Dear President Biden:

The achievements of your administration toward a clean energy transition are under threat by corporations looking to take advantage of unpopular, antidemocratic – and outdated – trade rules.

Corporations have an unfair advantage over sovereign nations under many trade and investment agreements. Investor-State Dispute Settlement (ISDS), embedded in numerous trade and investment agreements, has created a global governance regime that prioritizes corporate rights over those of governments, people, and the planet. These rules give special rights to multinational corporations that are not available to domestic businesses. If a corporation alleges that a government action, such as the banning of a toxic chemical or rejection of a mining permit, violates their special corporate rights, ISDS provides the corporation the ability to sue a government for compensation outside of the countries’ domestic legal and court systems. ISDS claims are often in the millions or billions of dollars. An unaccountable three-person tribunal decides the fate of each case. The tribunal can even decide a company should be paid for the “expected future profits” it may have earned in the absence of the government policy in question. The ISDS regime has been especially detrimental to public health, climate and environmental protections, Indigenous land rights, financial regulations, and democratic sovereignty.

Your administration has overseen the largest investment in clean jobs and climate action ever. The Inflation Reduction Act, and other components of the Bidenomics agenda, are just the sort of transformative policies the world will need to face the challenges ahead. They are also just the sort of public interest policies that corporations love to attack via ISDS.

The labor, environmental, faith, consumer, and other civil society organizations signed below appreciate that you have followed through on your promise and have not pursued new trade and investment agreements with the Investor-State Dispute Settlement (ISDS) system.

The logical next step will be to address the ongoing liability of ISDS in existing agreements. The United States is party to dozens of trade and investment agreements that continue to be exploited by corporations to seek billions in taxpayer compensation over environmental, public health, land use, transportation and other public interest policies.

Congress and the White House already worked together on a bipartisan basis to significantly reduce ISDS liability in the renegotiated U.S.-Mexico-Canada Agreement (USMCA), the successor to the North American Free Trade Agreement (NAFTA). Though it left an unacceptable loophole for U.S. fossil fuel companies in Mexico, it is a promising step toward ending ISDS.
The tide is turning against ISDS outside the U.S. as well. Civil society efforts in Colombia and across the hemisphere have been demanding their governments work to end ISDS. Ten European countries have abandoned the Energy Charter Treaty over its ISDS rights for fossil fuel companies, and the European Union as a whole is considering withdrawing. Australia, New Zealand, and other countries have signed side letters to exclude themselves from ISDS in various pacts, and a number of countries including South Africa, India, and Indonesia have worked to exit investment treaties with ISDS. Continued movement away from ISDS by the United States would be a powerful signal to other governments considering taking similar action.

We are eager to work with you to finish the job and free public interest policies from the shadow of ISDS. **We urge you explore all avenues at your disposal and pursue an effective path to exiting ISDS by the U.S. and our partners in existing bilateral investment treaties and free trade agreements.** Bringing our existing agreements in line with current administration policy would foreclose the possibility of future attacks against the U.S. and signal to trading partners that they will not be penalized for prioritizing the public interest.

Sincerely,

**National Organizations**

- 350.org
- A Legacy of Equality Leadership and Organizing (LELO)
- Acterra: Action for a Healthy Planet
- Action on Smoking and Health (ASH)
- ActionAid USA
- AFL-CIO
- Agricultural Justice Project
- Amazon Watch
- American Federation of Teachers
- American Indian Mothers Inc.
- Americans for Democratic Action
- Americans for Financial Reform
- Amnesty International USA
- Association of Flight Attendants-CWA
- Basel Action Network
- BlueGreen Alliance
- Campaign for America’s Future
- Campaign for Family Farms and the Environment
- Center for Biological Diversity
- Center for Economic and Policy Research
- Center for Economic Justice
- Center for Food Safety
- Center for Popular Democracy
- Center for the Advancement of the Steady State Economy
- Citizens Trade Campaign
- Climate Crisis Policy
- Committee in Solidarity with the People of El Salvador (CISPES)
- Communications Workers of America
- Conservation Congress
- Consumer Federation of America
- Corporate Accountability Lab
- Corporate Campaign, Inc.
- CPATH
- Demand Progress Education Fund
- DownRiver Alliance
- E3G - Third Generation Environmentalism
- Earth Action, Inc.
- Earth Ethics, Inc.
- Earth Ethics, Inc.
- Earthjustice
- Earthworks
- EcoEquity
- Economic Policy Institute
- Endangered Habitats League
- Evolved Wireless Inc
- Family Farm Defenders
- Family Farm Defenders
- Food & Water Watch
- Foundation for Integrative AIDS Research (FIAR)
Franciscan Action Network
Friends of the Earth US
Friendship Office of the Americas
Global Exchange
GMO/Toxin Free USA
Greenpeace USA
Guatemala Solidarity Project
Health GAP (Global Access Project)
Heroes Remembered, LLC
Holy Cross International Justice Office
Honduras Solidarity Network
Hope Border Institute
Housing Works
Human Rights Observation/ Honduras Impact Fund
Institute for Agriculture and Trade Policy
Institute for Policy Studies - Global Economy Project
Interfaith Center on Corporate Responsibility (ICCR)
International Association of Machinists and Aerospace Workers
International Brotherhood of Teamsters
International Corporate Accountability Roundtable (ICAR)
International Federation of Professional and Technical Engineers (IFPTE)
InterReligious Task Force on Central America
Jobs to Move America
Justice Is Global
Knowledge Ecology International (KEI)
Latin America Working Group
League of Conservation Voters
League of Women Voters of the United States
Maryknoll Office for Global Concerns
Mighty Earth
Move To Amend
National Advocacy Center of the Sisters of the Good Shepherd
National Association of Consumer Advocates
National Family Farm Coalition
National Farmers Union
National Jobs for All Network
National Organization for Women
Natural Resource Defense Council
NETWORK Lobby for Catholic Social Justice
Nicaragua Center for Community Action
Oil Change International
Other98
Our Revolution
Oxfam America
Partners In Health
Pass the Federal Green New Deal Coalition
Pax Christi USA
Peace Action
Peace, Justice, Sustainability NOW!
Pesticide Action Network North America
PIRG
PrEP4All
Prevention Access Campaign
Pride at Work
Progressive Democrats of America
Public Citizen
R-CALF USA
Rethink Trade
Revolt Against Plutocracy
Revolving Door Project
RootsAction.org
Rural Coalition
Salud y Farmacos
Service Employees International Union
Sierra Club
Sisters of Mercy of the Americas - Institute Justice Team
Social Security Works
St. Columban Mission for Justice, Peace and Ecology
Sunflower Alliance
Sunrise Movement
Take On Wall Street
The Altai Project
The Cross Border Network for Justice and Solidarity
The Jus Semper Global Alliance
The People’s Justice Council
Toxics Information Project (TIP)
Transport Workers Union of America
Treatment Action Group
Regional Organizations

UE - United Electrical, Radio & Machine Workers of America
Unitarian Universalists for a Just Economic Community
UNITE HERE
United Church of Christ, Justice and Local Church Ministries
United For Clean Energy
United Steelworkers (USW)
Universities Allied for Essential Medicines
Uplift International
Washington Office on Latin America (WOLA)
Witness for Peace Solidarity Collective
Women's International League for Peace and Freedom, US

Friends of the Bitterroot
Green Party of Florida
Hernando County Green Party
IAMAW District W24
Indian Point Safe Energy Coalition
Indivisible Austin
Indivisible Bainbridge Island
Iowa Federation of Labor, AFL-CIO
Jefferson County Move to Amend
Jobs with Justice of East Tennessee
Kickapoo Peace Circle
KORCLC
Maine AFL-CIO
Maine Fair Trade Campaign
Minnesota Alliance for Retired Americans
Mira: Feminisms and Democracies
NC APPPL (Alliance to Protect Our People and the Places We Live)
New York Climate Action Group
New York Trade Justice Coalition
NJ State Industrial Union Council
North Kitsap Indivisible
Northeast Organic Farming Association of New Hampshire (NOFA-NH)
Northeast Organic Farming association of Rhode Island
Northeast Organic Farming Association-Interstate Council
Olympia Indivisible
Park Slope Food Coop - International Trade Education Squad
Peace Action Maine
Peacemakers of Schoharie County
Portland Central America Solidarity Organization (PCASC)
Portland Interfaith Clergy Resistance
Rise Up WV
Santa Cruz Climate Action Network
Snohomish County Indivisible
SoCal 350 Climate Action
Solidarity Committee of the Capital District
South Seattle Climate Action Network
South Texas Human Rights Center
Teamsters 777
Terraza 7
Texas AFL-CIO
Texas Campaign for the Environment
Texas Fair Trade Coalition
The Vessel Project of Louisiana
Third Act North Carolina Working Group
Unitarian Universalist Fellowship of Hidalgo County Texas
USW Local 675
USW Local 675
WA People's Privacy
WA State Alliance for Retired Americans
Washington Fair Trade Coalition
WESPAC Foundation, Inc.
Wisconsin Fair Trade Coalition
WV Citizen Action