

Comments on Advancing Inclusive, Worker-Centered Trade Policy

Docket Number USTR–2023–0004

Thank you for the opportunity to comment on how the Biden-Harris administration can advance inclusive, worker-centered trade policy in ways that promote racial and gender equity and support historically under-served communities. Citizens Trade Campaign is a cross-sector coalition of labor, environmental, family farm, faith and consumer organizations who together represent more than 12 million Americans. We have worked together to improve U.S. trade policy since the early 1990s. Below are our top-line recommendations in seven often overlapping areas.

- **Transparency:** Today’s secretive trade negotiating process grants privileged access to the corporate lobbyists who dominate USTR’s “cleared advisor” system, while largely excluding communities of color, indigenous peoples, women, people with disabilities, queer people, younger generations and the working class. The alternative is not piecemeal expansion of exclusionary advisory committees, but to instead publish U.S. trade proposals for public comment before tabling them in negotiations, and to share draft negotiating texts and supporting documents at the end of negotiating rounds. Financial resources to facilitate participation by underrepresented communities are also needed.
- **Labor Rights:** Black and Latino workers are disproportionately represented in manufacturing sectors that have lost the most jobs due to import competition, as well as in service sector occupations increasingly subject to offshoring. Manufacturing jobs in particular have been a path to the middle class for many families of color and the loss of these jobs can be devastating at the household level. Offshoring has other ripple effects throughout entire communities, such as less money being spent at local businesses, lowered real estate prices and an accompanying reduction of local tax bases and thus reduction of funds for schools and other public services. One core element of a worker-centered trade agenda is for all trade pacts to build off the initial progress made in the U.S.-Mexico-Canada Agreement by including strong labor rights standards backed by facility-specific, rapid-response enforcement tools with meaningful penalties attached for violations. Prioritization of labor enforcement can slow the global race to the bottom in wages and working conditions, helping working-class communities of color in the U.S. and abroad, among many others.

- **Queer Rights:** Recent administrations have effectively ignored the horrific attacks on LGBTQI+ rights by governments with which they have sought to negotiate new trade agreements. The U.S. should refuse to negotiate bilateral or regional trade agreements with governments that fail to respect the rights of LGBTQI+ people, including by pausing U.S.-Kenya trade talks until Kenyan President William Ruto commits to vetoing legislation criminalizing queer communities.
- **Migrant Rights:** U.S. trade agreements must ensure that any worker rights provisions apply to migrant workers as well as citizens. The U.S. should also acknowledge the role that U.S. trade agreements play in displacing family farmers and small- and mid-sized employers abroad, particularly in Latin America, and should seek ways to reverse these injustices, including with the addition of strong labor and climate enforcement provisions; greater respect for nations' food sovereignty; and greater rights for documented and undocumented migrants in the United States.
- **Indigenous Sovereignty:** Trade negotiations should only establish binding obligations on indigenous nations if official representatives of those nations participate as full negotiating partners throughout the negotiating process and the nations in question ratify the trade pact through whatever process of their own choosing.
- **Digital Trade:** Big Tech's so-called "digital trade" agenda is particularly dangerous for women and people of color. Proposals to create algorithm and source code secrecy guarantees would undermine many attempts to safeguard against A.I. discrimination. The ability to ship, process and store people's personal data across borders free from data localization restraints undermines personal privacy, exposing people seeking abortion services, disability services and other forms of healthcare to discrimination and potentially legal repercussions. Likewise, the offshoring of data and data processing services is likely to lead to increased offshoring of service-sector jobs in which women and people of color are disproportionately represented.
- **Climate Change:** Climate change's impacts are and will continue to be disproportionately felt by communities of color, the disabled, women and the working class. Trade agreements should include strong, binding climate obligations backed by facility-specific, rapid-response enforcement tools with meaningful penalties attached for violations. The U.S. should take proactive measures to prevent future trade attacks on clean energy programs and other climate initiatives. Finally, the U.S. should acknowledge the disproportionate role that it played in creating the climate crisis by proactively helping global south nations better mitigate climate change.

We appreciate your consideration of our coalition's viewpoints. Please address any questions to Citizen Trade Campaign's Executive Director, Arthur Stamoulis, at (202) 494-8826 or info@citizenstrade.org.