

Congress of the United States

Washington, DC 20515

July 22, 2026

The Honorable Jamieson Greer
United States Trade Representative
Executive Office of the President
600 17th Street NW
Washington, DC 20508

Dear Ambassador Greer:

We write with concerns that Big Tech lobbyists are attempting to use the United States-Mexico-Canada Agreement (USMCA) mandatory review to shield themselves from oversight and commonsense regulations that protect middle class Americans against the worst AI abuses.¹ In particular, we are concerned that Big Tech is advocating to update the USMCA to strengthen provisions that allow companies to hide their AI algorithms and source code from regulatory scrutiny, even as the potential risks that AI poses to American families flow across borders and the need to regulate AI becomes increasingly evident. Indeed, reports indicate that President Trump has been working tirelessly in service of Big Tech CEOs, using a misguided trade war to compel foreign governments to drop their digital regulations that affect U.S. tech companies — and American families are paying the price.²

Big Tech companies have long lobbied against regulations that protect consumers, promote competition, and safeguard data security and privacy.³ For example, Big Tech has spent \$100 million lobbying against AI regulation,⁴ including by pushing a 10-year moratorium on state-level AI regulation.⁵ Given the lack of federal AI legislation, federal preemption of state AI laws would leave Big Tech unregulated and Americans across the country unprotected against AI-related harms. Big Tech has also attempted to use trade negotiations to preempt common sense laws and regulations — both at home and abroad — aimed at protecting consumers and promoting competition.⁶ Big Tech lobbyists and CEOs have successfully wielded their insider connections to rig trade deals that protect the interests of large corporations⁷ — and

¹ Public Citizen, “Mapping Big Tech’s Global Deregulatory Demands for the Trump Trade Agenda,” January 2026, <https://gtwaction.org/mapping-big-techs-global-deregulatory-demands-for-the-trump-trade-agenda/>.

² Public Citizen, “Map: Big Tech’s Targets in Trump’s Secret Tariff Negotiations,” September 15, 2025, <https://www.citizen.org/news/map-big-techs-targets-in-trumps-secret-tariff-negotiations/>.

³ Letter from Senator Elizabeth Warren to Commerce Secretary Howard Lutnick, U.S. Trade Representative Jamieson Greer, and Treasury Secretary Scott Bessent, May 28, 2025, https://www.warren.senate.gov/imo/media/doc/warren_letter_to_bessent_lutnick_and_greer_on_big_tech_favors_on_digital_trade.pdf.

⁴ Forbes, “\$150 Million AI Lobbying War Fuels the Fight Over Preemption,” Paolo Carvão, November 28, 2025, <https://www.forbes.com/sites/paulocarvao/2025/11/28/150-million-ai-lobbying-war-fuels-the-fight-over-preemption/>.

⁵ Financial Times, “Big Tech pushes for 10-year ban on US states regulating AI,” Alex Rogers and Stephen Morris, June 18, 2025, <https://www.ft.com/content/52ae52f1-531e-462f-898f-e9f86b3b1869>.

⁶ Letter from Senator Elizabeth Warren to Commerce Secretary Howard Lutnick, U.S. Trade Representative Jamieson Greer, and Treasury Secretary Scott Bessent, May 28, 2025, https://www.warren.senate.gov/imo/media/doc/warren_letter_to_bessent_lutnick_and_greer_on_big_tech_favors_on_digital_trade.pdf.

⁷ *Id.*

under the Trump Administration, are flexing their muscles now more than ever, particularly as it relates to AI.

The USMCA already prohibits signatories — including the United States — from requiring companies to share source code outside of open investigations,⁸ making it harder to proactively regulate these companies. This language is far broader than what is necessary to protect companies from intellectual property theft or infringement. But Big Tech lobbyists are looking for even further impunity, as they push to expand the USMCA’s existing digital trade provisions to further “constrain[] how governments can develop standards for AI or require transparency and accountability from AI systems” by barring governments from requesting information on how model weights — core parameters that dictate an AI system’s behavior — operate.⁹

These types of secrecy provisions are dangerous: they “thwart governments from being able to proactively monitor, investigate, review, or screen AI and algorithms.”¹⁰ As a result, they enable tech companies to deploy AI in ways that harm everyday Americans and drive up the cost of living — including through rampant surveillance pricing, worker surveillance, and online scams — and face nearly no accountability for the harms they cause — including the creation of content that harms children.

Ultimately, Big Tech is seeking to use the USMCA to guarantee Big Tech special source code and algorithm secrecy while undermining domestic efforts by U.S. federal and state officials to effectively regulate these platforms.¹¹ This would “lock the United States and other countries into binding international rules that forbid digital governance initiatives ... effectively excavat[ing] the policy space out from under Congress and the administration.”¹² That is, this digital trade strategy would limit — or even potentially bar — federal and state governments’ ability to enact or enforce domestic policies to counter Big Tech’s influence and protect consumers from harm.¹³

The threats from these potential trade deal restrictions are becoming even clearer as AI plays a larger role in Americans’ day-to-day lives and threatens workers, consumers, and the old and young alike. Employers are increasingly utilizing AI to manage their employees, overseeing everything from their schedules to their performance, and using AI tools to determine raises, promotions, and layoffs.¹⁴ AI is also threatening to replace workers at an alarming rate, with the CEO of one AI company predicting that it may eliminate “half of all entry-level white-collar jobs” in the next five years.¹⁵ Furthermore, AI chatbots and companions are having harrowing conversations with children, engaging in inappropriate conversations with minors¹⁶ and possibly leading youth in crisis to self-harm.¹⁷ It is crucial that governments have the tools they need to effectively protect their citizens against these harms.

⁸ Congressional Research Service, “The United States-Mexico-Canada Agreement (USMCA),” M. Angeles Villarreal, May 29, 2024, <https://www.congress.gov/crs-product/R44981>.

⁹ Public Citizen, “Big Tech Pushes for More Giveaways in USMCA Review,” December 17, 2025, <https://www.citizen.org/article/big-tech-pushes-for-more-giveaways-in-usmca-review/>.

¹⁰ Rethink Trade, “Undermining AI Regulation in the U.S. and Abroad: The ‘Digital Trade’ Secrecy Ploy,” July 2023, p. 2, https://rethinktrade.org/wp-content/uploads/2023/07/AELP_RethinkTrade_AIAccountability.pdf.

¹¹ Compact, “The ‘Digital Trade’ Trap,” Lori Wallach, March 17, 2025, <https://www.compactmag.com/article/the-digital-trade-trap/>.

¹² Rethink Trade, “International Preemption by ‘Trade’ Agreement: Big Tech’s Ploy to Undermine Privacy, AI Accountability, and Anti-Monopoly Policies,” Daniel Rangel and Lori Wallach, March 2023, p. 1, <https://rethinktrade.org/wp-content/uploads/2023/03/International-Preemption-by-Trade-Agreement-Explainer.pdf>.

¹³ *Id.*

¹⁴ HR Dive, “AI-using managers rely on the tool to decide who gets promoted or fired, survey shows,” Carolyn Crist, July 9, 2025, <https://www.hrdive.com/news/managers-use-ai-to-decide-who-gets-promoted-or-fired/752528/>.

¹⁵ Axios, “Behind the Curtain: A white-collar bloodbath,” Jim VandeHei and Mike Allen, May 28, 2025, <https://www.axios.com/2025/05/28/ai-jobs-white-collar-unemployment-anthropic>.

The Office of the U.S. Trade Representative (USTR) should resist Big Tech’s efforts to expand efforts to secure impunity through a revised USMCA agreement. In fact, any revised USMCA agreement resulting from the mandatory review should eliminate source code secrecy provisions that allow Big Tech companies to escape regulatory scrutiny. U.S. trade policy should focus on creating jobs, strengthening supply chains, and lowering costs for American families — not advancing the interests of Big Tech CEOs by letting their companies run amok. Congress and state legislatures must work to ensure the safe, responsible deployment of AI, and special AI source code secrecy protections make it virtually impossible for regulatory bodies at home and abroad to secure AI accountability from Big Tech. To gain clarity on the Administration’s approach to digital trade, we ask that you answer the following questions by August 5, 2026:

1. Have you or other Administration officials discussed AI algorithm and source code secrecy with Big Tech executives or lobbyists? If so:
 - a. What was the nature of these discussions?
 - b. Who participated in these discussions?
 - c. When did these discussions take place?
 - d. What was the result of these discussions?
2. Did you or other Administration officials discuss potential updates to the USMCA Digital Trade chapter with Big Tech executives or lobbyists?
 - a. What was the nature of these discussions?
 - b. Who participated in these discussions?
 - c. When did these discussions take place?
 - d. What was the result of these discussions?
3. Have you or other Administration officials agreed — either through a formal written agreement or a mutual understanding — to secure AI algorithm or source code secrecy provisions in trade deals in exchange for donations to President Trump’s campaign, inaugural fund, Presidential Library fund, or the White House ballroom (administered through the Trust for the National Mall)? If so:
 - a. What provisions did the Administration agree to secure?
 - b. Who donated?
4. What language did the Administration seek to secure in these trade agreements to protect the ability of local, state, and federal officials to regulate AI in the United States?
5. Will the Administration commit to not signing any trade agreements that preempt federal, state, or local governments’ ability to regulate AI?
6. Did you or other Administration officials discuss the USMCA joint review with Big Tech executives or lobbyists?

¹⁶ Wall Street Journal, “Meta’s ‘Digital Companions’ Will Talk Sex With Users—Even Children,” Jeff Horwitz, April 26, 2025, <https://www.wsj.com/tech/ai/meta-ai-chatbots-sex-a25311bf?mod=e2tw>.

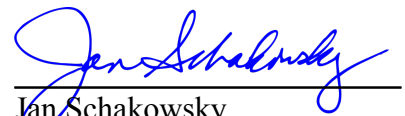
¹⁷ U.S. Senate Committee on the Judiciary Subcommittee on Crime and Counterterrorism, “Examining the Harm of AI Chatbots,” September 16, 2025, <https://www.judiciary.senate.gov/committee-activity/hearings/examining-the-harm-of-ai-chatbots>.

- a. What was the nature of these discussions?
- b. Who participated in these discussions?
- c. When did these discussions take place?
- d. What was the result of these discussions?

Sincerely,



Elizabeth Warren
United States Senator



Jan Schakowsky
Member of Congress