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Labor and Environmental Issues

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One reason why the initiative to revive fast track stalled in 1997 is that the House Ways and Means Committee's bill (H.R. 2621) was viewed as insufficiently responsive to the concerns of labor and environmental groups. This paper discusses the labor and environmental dimensions of fast track and how the proposed fast-track legislation might be revised to address these concerns. The first part of the paper explains what is and is not in the bill. The second part explores ways of making the bill more acceptable to a skeptical Congress and public. This chapter focuses on the House bill rather than the Senate bill because successful House action is a necessary first step in restarting fast track.

What Is in the House Fast-Track Bill

Fast-track legislation can interact with labor and environmental issues in three ways: in the negotiating objectives that it establishes, in the conditions it sets for approving trade agreements, and in the rules it establishes for changing domestic law. Each is discussed below.

Setting US Negotiating Objectives

Labor

The idea of making improvements in labor rights an objective of US trade negotiations is an old one, first raised by James T. Shotwell (of the

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Carnegie Endowment for International Peace) in 1933 in a proposal to Secretary of State Cordell Hull (Charnovitz 1987, 578–79). But this objective was not included in the Reciprocal Trade Agreements Act, the 1934 law that laid the foundation for modern US trade policy. Forty years later, in the Trade Act of 1974, Congress included, in a list of US objectives for revision of the General Agreement on Tariffs and Trade (GATT), the following:

> the adoption of international fair labor standards and of public petition and confrontation procedures in the GATT (Pub. L. 93–618 ¤ 121(a)(4)).

The Carter administration pursued this objective, but without success. The provision has since been repealed.

Congressional concern about labor rights blossomed during the 1980s. In the Omnibus Trade and Competitiveness Act of 1988, Congress made "worker rights" a principal trade negotiating objective. The act directs US negotiators:

> to secure a review of the relationship of worker rights to GATT articles, objectives and related instruments with a view to ensuring that the benefits of the trading system are available to all workers, and to adopt, as a principle of the GATT, that the denial of worker rights should not be a means for a country or its industries to gain competitive advantage in international trade (Pub. L. 100–4218 ¤ 1101(b)(14)).

These objectives were pursued by the Reagan, Bush, and Clinton administrations, but again without success.

In the 1994 legislation implementing the Uruguay Round agreement, Congress directed the president to seek establishment of a working party within the new World Trade Organization (WTO) to examine the relationship between labor rights and GATT rules. The 1994 act lists several specific objectives, the most important of which are to examine the effects of the systematic denial of worker rights on international trade, and to coordinate the efforts of the proposed WTO working party with those of the International Labour Organisation (ILO; Pub. L. 103–465 ¤131). These objectives were pursued by the Clinton administration, but negotiations in the WTO were unsuccessful (Charnovitz 1997a, 154–58). The declaration arising out of the WTO Singapore Ministerial in December 1996 failed to provide for any new WTO role in labor rights.

The fast-track bill introduced in the House of Representatives in 1997 includes labor rights among the principal US trade negotiating objectives. The bill intertwines labor and environmental matters. US negotiators are directed:

> (A) To ensure that foreign labor, environmental, health, or safety policies and practices do not arbitrarily or unjustifiably discriminate or serve as disguised barriers to trade, and

> (B) To ensure that foreign governments do not derogate from or waive existing domestic environmental, health, safety, or labor measures, including measures that deter exploitative child labor, as an encouragement to gain competitive advantage in international trade or investment (H.R. 2621, 9–10).

In addition, a separate section of the bill lists other US priorities that the president "should take into account" in ensuring that trade agreements negotiated under fast-track authority "complement and reinforce other policy goals." One of these priorities is:

> promoting respect for worker rights and the rights of children and an understanding of the relationship between trade and worker rights . . . . (H.R. 2621, 10–11).

Although the labor rights objectives in the 1988 and 1994 trade laws remain in effect, the Ways and Means Committee may plan to repeal them. The committee report on the fast-track bill suggests that the new objectives "update" the old ones (House Committee on Ways and Means 1997, 16).

The newly proposed labor rights objectives differ from the objectives in the 1974, 1988, and 1994 laws. Most important, the 1997 bill does *not* direct US negotiators to seek new rules in the WTO regarding labor rights. Moreover, the 1997 provision manifests a defensive posture in contrast to earlier provisions. The idea that GATT might be reformed to ensure that trade benefits all workers has seemingly been abandoned.

The attention to foreign government waivers of *existing* domestic labor measures points to a different concern than that which underlies the earlier legislation. The 1974 labor rights provision was linked to "international" standards. There is a world of difference between encouraging governments to adopt international standards (that is, ILO standards or UN human rights conventions) and encouraging them to maintain their existing, possibly idiosyncratic, standards. It is not clear why the Ways and Means Committee would want foreign governments to retain labor policies that may be inefficient or obsolete. The 1997 bill does note that this nonwaiver provision is not intended to forestall changes to a country's laws "that are consistent with sound macroeconomic development" (H.R. 2621, 10–11). But this clarification is baffling. How does one prove that a particular labor law amendment is consistent with sound macroeconomic policy?

Environment

Although no US trade law declares environmental protection to be a negotiating objective, Congress has given the executive branch direction on how to reconcile trade liberalization with a healthy environment. A "sense of the Congress" provision, enacted in 1992, establishes goals for

multilateral, bilateral, and regional trade negotiations. Under this provision, the president should seek to:

> (1) address environmental issues related to the negotiations;
> (2) modify articles of the GATT to take into consideration the national environmental laws of the GATT Contracting Parties and international environmental treaties; [and]
> (3) secure a working party on trade and the environment within GATT as soon as possible . . . . (Pub. L. 102–582 ¤203).

The Bush and Clinton administrations have pursued these goals with some success.

As indicated above, the 1997 House bill includes environmental concerns in the list of principal US trade negotiating objectives. Thus, to fulfill the law's mandate the US Trade Representative should try to ensure that foreign governments do not derogate from existing environmental standards to gain competitive advantage. But unless a given environmental standard is already set at the right level, there is no more logic to maintaining it at that level than there would be to maintaining an existing exchange rate peg at the wrong level. Pro-environment supporters of the House bill defend this fixation on *existing* foreign standards as better than nothing or "the most we could get." But there is little reason to presume that fulfilling such a commitment would represent a significant step. Existing national standards might be far too low.

In a separate section, the bill contains a precatory provision noting other US priorities that the president "should take into account" in ensuring that US trade agreements "complement and reinforce other policy goals." Among these priorities are:

> Seeking to ensure that trade and environmental policies are mutually supportive; and
> Seeking to protect and preserve the environment and enhance the international means for doing so, while optimizing the use of the world's resources (H.R. 2621, 11).

These two priorities seem to have been copied from the GATT Decision on Trade and Environment of April 1994, and thus do not signify a new position by the United States.

A close comparison shows that the environmental goals in the House proposal are far less specific than the sense of the Congress provisions enacted in 1992. For example, the 1997 bill does not contain a directive to modify GATT to take into consideration multilateral environmental treaties. A trade negotiator comparing the 1992 law with the 1997 bill might reasonably infer a diminished congressional interest in "greening" GATT.

In addition, the Ways and Means Committee chose not to put the provision about protecting and preserving the environment into the section of the bill listing principal negotiating objectives. Instead, the

environmental objectives in this section have a commercial rather than ecological flavor. The first provision calls on US negotiators to ensure that foreign environmental, health, and safety policies do not discriminate or serve as disguised barriers to trade. The second provision calls on US negotiators to ensure that foreign governments do not waive environmental measures as an encouragement to gain competitive advantage. The committee report makes clear that these provisions are addressed to matters that "decrease market opportunities for US exports or otherwise distort trade" (House Committee on Ways and Means 1997, 17).

Thus, although the House bill manifests a concern about foreign environmental standards, it is a narrow concern. It states that US negotiators should take an interest in whether foreign standards bar US exports or are bent to gain competitive advantage. But US negotiators need not take an interest in whether foreign environmental standards are so low as to allow damage to the US or the global environment.

Public Participation in the WTO

As noted above, the Trade Act of 1974 called for public petition and confrontation procedures in GATT. The Senate Finance Committee explained that "Efforts should be made to provide private persons the opportunity to appear before international economic organizations to present grievances" (Senate Committee on Finance 1974, 84). No progress was made on this issue during the Tokyo Round, however.

The 1997 bill includes transparency among the list of principal US objectives. The bill seeks "increased openness of dispute settlement proceedings, including in the World Trade Organization" (H.R. 2621, 6). There is considerable interest among business, labor, consumer, and environmental nongovernment organizations (NGOs) in creating a more contestable market for ideas within the WTO; such NGO involvement would probably be good for the trading system (Esty 1998).

Approval of Trade Agreements

Fast-track authority enables Congress to approve trade agreements in a timely manner. The House bill appears to provide a fast track to approve any trade agreement entered into under the new negotiating authority. But the committee report clouds the point by declaring that "Any side agreements that the President may enter, using his executive authorities, with respect to such matters [not directly related to trade] would be subject to normal legislative procedures" (House Committee on Ways and Means 1997, 17).

The purpose of this language seems to be to prevent a repetition of the NAFTA experience. In 1993, after the Clinton administration negotiated side agreements on labor and the environment with Mexico and

Canada, the president asked Congress to authorize US participation in the new labor and environment commissions that the side agreements established. The Congress did so using fast-track procedures. Congressional action was necessary because the president lacked authority to undertake some of the obligations of the side agreements (Charnovitz 1994, 302–05). If the 1997 Ways and Means bill does deny the president the opportunity to use fast track to approve side agreements, then the contemplated trade negotiating authority is *narrower* than that provided by the Congress ten years ago. A future free trade agreement could not be packaged with an environmental side agreement.

Amending US Law

The legislation implementing trade agreements does more than just approve them. It also modifies existing US law to comply with the new agreement. Implementing bills have been used as vehicles to enact provisions unrelated to the international negotiation. Fast-track rules have permitted such provisions, provided they are "necessary" or "appropriate"—a very loose test (Destler 1997, 39–40).

The House bill seeks to reduce the scope of provisions that may be included in implementing legislation. The allowable provisions would consist *only* of:

> A. Provisions approving a trade agreement;
> B. Provisions *directly related* to principal trade negotiating objectives if *necessary* for US rights and obligations;
> C. Provisions that define, clarify, or relate to provisions of the trade agreement;
> D. Provisions to provide trade adjustment assistance; and
> E. Provisions to comply with US budget laws (H.R. 2621, 19–20).

Thus, provisions not directly related to principal trade negotiating objectives could not be included in implementing legislation under the House bill. In other words, eligible provisions must be directly related to a listed objective, not just directly related to trade flows. This means that fast track is provided to enact labor and environmental provisions relating to market access, but fast track is *withheld* for labor and environment provisions relating to the precatory goals noted above. For example, fast track would not be available to change US law to make trade and environmental policies more mutually supportive. Furthermore, even if a labor or environmental provision were included in a trade agreement, that would not in itself make fast track available to transform that provision into domestic law. As the committee explains, fast track will not apply to proposed changes in US law "merely because those laws may be addressed in the agreement" (House Committee on Ways and Means 1997, 23).

What is the practical effect of this limitation? It means that US nego-

tiators would have fewer bargaining chips. Consider a few examples. One of the issues being considered by the WTO Committee on Trade and Environment is trade in domestically prohibited goods such as certain pesticides. If US laws on such exports cannot be tightened by fast track, US negotiators may be unwilling to agree to WTO action on this issue. In response, the countries seeking such action, such as Nigeria in this case, may be unwilling to agree to initiatives supported by the US government. Similarly, a potential WTO accord on reducing environmentally harmful subsidies might never be concluded, if the US government could not commit itself to eliminating its subsidies. It is unclear whether fast track could be used to eliminate US subsidies in energy, fisheries, timber, agriculture, mining, and water. Yet another example is provided by the controversial US laws that ban certain imports in the interest of protecting the global environment. Suppose a future WTO negotiation fashions a two-part agreement whereby adherence to the Convention on International Trade in Endangered Species becomes a WTO obligation, but no unilateral trade actions intended to protect endangered species (such as the US Pelly amendment) may be taken. This might be a good deal for the United States, but under the House bill the US Trade Representative would probably turn it down, since there would be no easy way for the United States to deliver on the second part of the agreement.

According to the committee report, its objective here is to "tighten up the process so as to avoid including non-trade provisions as well as provisions that may be trade-related but are extraneous to the trade agreement" (House Committee on Ways and Means 1997, 22). The House bill fails to meet this objective, however. By permitting nontrade provisions related to the Balanced Budget Act, the committee sacrifices any possibility of a principled distinction between what may and may not be included in the implementing bill. Allowed provisions include an infinite number of tax increases and entitlement cuts to "pay" for freer trade. It is difficult to understand why fast track should be available to raise taxes, but normal legislative procedures have to be used to implement a WTO agreement on, say, environmental impact assessment. Indeed, one can imagine a revised fast track that disallowed provisions to raise taxes or user fees, yet permitted internationally negotiated provisions on labor and the environment.

Many NGOs share a reluctance to use fast track to change politically-sensitive domestic laws. The history of fast track demonstrates the potential for rapid lawmaking that evades public scrutiny. For example, the Uruguay Round implementing legislation made changes in US poultry and meat inspection laws without benefit of a public hearing (Pub. L. 103-465 a431(k)(1)). The House bill would allow fast track to be used to soften federal food safety laws if agreed to at the WTO.

There are two alternative ways in which fast track could deal with

politically contentious changes in US law. One is to make such changes ineligible for fast-track approval. The other is to improve public understanding of why harmonization of international standards is needed, and to enhance transparency in congressional consideration. Although the exclusion option may seem easier, the problem is that any important issue (for example, patents, textiles, or technical standards) is going to be contentious from someone's perspective. Rather than try to keep controversial issues out of trade negotiations, US policymakers should strive for broad, balanced agreements that will be supported by an enlightened citizenry.

Improving the Fast-Track Bill

Basically, there are two ways to pass the fast-track bill. One is to secure more votes for the existing bill through intensified lobbying. The other is to modify the House bill so that more members will be eager to support it. In choosing between these tactics, it should be remembered that a narrowly approved fast-track bill is more vulnerable to being reversed at a later date.

Even apart from the tactical gains from modifying H.R. 2621, its treatment of labor and the environment should be improved on substantive grounds. A more ambitious negotiating strategy could generate greater gains for Americans than the minimal labor and environmental linkages presumed by the 1997 bill. In addition, making the WTO more worker-friendly and nature-friendly could boost public support for free trade.

There has been much debate as to whether adherence to core labor standards should be a requirement for a country's participation in the international trading system (Malanowski 1997). Some analysts take a nationalistic view and worry that exploitative labor conditions in exporting countries may injure the domestic economy of an importing country. The evidence for such injury is not strong, however (Bhagwati 1997). Other analysts take a global view and posit that workers producing goods for international commerce should be protected by core ILO standards. The idea of a global workplace, with common standards, goes back to the Covenant of the League of Nations, which committed governments to "endeavour to secure and maintain fair and humane conditions of labour for men, women, and children, both in their own countries and in all countries to which their commercial and industrial relations extend" [Article 23(a)].

The linkage between trade and the environment is better grounded in economics (Anderson 1998, 232–33). In the presence of market failures, reflected in prices that do not internalize the cost of pollution, for example, consumers may receive less than the maximum gains from trade liberalization. Trade liberalization can amplify environmental harm

by increasing the scale of production. In some instances, trade itself can cause environmental harm—for example, by providing a market for endangered species. Many analysts who have examined the ecological effects of trade have concluded that there is a need to incorporate environmental policy into the world trading system (see, for example, Gore 1992, 343; Esty 1994; Organization for Economic Cooperation and Development [OECD] 1997, 33). Moreover, just as GATT recognized that protection of intellectual property rights makes international trade more beneficial, so the WTO needs to recognize that property rights in environmental benefits need greater delineation and protection. Environmental issues should also be considered in regional trade negotiations, particularly when geographic proximity leads to cross-border pollution (Dua and Esty 1997).

Another way to improve the House bill would be to add measures to help Americans adjust to globalization. Attention to such issues is necessary because the debate about fast track has merged into the larger question of what will be done to manage the negative side effects of trade and investment. Many years ago, Jan Tinbergen (1945, 166-68) pointed out that the case for free trade and free capital movement is premised on the realization of full employment and close intergovernmental cooperation. Yet all too often trade policymakers ignore these issues. Within the United States, a number of constructive steps could be taken to boost worker productivity, creating a more favorable political climate for fast-track approval (see Competitiveness Policy Council 1993). At the international level, the WTO could be enlisted in a new global effort to combat unemployment (Charnovitz 1995, 224–25).

It is difficult for analysts living outside the Washington beltway to make precise recommendations concerning legislative language because we do not know the vote elasticities of particular amendments—how many congressional votes will be won over by this or that provision. Therefore, I can only give a rough sketch of how the House bill might be improved. I will start with the US negotiating objectives and then discuss amending US law.

US Negotiating Objectives

When one compares the labor and environmental objectives in the 1997 House bill with those in previous legislation, it is easy to see why many labor and environmental groups are unhappy. NGOs were expecting the new fast track to *build* upon the incorporation of labor and environmental issues into the NAFTA process. Instead, the Ways and Means bill sounds a retreat. Some analysts have suggested that labor and environmental NGOs should have lowered their expectations for fast track after the Republicans took control of Congress in 1995. But this claim

assumes that these NGOs *favor* new trade negotiations, and thus might be willing to accept a NAFTA-minus arrangement if pressed hard. This assumption is false; few labor or environmental groups clamor for trade liberalization.

The list of US objectives has little legal significance, but it does have political significance as a signal to foreign trade negotiators. The section listing objectives is the wrong place to lay out specific proposals for how GATT might be amended. But it is the place to communicate aspirations about how trade rules ought to interact with environmental and health laws. For example, the House bill declares as a negotiating objective the elimination of "unjustified sanitary or phytosanitary restrictions" (H.R. 2621, 8). Perhaps it should also declare as an objective the assurance that all food in international trade meets minimum health standards.

One reason why it has been hard to gain agreement on legislative language is that there is miscommunication among business, government, and NGOs. Businesses are particularly concerned about unilateral sanctions that disrupt trade and impair investment in developing countries. Many NGOs want governments to be able to bar products whose production or consumption violates international norms (for example, norms against indenturing children). It is important to recognize that these are not mutually exclusive positions. There is common ground on which a better fast track can be written. One possibility is to seek improvements in the way the WTO operates. For example, the fast-track bill could include as a new objective the promotion of better coordination among the WTO, the ILO, and the United Nations Environment Programme.

In thinking about what objectives are proper, one should avoid crude definitions of what is "directly related to trade" that seek to include issues of concern to business and to exclude issues of concern to civil society more broadly. In a global economy with ecosystems that cross borders, the selection of labor and environmental standards often has implications for trade. As the World Bank has noted, many developing countries "are reluctant to adopt the labor laws and pollution standards of the richer countries for fear of losing their competitive advantage and jeopardizing growth" (World Bank 1997, 132).

Amending US Law

Undertaking new international obligations often requires changes in US law. Fast track provides a mechanism for making such changes. Enacting new laws too rapidly, without due deliberation, can lead to problems, however. Of course, enacting new laws too slowly can also lead to problems. Thus, there will always be a tension between expeditious and orderly consideration.

Earlier fast-track legislation already contained a number of procedural protections to prevent abuse (Koh 1992), but more should be added to future bills. The most important change would be to require a waiting period of at least two weeks from the time the president's implementing bill is introduced and printed until the holding of the House vote. During this period, hearings should be held on any changes in domestic law that the bill would require, if such hearings were not previously held.

The goal expressed by the Ways and Means Committee of keeping "extraneous" provisions out of implementing legislation is laudable. But current budget rules *necessitate* extraneous provisions and thus render the committee's goal unachievable. Given the open door to tax and entitlement changes, the fast-track bill should not close the door to internationally negotiated changes in labor and environmental laws. Indeed, it is more important for implementing legislation to encompass the agreements reached in international negotiations than it is for such legislation to be budget neutral.

The Bigger Picture

In arguing against the inclusion of labor and environmental objectives in fast track, the trade policy community has tried to articulate reasons why fast track should be reserved for trade (see, for example, House Committee on Ways and Means 1997, 22–23). These reasons do not make sense on their own terms. For example, it is suggested that implementing legislation needs to be narrow in scope. Yet the House bill calls for negotiations on investment and intellectual property. This could lead to future implementing legislation with a far broader scope than just trade law.

Congressional approval of a treaty by statute is a substitute for the more venerable procedure of Senate consent to a treaty by a two-thirds vote (Ackerman and Golove 1995, 61–96). There are a number of pending and potential treaties that could benefit from fast track. For example, fast track would be useful for approving OECD agreements on shipbuilding and bribery, and for the agreement on investment now under negotiation. Fast track could also be useful for approving the Convention on Biological Diversity.

Fast track can be fruitfully employed to implement many types of international agreements (Carrier 1996). The treaties most appropriate for fast track are those that mandate *specific* policy harmonization. For example, the WTO Agreement on Trade-Related Aspects of Intellectual Property Rights (TRIPS, art. 33) requires patent terms to extend at least 20 years. Because US law provided a term of only 17 years, fast track was used to increase the US patent term. It is generally conceded that the 17-year term, which had been US law since 1861, would not have been easily changed without fast track. Of course, not all of the policy

harmonization called for by the Uruguay Round is so specific. For example, the Agreement on Subsidies and Countervailing Measures contains numerous exceptions to its disciplines, so there would be many ways to bring a nonconforming subsidy into compliance. In writing the Uruguay Round implementing legislation, the president and Congress exercised policy discretion in deciding not to use that bill to modify any federal or state subsidies.

Another example of a treaty that could be implemented via fast track is the chemical weapons convention of 1993. Both the House and the Senate have passed implementing legislation, but extraneous amendments are preventing final action. Had a fast track been available, the administration could have secured an up or down vote on fulfilling US treaty commitments.

Treaties that set far-off goals and that do not specify policy harmonization are less appropriate for fast-track implementation. The Kyoto Protocol on Climate Change, for example, lists a number of measures that can be taken to reduce greenhouse gas emissions by 2008, but does not mandate any in particular. For example, parties can pursue a "progressive reduction or phasing out of market imperfections" in all greenhouse gas-emitting sectors (Art. 1.1(a)(v)). Many business and NGOs would oppose presidential authority to implement this protocol via fast track because it is too open-ended.

Historically, Congress has been able to implement environmental treaties without expedited procedures. But this may change in the future as new environmental treaties require deeper policy harmonization. For example, the Senate consented to the Basel Convention on Hazardous Wastes in 1992, but Congress has not been able to agree upon implementing legislation. This has prevented the United States from becoming a party to the Basel Convention and has sharply reduced US influence on decision making under the convention.

Given the potential utility of fast track for a wide array of international policy objectives, one wonders why proponents are trying to sell it solely as a vehicle for trade liberalization. Limiting fast track to trade opens the procedure to attack. Protectionists can spin a story about how trade agreements can only be enacted through unique, "antidemocratic" procedures. Thus, fast track—which is now in a coma—might get healthier if it were not viewed as a trade-only mechanism. For example, making fast track available to approve and implement environmental agreements would give NGOs a greater stake in sustaining the fast-track mechanism.

The Politics of Fast Track

In November 1997, the fast-track bill sponsored by House Ways and Means Chairman Bill Archer (R-TX) was pulled from the House floor

schedule because it had not garnered the necessary votes for passage. Normally, when a bill proves to be unpopular, the sponsors rewrite it. Yet for fast track, the House Republican leadership seems to be suggesting that the problem lies not with the bill itself, but rather with the House members who are refusing to vote for it. This is a strange explanation in a representative democracy. It rests on the presumption that H.R. 2621 is excellent as it stands. But as this chapter has shown, the bill is far from excellent.

Defenders of the House bill also claim that amending it is a hopeless strategy, because any changes that would attract additional Democratic votes would lose the same number (or even more) Republican votes. Such polarization is certainly conceivable. In other words, there might not be a fast-track bill that could get a majority of House votes. And H.R. 2621 might be the highest vote-getter at 200 votes.

Yet it is hard to credit such a pessimistic diagnosis. Are the labor and environmental provisions in the 1974, 1988, 1992, and 1994 laws—all of which were passed by bipartisan majorities—really unacceptable to the current House Republicans? Are free traders prepared to allow fast track to die in a vain effort to keep social issues out of trade negotiations? One hopes that the answer to both questions is no, and that the two parties and major stakeholders will begin a new dialogue about how to restart fast track. Environmentalists will support renewed trade negotiating authority that commits the US government to seeking greater harmony between trade and sustainable development.

Conclusion

Fast track is needed because, in a rapid-paced global economy, the usual congressional slow track is becoming increasingly dysfunctional. Taking the first step toward restoring fast track is the responsibility of the House Ways and Means Committee. The committee should retrofit last year's model in order to gain greater public support. The exact words used to describe US negotiating goals matter less than the overall message as to whether US trade policy will have a constructive social dimension. To date, fast track has been stalled not only because its enemies have closed minds, but because many of its friends do, too.

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Restarting Fast Track

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