

May 2, 2018

Dear President Trump, Secretary Ross, Secretary Pompeo, Secretary Mnuchin, Ambassador Lighthizer and NEC Director Kudlow:

We support your efforts to modernize NAFTA to grow the U.S. economy and support American jobs. Given the importance of the North American market for businesses small and large across the country, a stronger, updated NAFTA can further drive U.S. economic growth. To do so, we support efforts to eliminate remaining barriers in Canada and Mexico, raise standards so that our industries are more competitive and ensure strong enforcement so that we can hold Canada and Mexico accountable if they break the rules or treat our industries unfairly.

We urge you to retain strong investment protections and Investor-State Dispute Settlement (ISDS) in NAFTA. NAFTA's current investment protections and ISDS support American jobs at home and protect U.S. businesses from discrimination abroad. ISDS upholds the same fundamental due process and private property guarantees protected by our Constitution, and it obligates other countries to uphold these precepts as well. When the U.S. protects and promotes our companies' investments in Canada and Mexico, we support and generate jobs at home. Moving forward with a revised NAFTA that does not include such protections for U.S. businesses would threaten our economy and endanger the prospects for NAFTA 2.0 to be approved in Congress.

Your administration's goal of achieving bipartisan support for NAFTA 2.0 in Congress is enhanced by retaining ISDS. Sixty Democratic and Republican senators and 219 Democratic and Republican representatives voted for Trade Promotion Authority (TPA) that you are using to re-negotiate NAFTA. In that vote, they called for the U.S. "to secure for investors important rights comparable to those that would be available under United States legal principles and practice."

We look forward to working together for a re-negotiated NAFTA that protects U.S. businesses in foreign countries. Retaining strong investment protections and ISDS is a critical part of a NAFTA 2.0 deal.

Sincerely,

American Petroleum Institute

Business Roundtable

National Association of Manufacturers

U.S. Chamber of Commerce

CC: Chairman Orrin Hatch, Ranking Member Ron Wyden, Chairman Kevin Brady, Ranking Member Richard Neal