coal and Steel Community, followed by the European Free Trade Agreement, is the premier example. Similar schemes are being pursued to advance the African Union, the Eurasian Union, and other sovereignty-shredding unions in different regions of the world.

However, President Trump has a perfect opportunity to squash this assault on U.S. sovereignty by exposing Democrats for loading the USMCA up with "poison pills." This comes from House Democrats' "Fact Sheet" about their additions to USMCA: **"Taken in whole, these substantial changes House Democrats secured are a *true transformation* of the original United States Mexico Canada Agreement."** See below for some specific examples.

First, as requested, here are some of the worst provisions in the USMCA as far as sovereignty goes:

-USMCA creates a Free Trade Commission that will be the international executive bureaucracy overseeing this all, a first step toward an EU Commission-style body over North America, with the power to propose amendments to the USMCA. It usurps many powers from Congress, including power over tariffs, which Article 1, Section 8 assigns to Congress. This is very similar to the TPP Free Trade Commission that sparked so much opposition to that agreement. ([Chapter 30, pages 30-1, 30-2, 30-3, 30-4](#))

-USMCA can also open up U.S. borders in an unprecedented way. Article 15.5 of Chapter 15 of the USMCA states: "No party shall adopt or maintain ... a measure that ... imposes a limitation on ... the total number of natural persons that may be employed in a particular financial service sector or that a financial institution or cross-border service supplier may employ ... in the form of numerical quotas or the requirement of an economic needs test." This is the same language that was used in TPP that Jeff Sessions would open up massive amounts of immigration into the United States. Separately, Article 23.8, under the section labeled "Migrant Workers," requires the United States to "ensure that migrant workers are protected under its labor laws, whether they are nationals or non-nationals." Non-nationals does not specifically refer just to Mexicans,

and could open the door to illegal immigrants from *any nation* being protected under U.S. labor laws rather than being deported. ([Chapter 23, page: 23-6, 23-10](#), and [Chapter 15, page 15-4](#))

-Multiple highly controversial international agreements such as the UN Law of the Sea Treaty that have not been ratified by the U.S. Senate are cited as authoritative in the USMCA. UN LOST, which gives the UN jurisdiction over basically all oceans, is mentioned in Chapter 1 and Chapter 24 of USMCA as if it were already binding, declaring that the parties "shall" base their fishing policies on best practices as defined in international instruments, with UN LOST being cited as one of several that are applicable. ([Chapter 24, page: 24-14](#))

-North American protections for homosexuality and transgenderism are in Chapter 23 (page 23-6, 23-9, 23-10) prohibiting "discrimination." This is a radical measure that they could not get through

Congress: <https://ustr.gov/sites/default/files/files/agreements/FTA/USMCA/Text/23-Labor.pdf>

-The implementing legislation approves \$1.5 billion for the North American Development Bank, which was first created under NAFTA. This bank is working to integrate the United States with Mexico and Canada very similar to how European banks worked to advance European integration, culminating in the European Union. The North American Competitiveness Committee (Chapter 26 of USMCA) is to be established. Article 26.1, Section 5, states: "The Competitiveness Committee shall ... discuss effective approaches and develop information-sharing activities to support a competitive environment in North America that facilitates trade and investment between the Parties, **and promotes economic integration and development within the free trade area.**" (Emphasis added.) ([Chapter 26, on page: 26-1](#))

-USMCA purports to above U.S. and State law. It will force Congress to change U.S. laws to be in line with USMCA, just as Congress obeyed orders to repeal Country of Origin Labeling (COOL) in response to a WTO ruling. If you read the implementing legislation, Section 102 goes on to explain, "Nothing in this Act shall be construed — (A) to amend or modify any law of the United States, or (B) to limit any authority conferred under any law of the United States, *unless specifically provided for in this Act.*" Of course, the bill contains numerous provisions that will require modifying U.S. law. The same section also stated: "No State law, or the application thereof, may be declared invalid as to any person or circumstance on the ground that the provision or application is inconsistent with the USMCA, *except in an action brought by the United States for the purpose of declaring such law or application invalid.*" In other words, the U.S. government will be able to force state governments to change their laws in order to comply with USMCA. This turns federalism upside down. It makes states subservient to the U.S. government, which itself is made subservient to USMCA under this deal.

Dangerous additions by Democrats that Trump can use to quash USMCA:

Here are some key words from the Democrats' own fact sheet that could be used by Trump: **"Taken in whole, these substantial changes House Democrats secured are a true transformation of the original United States Mexico Canada Agreement."**

-Democrats added "stronger enforcement" and "stronger rules" provisions--provisions that could be used against the U.S. for allegedly violating USMCA or the rulings of the entities created under USMCA.

-At the signing of the Democrats' amendments, Mexican Ricardo Senator Monreal admitted. "It will **now be easier to establish panels of regional jurisdiction, or with regional jurisdiction, composed of judges from both countries** that address all types of differences that may arise on any subject covered by the treaty." Mexican judges will be ruling on American issues, with jurisdiction over Americans.

-"House Democrats established a new and enhanced labor-specific enforcement mechanism"

-Stronger environmental rules that will bind all 3 countries, including establishing a "presumption" that an environmental issue affects trade. That means Mexico or Canada or a USMCA-created institution could come after the US or a state under these provisions, and the presumption would be that USMCA-created institutions have jurisdiction and enforcement powers over the matter.

At the signing ceremony, Canadian Deputy Prime Minister Chrystia Freeland, touting the "progressive agreement," said: "When this agreement is enacted, **NAFTA will not only be preserved, it will be updated, improved, and modernized** for the 21st century." With the Democrats' modifications, USMCA PRESERVES NAFTA.

-There are 7 additional "multilateral environmental agreements" added into USMCA by Democrats (also attached as pdf above), and it seems they added language allowing them to add more of these deals into USMCA after Trump leaves office. "Pursuant to Article 34.3 (Amendments), the Parties may agree in writing to modify paragraph 1 to include ... any other environmental or conservation agreement."

On the changes, Nancy Pelosi said USMCA was now "infinitely better than what was initially proposed by the administration."

Chairman of the House Ways and Means Committee Representative Richard Neal (D-Mass.) said: "Over the intense period of these negotiations with the administration, I

repeatedly emphasized **the USMCA will deserve a vote because it's an agreement that Democrats shaped.**"

Rep. Suzanne Bonamici (D-Ore.), who managed negotiations for changes to the environmental chapter of the USMCA, explained: "We incorporate several multilateral environmental agreements. We have an interagency committee to assess and monitor. This is going to be best trade agreement for the environment."

Republicans are also seeing this. Senator Pat Toomey (R-Penn.) told Politico about the USMCA after Democrat changes: "It's ***clearly moved way to the left***, which is why you had a celebratory press conference by all the Democratic leadership in the House." Later, speaking on Fox, Toomey said: "this negotiated agreement has made more concessions to the Left, to the Democrats, to organized labor, than they've ever gotten on any other trade agreement."

Please see also the "USMCA Win Factsheet" attached to this email, which includes more of the Democrats' boasting about what they added into this agreement.