

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND GOVERNMENT REFORM

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January 10, 2025

The Honorable Katherine Tai
United States Trade Representative
600 17th Street NW
Washington, D.C. 20508

Dear Ambassador Tai:

The Committee on Oversight and Government Reform (Committee) is conducting oversight of the Office of the United States Trade Representative's (USTR) actions to remove investor protections from free trade agreements.¹ Specifically, the Committee has become aware of USTR's efforts to renegotiate investor-state dispute settlement (ISDS) provisions in the U.S.-Mexico-Canada Agreement (USMCA). We request a briefing to understand the consultation process utilized by USTR leading to its decision to renegotiate investment protections for U.S. companies.

The Committee is deeply troubled by the Biden Administration's actions as American companies face ongoing disputes with foreign governments over seized assets.² USTR is renegotiating the USMCA during a truncated timeline and without consultation of Congress or impacted stakeholders. USMCA, as most U.S. trade agreements, contain ISDS protections so that U.S. companies can seek financial compensation when governments take hostile actions such as nationalizing U.S. company assets. We are aware that there are Democrats in Congress who sympathize with the assessment of the United Nations' rapporteur on human rights and the environment that investor protections are a "major obstacle to the urgent actions needed to address the planetary environmental and human rights crises."³ However, ISDS protections benefit U.S. companies and USTR's mission is to advance U.S. interests. Your office's actions threaten the interests of U.S. businesses and signal to foreign governments that the U.S. governments will not stand up for them.

Due to the upcoming inauguration of President Trump later this month, the Committee requests an immediate briefing from USTR to provide clarity on these ideologically-motivated decisions. Please make arrangements to schedule a briefing with Committee staff on this matter

¹ Press Release, Representative Lloyd Doggett (D-TX-37), *Doggett, DeLauro, Whitehouse and Coalition Urge for Removal of Trade Provisions Abused by Corporations Against Sovereign Nations* (Dec. 19, 2024).

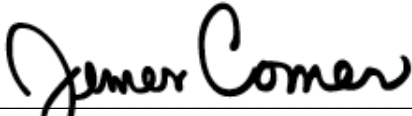
² *US builder Vulcan to fight land expropriation in Mexico, ordered in president's final week*, Reuters (Sept. 24, 2024).

³ *Investor-State Dispute Settlement (ISDS) Mechanisms and the Right to a Clean, Healthy, and Sustainable Environment*, the International Institute for Sustainable Development (Jun. 15, 2023).

as soon as possible, but no later than January 13, 2025. To schedule the briefing, please contact Committee on Oversight and Government Reform Majority Staff at (202) 225-5074.

The Committee on Oversight and Government Reform is the principal oversight committee of the U.S. House of Representatives and has broad authority to investigate “any matter” at “any time” under House Rule X. Thank you in advance for your cooperation with this inquiry.

Sincerely,



James Comer
Chairman
Committee on Oversight and Government Reform



Gary Palmer
Member of Congress

cc: The Honorable Gerry Connolly, Ranking Member
Committee on Oversight and Government Reform