

NAFTA Now: Four Questions as the Trump Administration Takes Office

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During the recent presidential campaign, Donald Trump criticized multilateral trade agreements as bad deals that harm American workers. To protect jobs in the United States, he promised to abandon the Trans-Pacific Partnership (“TPP”), a trade agreement signed by representatives of the United States and eleven Pacific Rim countries on February 4, 2016, but not yet ratified by Congress. He also indicated a willingness to withdraw the United States from the North American Free Trade Agreement (“NAFTA”), calling it “the worst trade deal maybe ever signed anywhere, but certainly ever signed in this country . . .”

Now that the election is over, it is essential for businesses to know whether the law will allow the President to withdraw the United States from NAFTA without an act of Congress, and to what extent the incoming administration intends to use the possibility of withdrawal to leverage a better trade deal with Mexico and Canada. Accordingly, we address below some basic questions concerning NAFTA withdrawal or renegotiation.

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