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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
WASHINGTON, D.C. 20460

MAR 11 1993

OFFICE OF
INTERNATIONAL ACTIVITIES

MEMORANDUM

TO: Chuck Fox, OA
Scott Fulton, OE
Vic Kimm, OPPTS
Dick Morgenstern, OPPE
Doug Turner, OPPE
Dan Magraw, OGC
David van Hoogstraten, OGC
Maureen O'Neill, OW
Mike Shapiro, OAR
Bill Pistor, OCLA
Jim Makris, OSWER

Loretta Ucelli, OCEPA
John Kasper, OCEPA
Dave Cohen, OCEPA
Joe Winkle, Reg. 6
John Wise, Reg. 9
Dick Sanderson, Fed. Act.
OIA Staff

FROM: Alan Hecht *Alan H.*
Acting Assistant Administrator

SUBJECT: Talking points for Administrator

Please review attached general talking points for Administrator's trip to Mexico. State and USTR comments have been included. Please send all comments to me by noon Friday, March 12, 1993. My FAX number is 260-9653.

NAFTA SUPPLEMENTAL AGREEMENTS

Talking Points for all Occasions

1. President Clinton has indicated that he will not reopen NAFTA and will not ask Congress to vote on implementing legislation until supplemental agreements on labor, environment and import surges are negotiated.

2. With regard to the environment, our current thinking about our activities related to NAFTA is to consider the following components:

Border Plan - We will work with Mexico to address serious environmental problems of the border area. We see this as largely achievable through our border plan. The Border Plan is an outline or blueprint which both recounts what is being done bilaterally to improve the border environment and indicates what still needs to be done. EPA contemplates a second phase, more broadly focused to include health and conservation issues, beginning in 1995. USTR and other agencies are studying the various options for funding critical border activities.

Bilateral Activities - including existing agreements and the initialed but as yet unsigned bilateral agreement.

Trilateral Activities - largely through an environmental commission, the terms of which will be negotiated beginning on March 17.

3. While we have an active border agreement and several bilateral activities, there is a need to streamline the working groups of these activities.

4. Our concept of a North American Commission on the Environment is evolving but we favor:

- o broad jurisdiction to address common resources, continent-wide and other environmental issues, means of achieving sustainable development, and deal NAFTA-related environmental issues.
- o An open format with public access, transparency of operations and mandate to make recommendations to governments.
- o Development of a report on environmental impacts of trade liberalization as well as environmental trends. The Commission could provide a periodic review of environmental impacts, and suggest modifications in NAFTA implementation.

- o Strong secretariat with authority to review complaints from citizens and NGOs, coordinate activities between meetings, support working groups, ability to gather information, and perform fact finding.
 - o A commission that would help promote national enforcement of national laws.
 - o A commission that would help promote the enhancement and increased compatibility of environmental standards at high levels of protection, and would periodically review and report on efforts in these regards.
5. We expect NACE to respect national sovereignty.
6. We will work closely with Congress between now and June to ensure that their concerns are addressed by supplemental agreements.
7. There is a wide range of views among NGOs on the role of NACE. We cannot address directly all concerns but support maximum possible public access and transparency of powers of the Commission.
8. EPA is committed to working with Mexico on Border, Bilateral and Trilateral Activities.
9. Mexico's environmental laws, regulations and standards are in many respects similar to those in the U.S. We can do a great deal to address enforcement concerns through education, training, promotion of pollution prevention and increased comparability of data. Other initiatives might include changes in the administrative and judicial processes to increase access of citizens and non-governmental organizations.
10. We very much appreciate the reception that Ambassador Oñate and Mateos and Rene Altamirano gave our Office of General Counsel Mission to SEDESOL (March 3-6). An ongoing exchange of information on environmental laws, regulations and standards and enforcement of the same is extremely useful to our continuing bilateral environmental initiatives.



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TO: Dick Smith, State
Sandy Gaines, USTR
Katie McGinity, WH
Eileen Claussen, NSC
Bob Kyle, NEC
Larry Katz, Labor

FROM: Alan D. Hecht *Alan D. Hecht*

SUBJECT: General Talking Points for EPA Administrator

Dan Magraw and I have drafted some general talking points for the Administrator's trip to Mexico. First round of comments from Dick Smith and Sandy Gaines are included. I have also drawn some material from Ambassador Kantor's testimony.

I need your changes and clearance by **Noon, Friday, March 12**. The Administrator will meet with State and USTR on Friday afternoon.

cc: Chuck Fox

*Why am I quiet
yet?*

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