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H. R. 8744

To prohibit the import of certain goods produced, sourced, made, or otherwise derived from deforestation and the sale of such items in interstate commerce, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

MAY 12, 2026

Mr. DOGGETT (for himself, Ms. ANSARI, Ms. BROWNLEY, Mr. CASAR, Mr. CASTEN, Ms. CASTOR of Florida, Mr. CLEAVER, Mr. COHEN, Ms. ESCOBAR, Mr. FROST, Mrs. GRIJALVA, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Ms. LEE of Pennsylvania, Mr. MCGOVERN, Ms. NORTON, Mr. POCAN, Mr. QUIGLEY, Mr. RASKIN, Ms. SCHAKOWSKY, Ms. TLAIB, and Ms. WILLIAMS of Georgia) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Foreign Affairs, and Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To prohibit the import of certain goods produced, sourced, made, or otherwise derived from deforestation and the sale of such items in interstate commerce, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Trade Responsibly for
3 Environmental Emissions Act” or the “TREE Act”.

4 **SEC. 2. PROHIBITION ON IMPORT AND SALE IN INTER-**
5 **STATE COMMERCE OF DEFORESTATION**
6 **GOODS.**

7 (a) IN GENERAL.—Beginning on January 1, 2029,
8 it shall be unlawful for any operator or trader—

9 (1) to import into the United States any defor-
10 estation good; or

11 (2) introduce into interstate commerce, manu-
12 facture for introduction into interstate commerce, or
13 sell, trade, or advertise in interstate commerce in the
14 United States any deforestation good.

15 (b) FALSE LABELING.—It shall be unlawful for any
16 operator or trader to make or submit any false record,
17 account, label, or other information, with respect to any
18 deforestation good that has been, or is intended to be, im-
19 ported into the United States.

20 **SEC. 3. ENFORCEMENT.**

21 (a) DUE DILIGENCE STATEMENT.—The Commis-
22 sioner of Customs and Border Protection shall require a
23 due diligence statement that complies with subsection (b)
24 to be provided by each operator or trader who imports into
25 the United States a covered commodity.

1 (b) REQUIREMENTS.—The due diligence statement
2 required under subsection (a) shall contain—

3 (1) a description of each covered commodity,
4 that includes—

5 (A) the trade name of each such com-
6 modity;

7 (B) the quantity and required unit of
8 measurement, as determined by the Commis-
9 sioner of Customs and Border Protection, of
10 each such commodity;

11 (C) with respect to each such commodity
12 that is wood or is otherwise produced using
13 wood, the common and scientific names of such
14 wood; and

15 (D) with respect to each such commodity
16 coming from countries categorized under sec-
17 tion 3 as a Level I or Level II risk, the country
18 of origin and geolocation coordinates, as deter-
19 mined practical by the Commissioner of Cus-
20 toms and Border Protection;

21 (2) the name, postal address, and contact infor-
22 mation of each person that supplied to such operator
23 or trader each covered commodity;

1 (3) adequately conclusive and verifiable infor-
2 mation that the covered products are deforestation
3 free; and

4 (4) any other information the Commissioner of
5 Customs and Border Protection determines nec-
6 essary to determine that each covered commodity is
7 not a deforestation good and has been produced in
8 accordance with the relevant law regarding deforest-
9 ation of the country of origin.

10 (c) CIVIL PENALTIES.—

11 (1) IN GENERAL.—In addition to any civil or
12 criminal penalty that may be imposed under title 18,
13 United States Code, or any other provision of law,
14 any operator or trader who violates this Act, or any
15 regulation issued under this Act, shall—

16 (A) be assessed a civil penalty in an
17 amount not more than 4 percent of the total
18 United States revenue of such operator or trad-
19 er for the fiscal year preceding the issuance of
20 such fine;

21 (B) have each deforestation good con-
22 fiscated; and

23 (C) for a period of not more than 12
24 months, be ineligible—

1 (i) to enter into any contract with any
2 Federal agency for the procurement of
3 goods, materials, and services; and

4 (ii) for any Federal funding, grants,
5 and concessions.

6 (2) DETERMINING FINE.—In calculating each
7 fine required under paragraph (1), the United States
8 Trade Representative may consider—

9 (A) the environmental damage caused by
10 the deforestation good;

11 (B) the ability of the violator to pay;

12 (C) ensure such fine effectively deprives
13 the violator of the economic benefits derived
14 from importing the deforestation good; and

15 (D) gradually increase such fine for each
16 repeat violation until the fine is in an amount
17 equal to 4 percent of the total United States
18 revenue of the violator for the fiscal year pre-
19 ceding the issuance of such fine.

20 (3) SERIOUS OR REPEAT VIOLATIONS.—In the
21 case of a serious or repeat violation, an operator or
22 trader shall be prohibited from importing into the
23 United States any good for a period of not more
24 than 12 months.

1 (4) DETERMINING SERIOUS VIOLATION.—In de-
2 termining what constitutes a serious violation under
3 paragraph (3), the United States Trade Representa-
4 tive shall consider—

5 (A) the nature, circumstances, extent, and
6 gravity of the violation;

7 (B) the degree of culpability; and

8 (C) such other matters as the United
9 States Trade Representative, in consultation
10 with the Commissioner of Customs and Border
11 Protection, determines necessary.

12 (d) INCREASED INSPECTION RATES.—

13 (1) IN GENERAL.—Beginning on December 31,
14 2029, based on the country categorization list re-
15 quired under section 3(a)(1), the Commissioner of
16 Customs and Border Protection shall implement the
17 following increased inspection rates:

18 (A) Of the goods originating from a coun-
19 try, or region thereof, categorized by the United
20 States Trade Representative under section
21 3(a)(1) as a Level I risk, not less than 9 per-
22 cent of such goods imported into the United
23 States in a calendar year shall be inspected for
24 deforestation goods.

1 (B) Of the goods originating from a coun-
2 try, or region thereof, categorized by the United
3 States Trade Representative under section
4 3(a)(1) as a Level II risk, not less than 3 per-
5 cent of such goods imported into the United
6 States in a calendar year shall be inspected for
7 deforestation goods.

8 (C) Of the goods originating from a coun-
9 try, or region thereof, categorized by the United
10 States Trade Representative under section
11 3(a)(1) as a Level III risk, not less than 1 per-
12 cent of such goods imported into the United
13 States in a calendar year shall be inspected for
14 deforestation goods.

15 (2) RULEMAKING AUTHORITY.—The Commis-
16 sioner of Customs and Border Protection may, in
17 consultation with the Attorney General, Secretary of
18 State, United States Trade Representative, Sec-
19 retary of Commerce, and Administrator of the
20 United States Agency for International Develop-
21 ment, promulgate such rules and regulations as such
22 Commissioner determines necessary to carry out
23 paragraph (1).

24 (e) INTERSTATE COMMERCE PROHIBITION.—Not
25 later than January 1, 2029, the Secretary of the Interior

1 shall by regulation establish a plan to enforce the prohibi-
2 tion under section 1(a)(2).

3 **SEC. 4. COUNTRY CATEGORIZATION BASED ON RISK POSED**
4 **OF IMPORTING DEFORESTATION GOODS.**

5 (a) COUNTRY CATEGORIZATION.—

6 (1) IN GENERAL.—The United States Trade
7 Representative shall—

8 (A) not later than December 1, 2029, and
9 every other year thereafter, categorize every
10 country under one of the three risk levels de-
11 scribed under subsection (b), except as provided
12 under paragraph (2), based on the risk that im-
13 ports originating from such country are defor-
14 estation goods; and

15 (B) not later than December 31, 2029,
16 and every other year thereafter—

17 (i) publish such categorization on the
18 internet website of the United States
19 Trade Representative; and

20 (ii) formally notify each country, as
21 described under subsection (c)(4), of the
22 risk level of such country and of each re-
23 gional categorization of such country under
24 paragraph (2).

1 (2) REGIONAL CATEGORIZATIONS.—A region
2 within a country may be categorized by the United
3 States Trade Representative under a different risk
4 level under subsection (b) than the risk level such
5 country is categorized under if sufficient information
6 is available for the United States Trade Representa-
7 tive to determine that such region warrants a dif-
8 ferent categorization than the country such region is
9 in.

10 (3) INTERIM CATEGORIZATION.—For the period
11 beginning on January 1, 2029, and ending on the
12 date on which the United States Trade Representa-
13 tive completes the risk level categorization required
14 under paragraph (1), each country, and each region
15 thereof, shall be categorized under subsection (b)(2)
16 as a Level II risk.

17 (b) RISK LEVELS.—

18 (1) LEVEL I.—A country, or region thereof,
19 shall be categorized as a “Level I” if the imports
20 originating from such country, or region thereof,
21 pose a high risk of being deforestation goods.

22 (2) LEVEL II.—A country, or region thereof,
23 shall be categorized as a “Level II” if the imports
24 originating from such country, or region thereof,
25 pose a moderate risk of being deforestation goods.

1 (3) LEVEL III.—A country, or region thereof,
2 shall be categorized as a “Level III” if the imports
3 originating from such country, or region thereof,
4 pose a low risk of being deforestation goods.

5 (c) DETERMINING RISK LEVEL.—

6 (1) ASSESSMENT.—The risk level categorization
7 required under subsection (a)(1) shall be based on
8 an objective and transparent assessment, determined
9 by the United States Trade Representative, consid-
10 ering the latest scientific evidence and internation-
11 ally recognized sources, and shall be primarily based
12 on the following criteria:

13 (A) The rate of deforestation and forest
14 degradation since December 31, 2020, within
15 the country, or region thereof, being cat-
16 egorized.

17 (B) The rate at which the country, or re-
18 gion thereof, being categorized is expanding the
19 use of agriculture land for covered products,
20 covered commodities, and covered sources.

21 (C) The production trends of the covered
22 products, covered commodities, and covered
23 sources within the country, or region thereof,
24 being categorized.

1 (2) ADDITIONAL CONSIDERATIONS.—The as-
2 sessment required under paragraph (1) shall also
3 consider the following:

4 (A) Information related to the effective
5 covering of emissions and removals from agri-
6 culture, forestry, and land use in the nationally
7 determined contribution to the United Nations
8 Framework Convention on Climate Change
9 (adopted in Rio de Janeiro, Brazil, in June
10 1992) that may be submitted by the country, or
11 region thereof, being categorized, regional au-
12 thorities and operators in such country, or re-
13 gion thereof, nongovernmental organizations,
14 indigenous peoples, local communities, civil soci-
15 ety organizations and any other interested party
16 the United States Trade Representative deter-
17 mines appropriate.

18 (B) Agreements and other instruments be-
19 tween the country, or region thereof, being cat-
20 egorized and the United States that address de-
21 forestation, forest degradation, and compliance
22 with section 1.

23 (C) Whether the country, or region there-
24 of, being categorized has national, regional, or
25 local laws in place to combat deforestation and

1 forest degradation, including whether such
2 country, or region thereof, has—

3 (i) implemented Article 5 the decision
4 by the United Nations Framework Conven-
5 tion on Climate Change’s 21st Conference
6 of Parities in Paris, France, adopted on
7 December 12, 2015 (commonly referred to
8 as the “Paris Agreement”);

9 (ii) whether such country effectively
10 enforces such laws; and

11 (iii) whether the penalties imposed
12 under such laws are of sufficient severity
13 to deprive the penalized operator or trader
14 of the benefits gained from engaging in de-
15 forestation or forest degradation.

16 (D) Whether the country, or region there-
17 of, being categorized has transparent data on
18 deforestation and forest degradation and, where
19 applicable, the existence of, compliance with, or
20 effective enforcement of laws protecting human
21 rights, the rights of indigenous peoples, and
22 local communities.

23 (E) Sanctions imposed by the Security
24 Council of the United Nations or the United

1 States on the import or export of deforestation
2 goods.

3 (F) Risk classification determined by the
4 European Union under the European Union
5 Deforestation Regulation.

6 (3) ENGAGEMENT.—The United States Trade
7 Representative shall engage with each country, or
8 region thereof, that is categorized, at risk of being
9 categorized as a Level I risk, with the objective of
10 reducing the level of risk of such country or region
11 thereof.

12 (4) NOTIFICATION.—Upon finalizing the second
13 risk-level categorization required under subsection
14 (a)(1), and each risk-level categorization thereafter,
15 the United States Trade Representative shall—

16 (A) formally notify each country of a
17 change from the most recently published risk-
18 level categorization under subsection (a)(2) in
19 the risk-level of such country or region thereof;

20 (B) provide not longer than 6 months for
21 such country to respond; and

22 (C) include in such notification the fol-
23 lowing:

1 (i) Each reason for the intention to
2 change the risk level of the country or re-
3 gion thereof.

4 (ii) In the case of an increase in risk
5 level, an invitation to respond in writing to
6 provide information on measures taken by
7 such country to remedy the situation.

8 (iii) The consequences such country
9 will face because of a change in the risk
10 level of such country or region thereof.

11 (d) DUTY TO UPDATE.—The United States Trade
12 Representative shall update the risk-level categorization
13 required under subsection (a)(1) earlier than required
14 under such subsection if any new evidence is received that
15 the United States Trade Representative determines affects
16 the risk-level categorization of a country or region thereof.

17 (e) RULEMAKING AUTHORITY.—The United States
18 Trade Representative may, in consultation with the Attor-
19 ney General, Secretary of State, Commissioner of Customs
20 and Border Protection, Secretary of Commerce, and Ad-
21 ministrator of the United States Agency for International
22 Development, promulgate such rules and regulations as
23 such representative determines necessary to carry out this
24 paragraph.

1 **SEC. 5. INTERNATIONAL ASSISTANCE.**

2 (a) ASSISTANCE TO LEVEL I COUNTRIES.—The Sec-
3 retary of State shall provide preference to countries cat-
4 egorized under section 1(d)(2)(A) as a Level I risk when
5 providing financial assistance related to deforestation and
6 forest-related degradation.

7 (b) REVENUE FROM PENALTIES.—With respect to
8 all amounts collected in the form of civil penalties pursu-
9 ant to section 1, and notwithstanding any other provision
10 of law, the Secretary of the Treasury shall use an amount
11 equal to half of the total amount of penalties collected in
12 the preceding fiscal year to provide assistance to under-
13 developed countries with respect to deforestation and for-
14 est-degradation management.

15 **SEC. 6. DEFINITIONS.**

16 In this Act:

17 (1) AGRICULTURE USE.—The term “agriculture
18 use” means the use of land for the purpose of—

- 19 (A) agriculture, including agricultural
20 plantations and set-aside agricultural areas; or
21 (B) rearing livestock.

22 (2) COVERED COMMODITY.—The term “covered
23 commodity” means each of the following:

- 24 (A) Cattle.
25 (B) Cocoa.
26 (C) Palm oil.

1 (D) Rubber.

2 (E) Soy.

3 (F) Wood.

4 (3) COVERED PRODUCT.—The term “covered
5 product” means any item that has been fed with,
6 made with, contains, or was otherwise produced with
7 a covered commodity.

8 (4) COVERED SOURCE.—The term “covered
9 source” means any precursor to a covered com-
10 modity that is used to produce such commodity.

11 (5) DEFORESTATION.—The term “deforest-
12 ation” means the loss of a forest resulting from the
13 whole or partial conversion of such forest to—

14 (A) agricultural use or another non forest
15 land use; or

16 (B) a tree plantation.

17 (6) DEFORESTATION GOOD.—The term “defor-
18 estation good” means each of the following, only if
19 produced, sourced, made, or otherwise derived from
20 land, on or after December 31, 2020, that is subject
21 to deforestation or forest degradation:

22 (A) A covered product.

23 (B) A covered commodity.

24 (C) A covered source.

1 (7) FOREST.—The term “forest” means land
2 spanning more than 0.5 hectares with trees higher
3 than 5 meters and a canopy of more than 10 per-
4 cent, or trees able to reach those thresholds in situ,
5 excluding land that is predominately under agricul-
6 tural or urban land use.

7 (8) FOREST DEGRADATION.—The term “forest
8 degradation”—

9 (A) means human-driven structural
10 changes to forest cover that result in a change
11 in species composition, structure, or function of
12 the forest, which can be indicated by factors
13 such as—

14 (i) impacts to carbon storage and
15 other ecosystem services;

16 (ii) native species abundance and com-
17 position; and

18 (iii) tree age class distribution; and

19 (B) includes the conversion of—

20 (i) primary forests, naturally regen-
21 erating forests, or old growth forests into
22 plantation forests or into other wooded
23 land; and

1 (ii) primary forests or old growth for-
2 ests into temporarily unstocked forests due
3 to clearcutting or other harvesting.

4 (9) OPERATOR.—The term “operator” means
5 any person who, in the course of commercial activ-
6 ity—

7 (A) places relevant products into the inter-
8 state commerce of the United States; or

9 (B) imports relevant products into the
10 United States.

11 (10) TRADER.—The term “trader” means any
12 person in the supply chain other than the operator
13 who, in the course of a commercial activity, makes
14 a product available to be imported into the United
15 States.

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