



## What's Really in the USMCA? (UPDATED)

On January 29, 2020, President Trump signed the United States-Mexico-Canada Agreement Implementation Act ([H.R. 5430](#)), two weeks after the U.S. Senate overwhelmingly passed the agreement by a vote of 89 Yeas to 10 Nays on January 16, 2020. Back on December 19, 2019, the U.S. House of Representatives passed the implementation legislation, by a vote of 385 Yeas to 41 Nays. H.R. 5430 both approves and implements the 2,410-page United States-Mexico-Canada Agreement (USMCA), supplanting the original 1994 North American Free Trade Agreement (NAFTA).



As *The New American* has previously covered ([here](#), [here](#), and [here](#)), there are many problems with the USMCA that outweigh any potential economic benefits — mainly how it would erode America's national sovereignty in favor of regional integration. After a year of back-and-forth negotiations with U.S. Trade Representative Robert Lighthizer and the Trump Administration, House Speaker Nancy Pelosi and House Democrats held a [press conference](#), on December 10, 2019, to announce that new changes had been made to the USMCA, thus clearing a path for the Democrats to support the trade scheme.

Simultaneously as Pelosi held her press conference, U.S. Trade Representative Robert Lighthizer, Canada's Deputy Prime Minister Chrystia Freeland, and Mexico's Deputy Foreign Minister Jesús Seade Kuri attended a [ceremony in Mexico City](#) to sign the [Protocol of Amendment to the Agreement Between the United States of America, the United Mexican States, and Canada](#) - a 27-page document of all the changes agreed to by House Democrats. During her remarks, prior to signing the Protocol of Amendment, Freeland, who belongs to Canada's Liberal Party and who had served as Canada's principle trade negotiator on the agreement, enthusiastically described the USMCA, or CUSMA as the Canadian government calls it for [Canada-United States-Mexico Agreement](#), as a "progressive trade agreement." Even prior to the changes added by House Democrats, Freeland had also previously described the integration scheme as a "very progressive agreement."

Constitutionalists, conservatives, libertarians, and even people of faith, ought to be concerned with the enforcement of those "very progressive" elements. Below are some of the most egregious issues contained in the USMCA.

### **Economic Integration**

Principally, the USMCA promotes the "economic integration" of North America. The USMCA's competitiveness chapter ([Chapter 26](#)) establishes the creation of the North American Competitiveness Committee (NACC), which is also referred to in the agreement as simply the Competitiveness Committee. According to Article 26.1, Section 5 of Chapter 26, the NACC is tasked with making sure that it "promotes economic integration and development within the free trade area" and "to further enhance the competitiveness of the North American economy." In other words, it seeks to merge the economies of North America into one, akin to a North American Union, much like the European Union.



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The fact that the USMCA promotes the economic integration of North America, was further reaffirmed by then-President of Mexico Enrique Peña Nieto in his remarks delivered at the signing ceremony for the agreement in Buenos Aires, Argentina, on November 30, 2018. Speaking in Spanish, President Peña Nieto [said](#) about the new agreement, “The negotiation of the Mexico-United States-Canada Treaty made it possible to reaffirm the importance of the economic integration of North America.” The “Mexico-United States-Canada Treaty” is the English translation for what the Mexican government calls the USMCA in Spanish: the Tratado México-Estados Unidos-Canadá, or T-MEC as it is abbreviated in Mexico.

President Peña Nieto further remarked, in Spanish, about the significance of the USMCA/T-MEC, “The renegotiation of the new trade agreement sought to safeguard the vision of an integrated North America, the conviction that together we are stronger and more competitive.” He added, “The Mexico-United States-and-Canada Treaty gives a renewed face toward our integration.” And shortly after signing the agreement, Peña Nieto posted on [Twitter](#):

On my last day as President, I am very honored to have participated in the signing of the new Trade Treaty between Mexico, the United States and Canada. This day concludes a long process of dialogue and negotiation that will consolidate the economic integration of North America.

Mexico’s current President Andrés Manuel López Obrador echoed similar sentiments as that of his predecessor. Following the signing of the Protocol of Amendment, President López Obrador delivered a speech, praising how the agreement would unite the continent. “With development cooperation, which will be possible with the agreement, the unity of the Americas, the unity of our continent, the unity of all countries, the peoples of our America, the America that saw Abraham Lincoln born and of the America that saw Benito Jaurez born, we have this agreement with North America, without turning our backs on our America,” López Obrador exalted.

The USMCA is designed to form a trade bloc similar to other regional trade blocs and integration schemes around the world, such as the African Union (AU), Association of Southeast Asian Nations (ASEAN), Community of Latin American and Caribbean States (CELAC), European Union (EU), Eurasian Economic Union (EAEU), and the Latin American Integration Association (LAIA). Interestingly enough, Mexico is also both a member of CELAC and LAIA.

For decades globalists have sought to replace the modern international system comprised of sovereign nation-states with a “new world order,” comprised of interlocking (and in some cases overlapping) regional supranational blocs. The economic blocs are in turn to be further merged into one single bloc or world union, governed by the United Nations or some other future one-world government body.

In 1962, Lincoln P. Bloomfield, a member of the pro-one-world government Council on Foreign Relations (CFR) and longtime official of the U.S. Department of State, wrote a report, entitled “A World Effectively Controlled by the United Nations: A Preliminary Survey of One Form of a Stable Military Environment.” The reported was financed by the State Department and published by the Institute for Defense Analysis. In it, Bloomfield proposed that “ever-larger units evolve through customs unions, confederation, regionalism, etc., until ultimately the larger units coalesce under a global umbrella.” Everything about the USMCA indicates that it follows this objective.

### **Environment**

The USMCA also promotes the United Nation’s concept of “sustainable development,” which is the cornerstone of the UN’s Agenda 21/Agenda 2030 program to address the purported problem of



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anthropogenic climate change. Agenda 2030 calls for the redistribution of wealth from richer developed nations to underdeveloped countries in the global south. It also advocates for numerous controls over people's lives and daily actions; and imposes onerous regulations that would prevent developing nations from industrializing, in turn stagnating their economies.

Whereas the original 1994 NAFTA did not even contain a chapter on the environment, the USMCA has a 30-page environment chapter (Chapter 24) that mentions "sustainable development" nine times, starting on page 24-2, where it states: "The Parties recognize that a healthy environment is an integral element of sustainable development and recognize the contribution that trade makes to sustainable development." Chapter 24 also contains additional references to "sustainable fisheries" and the "sustainable use of biodiversity," both of which are in line with the UN's Agenda 2030.

According to Article 24.2 (on page 24-2), of Chapter 24, the purpose for the USMCA's environmental chapter is plainly stated as follows:

The objectives of this Chapter are to promote mutually supportive trade and environmental policies and practices; promote high levels of environmental protection and effective enforcement of environmental laws; and enhance the capacities of the Parties to address trade-related environmental issues, including through cooperation, in the furtherance of sustainable development.

So the USMCA is essentially calling for control over waters, lands, and organisms across the three countries. It would gain control over all three via layered levels of government, all of which would strip the United States of control in these areas and give control to regional governmental entities. With the U.S. EPA already attempting to control human behaviors — where Americans live, how they live, and what type of work can be done in a given region — with little to no oversight from American citizens, by making rules covering air, land, water, and organisms, imagine a regional entity with the same power and no real oversight whatsoever.

In Chapter 24, the USMCA mentions the little-known separate "Agreement on Environmental Cooperation among the Governments of Canada, the United Mexican States, and the United States of America," also known as the Environmental Cooperation Agreement (ECA). According to the U.S. Environmental Protection Agency (EPA), the ECA was "completed in parallel" with the USMCA. On its website, the EPA [states](#) the following about the new ECA:

Under the ECA, the United States, Mexico and Canada will cooperate to reduce pollution, strengthen environmental governance, conserve biological diversity, and sustainably manage natural resources. The new ECA will modernize and enhance trilateral cooperation, including by supporting implementation of the environment commitments in the USMCA.

In other words, together with the ECA, the USMCA is much more than just a simple trade agreement it's also an environmental agreement for North America. In addition to the ECA, the USMCA also references another little-known environmental agreement, the North American Agreement on Environmental Cooperation (NAAEC), and an environmental organization called the Commission for Environmental Cooperation (CEC). According to the EPA's [website](#), "The NAAEC promotes sustainable development based on cooperation and mutually supportive environmental and economic policies." The NAAEC established the creation of the CEC, which is like a supra-EPA for all of North America.

According to the EPA, the "The CEC consists of three bodies: the Council, the Secretariat, and the Joint Public Advisory Committee (JPAC)." The CEC Council is "composed of the Ministers of Environment



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from Canada, Mexico, and the United States, [and] is the governing body of the Commission,” meanwhile, the Secretariat “provides support to the Council, [and] implements the annual Operational Plan approved by the Council, and implements other activities pursuant to the NAAEC.” The function of the JPAC is to engage with “stakeholders in North America and provides advice to the Council.” The website further [states](#) that the EPA director serves as the U.S. representative on the CEC Council. Appointed by the president of the United States, the director of the EPA is one of three representatives serving on a regional international bureaucracy for North America — the CEC.

According to Article 24.25 on “Environmental Cooperation,” in the USMCA’s Chapter 24, “Activities that the Parties [the U.S., Mexico, and Canada] undertake pursuant to the Environmental Cooperation Agreement will be coordinated and reviewed by the Commission for Environmental Cooperation as provided for in the ECA.” The CEC is mentioned a total of 16 times in the USMCA’s Chapter 24. By tying itself to the CEC, the USMCA is acting as the lynchpin creating a new regional government structure for North America. This is not just true of environmental policy; it is also true of other sectors such as energy.

### **Energy Integration**

Although the USMCA does not contain a chapter specifically about energy, it does include a [side letter](#) — written by U.S. Trade Representative Robert Lighthizer to Canadian Foreign Minister Chrystia Freeland — that covers energy. The letter includes an annex. Article 3 of the annex to the side letter reads:

The Parties recognize the importance of enhancing the integration of North American energy markets based on market principles, including open trade and investment among the Parties, to support North American energy competitiveness, security, and independence. The Parties shall endeavor to promote North American energy cooperation, including with respect to energy security and efficiency, standards, joint analysis, and the development of common approaches.

Article 4 of the annex further states that the parties “shall endeavor to ... [support] North American energy market integration.” It is an embryonic unified energy infrastructure for all of North America, in which every energy supplier and provider in the United States, Mexico, and Canada would eventually be regulated or governed by a common set of policies, rules, and regulations, as encouraged by the USMCA.

Eventually, this type of energy integration would lead to the creation of a new regional regulatory energy body or authority, a kind of North American department or ministry of energy, which would supersede the U.S. Department of Energy, Canada’s Department of Natural Resources, and Mexico’s Secretaría de Energía (Secretariat of Energy).

Oddly enough, despite this level of integration, of which even Mexico’s President Peña Nieto touted the economic aspects of, the agreement contains a rather unique chapter affirming Mexico’s sovereignty over its natural energy resources. Chapter 8, entitled “Recognition of the Mexican State’s Direct, Inalienable, and Imprescriptible Ownership of Hydrocarbons,” simply states that “the United States and Canada recognize that”:

- (a) Mexico reserves its sovereign right to reform its Constitution and its domestic legislation; and
- (b) The Mexican State has the direct, inalienable and imprescriptible ownership of all hydrocarbons in the subsoil of the national territory, including the continental shelf and the exclusive economic zone located outside the territorial sea and adjacent thereto, in strata or deposits, regardless of



their physical conditions pursuant to Mexico's Constitution.

Although the USMCA promotes the integration of North American energy markets, Mexico will still retain full sovereignty and ownership over all hydrocarbon, or fossil fuels, within its geographical and political boundaries. While this is good news for Mexico, no other chapter in the USMCA affirms the same recognition for the United States' or Canada's sovereignty over its own hydrocarbons. In other words, as the lyrics by Woody Guthrie go, "This land is your land, this land is my land," except what's in Mexico's land.

### **Migrant Workers**

According to the [U.S. Customs and Border Patrol](#) (CBP), a total of 396,579 apprehensions were made of people attempting to cross the U.S. southern border with Mexico in fiscal year 2018. That number has more than doubled in 2019. Approximately 851,000 illegal border crossers were been taken into custody by the CBP in fiscal year 2019, which ran from October 1, 2018 to September 30, 2019. There is no way to gauge the number of people who succeed at illegally crossing the Southwest border each year. While most cited immigration experts believe that there are around 11 million illegal aliens residing in the United States, one study from Yale University published in June 2018, estimated that were as many as 22.1 million illegal migrants living in the United States in 2016. The actual numbers could be even higher and may increase even further, due in part to certain provisions in the USMCA.

The USMCA's labor chapter ([Chapter 23](#)), as *The New American* has also previously [reported](#), could serve as a beachhead for a cross-border migration invasion similar to that experienced in the European Union. In language that is virtually identical to that found in the TPP, 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 opens the door for Mexico and the current radical socialist government of Mexican President Andrés Manuel López Obrador or for a Mexican, a Canadian, or even a U.S.-based company to sue the U.S. government for restricting the number of employees that such a company would want to bring across the border into the United States.

As well, provisions from USMCA's Chapters 15 and 23 have the potential to undermine President Trump's border security measures and further open our nation's borders. Article 23.8 on "Migrant Workers" requires each country to "ensure that migrant workers are protected under its labor laws, whether they are nationals or non-nationals" of the country they are residing in. The term "non-nationals" could easily apply to not just undocumented aliens or "Dreamers" from Mexico, but also to those illegal migrants arriving from the caravans originating in Central American countries such as Guatemala, Honduras, and El Salvador, none of which are parties of the USMCA. Furthermore, such provisions and verbiage could be used in aiding Democratic lawmakers to retain President Obama's unconstitutional executive action for Deferred Action for Childhood Arrivals, commonly known as DACA. In fact, any adjudication on this matter could very well fall under the judicial jurisdiction of a USMCA panel for dispute settlement, rather than under the legal control of the United States. (More about these dispute settlement panels later).

### **"Gender Identity"**

In addition to workplace protections for migrant workers, Chapter 23 also promotes workplace protections for "gender identity" and other LGBTQ "gender-related issues." For example, under "Sex-Based Discrimination in the Workplace," in the USMCA's labor chapter, all three countries are required



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to promote and “implement policies” protecting “gender identity.” And under Article 23.12, all three countries agree to cooperate on “addressing gender-related issues in the field of labor and employment,” as well as on “addressing the opportunities of a diverse workforce, including: ... promotion of equality and elimination of employment discrimination in the areas of age, disability, race, ethnicity, religion, sexual orientation, gender identity.” In other words, if a man applies for a job and goes to the interview dressed as a woman with a demand to be addressed as if he were a lady and demonstrates even the mildest aptitude to do the job, the employer would be required to hire that individual or risk a lawsuit. This alone should be a deal breaker for Christians, especially religious businessmen and faith-based companies.

### **Collective Bargaining**

Additionally, Article 23.3 (on page 23-2) requires the parties (the United States, Mexico, and Canada) to “adopt and maintain in its statutes and regulations, and practices thereunder, the following rights,” including “the effective recognition of the right to collective bargaining.” In other words, the USMCA may force Congress to pass national “collective bargaining” legislation, circumventing state “right to work” laws.

In fact, as *The New American* has also previously [covered](#), Congress has already been forced to change its domestic laws because of its commitments to international agreements and organizations, such as the World Trade Organization (WTO). In 2008, when Congress amended the Agricultural Marketing Act of 1946 to require meat products such as beef and pork sold in the United States to have country of origin labels (COOL), Canada claimed the law violated WTO rules. As a result, Canada and other countries, including Mexico, took the United States to arbitration under a WTO Dispute Settlement Body (DSB). The WTO DSB ruled in favor of Canada and Mexico, stating that they could retaliate by imposing over \$1 billion in tariffs on U.S. products unless the United States repealed the law.

On June 10, 2015, the Republican-dominated House of Representatives voted 300 to 131 in favor of repealing COOL, in compliance with the WTO DSB’s decision. COOL’s repeal was also included in the \$1.4 trillion omnibus-spending bill passed by Congress and signed into law by President Barack Obama in December 2015.

Under the USMCA’s Chapter 23, Congress may be forced to do same with labor laws. In fact, Mexico was forced to do just that as a prerequisite before ratifying the USMCA. On April 29, 2019, by a vote of 70 to 50, Mexico’s Senate of the Republic passed a [labor reform bill](#) guaranteeing workers nationwide in Mexico the right to collective bargaining.

U.S. lawmakers were keen on this particular issue, believing that collective bargaining in Mexico will help to increase wages for manufacturing workers in the country, with the expectation that it will prevent additional U.S. manufacturing jobs to go to Mexico due to the country’s historically cheaper labor costs, as has been the case with NAFTA.

If the USMCA can force one of its signatory countries such as Mexico, to change its national domestic labor laws, there is no reason why it could not happen to the United States too. In fact, collective bargaining is mentioned a total of 24 times in the USMCA’s labor chapter.

### **Regional Government**

However, the erosion of U.S. sovereignty is most apparent in [Chapter 30](#) of the USMCA. Chapter 30, entitled “Administrative and Institutional Provisions,” establishes the creation of a “Free Trade Commission” as a regional governing bureaucracy overseeing about 19 lower committees, one among



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which is the aforementioned NACC (North American Competitiveness Committee) established in [Chapter 26](#). Article 30.1 of Chapter 30 states: “The Parties hereby establish a Free Trade Commission (Commission), composed of government representatives of each Party at the level of Ministers or their designees.” These government representatives will be appointed by the governments of the member countries.

According to Article 30.2, the Free Trade Commission is empowered to:

- (a) consider matters relating to the implementation or operation of this Agreement;
- (b) consider proposals to amend or modify this Agreement;
- (c) supervise the work of committees, working groups, and other subsidiary bodies established under this Agreement;
- (d) consider ways to further enhance trade and investment between the Parties;
- (e) adopt and update the Rules of Procedure and Code of Conduct applicable to dispute settlement proceedings; and
- (f) review the roster established under Article 31.8 (Roster and Qualifications of Panelists) every three years and, when appropriate, constitute a new roster.

Giving these powers to the Free Trade Commission makes the USMCA a “living agreement,” much like the TPP, thus allowing the Free Trade Commission to make future changes to the agreement without the approval of Congress. In addition to those powers, Article 30.2 further empowers the Free Trade Commission to delegate new tasks or responsibilities to its subordinate committees, either merge or dissolve its subordinate committees, change the schedule or dates of when certain duties or tariffs are to be lowered or removed, ambiguously “develop arrangements for implementing this Agreement,” and get advice from “non-governmental persons or groups” such as the Council on Foreign Relations or other globalist academics who advocate for greater North American integration, among other powers.

According to Article 30.2, the Free Trade Commission may even “modify any Uniform Regulations agreed jointly by the Parties under Article 5.16 (Uniform Regulations), subject to completion of applicable legal procedures by each Party.” The Free Trade Commission would have the power to change the “Uniform” (or universal) regulations for all three countries, as long as the governments of all three countries eventually approve those changes. This opens the door for the U.S. Congress, Mexico’s Congress, and Canada’s Parliament to become rubber-stamp bodies for any new changes to their respective countries’ domestic regulations because the USMCA’s governing Free Trade Commission demands it. A perfect example of this occurred when the WTO forced the U.S. Congress to overturn its COOL laws, as previously detailed.

While in theory the U.S. Congress still has the final say over making any changes to federal domestic regulations and practices that affect trade, in reality the U.S. government would more than likely acquiesce to the decisions or “recommendations” of the Free Trade Commission in the name of freeing world trade, cooperation, and promoting economic integration.

Similarly, the EU is also governed by an executive commission known as the European Commission. In the EU, the European Commission makes new laws and regulations that the European Parliament and in turn the parliaments of all EU-member states are forced to accept. In matters of international trade agreements, the European Commission negotiates for, and on behalf of, the EU as a whole. Where the EU is today, is where the USMCA aims to take the United States, Mexico, and Canada.

## **International Law and Treaties**



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Not only does the USMCA subordinate the U.S. to an EU-style regional commission, it also subordinates the United States to international law. An example of this can be found in the USMCA's "Dispute Settlement" chapter ([Chapter 31](#)). In the event that a dispute arises under the USMCA, the countries involved can choose to settle it through a panel under Chapter 31. According to Chapter 31, upon the delivery of a request to do so, the Free Trade Commission "shall establish a panel." Such panels will consist of five members, chosen by consensus and required to have experience in international law and international trade.

According to Article 31.13, clause 4, of Chapter 31, the panelists are specifically required to interpret the USMCA "in accordance with customary rules of interpretation of public international law, as reflected in Articles 31 and 32 of the Vienna Convention on the Law of Treaties, done at Vienna on May 23, 1969."

The Vienna Convention on the Law of Treaties is an international agreement that was drafted by the International Law Commission of the UN for the purpose of regulating treaties between nations. The Nixon administration signed on to it for the United States on April 24, 1970. Although President Nixon transmitted the Vienna Convention on the Law of Treaties to the U.S. Senate for ratification, the Senate refused to ratify it. As a result, the United States is not a party to the convention. If a dispute arises and is settled by a USMCA panel, the panelists will abide by the Vienna Convention, thereby imposing it on the United States without Senate ratification, as required under the U.S. Constitution. Another alternative, recognized in the USMCA, is to choose to have the dispute settled by the WTO.

In addition to the Vienna Convention, [Chapter 24](#) on the "Environment" subordinates the authority of the United Nations Convention on the Law of the Sea (UNCLOS), otherwise known as the Law of the Sea Treaty (LOST). According to the UN's Division of Ocean Affairs and Law of the Sea, which is tasked with administering the convention, it claims that LOST covers "all ocean space," including everything located on, in, beneath, and above the oceans.

In the 1980s, even President Ronald Reagan recognized that LOST was an effort to promote world government, and as a result refused to sign it. On April 24, 2004, Jeane Kirkpatrick, who previously served as President Reagan's U.S. ambassador to the UN from 1981 to 1985, testified before the U.S. Senate Armed Services Committee, in opposition to Senate ratification of LOST. Kirkpatrick argued that "its ratification will diminish our capacity for self-government, including, ultimately, our capacity for self-defense." However, in 2007, then-President George W. Bush urged the Senate to ratify it. The Senate refused. And on May 23, 2012, then-Secretary of State Hillary Clinton, under President Obama, also urged for its ratification before the Senate Foreign Relations Committee. But as of 2019, the U.S. Senate has still refused to ratify the UN convention.

However, the Law of the Sea Treaty is mentioned in Chapter 24 of the USMCA. According to the chapter's Article 24.18, under "Sustainable Fisheries Management," the United States, Mexico, and Canada are required to base their fishing management practices in accordance with the Law of the Sea Treaty. In the name of protecting fishes and other marine life, the United States would have to surrender its sovereignty over all of its waterways and miles of coastal oceans (including everything under, on, in, and above them) over to the jurisdiction of UN international law.

In addition to the Law of the Sea Treaty, House Democrats amended the USMCA to include seven additional "Multilateral Environmental Agreements." During the Democrat's USMCA press conference, on December 10, 2019, Representative Suzanne Bonamici (D-Ore), who was in charge of negotiating amendments to the USMCA's environment chapter, explained what was changed:





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And with regard to the environment we fought hard for these provisions we have better rules on the environment. [...] Critically, we have strong enforcement and strong funding to make sure that those provisions are being enforced. 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.

According to Chapter 24, Article 24.8, under “Multilateral Environmental Agreements,” the newly amended text states that: “The Parties recognize the important role that multilateral environmental agreements can play in protecting the environment and as a response of the international community to global or regional environmental problems.” Further adding that, “Each Party affirms its commitment to implement the multilateral environmental agreements to which it is a party.”

Article 24.8 goes on to specifically identify the following seven multilateral environmental agreements that the U.S., Mexico, and Canada are obligated to acquiesce to under the USMCA:

- (a) the Convention on International Trade in Endangered Species of Wild Fauna and Flora, done at Washington, March 3, 1973, as amended;
- (b) the Montreal Protocol on Substances that Deplete the Ozone Layer, done at Montreal, September 16, 1987, as adjusted and amended;
- (c) the Protocol of 1978 Relating to the International Convention for the Prevention of Pollution from Ships, 1973, done at London, February 17, 1978, as amended;
- (d) the Convention on Wetlands of International Importance Especially as Waterfowl Habitat, done at Ramsar, February 2, 1971, as amended;
- (e) the Convention on the Conservation of Antarctic Marine Living Resources, done at Canberra, May 20, 1980;
- (f) the International Convention for the Regulation of Whaling, done at Washington, December 2, 1946; and
- (g) the Convention for the Establishment of an Inter-American Tropical Tuna Commission, done at Washington, May 31, 1949.

The addition of these seven multilateral environmental agreements reaffirms that that the USMCA is much more than a trade agreement, but an enforcement mechanism for regional and global governance, with the environment chapter serving as a virtual trilateral environmental accord for the North America.

### **Where to Find It in the Agreement**

Now that you’ve read how the USMCA promotes economic integration; energy integration; the UN concept of “sustainable development”; workplace protections for “migrant workers” and “non-nationals”; “gender identity” and other “gender-related issues”; establishes an international governing commission; and subordinates U.S. sovereignty to international law and world bodies, how can one easily find those issues in the USMCA’s 2,410 pages? Below is a USMCA issues index of what’s where in the agreement with the specific chapters and page numbers, annex pages, and side letters. This index has been compiled to easily find all of the aforementioned issues and to in turn show others where to find them in the agreement.

[USMCA Issues Index](#): (Revised 1/31/2020):

Agreement on Environmental Cooperation, Environmental Cooperation Agreement (ECA), [Chapter 24](#), on pages: 24-23, 24-26, 24-27



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Climate Change, see “Sustainable Development”

“Collective Bargaining,” [Chapter 23](#), on pages: 23-1, 23-2, 23-10, 23-A-1, 23-A-2, 23-A-3

Commission for Environmental Cooperation (CEC), [Chapter 24](#), on pages: 24-23, 24-24, 24-25, 24-26, 24-27

“Economic Integration,” [Chapter 26](#), on page: 26-1

Energy Integration, [CA-US Side Letter on Energy](#), third page

“Free Trade Commission” (Commission), establishment of and powers thereof, [Chapter 30](#), on pages: 30-1, 30-2, 30-3, 30-4

“Gender Identity” and “gender-related issues” (aka LGBTQ), [Chapter 23](#), on pages: 23-6, 23-9, 23-10

Hydrocarbons, Mexico’s recognition thereof, [Chapter 8](#), on page: 8-1

International Labor Organization (ILO), ILO Declaration on Rights at Work, Declaration on Fundamental Principles and Rights at Work and its Follow-Up (1998), ILO Declaration on Social Justice for a Fair Globalization (2008), [Chapter 23](#), on pages: 23-1, 23-2, 23-8, 23-9, 23-11, 23-12

International Law, see Vienna Convention on the Law of Treaties.

Law of the Sea Treaty (LOST), United Nations Convention on the Law of the Sea (UNCLOS), [Chapter 1](#), on page: 1-8; [Chapter 24](#), on page: 24-14

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“Migrant Workers,” extending labor law protections to, [Chapter 23](#), on pages: 23-6, 23-10; prohibition on the adoption or maintenance of “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,” [Chapter 15](#), on pages: 15-4

Multilateral Environmental Agreements, [Chapter 1](#), on page 1-1; [Chapter 24](#), on pages: 24-1, 24-5, 24-6, 24-28, 24-29

North American Competitiveness Committee (NACC), Competitiveness Committee, [Chapter 26](#), on page: 26-1, 26-2

North American Agreement on Environmental Cooperation (NAAEC), [Chapter 24](#), on page: 24-23

Regional governing body, see “Free Trade Commission”

“Sustainable Development,” [Chapter 24](#), on pages: 24-2, 24-9, 24-11, 24-22, 24-23

“Sustainable Fisheries,” [Chapter 24](#), on pages: 24-13, 24-14

“Sustainable use of biological diversity,” [Chapter 24](#), on pages: 24-11, 24-12

United Nations Commission on International Trade Law (UNCITRAL), UNCITRAL Arbitration Rules, [Chapter 14](#), on pages: 14-D-2, 14-D-3, 14-D-4, 14-D-7, 14-D-8, 14-D-11, 14-D-13, 14-D-14; UNCITRAL Model Law on Electronic Commerce 1996, [Chapter 19](#), on page: 19-3

Vienna Convention on the Law of Treaties, [Chapter 31](#), on page: 31-10

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Although the USMCA has been signed into law, it would behoove both Congress and the American



Written by [Christian Gomez](#) on October 7, 2019

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people to know what exactly is in the agreement and what to expect. Hopefully, this article and the indexed list above will help shed such light, especially to lawmakers in Congress who did read the agreement prior to voting on the implementation bill.

If one believes that the issues described and indexed above are indeed part of an “America first” agenda that will “Make America Great Again” or “Keep America Great,” as President Trump has pledged, then the USMCA is right for you, but if one disagrees, then this article and index should serve as a warning of what to expect under the agreement.

*Article Updated: This article was updated on January 31, 2020, to reflect President Trump’s signing of the USMCA Implementation Act into law.*

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