

The Honorable Katherine Tai
U.S. Trade Representative
Winder Building
600 17th St NW
Washington, DC 20006

August 8, 2023

Dear U.S. Trade Representative Tai:

As state and local organizations working to protect our climate and environment, we call on you and the Biden administration to please take decisive action to prevent climate policies in our states from being attacked and undermined via outdated trade agreements.

Meeting the commitment made by the United States and 195 other nations to limit global warming to 1.5°C compared to pre-industrial levels will require every level of government to take ambitious action to rapidly cut greenhouse gas emissions and transition to clean energy economies. In spite of this imperative, trade and investment rules — written long before governments had committed to tackle climate change — are increasingly being used by governments to directly challenge and indirectly discourage climate and renewable energy policies.

Recently, we've watched the European Union (EU) and other nations threaten trade cases against the clean vehicle credits and other provisions of the U.S. Inflation Reduction Act (IRA). These threats are a warning sign of what could happen as our states adopt the stronger and bolder climate policies that are needed.

The threat to state policies is not hypothetical. After the U.S. successfully challenged India's national program to boost local solar production, in 2019 India successfully challenged renewable energy programs that included "buy-local" rules in eight U.S. states. These programs serve to boost clean energy jobs in our states and are a critical step towards building a clean energy economy and combating climate change. Cases like these not only directly threaten climate policies, but could dissuade state legislatures from passing and governors from signing future climate policies.

While we greatly appreciate your recent announcement that India and the U.S. will be dropping trade attacks on each other's renewable energy programs within the World Trade Organization (WTO), we still need a broader and longer-term solution to the ongoing conflict between outdated trade rules and the imperative for ambitious climate action.

Therefore, we urge you to take additional action to help bring trade attacks on climate action and a liveable future to an immediate end. Specifically, we join with state legislators from all 50 states in asking that you and the administration please work with other countries to secure a "Climate Peace Clause:" a commitment to refrain from using dispute settlement mechanisms in international trade agreements to challenge climate mitigation and/or clean energy transition measures.

A moratorium on the use of international trade agreements to challenge climate mitigation and/or clean energy transition measures would:

- Help local, state and national governments safeguard existing climate mitigation and transition measures by protecting them from trade challenges;
- Create the space for governments to adopt the bolder climate policies that justice and science demand without fear or threat of trade challenges; and
- Incentivize and offer countries time to work together and resolve the tensions between current trade law and the imperative for climate action.

We call on your office to pursue a Climate Peace Clause within the texts of pending bilateral and regional trade agreements such as the Indo-Pacific Economic Framework, the U.S.-EU Trade & Technology Council and the Americas Partnership for Economic Prosperity, as well as within other venues, including international fora such as the G7.

Thank you for your attention to this issue. We look forward to working with you to build a model of trade that supports climate action.

Sincerely,

350 Bay Area
 350 Bellingham
 350 Chicago
 350 Columbia
 350 Conejo / San Fernando Valley
 350 Deschutes
 350 Eastside
 350 Kishwaukee
 350 Mass
 350 Montana
 350 New Hampshire
 350 New Mexico
 350 New Orleans
 350 NYC
 350 Pensacola
 350 Seattle
 350 Silicon Valley
 350 Tacoma
 350 Triangle
 350 West Sound Climate Action
 350 Wisconsin
 350 Yakima Climate Action
 Alachua Audubon Society
 Alliance for a Just Society
 Alliance for Democracy
 Alliance Of Californians for Community Empowerment
 ASATA - Alliance of South Asians Taking Action
 Asian Pacific Environmental Network
 Association of Western Pulp & Paper Workers
 Athens County's Future Action Network (ACFAN)
 Audubon Everglades
 Austin Tan Cerca de la Frontera

Berks Gas Truth
Better Path Coalition
Bexar County Young Democrats
Breach Collective
Bronx River Alliance
Butte Environmental Council
Cahaba Riverkeeper
California Trade Justice Coalition
Catskill Mountain Keeper
CCAN Action Fund
Center for a Sustainable Coast
Center for Sustainable Economy
Chicago Physicians for Social Responsibility
Chico for Climate Action
Citizens Campaign for the Environment
Citizens' Climate Lobby, CT District 4
CLEAN (Campus Leaders for Energy Action Now) UW-Madison
Clean Energy Now Texas (CENT)
Climate Action Iowa
Climate Action Rhode Island-350
Climate Nashville
Climate Rail Alliance
Climate Reality Project Denver Metro Chapter
Climate Reality Project Massachusetts Southcoast
Climate Reality Project Orange County, CA
Climate Reality Project Portland Chapter
Climate Smart Missoula
Common Grounds Indivisible SD
Communities United for Restorative Youth Justice (CURYJ)
Community Alliance for Global Justice
Conservation Alabama
Cooperation Jackson
CURE
Dallas Peace and Justice Center
Delaware Audubon
Democratic Club of Smith County
Detroitters Working for Environmental Justice
Douglas County Global Warming Coalition
E-Town Sunrise (Evanston Hub of the Sunrise Movement)
El Paso Young Democrats
Endangered Habitats League
Environment and Climate Caucus, Washington State Democrats
Environmental Confederation of Southwest Florida
Environmental Education Council of Ohio
Extinction Rebellion Baltimore
Extinction Rebellion Houston
Extinction Rebellion Portland
Extinction Rebellion San Francisco Bay Area
Extinction Rebellion Western Mass
Faith Action Network
Families for a Livable Climate

Finger Lakes Zero Waste Coalition, Inc.
For Love of Water (FLOW)
Four Rivers Indivisible
FreshWater Accountability Project
Friends of Swann Park
Fuerza Unida
Glen Canyon Institute
Grassroots Environmental Education
Grassroots Nation
Greater Boston Trade Justice
Green Song Press
Greenfaith New York
Hawai'i Wildlife Fund
Health Care For All - Texas (HCFAT)
High Country Conservation Advocates
Hoosier Environmental Council
Hope Border Institute
ICCR (Interfaith Center on Corporate Responsibility)
Indivisible Albuquerque
Indivisible Austin
Indivisible Bainbridge Island
Indivisible Calais
Indivisible Charlotte
Indivisible Grapevine Area
Indivisible Healthcare Fort Worth
Indivisible in Alaska
Indivisible Katy Huddle
Indivisible Northern Nevada
Indivisible South Puget Sound
Indivisible Stillwater
Indivisible Tacoma
Indivisible Vashon
Indivisible Washington's 8th District
IndivisibleAVL
Intemperate Earth
Jefferson County Move to Amend
Just Strategy
Just Transition Alliance
Justice is Global
Kadima Reconstructionist Community
Kentucky Environmental Foundation
Kentucky Interfaith Power and Light
Knowledgepanel
La Mujer Obrera
Lampasas County Democratic Party
Local Clean Energy Alliance
Long Island Pine Barrens Society
Los Jardines Institute
Lutherans Restoring Creation
Mazaska Talks
Metro Justice

Metro New York Catholic Climate Movement
Michigan Climate Action Network
Mid-Ohio Valley Climate Action
Minnesota Move to Amend State Network
MIT Divest
MN350
Montana Environmental Information Center
Morro Coast Audubon Society
Mothers Against Greg Abbott
Nevada County Sunrise
New Energy Economy
New Mexico Climate Justice
New York Trade Justice Coalition
Newark Water Coalition
NMEAC: Northern Michigan Environmental Action Council
Nonviolent Austin
Northcoast Environmental Center
Northern Arizona Audubon Society
Northern Virginia Bird Club
Northgate Park Indivisibles
NY Yearly Meeting (Quakers)
NYC Environmental Justice Committee
Oil and Gas Action Network
Olympia Indivisible
One Voice
Oregon Climate Action Now
Oregon Physicians for Social Responsibility
Our Revolution Harris County
Our Revolution North Texas
Our Revolution Ohio
Park Slope Food Coop - International Trade Education Squad
Pass the Federal Green New Deal Coalition
Peace Action Main
Physicians for Social Responsibility Colorado
Physicians for Social Responsibility Maine Chapter
Physicians for Social Responsibility Pennsylvania
PODER Austin
Progressive Democrats of America, Central FL
Protectors of the Salish Sea
PSARA (Puget Sound Advocates for Retirement Action)
Red Hook Sunrise Hub
Rocky Mountain Wild
SAFE Alternatives for our Forest Environment
San Francisco Living Wage Coalition
San Luis Valley Ecosystem Council
SanDiego350
Santa Clara Sunrise
Save Our Illinois Land
Seattle Indivisible
SEEDS Ecology & Education Centers
Show Me Solar

Sierra Club Hudson-Mohawk
Sierra Club Lone Star Chapter
Sierra Club Maryland
Sierra Foothills Audubon Society
Snohomish County Indivisible
SoCal 350 Climate Action
Social Action Council, First UU Church of Austin, Texas
Solidarity Committee of the Capital District
South Carolina Democratic Party Environmental Caucus
South Seattle Climate Action Network
South Texas Human Rights Center
Southeastern Arizona Bird Observatory, Inc.
Southern Progressives
Southwest Detroit Environmental Vision
St. Hildegard's Community
Steps Coalition
Sunflower Alliance
Sunrise Movement Frederick
Sunrise Movement, Wesleyan University Hub
Sunrise Salt Lake City
Taproot Earth
Texas Bluebonnet PAC
Texas Drought Project
Texas Fair Trade Coalition
Texas Progressive Caucus
The 32nd Legislative District Democrats
The Clinch Coalition
The Joshua Tree-Huggers Network
The Oakland Institute
The Phoenix Group
The Resilient Activist
The Rochester Sunrise Movement
Third Act Richmond VA
Thurston Climate Action Team (TCAT)
Trade Justice New York Metro
UMass Dartmouth MASSPIRG Chapter
Unitarian Universalist Fellowship of Hidalgo County Texas
Upper Coosa Riverkeeper
Upper Peninsula Environmental Coalition
Utah Physicians for a Healthy Environment
Wallingford Indivisible
Washington Fair Trade Coalition
WE ACT for Environmental Justice
Wild Idaho Rising Tide
Women's International League for Peace and Freedom, Santa Cruz Branch
WV Citizen Action Group
YES!
Youth United for Climate Crisis Action
Youth Vs Apocalypse