



OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Invitation for Applications for Inclusion on the Facility-Specific Rapid Response Labor Mechanism Dispute Settlement Roster for the United States-Mexico-Canada Agreement

AGENCY: Office of the United States Trade Representative.

ACTION: Notice requesting applications.

SUMMARY: The United States-Mexico-Canada Agreement (USMCA) requires the maintenance of a roster of individuals who would be available to serve as panelists for specialized labor panels. The Office of the United States Trade Representative (USTR) invites applications from eligible individuals wishing to be included on this roster.

DATES: To ensure consideration, USTR must receive your application by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

ADDRESSES: You should submit your application through the Federal eRulemaking Portal: <http://www.regulations.gov> (*Regulations.gov*), using docket number USTR-2026-0100. Follow the submission instructions below. For alternatives to online submissions, please contact Sandy McKinzy at (202) 395-9483 before transmitting your application and in advance of the deadline.

FOR FURTHER INFORMATION CONTACT: For information about the application process, contact Sandy McKinzy, Paralegal Specialist, Office of Monitoring and Enforcement, at (202) 395-9483. For all other inquiries, contact Deputy Assistant U.S. Trade Representative for Monitoring & Enforcement Catherine Gibson at (202) 395-5725.

SUPPLEMENTARY INFORMATION:

USTR is seeking applications from U.S. citizens and nationals of other countries who are interested in serving as panelists for labor dispute settlement panels established

under the USMCA. You can find the text of the USMCA on the USTR website:

<https://ustr.gov/trade-agreements/free-trade-agreements/united-states-mexico-canada-agreement>.

I. Facility-Specific Rapid Response Labor Mechanism Under USMCA Annex 31-A

USMCA is a trilateral trade agreement between the United States, Mexico, and Canada (the Parties). Annex 31-A establishes a facility-specific rapid response labor mechanism (the RRM), as between the United States and Mexico, which can be used whenever either Party believes that workers at a Covered Facility (as defined in Article 31-A.15) are being denied the right of free association and collective bargaining under the laws necessary to fulfill the obligations of the other Party under the USMCA (a Denial of Rights). A Party may ask a labor panel under the RRM to request that the respondent Party allow it an opportunity to verify the Covered Facility's compliance with the law in question and to determine whether there has been a Denial of Rights. *See* USMCA Article 31-A.5. Labor panelists submit a report to the Parties commenting on the functioning of the RRM at the conclusion of the first four-year term and every four years thereafter. *See* USMCA Article 31-A.3.6.

USMCA requires the Parties to establish and maintain three lists of panelists who are willing to commit to being generally available to serve as labor panelists for the RRM. By the date of entry into force of USMCA, each Party was required to appoint three individuals to one list potentially comprised of its own nationals and appoint, by consensus, three individuals to a joint list. The individuals on the joint list may not be nationals of either the United States or Mexico. By six months from entry into force of USMCA, the Parties were required to expand the lists to at least five individuals, respectively. Individuals on the lists were appointed for a minimum term of four years or until the Parties constitute new lists. *See* Article 31-A.3.

To qualify for inclusion on the RRM lists, an applicant must:

- Have expertise and experience in labor law and practice, and with the application of standards and rights as recognized by the International Labor Organization;
- Be objective, reliable, and possess sound judgment;
- Be independent of, and not be affiliated with or take instructions from, a Party; and
- Comply with the Code of Conduct adopted by the Free Trade Commission established under Article 30.1. You can find the text of the Code of Conduct on USTR's website:

<https://ustr.gov/sites/default/files/files/agreements/umca/AnnexIIIUSMCACodeConduct.pdf>.

II. Request for Applications

USTR invites eligible individuals who wish to be considered for inclusion on the RRM lists to submit applications through *Regulations.gov*, using docket number USTR-2026-0100. In order to be assured of consideration, USTR must receive your application by [INSERT DATE 30 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*]. Applicants must file all submissions electronically via *Regulations.gov*. For technical questions on submitting comments on *Regulations.gov*, please contact the *Regulations.gov* help desk at *regulationshelpdesk@gsa.gov* or 1 (866) 498-2945. For alternatives to online submissions, please contact Sandy McKinzy at (202) 395-9483 before transmitting your application and in advance of the deadline.

To submit an application via *Regulations.gov*, enter docket number USTR-2026-0100 on the *Regulations.gov* home page and click 'search.' The site will provide a search-results page listing all documents associated with this docket. Find a reference to this notice by selecting 'notice' under 'document type' on the left side of the search-results page, and click on the 'comment' link. For further information on using the

www.regulations.gov website, please consult the resources provided on the website by clicking on 'FAQ' at the bottom of the page.

The *Regulations.gov* website allows users to provide comments by filling in a 'comment' field, or by attaching a document using an 'attach files' field. USTR prefers that candidates submit applications in an attached document. All submissions must be typewritten in English and be prepared in (or be compatible with) Microsoft Word (.doc) or Adobe Acrobat (.pdf) formats. Include any data attachments to the submission in the same file as the submission itself, and not as separate files.

Applications should include the following information, and should number each section of the application as indicated:

1. Name of the applicant.
2. Business address, telephone number, fax number, and email address.
3. Citizenship(s).
4. Current employment, including title, description of responsibility, and name and address of employer.
5. Relevant education and professional training.
6. Fluency in any relevant language other than English, written and spoken.
7. Post-education employment history, including the dates and addresses of each prior position, a summary of responsibilities, and a list of clients represented in the prior five years.
8. Relevant professional affiliations and certifications, including, if any, current bar memberships in good standing.
9. A list and copies of publications, testimony, and speeches, if any, concerning the relevant area(s) of expertise. Judges or former judges should list relevant judicial decisions. Submit only one copy of publications, testimony, speeches, and decisions.

10. A list of international trade proceedings or domestic proceedings relating to labor law or other relevant matters in which the applicant has provided advice to a party or otherwise participated.

11. Summary of any current and past employment by, or consulting or other work for, the Governments of the United States, Mexico, or Canada.

12. The names and nationalities of all foreign principals for whom the applicant is currently or has previously been registered pursuant to the Foreign Agents Registration Act, 22 U.S.C. 611 *et seq.*, and the dates of all registration periods.

13. A short statement of qualifications and availability for service, including information relevant to the applicant's familiarity with labor law, and willingness and ability to make time commitments necessary for service on panels.

14. On a separate page, the names, addresses, telephone and fax numbers of three individuals willing to provide information concerning the applicant's qualifications for service, including the applicant's character, reputation, reliability, judgment, and familiarity with labor law.

III. Public Disclosure

Applications are covered by a Privacy Act System of Records Notice (<https://www.govinfo.gov/content/pkg/FR-2016-12-22/pdf/2016-30496.pdf>). They are not subject to public disclosure, and USTR will not post applications publicly on *Regulations.gov*. USTR may share applications with other federal agencies, advisory committees, the House Committee on Ways and Means, the Senate Committee on Finance, and the Government of Mexico (for joint list applicants) prior to determining whether to appoint persons to the relevant list.

IV. False Statements

False statements by an applicant regarding their personal or professional qualifications, or financial or other relevant interests that bear on the applicant's

suitability for placement on a list or appointment to a panel are subject to criminal sanctions under 18 U.S.C. 1001.

Jennifer Thornton,

General Counsel,

Office of the United States Trade Representative.

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