

Policy Backgrounder

# Opportunity to Comment on USMCA Renewal

As required by law, the Administration has launched a process to request comments on the implementation of and possible changes to the US-Mexico-Canada Agreement (USMCA). Comments are due by November 3; a public hearing will be held November 17.

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- The public consultation process is required by law and does not of itself give much indication as to the Administration's eventual policy on USMCA.
  - The Notice requests comments on a broad range of issues relating to USMCA, including issues of compliance, market access, the investment climate, and the North American Competitiveness Committee.
  - The Notice refers to "balanced trade," an indication that the Administration is likely focused on ways to reduce the US trade deficits in goods with Canada and Mexico in the context of any USMCA renewal or amendments.
  - The Notice represents the best opportunity for the business community and individual businesses to comment on USMCA operations and effectiveness before the parties hold a Joint Review of USMCA on July 1, 2026.
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## USMCA Joint Review 2026

The [United States-Mexico-Canada Agreement](#) (USMCA) came into force on July 1, 2020, replacing the former North American Free Trade Agreement. Article 34.7 of USMCA provides that it terminates in 2036 unless each Party confirms that it wishes a new 16-year term. However, USMCA also provides for a Joint Review in 2026 to “evaluate any recommendations for action submitted by a Party” and “decide on any appropriate actions.” Further, each Party must confirm it wishes to continue with the Agreement, effectively giving each Party an opportunity to withdraw from it. Formal recommendations from a Party for consideration in the Joint Review must be submitted to the other Parties no later than June 1, 2026.

On September 17, the US Trade Representative issued a [Notice](#) in the *Federal Register* regarding public comments and a public hearing in connection with the forthcoming Joint Review. USTR is required to conduct this consultation, including a public hearing, under Section 611 of the [United States-Mexico-Canada Agreement Implementation Act](#). According to the Notice, USTR is now starting that public consultation process.

The request for comments is broad, covering “[a]ny aspect of the operation of the USMCA,” “[a]ny issues of compliance,” recommendations “for specific actions . . . to promote balanced trade, new market access, and alignment on economic security with Mexico and Canada,” and “[f]actors affecting the investment climate in North America . . . as well as the effectiveness of the USMCA in promoting investment that strengthens U.S. competitiveness, productivity, and technological leadership.”

The Notice emphasized receiving any comments regarding the “operation of the North American Competitiveness Committee” established under Article 26.1 of USMCA and “[s]trategies for strengthening North American economic security and competitiveness, including collaborative work under the Competitiveness Committee, and cooperation on issues related to non-market policies and practices of other countries.”

### Comment Deadline and Public Hearing

Comments are [due](#) no later than November 3 and must be filed at USTR’s public comment portal (<https://comments.ustr.gov/s/>). The public hearing will be held November 17; parties requesting to speak there must do so in advance. Post-hearing rebuttal comments are due seven days after the hearing.

### What Will the Administration’s Policy Be?

While issuance of the Notice is required by statute and of itself does not give any indication of the future direction of Administration policy on USMCA, it seems clear that if the Administration decides to continue with USMCA, seeking greater market access for the US and promoting what the Notice terms “balanced trade” will be important. In the negotiations leading to the 2020 agreement, the Administration was concerned about wages of Mexican workers, leading to the

[provision](#) that the average hourly wage for autoworkers had to be at least \$15 for products produced by those workers to meet the Labor Value Content provision of USMCA. Presumably the Administration will continue to be concerned by the trade deficits in goods with [Canada](#) and [Mexico](#), leading to its promotion of “balanced trade.”

The Notice provides perhaps the best opportunity for businesses, and the business community as a whole, to make their views known before the formal consultation process begins next year. For companies that support the agreement, it will be important that the record reflects the positive contributions of USMCA to US companies, export opportunities, integrated North American supply chains, and economic growth. Absent that material in the record, voices critical of more open trade in North America will have a greater chance to have their views prevail.

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