Analysis&Perspective

The Future of Fast Track in U.S. Trade Policy

By Steve Charnovitz *

The Congress is now considering whether to revive the fast-track process for implementing new trade agreements. The debate will be heated because it involves sharply different views about the benefits of international commerce and the proper relationship between trade and other international issues. Some commentators suggest that extending fast track should be an easy move. In this view, the Congress should produce a purebred fast track that eschews any linkage to "non-trade" issues like the environment. The purpose of this article is to show why that viewpoint is naive. Over the past several years, changes in domestic politics, congressional procedure, and economic policy have greatly complicated the fast-track story. At this point, the most likely outcome may be a continuation of the status quo — that is, no fast track.

What is Trade Fast Track? Fast track is a rule of the U.S. House of Representatives and Senate that facilitates the approval of legislation to implement trade agreements. There are three key procedural components: First, the president gets to draft the trade bill (with a large amount of congressional input). Second, the Congress cannot alter this bill. Third, the bill must be voted on within preset time periods.

These disciplines are needed because otherwise the normal congressional practices of amendment and delay could thwart the consummation of international agreements. Consider a recent example: In 1995, the Clinton administration sought legislation to approve and implement the agreement to control shipbuilding subsidies recently negotiated in the Organization for Economic Cooperation and Development (OECD). Because this legislation did not have fast-track status, the House amended it in a way that would require a renegotiation of the agreement. In the Senate, the legislation was never brought to a vote. As a result of congressional inaction, the agreement itself lies in jeopardy.

Fast track is not a common procedure around the world because most democracies enjoy parliamentary systems and party government. The United States is different because there is a separation between the president and the Congress. The recent tendency toward divided government (e.g., a Republican Congress and Democratic president) makes fast track even more crucial for international agreements because the U.S. political configuration may change during the course of a multi-year negotiation.

Although the president has constitutional authority to negotiate any trade matter he wants with foreign governments, other governments may be unwilling to negotiate with him (or his representatives) in the absence of fast track. Foreign officials will be wary of engaging in politically sensitive negotiations if the ensuing bargain is subject to being modified by the U.S. Congress. Fast track, of course, does not provide complete assurance because the Congress can always vote down the agreement. But fast track does raise the comfort level in foreign capitals. It is viewed by trade negotiators as a prerequisite for serious talks on matters that require changes in U.S. law.

Although antecedents of trade fast track go back to the Reciprocity Act of 1911, the modern fast track originated in the Trade Act of 1974. The Nixon administration had been seeking authority to modify U.S. laws when needed to implement trade agreements. But Sen. Herman E. Talmadge (D-Ga) resisted this large transfer of authority to the executive. Instead, the fast-track procedure was devised to empower the president to negotiate without disempowering the Congress to legislate.

Aside from a seven-month expiration in 1988, a fast track for trade was in place from January 1975 to May 1993. Four years ago, the Congress provided special authority until April 1994 for completion of the Uruguay Round. Since then, President Clinton has lacked a fast track for new multilateral, regional, or bilateral trade agreements.

Although "fast track" is sometimes used synonymously with "trade negotiating authority," the two issues are distinguishable. The president gets negotiating authority from both the Constitution and the Congress. The Constitution gives the president authority to negotiate "treaties" subject to the approval of the Senate. In addition, the Constitution has been interpreted by the Supreme Court to give the president authority to negotiate executive agreements. Many bilateral trade agreements are executive agreements — for example, the semiconductor agreement with Japan. The other source of presidential authority is the Congress. Since 1798, the Congress has delegated authority to the president to change U.S. trade law in return for commitments from foreign governments.

Need for Trade Agreements. In the absence of fast track, U.S. trade policy has been constrained. Despite a promise made to Chilean President Eduardo Frei in 1994, the Clinton administration has been unable to consummate a bilateral free-trade accord with Chile or to add that country to the North American Free Trade Agreement (NAFTA). The U.S. government also lost steam in its pursuit of free trade in the Americas and in

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the Asia-Pacific Economic Cooperation forum. Although these initiatives were expected to take many years to complete, little progress will occur in the absence of U.S. leadership. Without the imprimatur of fast track, attempts of U.S. leadership lack credibility.

Our failure to do more to remove trade restrictions and distortions exacts a high opportunity cost. International trade boosts economic growth by providing more opportunities for specialization of production and more efficiency-enhancing competition. While some of these benefits could be obtained by unilaterally dismantling American protectionism, the easier political path is to seek simultaneous reforms among our trading partners. That way, politicians can extol the job creation benefits from exports rather than explain to a skeptical public why imports are equally valuable.

Pinning Blame. The easiest way to have renewed fast track would have been to include it in the Uruguay Round implementing legislation. Then-U.S. Trade Representative Mickey Kantor tried to do this in 1994, but his long delays in preparing the implementing legislation foreclosed that option. During the 104th Congress, the Clinton administration sought fast track, and Republican congressional leaders professed to be for it, but for various reasons no fast track eventuated. This year, administration officials and congressional leaders have restated their support for a renewal of fast track.

Both sides were responsible for the stalemate in 1995-96. The president should have built a coalition of support, especially from the business community. The Congress should have acted quickly on the administration's request. This assignment of joint responsibility is not shared by many trade specialists, who instead blame the Clinton administration. From this perspective, the administration guaranteed its own failure by continuing to insist — in the face of strong Republican opposition — that labor and environment be reflected in new fast track legislation.

Nevertheless, it is illogical to blame the Clinton administration. The Congress was — and remains today — capable of writing fast track on any terms it wants. If passed as a law, it seems highly unlikely that the president would veto a new fast track because it lacks his preferred language on labor and environment. But fast track does not have to be enacted as a law. Since fast track is a *rule* of the House and Senate, the Congress can reinstate fast track via a concurrent resolution. Such resolutions are not "veto-able" by a president.

The real reason why fast track remains dead is that the majority party in the Congress does not have the votes to pass it. That's because there is a sizable block of Republican protectionists. Consequently, a bipartisan majority will be needed to approve any trade enabling legislation. Assembling such a majority is no easy task in view of the current polarization on trade policy.

We live in a different world today than existed in 1974, when Sen. Talmadge proposed the fast track. Recognizing these changes is the critical first step toward designing a new fast track that is workable and fair. These changes — to be examined below — involve politics, procedure, and policy.

Trade Politics. Trade is a more visible public issue than it was 20 years ago. We saw this in the candidacies of Ross Perot and Pat Buchanan, in the NAFTA debate, and in the threats of trade sanctions against Japan a few years ago. We observe this in bookstores as new volumes appear about the "dangers" of globalization. Certainly, protectionism has always been part of the American political tradition. Yet trade may be more controversial now than at any time since the early 1970s.

Because the easily conceded protection has already been dismantled, what remains are the most refractory industries like agriculture, textiles, and apparel. Thus, any proposed trade agreement may be greeted by entrenched opposition. Several months ago, a poll found that 57 percent of the U.S. public is against new free-trade pacts with Latin America.[1] Fast track was not designed to deal with hotly contested issues. It was designed to grease the wheels for legislation that has broad support and only minor pockets of opposition. The sea change in attitudes toward trade can be detected in the five votes utilizing the fast track. In 1979, the Tokyo Round agreements were approved by a vote of 366-40 in the House and 83-9 in the Senate. In 1985, the Israel free-trade agreement was approved by a vote of 422-0 in the House and a voice vote in the Senate. In 1988, the Canada agreement was approved by votes of 395-7 and 90-4. By 1993, attitudes had changed. NAFTA was approved by votes of 234-200 and 61-38. The following year, the Uruguay Round was approved by votes of 288-146 and 76-24. Because fast track requires members of Congress to give up their power to amend and delay, a procedural exception that was acceptable for a 366-40 split may become unacceptable for 234-200. If future votes on trade are likely to be closely divided, that has important implications for the willingness of Congress to put such votes on a fast track.

Another stumbling block is federalism. Because state laws can be trade barriers, foreign governments want Washington to impose greater disciplines on the states. For example, the European Union is now complaining about Massachusetts procurement practices that link trade with Burma to human rights. It seems clear that future trade negotiations will encroach more on traditional state policy autonomy. This may lead many state officials to oppose fast track unless states are given greater participation rights in the negotiations.

Procedural Issues. In the 1970s, trade talks were primarily about tariffs, quotas, countervailing duties, etc., and only partially about trade-related domestic policies. That has changed. Ongoing and future trade talks will be as much (or more) about non-tariff issues as about tariffs and quotas. The major topics will be product standards, labeling, subsidies, government procurement, regulation of services, and property rights. There is also interest in some countries for talks on investment and competition policy. (Last year, the Clinton administration raised "corruption" as another new issue, but not much is being heard about that now.)

The scope of trade talks has important procedural implications for the Congress. As designed in 1974, fast track was managed by the congressional committees with responsibility for trade policy — that is, the House Ways and Means and Senate Finance Committees. Other committees could be involved for particular provisions, but Finance and Ways and Means were given

[1] Paula Green, "Study: 57% of U.S. Public against Free-Trade Pacts with Latin America," *Journal of Commerce*, Sept. 8, 1996, p. 2.

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WTO.[5] If WTO members decide to adopt new rules on this matter in the future (admittedly an unlikely scenario), congressional approval might be needed for U.S. acceptance of the new WTO amendment or declaration. Thus, it would seem unwise to preclude labor issues from being part of a fast-track bill, as some Republicans suggest they want to do.

Currently, the Clinton administration is floating a proposal for using side accords to address labor and environment issues. If such side accords are considered to be mere "executive agreements," there would be no need for congressional approval. But if the side accords commit the United States to take action that the president has no constitutional or statutory authority to take, then such side accords would seem to require approval either by the Senate as a "treaty" or by the Congress as a Congressional-Executive agreement. For example, the NAFTA side accords on labor and environment made commitments beyond the president's sole executive authority. That's why the Clinton administration slipped a provision into the NAFTA implementing legislation to gain legal approval of the side accords.[6]

In summary, the trade issues of 1997 differ considerably from those contemplated by Sen. Talmadge when he proposed fast track in 1974. Politically, trade negotiations are more contentious. The scope of trade policy is much broader than it was 20 (or even 10) years ago. Policymakers have also gained experience in using and manipulating fast-track procedures. The totality of these changes — plus the "pay as you go" budget rules — necessitate an overhaul of fast track to respond to these new realities.

Fixing Fast Track. There has been little systematic thinking within the trade policy community about how to redesign fast track. The Clinton administration has asked for the same fast track available to Presidents Reagan and Bush. But this is too open-ended for the current Congress and ignores the procedural problems discussed above. Various Republicans have suggested formulations to screen out the labor and environmental issues, but they are all either overbroad or ineffective. For example, limiting trade bills to "market opening" measures would have excluded the Antidumping Agreement reached in the Uruguay Round. Limiting trade bills to issues of "deregulation" would have excluded the longer U.S. patent terms authorized in the Uruguay Round implementing legislation. Limiting trade bills to matters "distorting or impeding U.S. trade" might not succeed in excluding labor and environment. That's because trade can be distorted whenever other countries utilize forced labor or allow environmental damage to spill across borders.

Of course, congressional policy horizons ought to be broader than figuring out how to keep labor and environment (or drug control) out of trade negotiations. The increasing globalization of the world economy and our growing recognition of ecological constraints suggest a need for a broad reassessment of U.S. trade policy. It has been 26 years since the Williams Commission advised the U.S. government on trade and investment policy. A generation earlier, the Randall Commission laid the groundwork for the Trade Agreements Extension Act of 1955. Although Washington is overrun with governmental advisory commissions, they can be useful for crafting new policies and building public support. As we contemplate how to improve fast track, a commission — or if none, the Congress — ought to go beyond the narrow terms of the current debate.

Fast track allows abuse because implementing legislation can be voted on before the public is aware of what the legislation contains. The best protection against that abuse is full disclosure. This could be achieved by a requirement that the implementing legislation lay over for a week after being printed and that a public hearing be held in the Congress regarding all changes in U.S. law.

If fast track is available to implement trade agreements, that procedure should also be available to implement other economic agreements.

Another issue is whether trade negotiations should include non-trade issues. Some trade analysts worry about overburdening trade negotiators. Others, like Professor E.U. Petersmann, a former legal adviser to the General Agreement on Tariffs and Trade (GATT), have pointed to the potential benefits of broad package-deal negotiations embracing trade, competition, investment, environment, and labor.[7] There is no clear theoretical answer. It depends on whether other international fora are available, besides the WTO, to carry out negotiations and provide dispute settlement. Free traders should do more to improve other international organizations so that the WTO can concentrate on eliminating trade restrictions.

If fast track is available to implement trade agreements, that procedure should also be available to implement other economic agreements. It is not clear whether the OECD shipbuilding subsidy accord would have qualified for the 1988-93 version of fast track. In the future, any new fast track should make clear that it applies to all trade-related agreements. For example, the Congress has yet to pass implementing legislation to allow the United States to join the Basel Convention of 1989 on trade in hazardous waste. Similarly, the Congress has yet to pass implementing legislation for the Panama agreement of 1995 which resolved the "tuna-dolphin" controversy to the satisfaction of the Mexican government, the Clinton administration, and several environmental groups. (This congressional failure may lead Mexico to file a complaint in the WTO.) A new fast track should be written broadly enough to apply to both of these treaties.

[5] 19 U.S.C. § 2901(b)(14) and § 3551. The promotion of labor standards has been an official U.S. negotiating objective since the Trade Act of 1974. Some Republicans in Congress want to repeal this objective from U.S. law.

[6] For an extensive discussion of this episode, see Steve Charnovitz, "The NAFTA Environmental Side Agreement: Implications for Environmental Cooperation, Trade Policy, and American Treatymaking," *Temple International and Comparative Law Journal*, Vol. 8, 1994, pp. 287-312.

[7] Ernst-Ulrich Petersmann, "International Competition Rules for Governments and for Private Business," *Journal of World Trade*, Vol. 30, June 1996, p. 35.

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primary jurisdiction. In the future, it will be very difficult to write a new fast track without giving other relevant committees greater procedural rights. The more committees that get fully involved, the greater the chance for conflicts among them that cannot be settled in the usual way of individual votes on the House or Senate floor. Such conflicts can undermine support for trade implementing legislation.

Congressional practice in using the fast track has led to abuses that have raised concerns about this expedited procedure among public interest groups. For example, fast track rules state that the trade legislation may include provisions "necessary or appropriate" to implement a trade agreement. This gives the president the power to tack on "sweeteners," that is, provisions added to attract the votes of particular members. The Clinton administration wants to preserve this power.

Another problem involves the Budget Enforcement Act of 1990, which requires that a bill approving tariff cuts make up the lost revenue. In effect, this congressional budget rule mandates that trade implementing legislation include tax increases or entitlement cuts *totally unrelated* to the trade negotiation. For example, the law implementing the Uruguay Round includes 60 statute pages of revenue provisions on matters ranging from interest on savings bonds to taxation of Indian casino profits to licenses from the Federal Communications Commission. All 60 pages were immune from amendment in the House and Senate.

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These problems are recognized in Congress, but are not easy to solve within a fast-track framework. One member trying to do so is Sen. Richard G. Lugar (Ind). His thoughtful proposal (S 253) seeks to limit the trade implementing legislation to "necessary" provisions and to provide opportunities to amend the revenue provisions (which he defines as necessary). Sen. Lugar recognizes that any congressional policing of the content of implementing legislation could lead to non-identical House and Senate bills. If that occurs and cannot be resolved in a House-Senate conference then, under Lugar's proposal, the Congress would fall back to the bill originally drafted by the president. One serious problem with Lugar's proposal is that both the House and Senate might agree to delete a provision — calling it "unnecessary" — even when U.S. trade negotiators have promised that provision.

The Ways and Means Committee has also tried to tighten fast track. In 1995, it approved a bill to limit a new fast track to provisions "directly related" to U.S. statutory negotiating objectives. The obvious problem with this approach is that trade negotiations involve give and take. To get a consensus package, every government must acquiesce to items that it does not strongly disfavor. If all governments emulated the Ways and Means approach, and refused to implement provisions they were not seeking, then trade negotiations would grind to a halt.

Another procedural defect that has sullied fast track is the rapidity of consideration by the Congress. For example, at the time that NAFTA was voted on by the House in 1993, printed copies of the bill were not available to the public.[2] Such deficiencies in governmental transparency reinforced the concerns of groups that were already critical of fast track for being "anti-democratic."

Policy Coordination. As noted above, trade negotiations now cover many issues that indirectly affect trade, rather than just tariffs or border restrictions. Any attempt to limit fast track to so-called genuine trade issues is doomed to failure from the inability to separate trade from non-trade issues. Many of the key achievements of the Uruguay Round — for example, the agreements on product standards, sanitary measures, and intellectual property — might have been left off had the fast track legislated in 1988 been limited to issues exclusively about trade.

The establishment of the World Trade Organization (WTO) provides a forum for the pursuit of more coherent economic policy. That is the rationale behind using the WTO to discuss investment and antitrust. Happily, the prospects for global policy coordination are brighter now than they were in 1974 when fast track was devised. But this discomfits many in Congress who cannot foresee where new WTO negotiations may lead. There is an understandable tension between the Congress, which does not want to write any president a blank check, and the president, who will want to use fast track to the fullest extent.

The most controversial issues are environment and labor. It is well recognized that transborder environmental spillovers may reduce the benefits of trade liberalization. Therefore, it seems appropriate that trade negotiators take environmental factors into account. Indeed in 1992, the Congress requested the president to address environmental issues in future trade negotiations.[3] Those who would write legislation instructing U.S. trade negotiators to ignore the environment suffer from the same tunnel vision as those who say that preventing imports saves American jobs.

Many congressional Republicans are concerned that future trade negotiations might lead to proposed changes in U.S. environmental laws that would be considered on a fast track instead of the usual slow track. Their concerns are valid. The potential for rapid statutory changes was aptly demonstrated in 1994 by the Uruguay Round implementing legislation. That bill amended eight U.S. health laws regarding poultry inspection, meat safety, plant pests, and animal diseases.[4] Since neither the House nor the Senate Agriculture Committees held hearings on these provisions, many members were probably in the dark as to what they were voting on.

On labor standards, there are sharp differences as to whether the WTO should begin to address this issue. Nevertheless, current U.S. law seeks action within the

[2] Steve Charnovitz, "No Time for NEPA: Trade Agreements on a Fast Track," *Minnesota Journal of Global Trade*, Vol. 3, 1994, pp. 220-21.

[3] P.L. 102-582 § 203.

[4] P.L. 103-465 § 431.

Labor and environment issues provide everyone a good excuse for inaction. ... The tragedy is that while both sides posture, U.S. businesses, workers, and investors lose economic opportunities.

Fast track could also be made available to approve treaties that are sent to the Senate for consent. One of the most important constitutional innovations of the 20th century is the substitution of the Congressional-Executive agreement for the archaic and cumbersome process of Senate consent to treaties by a two-thirds vote.[8] For instance, the NAFTA was approved by both the House and the Senate as a Congressional-Executive agreement, not solely by the Senate through the "advice and consent" process. Although there are a few traditionalists in the Senate who remain troubled by this modern practice — for example, Sens. Fritz Hollings (D-SC) and Robert C. Byrd (D-WVa) — most Senators do not object to their changed role.

At the recent WTO Ministerial conference in Singapore, the trade ministers resisted the Clinton administration's initiative to bring labor standards into the WTO. Instead, the Ministerial Declaration states that "the International Labour Organization (ILO) is the competent body to set and deal with these standards." This is true but problematic for the U.S. government. American credibility in the ILO is tarnished by our extremely poor record in ratifying ILO standards. Out of 177 conventions, the United States has ratified only 12. Yet if fast track were available for ILO conventions, the House and Senate could act together to approve them more quickly. For example, if forced to vote on record, the Congress would surely approve the ILO Convention on Freedom of Association (No. 87). Instead, this convention has been marooned on the Senate treaty calendar since 1949. Just as fast track equipped the U.S. government to negotiate institutional reforms in the GATT that led to the WTO, fast track can equip the U.S. government to negotiate reforms to make the ILO more effective.

[8] See Bruce Ackerman and David Golove, *Is NAFTA Constitutional?* (Harvard University Press, 1995).

Finally, another progressive use of fast track would be to implement recommendations of WTO panels when the U.S. government loses a dispute. (The U.S. government lost eight of the 10 most recently adopted GATT/WTO rulings where the U.S. was the defendant.) The Congress provided a fast track to implement a "recommendation under" the GATT Tokyo Round agreements, and did the same for the Israel and Canada free-trade accords.[9] But President Clinton and the Congress did not include that provision in the NAFTA or WTO implementing legislation. Nevertheless, such an expedited procedure could help to prevent trade sanctions from being imposed against the United States whenever the Executive Branch or Congress fails to comply with an adverse WTO panel ruling.

Conclusion. General fast- track authority expired nearly four years ago. The failure to renew it demonstrates the uneasiness within Congress about both fast track and trade. Many pundits fail to recognize this. In their view, the only sticking points are labor and environment. If the president were to renounce these objectives, it is suggested, the Congress would move quickly to flip on the fast track switch.

The thesis of this article is that there are deeper reasons for the demise of fast track — relating to politics, procedure, and trade policy. These issues do not influence all members of Congress in a uniform way. But it seems clear that many members have justified in their own minds a continued denial of fast track to President Clinton. Labor and environment issues provide everyone a good excuse for inaction. The Republicans use it as a symbol for their solidarity with business. The Democrats use it as a symbol of their solidarity with labor unions and environmental groups. The tragedy is that while both sides posture, U.S. businesses, workers, and investors lose economic opportunities.

In a fast-moving global economy, the U.S. government needs to pursue economic coordination and to seek policy changes in other countries. Fast track does not make U.S. negotiators wiser or more skillful, but it does accord them the plenipotentiary status that other government officials have. Right now, without fast track, U.S. negotiators are impotentiaries.

[9] 19 U.S.C. § 2504(c).

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HIGHLIGHTS

Korea Pledges Tariff Cuts In Bid to Join Semiconductor Council

Korean officials have pledged tariff cuts and provided details about specific products in an effort to gain admission to the first world semiconductor industry summit, a Korean official says. Korea's actions come as the world's major semiconductor producing industries in the United States, Japan, and the European Union prepare to meet in Hawaii this week to discuss market access and cross-border cooperation. **Page 620**

U.S. Antitrust Official Calls Japan Deregulation Plan Inadequate

Japan's final deregulation action plan, while containing significant actions in a few areas, for the most part falls short of U.S. expectations, a U.S. Justice Department antitrust official says. "Of the 2,800–odd deregulatory actions that are in the final plan, less than one-third of them are new actions, and . . . many of these new actions are no more than announcements of intent to study possible deregulation in the future," says Stuart Chemtob, special counsel for international trade for the antitrust division. **Page 628**

U.S., EU Resume Vet Talks; Little Hope Seen for Resolution

The United States and the European Union resume talks aimed at resolving a dispute over inspection systems for red meat, poultry, and eggs, dairy products, and fish, with both sides expressing little optimism that the row will be settled in the near term. "It looks to me like both sides have really dug in their heels," one government source close to the talks tells BNA. **Page 640**

EU and Russia Adopt Accord on Some Steel Exports

The European Union and Russia reach an agreement that will allow Russia to boost some steel exports to the EU, but will prevent the European Commission from filing antidumping complaints on the products covered. The new agreement will allow the Russians to boost trade in flat and long products by 10 percent in 1997, the first stage of the agreement. **Page 643**

Daley Will Lead Trade Mission to Latin America

U.S. Commerce Secretary William M. Daley says he will lead a trade mission to Brazil, Argentina, and Chile next month—his first mission since the department announced new guidelines aimed at keeping politics out of trade missions. The trip will take place in conjunction with the private sector "Americas Business Forum" in Belo Horizonte, Brazil, where officials will chart the next steps in developing a Free Trade Area of the Americas. **Page 645**

Appeals Court Affirms CIT on Baby Car Seat

The U.S. Court of International Trade did not err in finding that seat inserts for baby car seats were properly classified by Customs as cushions and that cloth canopies for those seats should be classified as parts of seats, the U.S. Court of Appeals for the Federal Circuit holds. **Page 650**

ALSO IN THE NEWS

E-COMMERCE: The administration's draft electronic commerce policy is revised. **Page 621**

FAST TRACK, CHINA: At a meeting this month, President Clinton will seek support for fast-track renewal and China MFN, Clinton's lobbyist says. **Page 622**

HONG KONG TEXTILES: Customs will remove stepped up import requirements for Hong Kong due to progress on transshipment problems. **Page 629**

MEXICAN CEMENT: Mexico will examine its legal options for protesting new U.S. dumping margins exceeding 100 percent on Mexican cement. **Page 651**

JAPAN PAPER: The U.S. serves notice to Japan it wants a new paper agreement by the end of August, hinting at Super 301 action. **Page 630**

EU GMOs: The European Commission proposes new labeling requirements for genetically modified organisms. **Page 641**

ANALYSIS

FAST TRACK: At this point, the most likely outcome of the debate over fast track may be a continuation of the status quo — that is, no fast track, according to Steve Charnovitz, who is the director of the Global Environment & Trade Study at Yale University. **Page 655**

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