

United States Senate

WASHINGTON, DC 20510

July 17, 2015

The Honorable Orrin G. Hatch
Chairman
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable Ron Wyden
Ranking Member
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable John Cornyn
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable Charles E. Schumer
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable John Thune
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable Debbie Stabenow
Committee on Finance
U.S. Senate
Washington, D.C. 20510

The Honorable Johnny Isakson
Committee on Finance
U.S. Senate
Washington, D.C. 20510

Dear Conferees:

As you work to resolve differences between the House and Senate versions of the Trade Facilitation and Enforcement Act of 2015 (“the Customs bill”), we write to urge you to exclude the House language on climate change. Specifically, the bill creates a negotiating objective that seeks to “ensure that trade agreements do not require changes to U.S. law or obligate the United States with respect to global warming or climate change.” This language is misplaced, ambiguous, and serves only to send the wrong message to the world on the seriousness of the United States on climate policy.

First, the language is out of place. Our country has never negotiated obligations or changes to U.S. law with respect to global warming or climate change in a trade agreement subject to trade promotion authority. Rather, these matters have been the subject of multilateral talks that the State Department negotiates through international institutions such as the United Nations or G-7. Any international treaty negotiated at such talks would be subject to ratification by Congress.

Second, it is unclear how the language relates to the carefully crafted, robust negotiating objectives on environmental protections that Congress included in the Trade Promotion and Accountability Act of 2015 (TPA). Those objectives reflect the importance of ensuring that our trading partners comply with international obligations on issues ranging from wildlife trafficking to pollution from ships. They help to ensure a level playing field for U.S. producers, who are often subject to stronger environmental requirements under U.S. law than their competitors

overseas. They also reduce the prospect that increased trade from our agreements will harm the environment. It is unclear how the House climate language in the Customs bill relates to these objectives, which bipartisan majorities of both the House and Senate approved.

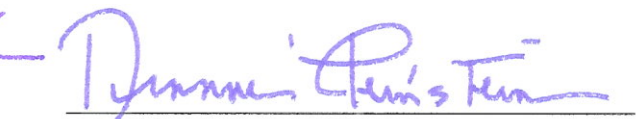
At the same time, we are gravely concerned that this language sends the wrong message to the world about the seriousness with which the United States intends to approach the subject of climate change. To be clear, we believe that tackling climate change is one of the most pressing issues of our time. As Pope Francis recently stated, "Climate change is a global problem with grave implications: environmental, social, economic, political and for the distribution of goods. . . It represents one of the principal challenges facing humanity in our day." Even for those that do not share our view, Congress's time is better spent having a robust debate on this subject, rather than inserting ambiguous and counterproductive language into an unrelated trade bill.

We urge you to remove this language before the final bill is reported to the House and Senate.


Sincerely,



Michael F. Bennet
U.S. Senator



Dianne Feinstein
U.S. Senator



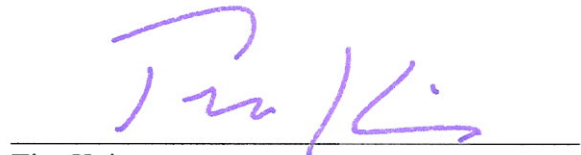
Patty Murray
U.S. Senator



Bill Nelson
U.S. Senator



Jeanne Shaheen
U.S. Senator



Tim Kaine
U.S. Senator



Mark R. Warner
U.S. Senator



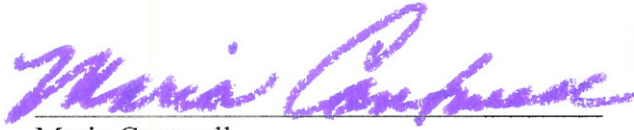
Thomas R. Carper
U.S. Senator



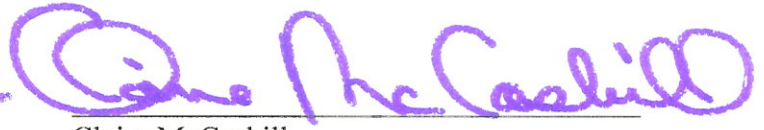
Christopher A. Coons
U.S. Senator



Benjamin L. Cardin
U.S. Senator



Maria Cantwell
U.S. Senator



Claire McCaskill
U.S. Senator