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THE WHITE HOUSE

WASHINGTON

November 21, 1997

MEMORANDUM FOR SANDY BERGER
GENE SPERLING
DAN TARULLO

FROM: BOB KYLE *RK*

SUBJECT: Fast Track

Before too much time elapses, I wanted to set forth a few thoughts on how we might proceed on fast track. Erskine's meeting last Friday correctly focused on what I think is the major strategic choice we face: whether to reach a compromise with Gephardt or to seek to make up this year's vote deficit without him. Addressing this issue and others soon can help put us in a better position next spring.

1. To the extent possible, we should seek an early decision whether we are willing to mount a fast track effort that does not involve a Gephardt compromise. If so, it will affect the nature of our effort over the next few months. The Gephardt approach would put an emphasis on quiet discussions with Gephardt/labor and others and exploring substantive options, leading to a less controversial, consensus bill that passes with a strong majority. The non-Gephardt approach would require us to focus on additional things: preventing vote attrition during the recess, retooling our message and laying the foundation for a renewed public effort next spring. In all likelihood, we will not be certain which approach we will pursue, so we may need to do all these things. But Erskine is right to focus on whether there is any appetite at all for the non-Gephardt approach.

2. In any case, we need a process to consider policy options. We could continue to refine the fall-back approach considered this fall: fast track for WTO negotiations only. Others have suggested a fast track listing specific countries or sectors only (e.g., Chile, Australia, medical equipment), a renewed Europe effort, global tariff elimination or a fast track that excludes investment negotiations. I think amendments to the labor/environment provisions are dangerous, but we could explore options (e.g., child labor provisions). Options obviously need to be considered in the broader context of our FTAA, APEC and other initiatives. Gephardt reportedly is preparing a bill, which would give him the initiative in defining next year's debate. That may be good if he seeks a workable compromise, bad if not. But we should form our own views about which approaches we favor. We may want a quiet, informal process.

3. Some interim Congressional work would help. Some good work has already been done: Podesta held a meeting at which Hilley, Brophy and others downloaded the vote count and commitments. That is particularly important with John, Susan and others leaving. Given that the non-Gephardt approach is still possible, we need a strategy to stop vote attrition during the recess

and cultivate potential converts. Our vote count knowledge from this fall's effort should enable us to target key Members effectively.

4. We can begin now to lay the foundation for a renewed Congressional effort. A successful effort next spring ought to have four qualities, particularly if we must go forward without Gephardt's help. (First) there needs to be a sense of newness (as to our proposal, our themes, our approach) that gives Members a basis for changing their votes. (Second) we need to dramatize the creation of a new fast track consensus. In 1990, Bush's reply to a Bentsen-Rostenkowski letter demanding that Bush spell out his NAFTA labor/environment agenda helped secure wholesale Democratic votes for NAFTA negotiating authority. Could an analogous letter by Murtha or other potential converts help this time? I am not sure, but there needs to be a greater sense that the interaction between Congress and the Administration has created a genuine consensus on how fast track should proceed, not simply a process marked by retail dealmaking. (Third, we need to demonstrate we have learned our lesson regarding key areas of vulnerability (e.g., fulfillment of commitments). Fourth, we need to use changed circumstances since the fall (e.g., Asian financial crisis, press reports America is becoming more isolationist) to help make our case. Below are a few specific suggestions, all of which require work during the recess.

5. Retool our message. I think our main message is sound, but some new themes would add vibrancy, press appeal and help give Members a basis for shifting their votes. I like Gene's idea of arguing fast track ensures Americans get their fair share of future export opportunities, with supporting quantification if possible. Changed circumstances since this fall also can help. We can make the case there has been rising protectionism in the absence of American leadership (e.g., MERCOSUR 25% tariff hike) and that Asian financial woes show the necessity of liberalizing emerging economies. Recent articles suggest the press may be mounting a predictable criticism of rising American isolationism, with fast track as the lead example. That may help us make the case for engagement, with benefits for fast track and other foreign policy initiatives in 1998.

6. Develop an organized effort to fulfill Administration commitments. The charge that we failed to fulfill our NAFTA commitments stuck – and we ought to reverse our reputation. This is particularly important in light of additional commitments made this fall. One idea is to announce formation of a special interagency swat team to implement policy commitments. Substantively, it would respond to a clear vulnerability this year, and it would highlight our resolve to do better. This group could continue after any fast track vote, demonstrating our ongoing commitment.

7. Continue casting NAFTA in a new light. NAFTA was another vulnerability this year – and will continue to be. But we can make a credible case that Mexico's predicted turnaround – and thus bilateral trade improvement – is occurring. Mexican GDP is projected to grow 5.8% in 1997 and 6.4% in 1998. Our bilateral trade deficit is likely to drop 15% this year, with further improvement expected as the Mexican economy recovers. Over the last two years, U.S. exports to Mexico rose almost 50% versus 17% to the rest of the world. A good communications effort could encourage academic writings and newsstories laying the foundation for NAFTA's re-examination.

8. Repackage and strengthen our labor/environment efforts. Fast track opponents gained credibility this year arguing that a modern trade policy requires an enhanced commitment to labor/environment. It may be difficult to change the bill's labor/environment terms but we could present our parallel initiatives better. By adjournment, we had announced a good package of initiatives (e.g., TAA, NADBank, Daschle initiatives), but these were released piecemeal, giving us a chance next spring to articulate a comprehensive Administration policy (with enhancements), if desirable. Republican opposition will still be a concern, but my sense is that Republican leaders and the business community grew more accepting of these efforts as necessary to secure votes. In any case, we ought to explore options now to give us flexibility next spring.

9. Develop a strategy for key constituencies. Erskine has already engaged the business community and labor. Both resisted compromise. The business community said it would not support a fast track actively if FTAA authority is not included; Sweeney was cool to a workout. If we are forced to mount an effort without Gephardt, we might reconsider whether it is worth courting some of the more moderate environmental groups. They do not sway many Members, but their conversion could help atmospherics and some groups quietly understand that thwarting fast track dooms parallel environmental efforts.

10. We need to think about how to organize next year's effort. Erskine did an excellent job leading this year's effort, but I suspect even he would have preferred to have a mid-senior level group to frame options and handle more routine decisions before he became involved. We should discuss how to organize ourselves better.

Some of these suggestions may seem a bit ambitious. Perhaps we will not need a large public effort or an enhanced labor/environment package, but we may not be sure for some time and we will lose flexibility if we fail to prepare during the recess. High-profile preparation could excite opposition, but most of this could be done quietly, if we choose. Good preparation will help us finish earlier in 1998, which all parties probably favor. I would be glad to get together soon to discuss these ideas and others.

GENERAL TALKING POINTS ON THE IMPORTANCE OF FAST TRACK

Introduction

- I think you know the arguments for fast track authority. One-third of our growth since 1993 has come from exports. About 96% of the world's consumers live outside our borders. If we are to continue to grow, we must export. It's that simple. And that's all we are seeking under fast track: the opportunity to negotiate new agreements that break down foreign trade barriers, level the playing field, and increase our ability to export our world-class goods and services.
- We are in a perfect position to compete. Our economy is the envy of the world. We are once again the world's most competitive economy, the world's largest exporter, the leading producer of automobiles, semiconductors, and pharmaceuticals. It makes no sense to sideline ourselves now.

Fast Track and American Leadership

- We also must understand that the importance of fast track extends beyond trade alone; it is about American leadership in the world today. This debate is being viewed in Latin America and other world capitals as nothing less than a test of whether we intend to maintain our leadership role -- or to retreat and turn inward.
- Defaulting on our leadership role would be a terrible mistake. Under our lead, average tariffs have fallen from 40% at the end of World War II to about 5% today. This has led to a 90-fold increase in trade, which has benefited us enormously. One-third of our strong economic growth over the past five years has come from exports. We must not turn our back on those achievements.
- We cannot afford to take our leadership for granted. Throughout the world, especially in Latin America, others are moving to reach trade deals opening their markets. And they are not waiting for us -- with some 20 preferential trade deals already that exclude the United States. The EU is seeking such an agreement with MERCOSUR -- a market of over 200 million people with a GDP exceeding \$1 trillion. And President Chirac has stated that "the future of the region rests with Europe, not the United States."
- Let's face it: American leadership is not divisible. If we do not lead on trade, our influence is bound to suffer in other areas as well. The patterns of trade affect our national security and strategic interests as well -- particularly in this hemisphere. Trade agreements can bind us together through shared interests and institutions. If by default in our leadership we permit Latin America to turn increasingly to Europe and Asia in its trade relations, it will weaken our relationship with them in other areas as well -- from drug interdiction to immigration to environmental protection to fighting corruption.

POSSIBLE FAST TRACK QUESTIONS AND PROPOSED RESPONSES

Labor and the Environment

Q: Why have you embraced fast track bills in both the Senate and House that treat labor and the environment as second-tier concerns, not fundamental parts of trade agreements?

- Your characterization of these bills is wrong. They contain principal negotiating objectives aimed specifically at worker rights and the environment. That's more than has ever been contained in fast track legislation before. Under the bills, we will be able to use trade agreements to keep other governments from weakening their labor, environmental, or health and safety laws to gain an advantage in trade or investment (House bill)/to attract investment or inhibit U.S. exports (Senate bill).
- The President also retains ample authority to address these issues in a variety of international fora, as my Administration has been doing for the past 4 ½ years. And with fast track, the President also will be able to pursue labor and environmental side agreements where appropriate, including with Chile. Our goal should be to work with other countries to help them better protect the rights of their workers and improve their environments -- whether or not we are engaged in trade negotiations with them at any given point in time.

The Need for Fast Track

Q: How can you claim fast track is needed for trade agreements, when you have concluded over 200 such agreements without it?

- Fast track is needed only when we intend to make changes to U.S. law. Many agreements we negotiate with Japan and other countries include changes only by the foreign government, not us -- usually in response to our pressure to open their markets. But the largest and most important agreements -- like NAFTA and the Uruguay Round, and the future agreements we are seeking on agriculture, services, and in other areas -- require that all countries involved make some changes to their laws. We need fast track for those agreements.
- If we don't have fast track, other countries simply will not negotiate with us. They won't enter into one negotiation with the President, then let Congress unilaterally change the terms of the deal reached -- in effect, a second negotiation. Either the foreign country won't give the Administration their bottom line, best offer (fearing they'll have to make additional concessions to Congress), or they will simply refuse to negotiate in the first place. That's Chile's position; they have refused to negotiate with us unless we have fast track.
- History bears this out. In the late 1960s, the Administration brought back a GATT trade agreement that Congress amended unilaterally. After that, other countries simply refused to negotiate with us for several years. That's precisely why fast track procedures were enacted by Congress in 1974 -- to get us back in the game and leading again on trade.

Effects of NAFTA

Q: Why should we support fast track when we see such negative effects from NAFTA?

- First, I reject the critics' claims about NAFTA. The best available information shows that NAFTA has had a *positive* job impact -- creating 90,000 to 160,000 U.S. jobs, despite the 1995 peso crisis and its effect on Mexico's economy. And thanks to NAFTA, our exports to Mexico are already recovering from that temporary setback -- whereas we needed seven years for our exports to rebound after Mexico's last major financial crisis in the early 1980s. NAFTA has given us the chance to sell more to Mexico -- and to work more closely than ever before on other issues, including labor and the environment.
- But regardless what you think, this fast track debate is not about NAFTA. It is about our global trade agenda, our ability to negotiate new international agreements on agriculture and services and in those sectors in which we are the most competitive nation in the world. And it is about our ability to go after foreign trade barriers that remain much higher than our own -- to work to level the playing field for our workers and firms.

Helping Workers and Communities

Q: Why should I support fast track without guarantees that trade-impacted workers and communities will be helped adequately?

- President Clinton has done more than any other President to ensure that American workers benefit from expanded trade. And for those who may not share in the benefits of our strong economy, this Administration has fought successfully for increased training and educational opportunities. We have doubled the funding for dislocated workers since 1993 to nearly \$1.3 billion; have fought to ensure that 13 million children from low-income families benefit from the child tax credit; have made college more affordable with the Hope Scholarship and tuition tax credit programs; and have pushed successfully for a variety of other measures.
- And the President is committed to doing even more to build on this strong record. The Administration has been working on a set of additional initiatives to help both individuals and communities that may be affected by trade flows, and President Clinton will be announcing the details of those plans in just a few more days.

The U.S. Trade Deficit

Q: Why should we move ahead with fast track and new trade agreements when our trade deficit continues to balloon?

- The trade deficit is the result of a range of complex factors, and is not the sign of a weak economy. It is hard to argue that this is harming us when we have been growing at about 3% annually over the past five years, have the lowest unemployment in 23 years, rising income levels, a rapidly shrinking budget deficit, high consumer demand, and record exports.

- And we are seeing some very positive signs: our exports are up 10% this year, despite sluggish growth in many other countries and a strong U.S. dollar. And our trade balances with our NAFTA partners -- now our two largest export markets -- have improved greatly this year, as we have cut the deficit with Canada 24% and with Mexico 15%.
- In any event, the best way to attack the deficit is to increase our exports -- and the best way to do that is through fast track trade agreements that break down foreign barriers. If you are concerned about the trade deficit, you should support giving the President the authority to attack the remaining trade barriers and negotiate tough new agreements to help our exporters.

Trade Agreements with Developing Countries

Q: Why should we negotiate trade agreements with countries where workers earn a fraction of U.S. wages?

- The truth is we are competing quite successfully with low-wage countries. Over the past decade, our exports to those countries are up 240% -- nearly double the increase to richer countries and more than three times the gain in domestic sales. Today, they account for 42% of our total exports -- creating jobs that pay about 15% more than non-export related jobs.
- We remain the strongest economy in the world, with the most productive workers. And we will gain through trade agreements with developing countries, whose existing barriers are several times higher than our own.

- Rejecting fast track would send the wrong signal to developing countries in particular. After decades of failed experiments and anti-Americanism, many today are embracing free markets, democracy, and other American values. But this progress is still fragile -- and it will continue only if we continue to press countries to embrace free trade policies, build stronger middle classes, and strengthen the building blocks of democracy. Having preached the benefits of open trade to these countries for so long, the United States must not turn in precisely the opposite direction at this critical time.

Efforts to Address Members' Concerns

- I believe that as we expand trade, we should ensure that everyone shares in the benefits. That not only is the right thing to do -- it is also essential if we want to keep public support for a policy of expanded trade. That begins with extending the Trade Adjustment Assistance program -- as the Finance Committee has done with bipartisan support. The Administration has been working on a series of other initiatives to help both workers and communities, which we will be announcing in the next few days.
- Let me also tell you why our critics have it wrong on labor and the environment. I am convinced we can break down foreign trade barriers and advance worker rights and environmental protection at the same time. The Finance Committee bill strikes a sensible, balanced approach to allow us to do just that. And look at it this way: if we have fast track, Chile will conclude labor and environmental side agreements with us -- in fact, they already have agreed to do so. If we don't, they won't. Rejecting fast track is the best way to ensure that labor and environmental concerns simply are ignored in the years ahead.

Conclusion

- This is a very important vote. We face a critical choice. We can continue to make our economy the model for the rest of the world, open foreign markets, and exert global leadership. Or we can convince ourselves that we cannot compete, turn inward, and cede that leadership to others eager to take our place. The choice is that stark -- and that important. That's why I feel so strongly about fast track, and why I ask for your support.

KEEPING AMERICA AND ITS WORKERS THE MOST COMPETITIVE IN THE WORLD

America Needs Fast Track to Continue to Create Higher-Paying Jobs for More Americans. Without it, America's role as the largest exporter in the world will be put in jeopardy. And with new markets opening around the world, it is more important than ever to give the President traditional trade authority to break down trade barriers that put American products made by American workers at a disadvantage. We will continue to ensure that America's workers will benefit from expanded trade by fighting for increased training and education opportunities.

I. AMERICAN WORKERS STILL FACE A DISADVANTAGE BECAUSE TOO MANY FOREIGN COUNTRIES PLACE RESTRICTIONS ON AMERICAN GOODS. WE NEED FAST TRACK TO LEVEL THE PLAYING FIELD FOR AMERICAN WORKERS.

What We Inherited. In 1993, President Clinton came into office at a time when the U.S. continued its commitment to free and fair trade, but other countries maintained high tariffs and other obstacles to fair trade to the disadvantage of America's workers.

President Clinton Moved to Address this Disadvantage by Completing the Uruguay Round Agreements, Negotiated Under Fast Track Authority. We have repeatedly leveled the playing field by negotiating tough, fair agreements -- securing more concessions from our trading partners than we had to give up. For example, Australia has cut its tariffs five times more than we have had to, Korea six times more than the U.S. and Peru has cut its tariffs ten times more than the U.S. since the Uruguay Round of GATT. Because of the ongoing benefits from the Uruguay Round, it is estimated that trade will continue to grow by an average of 9% per year until 2000.

American Workers Still Face a Disadvantage. Even with the recent progress in GATT, American exports still face higher tariff rates than our own. For instance, U.S. agricultural exports average 38%, while our own rates average 11%. U.S. electric machinery exports average 5%, while our rates average under 2%. Without Fast track authority, these conditions will only persist when more and more countries negotiate their own preferential trade deals to the detriment of America's workers. American workers deserve better.

Open and Fair Trade is in the Best Interest of American Workers and their Families. As the American people prepare for the challenges of the 21st century, we face a critical choice: We can meet the challenges of the future, write the trade rules and continue America's remarkable economic growth -- or we can turn our back on the world and fail to compete for new markets, new contracts, new business and new jobs. All over America, jobs have been created in small, medium and large companies that would not be here today if we did not have the ability to negotiate fair trade agreements.

- Over the last four years, American manufacturing exports rose 42%, high technology exports jumped 46%, service exports climbed 33% and farm exports rose 41%.
- From 1990-1996, U.S. auto exports to the biggest emerging markets (excluding Mexico) rose \$500 million and are estimated to reach \$6.1 billion by 2010. U.S. parts exports to these emerging markets are expected to more than triple from the current \$3 billion to \$10 billion in 2010.
- The U.S. dominates 75% of the global software market. More than one-half million workers are employed in the industry -- double the level a decade ago. This industry is expected to grow 9% per year worldwide over the next decade.

- The U.S. once again dominates the world's semiconductor industry -- after trailing Japan for years. More than one-quarter million American are employed in the semiconductor industry -- up 13% over the last three years. The global semiconductor market nearly tripled in size between 1990 and 1995 -- and sales are expected to reach \$200 billion by the year 2000 -- a fourfold increase over a decade.
- Exports of goods and services have risen from about 4% of GDP in the early 1960's to over 13% today. Over 15% of the total American workforce is employed in the manufacturing sector. U.S. exports have grown 3 times faster than Japan's, 5 times faster than Germany's since the mid 1980's.

II. TO ENSURE THAT ALL AMERICAN WORKERS BENEFIT FROM EXPANDED TRADE, THE CLINTON ADMINISTRATION HAS FOUGHT FOR INCREASED TRAINING AND EDUCATION OPPORTUNITIES.

We need a growth strategy in which we take every action possible to ensure that all Americans can benefit from economic change. We need to break out of the old arguments that say you are either for blocking change or you are for the market, but everyone has to fend for themselves. Government needs to help workers, communities and those not in the job market realize the benefits of expanded trade.

- **The Administration is developing a comprehensive plan to help communities and workers who have been affected by trade.** President Clinton is building on his strong record of helping workers and families secure more opportunities to improve their educations and obtain higher paying jobs. The President will announce his plan early next week.

A Record of Strong Action to Help Families and Workers

- **Fought To Ensure Low-Income Families Benefitted from Child Tax Credit.** Because of the President's efforts, 13 million children from families with incomes below \$30,000 will receive the tax credit -- up to 7.5 million more than under the House plans. Families making under \$30,000 -- such as young teachers, police officers, farmers, nurses and others who work hard and play by the rules -- will now receive the child credit.
- **20% Tuition Tax Credit.** The balanced budget deals provides for a 20% tuition tax credit applied to the first \$5,000 of qualified education expenses and to the first \$10,000 thereafter for college juniors, seniors, graduate students, and working Americans pursuing lifelong learning.
- **\$1,500 Hope Scholarship Tax Credit.** The balanced budget deal also includes a \$1,500 Hope Scholarship to make the first two years of college universally available. For a student attending the average four-year college, the Tuition Tax and HOPE Scholarship tax credits will provide tax savings of up to \$5,000.
- **Doubled Dislocated Worker Funding.** The funding for dislocated workers has been doubled, from \$651 million in FY93 to \$1,286 million in FY97. This year, the dislocated worker program will assist 580,000 workers, up about 300,000 since President Clinton took office.
- **Largest Pell Grant Increase in Two Decades.** The Balanced Budget agreement boosts the maximum 1998 Pell grant from \$2,700 to \$3,000, and expands the program to more poor independent students -- that's the largest increase in two decades.

III. IF THE PRESIDENT DOES NOT HAVE THE SAME AUTHORITY THAT EVERY PRESIDENT HAS HAD SINCE 1974, OUR COMPETITORS, NOT AMERICAN WORKERS, WILL REALIZE THE BENEFITS OF THE NEW ECONOMY.

Today, we have the opportunity to permanently create the types of jobs that pay more and provide our workers with more security -- if we continue to increase our exports and open more markets. But if the President does not have the authority to negotiate tough and fair trade agreements with Congress' consent, our competitors will get the best jobs for their workers, while the U.S. will be relegated to the sidelines.

- **Without fast track, the U.S. will lack credibility to push for a fast start on global negotiations scheduled to start at the end of 1999. The United States stands the most to gain in these negotiations because of its comparative advantage in agriculture, commercial services and government procurement.**

☞ **Agriculture.** Agricultural exports support nearly a million U.S. jobs. Agriculture remains one of the most protected and subsidized sectors in the world economy. American exports still continue to face trade barriers through high tariffs and preferential trade deals that exclude the U.S.

☞ **Commercial Services.** Service exports of U.S. firms supported nearly 4 million jobs in 1996. Unless negotiated away, barriers will inhibit increased U.S. service exports. In Korea, a number of service sectors remain restrictive for foreign investment including telecommunications and insurance. Brazil has restrictive investment laws, lack of transparency in administrative procedures and limits on foreign capital participation. Distribution in the domestic market is restricted in Indonesia.

☞ **Government Procurement.** Some sectors relating to government procurement include civil aircraft, energy equipment, environmental technologies and services and medical equipment which employ over 2 million American workers. The vast majority of low and middle-income countries have not signed the WTO Government Procurement Code and the U.S. cannot negotiate government procurement obligations in plurilateral negotiations.

WHY AMERICA WON'T GET ITS FAIR SHARE OF JOBS WITHOUT FAST TRACK

America needs fast track to continue to create higher-paying jobs for more Americans. Without it, America's role as the largest exporter in the world will be put in jeopardy. And with more markets opening around the world, it is now more important than ever to give the President traditional trade authority to break down trade barriers for American goods and services.

The U.S. needs to maintain its leadership role in opening markets through tough, fair trade agreements.

- **Since 1992, 49 states have experienced an increase in overall goods exports and 45 states have experienced an increase in jobs supported by trade.**
- **46 states have higher exports to Mexico and 47 states have higher exports to Japan.**

In the upcoming WTO negotiations, President Clinton needs fast track to have the flexibility to negotiate agreements in **agriculture, commercial services and government procurement**. In each of these areas, the U.S. is the most competitive nation in the world and stands to benefit the most from writing the rules of trade.

AGRICULTURE

The U.S. is the world's largest agricultural exporting country -- shipping a record \$60 billion in exports abroad. In 1996, total world agricultural exports totaled \$600 billion. U.S. exports accounted for only 10% of that -- \$60 billion.

- **U.S. agricultural exports support nearly a million jobs and this number is rising.** Since 1990, the value of U.S. agricultural exports has increased by \$20 billion, or nearly 50%. Each week last year, on average, American producers and processors shipped out more than \$1.1 billion in farm and food products to foreign markets.
- **Last year, our agricultural exports were twice the level of our agricultural imports -- a claim no other industry sector can make.** Dollar for dollar, we export more corn than coal, more wheat than steel, more meat than aluminum and more fruits and vegetables than CD's, records, and tapes. U.S. exports are growing more than three times as fast as domestic demand for foods.
- **U.S. agriculture will pay a price if fast track is not granted.**
 - ☞ More than 30 bilateral and regional trade agreements are already operating here in the Western Hemisphere, and the U.S. is party to only one -- NAFTA. While these preferential trade agreements multiply, the U.S. share of the region's total agricultural imports is declining.
 - ☞ Chile has already signed trade agreements with Bolivia, Colombia, Ecuador, Mexico, Venezuela, MERCOSUR and most recently Canada. The U.S. has already lost an estimated \$500 million in exports to other countries that have duty preferences already in place.
 - ☞ Chilean fresh fruit pays a 2% duty when entering Venezuela (due to the Chile-Venezuela FTA) whereas American producers pay a 15% tariff. The U.S. Embassy estimates that the U.S. market share would grow from its current 39% to 67% if U.S. producers had equivalent access to the Venezuelan market.

Without fast track, the U.S. will lack credibility to push for a fast start on WTO agricultural negotiations scheduled to start at the end of 1999. Agriculture remains one of the most protected and subsidized sectors in the world economy. American exports still continue to face trade barriers through high tariffs and preferential trade deals that exclude the U.S. **Already, since 1992, in Latin America and Asia alone, our competitors have negotiated 20 trade agreements that do not include the United States.**

The best way we can continue to increase our agricultural exports and create more higher-paying jobs is through broad negotiations where the U.S. has the ability to seek additional commitments from other countries to reduce their barriers to American agriculture.

COMMERCIAL SERVICES

Exports of services by U.S. firms supported an estimated 3.9 million U.S. jobs in 1996. U.S. service exports have more than doubled over the last ten years, increasing \$135 billion since 1987 and \$84 billion since 1990 to \$250 billion in 1996. In 1995, U.S. service exports accounted for 16% of global service exports; our closest competitors that year were France (8%) and Germany, Italy, Japan and the U.K. (between 5% and 6%).

- **U.S. exports to emerging markets have grown at impressive rates:** nearly 30% to China, Taiwan and Korea; and over 20% to Hong Kong and Argentina. The U.S. also exported over \$1 billion in 1995 to the emerging markets of Argentina, Brazil, China, Hong Kong, the Philippines, India, Indonesia, Korea, Malaysia, Singapore and Thailand.
- **Service exports are estimated to reach \$300 billion by 2005 and \$350 billion by 2010.** With the expanding electronic commerce market, the growth trend in the service sector may easily surpass these estimates. For example, look at the health care services industry. In 1994, exports reached \$812 million. The industry is estimated to grow to \$1.03 billion by 1998 and continue its growth to \$1.4 billion by 2002.
- **Unless negotiated away, barriers will inhibit increased U.S. service exports.** In Korea, a number of service sectors remain restrictive for foreign investment, including audio-visual services, insurance, telecommunications and advertising. Brazil has restrictive investment laws, lack of transparency in administrative procedures and limits on foreign capital participation. Distribution in the domestic market is restricted in Indonesia.
- **Fast track will strengthen U.S. efforts to reduce trade barriers and expand these international markets which are key to maintaining U.S. competitiveness and innovation.**

GOVERNMENT PROCUREMENT

- **In 1996, government procurement totaled \$200 billion in U.S. exports in 1996 in a total world market of \$600 billion.** Sectors relating to government procurement include civil aircraft, which supports over 450,000 high-wage jobs, energy equipment supporting 350,000 workers, environmental technologies and services supporting 1.3 million workers and medical equipment employing over 260,000 workers.

Civil Aircraft

- **One out of every two civil aircraft manufactured in the U.S. is exported.** Asia has become the fastest growing foreign market for U.S. civil aircraft, accounting for about 45% of U.S. civil aircraft exports in 1996. Korea is in the midst of a major civil aviation expansion -- a ten year procurement program plans the purchase of some 230 aircraft worth about \$20 billion. With ASEAN, there is a large and growing demand for airport and ground support equipment. The Philippines has initiated a \$3 billion refleet and modernization program. Almost all of Thailand's demand must be met by imports.
- **High tariffs and government subsidization are major barriers.** Low and middle income country tariffs range from 3 to 40% while the U.S. has no tariffs.
- **Competition isn't waiting for U.S. leadership.** Canada is competitive in Latin America, especially in the business and regional jet aircraft sectors. Canada already has a Free Trade Agreement with Chile which will provide a three percentage point tariff advantage over U.S. suppliers by 1997. This tariff differential, which will increase to 11 percentage points when the FTA is fully implemented, provides the Canadian industry a significant advantage in certain segments of the market.

Energy Equipment

- **Since 1990, U.S. exports of energy equipment have doubled reaching \$15.5 billion in 1996 with a trade surplus of \$6.5 billion.** U.S. exports to the big emerging markets, China and FTAA countries more than doubled since 1990. Exports account for an estimated 34% of the U.S. industry's product shipments. By 2005, energy equipment exports are expected to exceed domestic shipments.
- **The demand for energy in low and middle income countries is expected to grow at more than twice the rate of industrialized countries.** Thailand is expected to invest \$22 billion in new power plants; Indonesia is spending \$40 billion developing a natural gas field; China and India represent even larger potential markets as each country attempts to meet increasing demand.
- **Competition doesn't wait for U.S. leadership.** MERCOSUR countries are in the process of privatizing the electricity sector and expect increased demand for generation and distribution equipment. Imports supply approximately one-fifth of the equipment demand, and the U.S. supplies one-third of that. Yet, with tariffs ranging up to 24%, U.S. companies will be at a significant disadvantage if other countries are given preferential access.

With U.S., German and Japanese companies providing almost equal shares of energy equipment in world markets, any preferential access to low and middle income countries by our competitors will hurt U.S. workers and companies.

- **Fast track will strengthen U.S. efforts to reduce trade barriers and expand these international markets which are key to maintaining U.S. competitiveness and innovation.**

Environmental Technologies and Services

- **U.S. ET exports increased 26% from \$11.5 billion in 1994 to \$14.5 billion in 1995 -- making the U.S. the world's largest supplier.** Growth in exports was responsible for 40% of the \$7.5 billion in 1995 environmental technology industry growth. The global market is projected to grow from about \$440 billion in 1995 to approximately \$600 billion by the year 2010. While the U.S. enjoys over \$14 billion in environmental exports only 8% of the U.S. environmental industry's revenue comes from exports. Major competitors, such as Germany and Japan, export in excess of 20%.
- **Opportunities abound for U.S. environmental technology.** The market in Indonesia exceeds \$1.3 billion of which \$300 million is from the U.S.). Thailand's market exceeds \$1 billion (U.S. exports account for two-fifths of that) and could double over the next five years. Malaysia's market is around \$700 million and is expected to grow at 15-20% per year through 2000.
- **Competition doesn't wait for U.S. leadership.** \$10 billion in new investment is expected through the year 2000 in Brazil. U.S. exports last year amounted to about \$100 million. Tariffs range up to 18%, although MERCOSUR partners receive duty free treatment and other Latin American countries receive a 60% duty reduction.

Medical Equipment

- **Total medical device exports reached \$11 billion in 1996 -- a 14% rise from 1995.** Exports as a share of industry shipments were 20% in 1990 and are expected to be 30% by 2005. Since 1990, U.S. medical devices exports to China, ASEAN and the other big emerging markets (excluding Mexico) doubled, reaching \$2 billion in 1996. Thailand's medical device market exceeds \$600 million, and Indonesia's market has been growing by over 10% annually. Malaysia has budgeted \$1.4 billion this year to upgrade health care quality, and Singapore has over \$500-million earmarked for redevelopment projects.
- **The industry faces tough barriers in low and middle income countries** which include approval procedures for imported devices; government health care reimbursement policies which discriminate against U.S. products; and non-transparent government procurement policies. MERCOSUR countries are developing import and standard regulations which will negatively impact U.S. medical device manufactures.

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- The vast majority of low and middle-income countries have not signed the WTO Government Procurement Code and the United States cannot negotiate government procurement obligations in plurilateral negotiations.
- Current WTO negotiations on establishing elements of a transparency agreement offer the opportunity to secure more transparency in foreign government bids, to the benefit of U.S. firms and workers.

TALKING POINTS ON FAST TRACK AND FOREIGN POLICY

Fast Track and American Leadership -- Overview

- **The fast track debate is about much more than trade. It is about American leadership in the world.** Other governments, particularly those in Latin America, view fast track as a test of whether the United States intends to maintain our half century of leadership -- or retreat and turn inward.
- **A failure of U.S. leadership would be a huge mistake.** For over 50 years, we have led the world toward freer markets -- reducing average tariffs from 40% at the end of World War II to about 5% today. That has led to a 90-fold increase in trade, which has enormously benefitted the U.S. We must not turn our back on that progress.
- **American leadership is not divisible. If we fail to lead on trade, our influence will suffer in other areas.** The patterns of trade developed in the coming decades will create patterns affecting our national security, foreign relations and political interests. If Latin America is permitted -- by default in our leadership -- to turn increasingly to Europe and Asia in its trade relations, it will weaken our relationship with Latin America. Rejecting fast track would also send a terrible signal to emerging markets, undermining the developing world trend toward free market policies and democracy.

Exports and U.S. Growth

- **For the U.S., the case for fast track is clear: if we are to sustain our economic growth, we must export.** Since 1993, one-third of our growth has come from exports. Over the next decade, the economies of Latin America and Asia are expected to grow at three times the rate of the U.S. economy. In a world where 96% of the world's consumers live outside our borders, we must export to grow. It's that simple.
- **We are in a perfect position to compete. Our economy is the envy of the world.** We are once again the world's most competitive economy, the world's largest exporter, the leading producer in key industries like automobiles, semiconductors and pharmaceuticals. It makes no sense to sideline ourselves now.
- **But we cannot afford to take our economic leadership for granted.** Throughout the world, other countries are moving to reach trade deals opening their markets. We can either lead this process -- or watch it proceed without us:
 - In Latin America and Asia alone, other countries have reached more than 20 preferential trade agreements without us. Today every major economy in the hemisphere has a preferential trade deal with Chile, except the U.S.
 - The EU is seeking a preferential trade agreement with MERCOSUR, a market of over 200 million people and a GDP exceeding \$1 trillion. President Chirac has declared "the future of the region rests with Europe, not the United States."

Fast track and American Foreign Policy

- **Fast track is a test of our foreign policy.** As the sole remaining superpower, the United States has a fundamental interest in aiding both security and prosperity around the world -- particularly in our own hemisphere. Stable trading relationships are critical to that end. In the post Cold-War world, trade agreements serve some of the same purposes security pacts played during the Cold War: They bind nations together through a set of shared interests and common objectives.
- **If the U.S. fails to lead, we risk losing influence by default. The trade patterns set in coming decades will have enormous strategic importance too.** That is part of the strategy behind FTAA and APEC processes. They are not just economic: they are also intended to reinforce broader U.S. engagement in Latin America and Asia, two regions where U.S. foreign policy strategic and security interests are deeply implicated. Rejecting fast track would signal retreat from these initiatives.
- **That would clearly undermine broader U.S. interests.** Latin America sees trade as the linchpin of a stronger hemispheric relations -- our failure to engage would undermine cooperation on a range of issues including drug interdiction, immigration, environmental protection and corruption. In Asia, the industrialization of 3.5 billion people in the arc from Korea to Pakistan will be perhaps the greatest development of the 21st Century. It is critical to America's economic and security interests that we be deeply engaged in the transformation. Without fast track, we are crippled in that effort.
- **The cause of democracy and free markets would also suffer.** After decades of failed experiments and anti-Americanism, many of the world's emerging markets today are embracing free markets, democracy and other American values. Today -- for the first time in history -- one half of the world's population lives under elected rulers. But this fragile progress will continue only if we continue to press countries to embrace free trade policies, build stronger middle classes and strengthen the building blocks of democracy. Rejecting fast track would send a terrible signal that we are not serious about trade liberalization and reform.

Conclusion

- **The United States faces a critical choice.** We can continue to make our economy the model for the rest of the world, open foreign markets, and reaffirm our global leadership. Or we can convince ourselves that we cannot compete, turn inward, and cede that leadership to others eager to take our place. The choice is that stark -- and that important.

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NAFTA AFTER THREE YEARS: SETTING THE RECORD STRAIGHT

WHAT WE SAID IN 1993: <i>[The NAFTA: Expanding U.S. Exports, Jobs and Growth; July, 1993]</i>	WHAT HAS HAPPENED SINCE: <i>[Study on the Operation and Effects of the NAFTA; July, 1997]</i>
<i>NAFTA will create the biggest market in the world -- right at our doorstep.</i>	• With 387 million people and \$8.4 trillion in real income in 1996 (in 1990 dollars), the North American marketplace is larger than the European Union, with a population of 372 million and \$7.3 trillion in real income. <i>[DRI/McGraw Hill; World Economic Outlook]</i> • In 1996, nearly one-third of U.S. two-way trade in goods with the world was with Canada and Mexico (\$421 billion). Two-way trade with our NAFTA partners has grown 44 percent since NAFTA was signed, compared with 33 percent for the rest of the world.
<i>NAFTA will expand benefits the United States has enjoyed since Mexico began to open its markets in 1986.</i>	• Under NAFTA, exports to Mexico have grown 37 percent to a record high -- despite the 3.3 percent decline in Mexican demand. • In the first four months of 1997, U.S. exports to Mexico virtually equaled exports to Japan, our second largest export market -- even though Mexico's economy is one twelfth the size of Japan's.
<i>NAFTA will level a playing field that remains substantially tilted in Mexico's favor.</i>	• Under NAFTA, Mexico's tariff cuts have been 5 times greater than ours. • Before NAFTA was signed, Mexico had one-way free trade into the United States, benefitting from duty-free access on over half of its exports to the United States. U.S. barriers to Mexico averaged 2.07 percent. Mexican barriers were much higher, averaging 10 percent. • Under NAFTA, Mexico has reduced its average tariffs on U.S. imports by 7.1 percentage points, compared with reductions of 1.4 percentage points in the United States. The United States would have made some of these reductions under the Uruguay Round even in the absence of NAFTA, while Mexico has raised average tariffs on non-NAFTA imports.

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<i>NAFTA will create an estimated 200,000 high-wage jobs related to exports to Mexico by 1995.</i>	• A new study by DRI estimates NAFTA boosted real exports to Mexico by \$10 billion in 1995 and \$12 billion in 1996 (compared to smaller increases in imports of \$1 billion in 1995 and \$5 billion in 1996). • DRI's estimates imply that NAFTA in isolation boosted jobs associated with exports to Mexico by roughly 134,000 in 1995 and 160,000 in 1996. • Jobs supported by exports generally pay 13 to 16 percent more than the national average for nonsupervisory production positions.
<i>NAFTA will spur further job gains and push jobs related to exports to Mexico toward the 1 million mark.</i>	• Jobs supported by exports to Mexico increased from 627,000 the year before NAFTA was signed to 749,000 — after NAFTA had been in effect only three years. • Total jobs supported by exports to our NAFTA partners were up to 2.3 million in 1996.
<i>NAFTA will increase opportunities for American firms to sell to Mexico.</i>	• Since NAFTA went into effect, U.S. suppliers have seen their share of Mexico's import market grow from 69.3 percent to 75.5 percent, reflecting a 10 percentage point tariff advantage over foreign suppliers.

Guidance on Fast Track

October 1, 1997

Q: Speaker Gingrich and Minority Leader Armey have criticized the White House for not being "engaged" in the fight for fast track authority. Is the President pulling out all the stops to gain Democratic support?

A: First of all, Congress today is moving forward in a constructive way to craft legislation that would give the President traditional trading authority. The Senate Finance Committee is expected to vote out this morning a bill today with strong bipartisan support that will restore the President's power to tear down unfair foreign trade barriers.

The President has led the fight to open markets to American goods and to restore traditional trading authority so that we can continue to lower unfair foreign trade barriers to our exports:

- **Taken the Case to the Public.** Given several major public addresses highlighting the importance of restoring traditional trading authority: to the American Society of Newspaper Editors (July), a radio address (August), and at an East Room event unveiling legislation (September) and most recently, took the case for fast track directly to some of its fiercest opponents in his party: at the AFL-CIO convention last week in Pittsburgh. The Vice President made a strong pitch to the DNC Annual Meeting for fast track last weekend and has also spoken to software and other groups recently in support of fast track.
- **Heavy Private One-to-One Effort.** Led administration-wide effort to garner Democratic support for the bill: President and the Vice President went to the House Democratic caucus to make the case for fast track; the President and the Vice President have had numerous one-on-one and small meetings with more than 60 undecided House members at the White House and while on the road, including one just last night.
- **Administration Wide Effort.** Full court press by Cabinet and senior White House staff. Bowles, Barshefsky, Daley, Rubin, Sperling, Hilley and others have worked the various Democratic caucuses and undecided members non-stop through the last five weeks. The Chief of Staff has had a series of private lunches with Democratic Members. The Cabinet has fanned out across the Hill, meeting with dozens of Democratic Members.

In the end, the President and his entire economic team are fully committed to

making the case for renewal of fast track. We cannot let this debate degenerate into finger-pointing and a blame game. Continuing to tear down foreign trade barriers is much too important to our country and to our future prosperity.

[**Background:** Might hint at lack of similar effort from the Republican side. GOP leaders have yet to confront the new isolationist, protectionist wing in his own party as the President did in Pittsburgh. There has always been a strong Republican majority for open trade, but GOP leadership has allowed that to fracture.]

Q: Given the comments by the Speaker and the Minority Leader, is fast track in serious trouble?

A: Today, the Senate Finance Committee is marking up fast track legislation that reflects our goals and preserves the full range of options the President put forward in our bill:

- It explicitly recognizes that certain labor, environmental, and health and safety standards are the proper subject of trade agreements that are subject to fast track.
- It does not limit the Executive Authority of the President to reach separate agreements on a range of issues, including labor and the environment.
- It recognizes that the President will also pursue labor and environmental protections in international fora.

We certainly hope that today's Senate action clears the way for the House to move forward on this critical piece of legislation.

Q: Do you have the votes to pass fast track?

A: We expect strong bi-partisan support in Senate Finance Committee today. That is the first vote yet on fast track. Until the Committees move, there is no record out there on the level of support. We are optimistic that we are building the bi-partisan support necessary to get fast track approved in Congress.

THE WHITE HOUSE

WASHINGTON

September 21, 1997

Dear

I understand that Secretary Rubin, Secretary Herman, Administrator Alvarez and National Economic Adviser Sperling had a constructive exchange with you and other members of the Hispanic Caucus last week on NAFTA.

Since that meeting, Gene Sperling has been working with Cabinet members to provide you with the attached written document specifically detailing the efforts we are committed to taking to strengthen the implementation of NAFTA. Although I recognize the steps outlined in this document are not the full answer to the concerns voiced by your constituents, my top advisers, Cabinet members, and I are committed to continuing to work with you to make sure that our trade initiatives fulfill their promise for all Americans, as are my Cabinet members and senior advisors.

During last week's discussions, several members of your Caucus pointed out that the challenges posed by the new economy are broader than those associated directly with trade, and consequently that we must look to broader solutions. I could not agree more. I am confident that the numerous discussions that are taking place under the joint leadership of members of the Hispanic Caucus along with Education Secretary Riley and White House senior officials Maria Echaveste, Mickey Ibarra, and Gene Sperling will identify

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significant actions we can take to help more young Latinos reach their full potential.

Globalization presents us all with challenges and opportunities. This week, I transmitted to Congress legislation on fast track trade negotiating authority, to give us the tools we need to shape the global economy in America's best interests. I will need your help building support for future trade agreements that help America compete in the global economy and contribute to improved living standards and environmental protection.

I hope that we can continue this dialogue.

Sincerely,

Bill

House of Representatives
Washington, D.C. 20515-4315

Washington, D.C. 20510

NAFTA-TAA

Secretary Herman is strongly committed to addressing the challenges faced by low-skilled workers in the global economy. Her discussions with you and her recent visit to El Paso have provided important insights into needed improvements to the NAFTA-TAA:

- **Reducing Certification Times:** The Department of Labor will cut by one-third the amount of time required for a determination on a Trade Adjustment Assistance petition.
- **Early Response:** The Department of Labor will strengthen outreach and early intervention services provided to workers even before an assessment of the trade impact has been made.
- **Outreach to Secondary Workers:** It is important to increase awareness among workers experiencing secondary trade impacts that they are eligible for the full range of benefits and services available to primary workers under NAFTA-TAA. The Department of Labor is strengthening efforts to reach secondary workers by calling attention to the explicit secondary worker provisions on NAFTA-TAA petitions and utilizing information from primary certifications to identify secondary workers. They will provide technical assistance to the states to help identify secondary workers.
- **Involving Workers and Local Communities:** The Department of Labor will work with the states to encourage the establishment of worker transition committees in planning the delivery of comprehensive services and collaboration with local elected officials, economic development agencies, and community-based organizations to address the needs of trade-impacted workers, including secondary workers.
- **Measuring Outcomes:** In order to ensure that the effectiveness of NAFTA-TAA improves as it develops, the Department of Labor will begin to collect outcome-based performance data for workers who receive adjustment assistance.

Community Adjustment

Secretary Rubin and Administrator Alvarez are confident that the recent designation of 35 eligible areas and approval of three loans under the NADBank Community Adjustment and Investment Plan (CAIP) are only the first steps in developing an innovative program to address the needs of local communities challenged by trade and production shifts. Future plans include:

- **El Paso Meeting of the Presidential Advisory Committee:** The CAIP will hold a public meeting of the Presidential Advisory Committee in El Paso, Texas to hear first-hand from members of a trade-impacted community.
- **Additional Areas:** This month, the CAIP Finance Committee expect to announce approximately twelve additional communities that will be eligible for assistance.
- **Coordination with NAFTA-TAA:** The Departments of Labor and Treasury will establish formal links in the administration of NAFTA-TAA and CAIP, including on marketing and outreach, in order to magnify the effectiveness of both programs in assisting individual workers and communities affected by trade.
- **Full-time Staffing:** Both the Department of Agriculture and the Small Business Administration are currently in the process of selecting staff that will be dedicated full-time to administering the CAIP program.
- **Significant New Lending from the Small Business Administration (SBA):** SBA estimates that the new CAIP/SBA program could increase SBA's loan volume by about \$146 million over the duration of the program. With this increased funding capacity, SBA could guarantee loans to over 1,000 small firms. CAIP/SBA will afford greater access to capital, and eligible small firms will not be charged a guaranty fee.
- **Increased Outreach and Marketing by SBA:** SBA will significantly increase marketing and outreach efforts this fall. This will include extensive briefings of SBA resource partners such as SCORE and the SBDCs to help them provide management assistance to CAIP borrowers.

Environmental Protection along the Border

Secretary Rubin and Environmental Protection Agency (EPA) Administrator Carol Browner have worked hard to make sure that the NADBank and its sister organization, the Border Environment Cooperation Commission (BECC), are effectively addressing border environmental problems. They will concentrate future efforts on making infrastructure financing affordable for poor communities, expanding technical assistance, and accelerating the pace of project development.

- **Making Environmental Infrastructure Affordable:** To address the needs of poor border communities, the NADBank is establishing cofinancing arrangements with U.S. and Mexican grant programs. NADBank has recently entered into a cooperative agreement with EPA for a Border Environment Infrastructure Fund that will provide access to up to \$170 million in EPA grants. NADBank is working on a proposal that would help smaller U.S. communities to access the tax exempt bond market by working with the State Revolving Funds in the U.S. border states to establish reserve funds for debt servicing.
- **Assisting Communities in Project Development:** In cooperation with the EPA, the BECC is establishing a Project Development Assistance Program (PDAP) that will begin committing and disbursing up to \$10 million in funds to communities by the end of the year.
- **Upgrading Management Capabilities:** NADBank has established an Institutional Development Program (IDP) to help communities on both sides of the border achieve effective and efficient operation of their water, sewage and solid waste management services. So far, NADBank has approved \$1.8 million in technical assistance for 12 projects under this program, and it now plans to double total IDP resources to \$4 million.
- **Accelerating Project Development:** The NADBank and BECC have developed a work plan for accelerating project development. They have identified more than 30 projects and potential projects with a total cost of more than \$500 million as the core of their 1997-99 work plan.

TRADE AND THE ENVIRONMENT UNDER PRESIDENT CLINTON

President Clinton is committed to ensuring that trade expansion and increased international competition contribute to environmental protections at home and abroad. The President negotiated the first trade agreement to include explicit environmental provisions and fought to ensure that NAFTA contained mechanisms to address the unique environmental problems that have long challenged communities along the 2000-mile shared border with Mexico. President Clinton fought for and won important advances on the environment in the WTO Agreement, including a permanent forum to address the link between trade and the environment in the World Trade Organization (WTO). He has strongly and effectively implemented U.S. environmental laws to obtain improvements in other countries' environmental practices, including using, where called for, the threat of trade sanctions.

PRESIDENT CLINTON HAS DONE MORE TO ADVANCE ENVIRONMENTAL INTERESTS IN INTERNATIONAL TRADE FORA THAN ANY OTHER U.S. PRESIDENT.

- **Advancing Environmental Protections in the WTO:** The Administration fought for and won important environmental advances in the Uruguay Round of trade negotiations, including recognition in the Preamble of the WTO Agreement of sustainable development as a key objective of the WTO; strengthened agreements on Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade to protect legitimate environmental measures from challenge under the Agreements; improvements to the Dispute Settlement Understanding to provide for the use of environmental experts in disputes and to make the process more transparent by allowing disputing parties to make their submissions public and requiring that a public version be provided of all panel submissions; and securing the creation of a Committee on Trade and Environment in the WTO, for the first time creating a permanent forum for addressing the linkage between trade and the environment.
- **Improved Environmental Practices Worldwide:** The Administration has aggressively implemented U.S. environmental laws, using the threat of trade sanctions where appropriate to obtain improvements in other countries' environmental practices. For example, President Clinton imposed trade sanctions on Taiwan for its failure to curb illegal trade in rhino horn and tiger bone. These sanctions were lifted when Taiwan made demonstrable progress in halting this trade.
- **Proposed an APEC Environmental Technologies and Services Sector Liberalization Initiative:** The Administration is working to advance APEC-wide sector liberalization in an industry ignored by previous administrations. High tariffs and disguised barriers to trade have limited the ability of developing countries to use the most advanced and useful technologies and services to address environmental problems from basic water and wastewater treatment needs to the need for the most advanced bioremediation technologies.
- **Forged Agreement For A Global Phaseout of Persistent Pollutants:** The Clinton Administration led the way on an agreement to phase out the use of 12 dangerous, persistent organic pollutants worldwide, such as PCBs and DDT.

THE NORTH AMERICAN AGREEMENT ON ENVIRONMENTAL COOPERATION (NAAEC) HAS LED TO UNPRECEDENTED REGIONAL ENVIRONMENTAL COOPERATION AND IMPROVED ENFORCEMENT OF MEXICO'S ENVIRONMENTAL LAWS. THE INTERNATIONAL PUBLIC SCRUTINY ASSOCIATED WITH THE NAFTA SUBMISSION PROCESS HAS BEEN AN IMPORTANT IMPETUS FOR CHANGE IN MEXICO.

- **Cleaning Up the U.S.-Mexico Border:** NAFTA's environmental institutions are addressing critical environmental infrastructure needs.
 - **\$2-3 Billion in Lending:** Over time, the North American Development Bank (NADBank) will be able to leverage its capital into \$2 to \$3 billion in lending. To date, 16 projects have been certified with a combined cost of nearly \$230 million, and construction has already begun on seven projects.
 - **Border Cleanup Projects:** The NADBank, together with the NAFTA Border Environment Cooperation Commission (BECC) and federal and state officials on both sides of the border, have identified more than 30 environmental projects along the border with a total cost of about \$500 million for their 1997-99 work plan.

- **Affordable Water Cleanup for Poor Border Communities.** NADBank is establishing co-financing mechanisms with U.S. and Mexican grant programs to provide affordable financing for poor border communities. A recent agreement will enable NADBank to combine its loans with up to \$170 million in grants from the Environmental Protection Agency for border water and wastewater projects.
- **Border XXI:** The United States and Mexico have established a five-year blueprint for achieving a clean border environment. We are already cooperating to abate emissions from vehicles at border crossings, tracking transboundary shipments of hazardous wastes, and operating a U.S.-Mexico Joint Response Team to minimize the risk of chemical accidents, to name just a few activities.
- **Submission Process on Environmental Enforcement:** The NAAEC submission process -- which subjects member governments to public and international scrutiny for alleged violations of environmental laws, and can also lead to economic sanctions -- is working as intended. Under NAFTA, Mexico's enforcement of its environmental laws has improved and there has been an unprecedented amount of cooperation between the United States and Mexico on environmental enforcement.
- **Oversight of Enforcement:** The NAFTA Commission for Environmental Cooperation's (CEC) review of citizen submissions alleging nonenforcement of environmental laws has led to an investigation of the adequacy of environmental reviews of a cruise ship pier in Cozumel, Mexico and a report on water use in the Fort Huachuca, Arizona area.
- **Banning Pesticides.** Through the CEC, Mexico has agreed to join the United States and Canada in banning the pesticides DDT and chlordane, ensuring that these long-lived, toxic substances no longer cross our border.
- **Improved Mexican Enforcement.** Mexico has increased the number of environmental enforcement actions from roughly 3,100 in 1991 to between 12,000 and 13,000 annually since NAFTA was signed. Mexico reports a 72% reduction in serious environmental violations in the maquiladora industry and a 43% increase in the number of maquiladora facilities in complete compliance.

TRADE AND LABOR PROTECTIONS UNDER PRESIDENT CLINTON

President Clinton is committed to ensuring that trade expansion benefits all American workers and international competition is consistent with internationally accepted labor standards. Internationally, he has done more than any other President -- advancing core labor standards through the North American Free Trade Agreement (NAFTA), the World Trade Organization (WTO), the International Labor Organization (ILO), and the Organization of American States (OAS), and encouraging the voluntary adoption of codes of conduct through Model Business Principles and the Apparel Industry Partnership. At home, he has fought to expand opportunities for dislocated and low wage workers through increases in training, the security of pension and health benefits, the minimum wage and the Earned Income Tax Credit (EITC).

PRESIDENT CLINTON HAS DONE MORE TO PROMOTE LABOR STANDARDS IN INTERNATIONAL TRADE THAN ANY OTHER PRESIDENT. GAINING INTERNATIONAL RECOGNITION OF THE LINK BETWEEN TRADE AND LABOR ISSUES WILL BE A GRADUAL PROCESS, REQUIRING PERSEVERANCE AND COMMITMENT. DESPITE SIGNIFICANT OBSTACLES, THE CLINTON ADMINISTRATION HAS MADE SIGNIFICANT PROGRESS ON LEVELLING THE PLAYING FIELD FOR AMERICAN WORKERS, OBTAINING COMMITMENTS ON CORE LABOR STANDARDS IN INTERNATIONAL TRADE ORGANIZATIONS, AND IMPROVING THE STANDARD OF LIVING FOR WORKERS EVERYWHERE.

- **Winning International Recognition of Core Labor Standards:** At the UN Summit for Social Development in 1995, the Administration succeeded in obtaining a commitment by over one hundred heads of State and government -- for the first time in history -- to recognition of those "core" worker rights that the Administration believes should be protected in every country, regardless of the level of economic development.
- **Protecting Labor Rights in the Hemisphere:** At the OAS Labor Ministerial in 1995, the Administration obtained a commitment from all countries in our hemisphere recognizing the importance of protecting worker rights as we negotiate the Free Trade Area of the Americas.
- **Advancing Labor Standards in the WTO:** At the Singapore Ministerial Meeting of the WTO in 1996, the Administration fought for and won -- for the first time in the GATT/WTO's existence -- a formal commitment by 128 nations to the observance of core labor standards. The WTO also endorsed collaboration with the ILO to advance this agenda.
- **Encouraging Private Sector Codes of Conduct:** In 1994, the Administration developed and disseminated Model Business Principles protecting core worker rights and encouraged private sector adoption through conferences and a best practices award. In 1996, President Clinton helped launch the Apparel Industry Partnership: a collaboration between labor, business and nongovernmental organizations to encourage adoption of a code of conduct prohibiting exploitative child labor and encouraging humane working conditions through external monitoring and consumer awareness.
- **Suspension of Trade Benefits:** The Administration suspended full trade preferences for Burma, Sudan, Mauritania, and Syria and partial preferences for Pakistan for inadequate observance of basic worker rights.
- **International Monitoring of Labor Standards:** In 1997, Administration support was decisive in the adoption of an ILO proposal to establish a mechanism to monitor countries' implementation of core labor standards. The Administration has supported examination of labor standards implementation through the Organization for Economic Cooperation and Development (OECD), conferences on core labor standards in developing economies in Asia and Latin America, and ILO Programs to combat child labor in Pakistan, Bangladesh, Thailand, and Brazil.

NAFTA IS THE FIRST TRADE AGREEMENT TO INCLUDE PROTECTIONS FOR WORKERS. THE NORTH AMERICAN AGREEMENT ON LABOR COOPERATION (NAALC) HAS ENHANCED OVERSIGHT AND ENFORCEMENT OF NATIONAL LABOR LAWS AND CREATED NORTH AMERICAN COOPERATION ON FUNDAMENTAL LABOR ISSUES -- FOR THE FIRST TIME. THE INTERNATIONAL PUBLIC SCRUTINY ASSOCIATED WITH THE NAFTA SUBMISSION PROCESS HAS BEEN AN IMPORTANT IMPETUS FOR CHANGE IN MEXICO.

- **Union Recognition and Secret Ballots:** The NAALC submission process subjects member governments to public and international scrutiny for alleged violations of labor laws; it can also lead to economic sanctions. To date, the United States has received seven submissions against Mexico, and Mexico has reviewed one submission against the United States. The review of these submissions has yielded concrete remedies. In one case, a Mexican labor tribunal granted recognition to the petitioning union, reversing an earlier decision, and afforded a new hearing for workers dismissed for union activity. In other cases, workers were permitted secret ballot elections, a practice not common in Mexico. In addition, a number of Mexican labor disputes have been settled by companies wishing to avoid the negative publicity associated with the NAFTA review process.
- **Legal Advances:** Important legal advances on labor rights have taken place in Mexico since NAFTA was signed. In 1996, the Supreme Court of Mexico issued two decisions finding state statutes restricting freedom of association unconstitutional. Mexico's Department of Labor has issued recommendations providing for greater autonomy and professionalism of tripartite labor tribunals and making the union registration process a purely administrative decision.
- **Stronger Mexican Enforcement:** Since NAFTA was signed, Mexico's Secretariat of Labor and Social Welfare reports a nearly 250 percent increase in funding for enforcement and a 30 percent reduction in the number of workplace injuries and illnesses.

PRESIDENT CLINTON HAS CONSISTENTLY FOUGHT TO ENSURE THAT THE NEW ECONOMY BENEFITS ALL WORKERS. INDEED, NO PRESIDENT CARES MORE ABOUT THE CONCERNS OF LOW-WAGE AND DISLOCATED WORKERS.

- **NAFTA Transitional Adjustment Assistance (NAFTA TAA).** The President fought for and won a special NAFTA-TAA program that for the first time provides retraining and reemployment assistance and income support to workers displaced by production shifts as well as trade, and provides income support for "secondary" workers.
- **Dislocated Worker Training.** President Clinton has doubled funding for the Dislocated Worker assistance program helping an additional 300,000 workers get training and job search assistance.
- **HOPE Scholarships and Tuition Tax Credits.** To help workers enhance their skills throughout their working lifetimes, the President fought for and won both a \$1,500 two-year HOPE Scholarship and a 20% tuition tax credit.
- **Health Benefits for Job Changers.** The 1996 "Kassebaum-Kennedy" law ensures that as many as 25 million more Americans will no longer have to fear that they will lose their access to health insurance if they lose their job or change jobs.
- **One-Stop Career Centers.** To help workers make a rapid transition between jobs, the Administration is transforming a fragmented array of employment and training programs into a "One-Stop" coordinated information and delivery system. The President's budget proposed \$150 million in funding to expand One-Stop Career Centers to all states in 1998.

THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)

Several outside studies conclude that NAFTA has contributed to America's economic expansion. DRI estimates that NAFTA boosted real exports to Mexico by \$12 billion in 1996, compared to a smaller increase in imports of \$5 billion, and contributed \$13 billion to U.S. real income and \$5 billion to business investment, controlling for Mexico's financial crisis. Since NAFTA was signed, exports have grown 37 percent to Mexico and 34 percent to Canada, reaching record levels. Before NAFTA, Mexico had one-way free trade into the United States. Under NAFTA, Mexico's tariff cuts have been 5 times greater than ours, leveling the playing field.

ANY WAY YOU LOOK AT IT, NAFTA HAS BEEN A JOB CREATOR FOR AMERICA'S WORKERS.

- **Jobs Supported by Exports to Mexico and Canada Have Increased More Than 300,000.** Under NAFTA, jobs supported by exports to Canada have gone up by 189,000 and jobs supported by exports to Mexico by 122,000. Export jobs are good jobs -- paying 13 to 16 percent more than the national average. [Study on the Operation and Effects of the NAFTA, 1997; Department of Commerce]
- **NAFTA Increased Net Exports to Mexico.** It is wrong to assume imports displace U.S. jobs: history shows that the U.S. trade deficit increases most when our job growth is highest. But even if you adopt the critics' methodology and look at net exports, NAFTA was a job creator. Outside studies conclude that -- isolating for the effects of the peso crisis and America's strong economy -- NAFTA caused an increase in net exports of roughly \$7 billion in 1996. [DRI, 1997]

EXPERTS AGREE: IF ANYTHING, NAFTA PROTECTED THE MEXICAN ECONOMY -- AND AMERICAN EXPORTS -- FROM THE FINANCIAL CRISIS BY LOCKING IN MEXICO'S ECONOMIC REFORMS AND PROVIDING SAFEGUARDS FOR FOREIGN INVESTORS.

- **NAFTA Helped Mexico Recover Faster:** Following Mexico's 1982 financial crisis, it took Mexico 7 years to return to international capital markets, while in 1995, it took 7 months. Following the 1982 crisis, Mexican output did not recover to pre-crisis levels for five years, while following the 1995 crisis, Mexican output rebounded to pre-crisis peaks in less than 2 years. [Study on the Operation and Effects of the NAFTA, 1997]
- **NAFTA Protected American Jobs and Exports by Locking in Preferential Access:** Following its 1982 crisis, Mexico raised tariffs by 100 percent, and American exports to Mexico fell by half and did not recover for seven years. In 1995, Mexico continued to implement its NAFTA obligations even as it raised tariffs on imports from other countries. As a result, American exports recovered in 18 months and were up 37 percent by the end of 1996 relative to pre-NAFTA levels.

SINCE NAFTA WENT INTO EFFECT, MEXICO HAS CUT TARIFFS ON U.S. EXPORTS FIVE TIMES MORE THAN THE U.S.

- **Taking Share from Foreign Competitors:** U.S. suppliers have increased their share of Mexico's import market from 69.3 percent to 75.5 percent, reflecting a 10 percentage point tariff advantage over foreign suppliers.

PRESIDENT CLINTON'S TRADE POLICY: THE AMERICAN ECONOMY IS NOW THE ENVY OF THE WORLD.

Employment growth is strong. Unemployment is low. Inflation is stable. And incomes for American families are rising again. Part of the reason the American economy has enjoyed such remarkable success is because we are opening foreign markets to American goods and increasing the amount of American-made goods sold abroad.

- **13 Million New Jobs.** Since January 1993, the economy has created nearly 13 million new jobs, including more than 1.5 million new jobs in basic industries (1.1 million in construction and 445,000 in manufacturing). [Source: Bureau of Labor Statistics, Current Employment Statistics survey.]
- **Unemployment Rate Down To 24-Year Low.** In 1992, the unemployment rate was 7.5 percent. Today, it is under 5 percent -- as low as it's been at any time in the last 24 years. [Source: Bureau of Labor Statistics, Current Population Survey.]
- **Exports Are Up More Than \$300 Billion.** Since the beginning of 1993, exports from the United States have grown by nearly 50 percent -- up \$318 billion, after adjusting for inflation. Exports have accounted for 38 percent of the overall growth in the economy since 1993. [Source: Department of Commerce, Bureau of Economic Analysis]
- **1.7 Million New Export-Related Jobs -- Paying On Average 15 Percent Higher Wages.** Since President Clinton took office, the number of export-related jobs has increased by 1.7 million . These job pay an average of 15 percent more than non-trade related jobs. [Source: Department of Commerce.]
- **Smallest Deficit Among Major Economies.** After climbing to \$290 billion in 1992, the deficit declined to \$107 billion last year and is expected to fall to \$37 billion this year -- down more than 80 percent from 1992. [Source: CBO] As a share of GDP, the general government deficit is smaller than in any major economy. [Source: OECD Economic Outlook, 6/97]
- **Family Income Up \$1,600.** After stagnating for 20 years, family incomes are rising again. Since 1993, the income of the typical American family increased by \$1,631, after adjusting for inflation. [Source: Bureau of the Census.]
- **High-Tech Exports Are Soaring.** Exports of semiconductors have grown 139 percent under the Clinton Administration; telecommunications exports have grown 113 percent; and exports of computers and computer-related goods have grown 54 percent. [Source: Council of Economic Advisers/Department of Treasury, April 10, 1996]
- **The World's Most Competitive Economy.** The United States has now been ranked Number One on competitiveness for five years in a row -- and up from Number Five in 1992. [Source: World Economic Forum and IMD.]
- **The World's Automobile Leader Once Again.** The United States is the world's Number One producer of automobiles for the first time since the 1970's -- overtaking Japan. [Source: American Automobile Manufacturers Association.]
- **The World's Semiconductor Leader Once Again.** The United States has regained its position as the world's Number One producer of semiconductors -- surpassing Japan. [Source: Dataquest.]

104TH CONGRESS
1st Session

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COMMITTEE ON WAYS AND MEANS
U.S. HOUSE OF REPRESENTATIVES

OVERVIEW AND COMPILATION OF
U.S. TRADE STATUTES

1995 EDITION



August 1, 1995

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OVERVIEW AND COMPILATION OF U.S. TRADE STATUTES

1995

Congressional Fast Track Implementing Procedures

In contrast to traditional tariff proclamation authority, nontariff barrier agreements entered into under section 102 of the Trade Act of 1974, or the expired section 1102(b) of the Omnibus Trade and Competitiveness Act of 1988, and bilateral trade agreements entered into under expired section 1102(c) authority under the 1988 Act could not enter into force for the United States and become binding as a matter of domestic law unless and until the President complied with specific requirements for consultation with the Congress and implementing legislation approving the agreement and any changes in U.S. law was enacted into law.

The purpose of the approval process is to preserve the constitutional role and fulfill the legislative responsibility of the Congress with respect to agreements which often involve substantial changes in domestic laws. The consultation and notification requirements prior to entry into an agreement and introduction of an implementing bill ensure that Congressional views and recommendations with respect to provisions of the proposed agreement and possible changes in U.S. law or administrative practice are fully taken into account and any problems resolved in advance of formal Congressional action. At the same time, the procedure ensures certain and expeditious action on the results of the negotiation and on the implementing bill with no amendments. Sections 102 of the 1974 Act, and 1102(d) and 1103 of the 1988 Act set forth the consultation and documentation requirements,¹⁸ and 151-154 of the 1974 Act¹⁹ prescribed the following procedures for Congressional "fast track" approval, as follows:

1. Before entering into any trade agreement, the President is required to consult with the House Committee on Ways and Means, the Senate Committee on Finance, and with each other committee in the House and Senate with jurisdiction over legislation involving subject matter affected by the agreement. The consultation includes (a) the nature of the agreement; (b) how and to what extent the agreement will achieve applicable purposes, policies, and objectives; and (3) all matters relating to agreement implementation.

2. The President is required to give the Congress at least 90 calendar days (120 calendar days for the Uruguay Round Agreements) advance notice of his intention to enter into a trade agreement, and promptly publish the intention in the Federal Register. The purpose of this notice period is to provide the Congressional committees of jurisdiction an opportunity to review the proposed agreement before it was signed, to determine the changes in U.S. laws that would be necessary or appropriate to implement the obligations under the agreement, and to meet with Administration officials to develop the text of an acceptable implementing bill.

3. After entering into the agreement, the President is required to submit a copy of the final legal text to the Congress, together with a draft implementing bill, a statement of any administrative action proposed to implement the agreement, and

¹⁸ Public Law 100-418, 19 U.S.C. 2903.

¹⁹ Public Law 93-618, 19 U.S.C. 2191.

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There is no statutory time limit for submission of the agreement and draft bill after entry into the agreement. The timetable is worked out between the Congressional leadership and the Administration to accommodate the need for committees of jurisdiction to have adequate opportunity to develop an acceptable draft bill text while also ensuring expeditious formal action on the actual implementing legislation.

4. The implementing bill is introduced by the leadership in both Houses of Congress on the same day it is submitted by the President and referred to the committees of jurisdiction. The committees have 45 legislative days in which to report the bill; they are discharged automatically from further consideration after that period.

5. Each House votes on the bill within 15 legislative days after the measure has been received reported or discharged from the committees. A motion in the House to proceed to consideration of the implementing bill is highly privileged and not debatable. Motions to recommit or reconsider the vote are not in order. Amendments are not in order.

No amendments to the implementing bill are in order in either the House or the Senate once the bill had been introduced; the committee and floor actions in the House and Senate consist of "up or down" votes on the bill as introduced. The total maximum period for Congressional consideration from date of introduction is 60 legislative days if the bill was not a revenue measure. Since the Senate must act on a House-passed revenue bill, the maximum period for Congressional consideration of a revenue implementing bill from date of introduction is 90 legislative days (15 additional days for Senate committee action on the House-passed measure and 15 additional days for Senate floor action). After the legislation is signed by the President, the agreement goes into effect under the terms of the agreement and the implementing bill.

Section 1103(c) of the 1988 Act instituted a "reverse fast track" procedure that terminated the application of that special procedure for the approval of trade agreements if both the Committee on Ways and Means and the Committee on Rules in the House and the Committee on Finance in the Senate reported, and both the

House and Senate separately passed, resolutions of disapproval within any 60 legislative day period. The basis for the disapproval was failure or refusal of the U.S. Trade Representative (USTR) to consult with the Congress on trade negotiations and trade agreements as set forth in the consultation requirements. The "fast track" procedure applied to floor consideration of the resolution, which was nonamendable.

In addition, the 1974 and 1988 Acts provided for Congressional advisers and consultations with committees of jurisdiction throughout the course of trade agreement negotiations (section 161 of the 1974 Act) and an advisory committee structure for private sector input during negotiations and reports on the results (section 135 of the 1974 Act). The Congressional consultation requirements and fast track procedures applied to the implementing legislation for the Tokyo Round of GATT multilateral trade negotiations in 1979, the U.S.-Israel Free Trade Agreement and the U.S.-Canada Free Trade Agreement, the North American Free Trade Agreement, and the Uruguay Round of GATT multilateral trade negotiations, including the Agreement Establishing the World Trade Organization.

Special "fast track" procedures under section 3(c) of the Trade Agreements Act of 1979 also applied to implementation of changes in the Tokyo Round Agreements and to the U.S.-Canada Free Trade Agreement for an initial 30-month period. Section 3(c), which currently applies to implementation of changes in the U.S.-Israel Free Trade Agreement and the GATT Agreement on Civil Aircraft,²⁰ requires the President to submit a draft bill and statement of any administrative action to the Congress whenever he determines it is necessary or appropriate to amend, repeal, or enact a statute to implement any requirement, amendment, or recommendation concerning an agreement. The President is required to consult at least 30 days in advance with the House Committee on Ways and Means and the Senate Committee on Finance and any other committees of jurisdiction on the subject matter and implementation.

While the authorities to enter into new trade agreements for Congressional approval under fast track implementing procedures expired upon conclusion of the Uruguay Round negotiations, the fast track legislative procedures under sections 151-154 of the 1974 Act continue to apply to (1) resolutions approving bilateral commercial agreements extending MFN treatment to countries which are subject to the provisions of Title IV of the Trade Act of 1974; (2) joint resolutions disapproving annual Presidential determinations to extend authority to waive freedom of emigration requirements under Title IV; (3) joint resolutions disapproving Presidential reports of country compliance with freedom of emigration requirements under Title IV; (4) joint resolutions disapproving Presidential import relief actions under section 203 of the Trade Act of 1974 which differ from recommendations of the International Trade Commission; (5) joint resolutions withdrawing Congressional approval of the WTO Agreement after five years and every five years thereafter; and (6) an implementing bill to extend non-countervailable subsidy categories under section 282 of the Uru-

²⁰ Public Law 96-39, approved July 26, 1979, 19 U.S.C. 2504.

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The Uruguay Round negotiations among the GATT members were launched in Punta del Este under the auspices of the GATT on September 15, 1993. Congress passed the required legislation on December 15, 1993. The Uruguay Round Agreement on Civil Aircraft was signed in Morocco on April 14, 1994. The United States, thereby unilaterally, before their respective ratification.

Sections 1101-1104 of the Act of 1988, as extended, are extending objectives and purposes necessary for U.S. participation in the private sector. Section 135 of the Trade Act of 1974 applies to the implementation of trade agreements to the extent necessary. January 14, 1994.

On September 2, 1994, the House of Representatives passed the final texts of the Uruguay Round Agreement Establishing the World Trade Organization implementing bill and supporting documents. Act.²¹

As provided under the Act, amended, the President, the House on September 14, 1994, for himself and Mr. Clinton, referred to eight committees on November 3, 1994. On November 1, 1994, and was sent to the President on December 1. On December 1, 1994, the President.

The Uruguay Round Agreement on Civil Aircraft comprehensive trade agreement to extend tariffs by more than

²¹ Public Law 100-418, 19 U.S.C. 2504.
²² Public Law 93-618, 19 U.S.C. 2504.

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guay Round Agreements Act after five years. While the procedures applicable to implementing bills and resolutions and to joint disapproval resolutions are similar, the time periods for committee and House and Senate consideration differ (shorter periods for disapproval resolutions), and the overall time periods for Congressional consideration is generally subject to the terms of the statute involved.

Although statutory, the fast track legislative procedures were enacted as an exercise of the rulemaking powers of each House of Congress, and are part of each House's rules. The procedures may be changed in the same manner as any other rules.

URUGUAY ROUND AGREEMENTS

The Uruguay Round Agreements represented the culmination of negotiations among 125 countries over an eight-year period launched in Punta del Este, Uruguay in September 1986 under the auspices of the GATT and concluded in Geneva, Switzerland on December 15, 1993. On that date President Clinton provided the Congress the required 120-day advance notice of his intention to enter into the Agreements. The Agreements were signed in Marrakesh, Morocco on April 15, 1994 by 111 countries, including the United States, thereby undertaking the commitment to bring the results before their respective legislatures for approval.

Sections 1101-1103 of the Omnibus Trade and Competitiveness Act of 1988, as extended by Public Law 103-49, set forth U.S. negotiating objectives and authority and implementing procedures necessary for U.S. participation. As required by Public Law 103-49, the private sector advisory committees established under section 135 of the Trade Act of 1974 submitted their reports assessing the agreements to the President, the USTR and the Congress on January 14, 1994.

On September 27, 1994, President Clinton sent a letter of transmittal to the House and Senate covering: (1) transmittal of the final texts of the Uruguay Round agreements, including the Agreement establishing the World Trade Organization; (2) the draft implementing bill and Statement of Administrative Action; and (3) supporting documents, as required by section 1103 of the 1988 Act.²¹

As provided under section 151 of the Trade Act of 1974,²² as amended, the implementing legislation was introduced in the House on September 27 as H.R. 5110 by Majority Leader Gephardt, for himself and Minority Leader Michel by request, and jointly referred to eight committees of jurisdiction for a period ending October 3, 1994. On November 29, 1994, H.R. 5110 passed the House and was sent to the Senate for consideration, where it passed on December 1. On December 8, 1994, the bill was signed into law by the President.

The Uruguay Round Agreements are the broadest, most comprehensive trade agreements in history. The Agreements cut global tariffs by more than one-third, and reduce or eliminate numerous

²¹ Public Law 100-418, 19 U.S.C. 2903.

²² Public Law 93-618, 19 U.S.C. 2191.

nontariff measures, such as quotas, restrictive licensing systems, and discriminatory product standards.

The agreements also contain multilateral rules covering such matters as technical barriers to trade, trade-related investment measures (TRIMs), rules of origin, import licensing procedures, safeguards, trade-related aspects of intellectual property rights (TRIPs), antidumping/countervailing duties, agriculture trade, and government procurement. In addition, the General Agreement on Trade in Services (GATS) establishes a framework of rules for trade and investment in services sectors, including most-favored-nation (MFN) and national treatment, market access, transparency, and the free flow of payments and transfers. Many of these agreements are addressed in detail in other chapters of this book.

The Agreement Establishing the World Trade Organization establishes an international organization which encompasses the existing GATT institutional structure and extends it to the new Uruguay Round disciplines on services, intellectual property, and investment.

The Understanding on Rules and Procedures Governing the Settlement of Disputes creates new procedures for settlement of disputes arising under any of the Uruguay Round agreements and provides time limits for each step in the process. The Understanding creates a more automatic process, including the right to a panel, adoption of panel reports unless there is a consensus to reject the report, appellate legal review on request, time limits for country conformity with panel rulings and recommendations, and authorization of retaliation if such limits are not met.

URUGUAY ROUND AGREEMENTS ACT

The Uruguay Round Agreements Act approves the trade agreements resulting from the Uruguay Round of multilateral trade negotiations under the auspices of the General Agreement on Tariffs and Trade (GATT) entered into by the President on April 15, 1994. The legislation and the Statement of Administrative Action (SAA) proposed to implement the Agreements were submitted to the Congress on September 27, 1994. The legislation includes provisions that are necessary or appropriate to implement the Uruguay Round Agreements in U.S. domestic law. Also included are provisions to offset the projected cost of the implementing legislation in order to comply with the "pay-as-you-go" requirements of the Budget Enforcement Act.

The legislation contains general provisions on (1) approval and entry into force of the Uruguay Round Agreements, and the relationship of the Agreements to U.S. laws (section 101 of the Act²³); (2) authorities to implement the results of tariff negotiations (section 111 of the Act²⁴); (3) procedures regarding implementation of dispute settlement proceedings affecting the United States and oversight of activities of the World Trade Organization (WTO) (sections 121-130 of the Act²⁵); and (4) objectives regarding extended

²³ Public Law 103-465, 19 U.S.C. 3511.

²⁴ Public Law 103-465, 19 U.S.C. 3521.

²⁵ Public Law 103-465, 19 U.S.C. 3531-3538.

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Specifically, section requires for notice to, and advice by, (sory committees, an mechanism under th continues the practice f sensus, USTR must in the WTO that w tions under the ag ment, or potentially in 30 days after the a vote, USTR will s committees describ sus, country voting the President's re forth in the Act als consult, and report and the public dur establishment of a *Register* identifyin major issues raisee the specific measu ing written comm USTR will take i and the advisory ing U.S. submissi USTR is required the structure, buo pute settlement a

The legislation effect the administration are provisions prevailing duty laws and Subsidies/Contribution implement in Uruguay Round Agreement foreign trade-bar (section 337 of the government procurement standards). Also mention on Agricultural of Intellectual Property provisions extending to customs laws related amendments to Agreements, as provisions to measures are discussed in

²⁶ Public Law 103-4.

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Uruguay Round negotiations and other related provisions (sections 131, 135 and 315 of the Act²⁶).

Specifically, sections 121-130 of the Act²⁷ contain procedural requirements for notice, consultation, and reporting to ensure access to, and advice by, Congressional committees, private sector advisory committees, and the public regarding the dispute settlement mechanism under the WTO. In order to ensure that the WTO continues the practice followed by the GATT of decisionmaking by consensus, USTR must consult with Congress before any vote is taken in the WTO that would substantially affect U.S. rights or obligations under the agreement or another multilateral trade agreement, or potentially entails a change in Federal or State law. Within 30 days after the end of any year in which the WTO takes such a vote, USTR will submit a report to the appropriate Congressional committees describing the decision, U.S. efforts to achieve consensus, country voting, how the decision affects the United States, and the President's response. The dispute settlement procedures set forth in the Act also include a provision requiring USTR to inform, consult, and report to Congress, private sector advisory committees, and the public during each stage of the process. Promptly after the establishment of a panel, USTR will publish a notice in the *Federal Register* identifying the parties to the dispute, setting forth the major issues raised and the legal basis of the complaint, identifying the specific measures cited in the request for the panel, and seeking written comments from the public on the issues raised. The USTR will take into account any advice received from Congress and the advisory committees and the written comments in preparing U.S. submissions to the panel or Appellate Body. In addition, USTR is required to submit an annual report to the Congress on the structure, budget and activities of the WTO, and details of dispute settlement actions.

The legislation contains a number of other provisions which affect the administration of U.S. trade laws. Included in the legislation are provisions amending the U.S. antidumping and countervailing duty laws in response to the Uruguay Round Antidumping and Subsidies/Countervailing Measures Agreements. The legislation implement in U.S. domestic law various provisions of the Uruguay Round Agreements relating to import safeguard measures; foreign trade barriers and unfair trade practices in import trade (section 337 of the Tariff Act of 1930); textiles and apparel trade; government procurement; and technical barriers to trade (product standards). Also included are provisions implementing the Agreement on Agriculture and the Agreement on Trade-Related Aspects of Intellectual Property Rights. The legislation also contains provisions extending expiring programs and amendments to certain customs laws related to the Uruguay Round Agreements, conforming amendments to various laws to reflect the implementation of the Agreements, as well as a number of revenue and other non-trade provisions to meet budgetary offset requirements. These provisions are discussed in greater detail in other chapters of this book.

²⁶ Public Law 103-465, 19 U.S.C. 3551, 3555, and 3581.

²⁷ Public Law 103-465, 19 U.S.C. 3531-3538.



Fast Track: Renewal of Traditional Trading Authority

September 1997

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FAST TRACK FACT SHEET

FAST TRACK: IN AMERICA'S NATIONAL INTEREST

FAST TRACK MEANS: **IMPROVING OUR STANDARD OF LIVING**

- Keeping the Economy on the Fast Track. The President will use Fast Track authority to continue breaking down trade barriers and creating new jobs -- keeping America's economic expansion on the global fast track.
- The Economy Is Strong. The President's 3-part economic strategy of cutting the deficit, investing in education and training, and opening markets abroad is working. America has enjoyed the longest period of sustained growth in a generation— one-third from overseas trade. The result: Nearly 13 million new jobs, unemployment below 5%, inflation the lowest in a generation.
- Our Future Prosperity Depends on Trade. More than 95% of the world's consumers live outside the US. Many emerging economies in Asia and Latin America will grow at three times the rate of the US economy. America needs fast track to negotiate fair new trade agreements that will keep us competitive, expand our exports, create more jobs, and raise our standard of living.

FAST TRACK MEANS: **CREATING MORE JOBS**

- Breaking Down Barriers. The President, in consultation with Congress, will keep breaking down barriers to our products and services. That strategy is paying off for companies and workers. America is once again the world's largest total exporter, the largest producer of semiconductors, the largest producer of automobiles. Exports support over 11 million American jobs, including one in five manufacturing jobs and over the last four years have created 1.7 million new jobs.
- Sectoral Agreements. The President needs the flexibility to negotiate agreements and increase exports in sectors where the United States is most competitive: such as agriculture, medical equipment, telecommunications, and environmental technology.
- Regional Free Trade Agreements. America will also benefit from opening markets in Asia, Latin America, and Africa to US goods and services.
- Free and Fair Trade. The President supports raising labor standards, protecting the environment and expanding worker retraining and educational opportunities to ensure that no American is left out of the global economy.

FAST TRACK MEANS: **MAINTAINING AMERICA'S GLOBAL LEADERSHIP**

- Compete or Retreat. As the American people prepare to meet the challenges of the 21st century, we face a critical choice: Shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts, and new jobs.
- Credibility. Fast track gives the US credibility to negotiate tough trade deals. It preserves for Congress the ultimate decision to vote an agreement up or down, but without reopening it provision-by-provision and causing gridlock. That puts America in a strong position to negotiate trade agreements and maintains a partnership between the President and Congress that has worked for over 20 years.
- Continued Bipartisanship. Every President since 1974--Republican and Democratic--has had fast track authority. Congress has consistently recognized that the President must have the authority to break down foreign trade barriers, and a bipartisan majority of the United States Congress has consistently supported American leadership in opening markets and creating jobs.

FAST TRACK FACT SHEET

BASIC FACTS ABOUT FAST TRACK NEGOTIATING AUTHORITY

What is Fast Track?

- Expedited Procedure: Fast track is an expedited procedure for Congressional consideration of trade agreements. The three essential features of any fast track authority are: (1) extensive consultations and coordination with Congress throughout the process; (2) a vote on implementing legislation within a fixed period of time, and (2) an up or down vote, with no amendments. Congress is ensured a central role before, during and after negotiations.
- Credibility to Negotiate Tough Trade Deals: Fast Track gives the President credibility to negotiate tough trade deals. Congress is required to vote on an agreement without reopening any of its provisions, while retaining the ultimate power of voting it up or down. Fast Track puts America in a strong position to negotiate major trade agreements while maintaining a partnership between the President and Congress that has worked for over 20 years.

How will the President Use Fast Track?

The President has identified three main areas in which new trade agreements would greatly benefit the United States.

- The WTO Agenda: The “built-in” agenda of the World Trade Organization calls for negotiations on government procurement in 1997; intellectual property in 1998; agriculture in 1999; and trade in services in 2000. In each of these areas, the United States is the most competitive nation in the world and stands to benefit the most from writing the rules of trade.
- Key Sectors of the Future: The President also wants to build on the success of the Information Technology Agreement (ITA). This \$5 billion tariff cut on products for which the United States is the world’s leading producer was achieved by the use of residual tariff cutting authority. The Administration has identified 8 additional sectors for future negotiations: ITA II, chemicals, automotive, oilseeds, energy equipment and services, environmental technology and services, medical equipment and services, and wood and paper products. Other APEC members have submitted their “wish lists” and there is overlapping support for many of the US suggestions. Without fast track, it is very unlikely that this process will go forward.
- Emerging Economies: The President hopes to move forward in the Asia Pacific Economic Cooperation Forum (APEC) toward the goal of open trade by the year 2010 and with a Free Trade Agreement for the Americas (FTAA) by the year 2005. In both regions, economic growth rates are among the highest in the world and barriers to US exports remain high. Tariff reductions and greater market access will have a very positive effect on our exports. Without the active participation of the United States, both of these processes will slow considerably.

**COSTS OF INACTION: WHY AMERICA WILL NOT GET
A FAIR SHARE OF JOBS WITHOUT FAST TRACK?**

IF CONGRESS FAILS TO GIVE THE PRESIDENT FAST-TRACK AUTHORITY -- THE SAME POWER EVERY PRESIDENT HAS HAD FOR 20 YEARS -- AMERICA WILL NOT GET HER FAIR SHARE OF JOBS. Congress' failure to grant fast-track authority will leave America sitting on the sidelines as trade agreements are negotiated without our participation. This will cost America high-paying jobs, while blocking American workers from competing against the world on a level playing field.

- **Lost Jobs in Telecommunications Industry.** In November 1996, Canada and Chile reached a comprehensive trade agreement that eliminated Chile's 11 percent across-the-board tariff starting this year. As a result, American telecommunications companies competing for contracts in Chile will do so at a significant competitive disadvantage.

Lost Jobs In Fresh Fruit Industry. Chilean fresh fruit pays a 2-percent duty when entering Venezuela (due to the Chile-Venezuela FTA), whereas American producers pay a 15-percent tariff. The U.S. Embassy estimates that the U.S. market share would grow from its current 39 percent to 67 percent if US producers had equivalent access to the Venezuelan market.

- **Lost Job Opportunities In South Asia Without Fast Track.** The South Asian countries -- India, Pakistan, Bangladesh, Nepal, Bhutan, Sri Lanka, and the Maldives -- are creating a free trade zone. Without fast-track authority, America will not be able to make fair trade agreements with this region and will American workers will not have a fair chance to sell their goods to roughly 20 percent of the world's population.
- **Lost Job Opportunities In Textile Industry Without Fast-Track Authority.** Venezuela, Colombia, Ecuador, Peru, and Bolivia comprise a market of 100 million people and a GDP of over \$260 billion. As part of the effort to develop a common external tariff, the import tariff on textile goods, for example, was raised from 5 to 15 percent. Without fast track authority, America will be unable to knock down this barrier to goods made by American workers -- thus costing the United States jobs.
- **Lost Job Opportunities In Latin America Without Fast Track.** Brazil, Argentina, Paraguay, and Uruguay comprise the largest market in Latin America: 200 million people and a GDP of nearly \$1 trillion. These four countries have entered into free trade agreements raising tariffs on most items imported from outside their boundaries. Thus, American firms *not located and producing within* these countries face a competitive disadvantage; this disadvantage will only grow as these countries expand the free-trade zone. Fast-track authority will give the President the chance to pry open this market and allow America to have her fair share of the jobs.

**EXAMPLE: 1.8 MILLION REASONS WHY THE PRESIDENT
SHOULD HAVE FAST-TRACK TRADE AUTHORITY**

- **Quaker Fabric Company Lost Bid For A \$1.8 Million Contract Because They Had To Pay High Tariffs.** Quaker Fabric Company -- located in Fall River, Massachusetts -- is a \$200 million a year corporation with 1,750 employees. Recently, Quaker was informed by its Sales Representative in Chile that it had lost a bid for a \$1.8 million a year account to a competitor from Mexico, solely because of the 11-percent tariff that Quaker must pay, while its competitors can import tariff free.

PRESIDENT CLINTON'S TRADE POLICY: A RECORD OF ACHIEVEMENT

Employment growth is strong. Unemployment is low. Inflation is stable. And incomes for American families are rising again. Part of the reason the American economy has enjoyed such remarkable success is because we are opening foreign markets to American goods and increasing the amount of American-made goods sold abroad.

- **13 Million New Jobs.** Since January 1993, the economy has created nearly 13 million new jobs, including more than 1.5 million new jobs in basic industries (1.1 million in construction and 445,000 in manufacturing). [Source: Bureau of Labor Statistics, Current Employment Statistics survey.]
- **Unemployment Rate Down To 24-Year Low.** In 1992, the unemployment rate was 7.5 percent. Today, it is under 5 percent -- as low as it's been at any time in the last 24 years. [Source: Bureau of Labor Statistics, Current Population Survey.]
- **Exports Are Up More Than \$300 Billion.** Since the beginning of 1993, exports from the United States have grown by nearly 50 percent -- up \$318 billion, after adjusting for inflation. Exports have accounted for 38 percent of the overall growth in the economy since 1993. [Source: Department of Commerce, Bureau of Economic Analysis]
- **1.7 Million New Export-Related Jobs -- Paying On Average 15 Percent Higher Wages.** Since President Clinton took office, the number of export-related jobs has increased by 1.7 million. These jobs pay an average of 15 percent more than non-trade related jobs. [Source: Department of Commerce.]
- **Smallest Deficit Among Major Economies.** After climbing to \$290 billion in 1992, the deficit declined to \$107 billion last year and is expected to fall to \$37 billion this year -- down more than 80 percent from 1992. [Source: CBO] As a share of GDP, the general government deficit is smaller than in any major economy. [Source: OECD Economic Outlook, 6/97]
- **Family Income Up \$1,600.** After stagnating for 20 years, family incomes are rising again. Since 1993, the income of the typical American family increased by \$1,631, after adjusting for inflation. [Source: Bureau of the Census.]
- **High-Tech Exports Are Soaring.** Exports of semiconductors have grown 139 percent under the Clinton Administration; telecommunications exports have grown 113 percent; and exports of computers and computer-related goods have grown 54 percent. [Source: Council of Economic Advisers/Department of Treasury, April 10, 1996]
- **The World's Most Competitive Economy.** The United States has now been ranked Number One on competitiveness for five years in a row -- and up from Number Five in 1992. [Source: World Economic Forum and IMD.]
- **The World's Automobile Leader Once Again.** The United States is the world's Number One producer of automobiles for the first time since the 1970's -- overtaking Japan. [Source: American Automobile Manufacturers Association.]
- **The World's Semiconductor Leader Once Again.** The United States has regained its position as the world's Number One producer of semiconductors -- surpassing Japan. [Source: Dataquest.]

THE NORTH AMERICAN FREE TRADE AGREEMENT (NAFTA)

Several outside studies conclude that NAFTA has contributed to America's economic expansion. DRI estimates that NAFTA boosted real exports to Mexico by \$12 billion in 1996, compared to a smaller increase in imports of \$5 billion, and contributed \$13 billion to U.S. real income and \$5 billion to business investment, controlling for Mexico's financial crisis. Since NAFTA was signed, exports have grown 37 percent to Mexico and 34 percent to Canada, reaching record levels. Before NAFTA, Mexico had virtually one-way free trade into the United States. Under NAFTA, Mexico's tariff cuts have been 5 times greater than ours, leveling the playing field.

ANY WAY YOU LOOK AT IT, NAFTA HAS BEEN A JOB CREATOR FOR AMERICA'S WORKERS.

- **Jobs Supported by Exports to Mexico and Canada Have Increased More Than 300,000.** Under NAFTA, jobs supported by exports to Canada have gone up by 189,000 and jobs supported by exports to Mexico by 122,000. Export jobs are good jobs -- paying 13 to 16 percent more than the national average. [Study on the Operation and Effects of the NAFTA, 1997; Department of Commerce]
- **NAFTA Increased Net Exports to Mexico.** It is wrong to assume imports displace U.S. jobs: history shows that the U.S. trade deficit increases most when our job growth is highest. But even if you adopt the critics' methodology and look at net exports, NAFTA was a job creator. Outside studies conclude that -- isolating for the effects of the peso crisis and America's strong economy -- NAFTA caused an increase in net exports of roughly \$7 billion in 1996. [DRI, 1997]

EXPERTS AGREE: IF ANYTHING, NAFTA PROTECTED THE MEXICAN ECONOMY -- AND AMERICAN EXPORTS -- FROM THE FINANCIAL CRISIS BY LOCKING IN MEXICO'S ECONOMIC REFORMS AND PROVIDING SAFEGUARDS FOR FOREIGN INVESTORS.

- **NAFTA Helped Mexico Recover Faster:** Following Mexico's 1982 financial crisis, it took Mexico 7 years to return to international capital markets, while in 1995, it took 7 months. Following the 1982 crisis, Mexican output did not recover to pre-crisis levels for five years, while following the 1995 crisis, Mexican output rebounded to pre-crisis peaks in less than 2 years. [Study on the Operation and Effects of the NAFTA, 1997]
- **NAFTA Protected American Jobs and Exports by Locking in Preferential Access:** Following its 1982 crisis, Mexico raised tariffs by 100 percent, and American exports to Mexico fell by half and did not recover for seven years. In 1995, Mexico continued to implement its NAFTA obligations even as it raised tariffs on imports from other countries. As a result, American exports recovered in 18 months and were up 37 percent by the end of 1996 relative to pre-NAFTA levels. *

SINCE NAFTA WENT INTO EFFECT, MEXICO HAS CUT TARIFFS ON U.S. EXPORTS FIVE TIMES MORE THAN THE U.S.

- **Taking Share from Foreign Competitors:** U.S. suppliers have increased their share of Mexico's import market from 69.3 percent to 75.5 percent, reflecting a 10 percentage point tariff advantage over foreign suppliers.

TRADE AND LABOR PROTECTIONS UNDER PRESIDENT CLINTON

President Clinton is committed to ensuring that trade expansion benefits all American workers and international competition is consistent with internationally accepted labor standards. Internationally, he has done more than any other President -- advancing core labor standards through the North American Free Trade Agreement (NAFTA), the World Trade Organization (WTO), the International Labor Organization (ILO), and the Organization of American States (OAS), and encouraging the voluntary adoption of codes of conduct through Model Business Principles and the Apparel Industry Partnership. At home, he has fought to expand opportunities for dislocated and low wage workers through increases in training, the security of pension and health benefits, the minimum wage and the Earned Income Tax Credit (EITC).

PRESIDENT CLINTON HAS DONE MORE TO PROMOTE LABOR STANDARDS IN INTERNATIONAL TRADE THAN ANY OTHER PRESIDENT. GAINING INTERNATIONAL RECOGNITION OF THE LINK BETWEEN TRADE AND LABOR ISSUES WILL BE A GRADUAL PROCESS, REQUIRING PERSEVERANCE AND COMMITMENT. DESPITE SIGNIFICANT OBSTACLES, THE CLINTON ADMINISTRATION HAS MADE SIGNIFICANT PROGRESS ON LEVELLING THE PLAYING FIELD FOR AMERICAN WORKERS, OBTAINING COMMITMENTS ON CORE LABOR STANDARDS IN INTERNATIONAL TRADE ORGANIZATIONS, AND IMPROVING THE STANDARD OF LIVING FOR WORKERS EVERYWHERE.

- **Winning International Recognition of Core Labor Standards:** At the UN Summit for Social Development in 1995, the Administration succeeded in obtaining a commitment by over one hundred heads of State and government -- for the first time in history -- to recognition of those "core" worker rights that the Administration believes should be protected in every country, regardless of the level of economic development.
- **Protecting Labor Rights in the Hemisphere:** At the OAS Labor Ministerial in 1995, the Administration obtained a commitment from all countries in our hemisphere recognizing the importance of protecting worker rights as we negotiate the Free Trade Area of the Americas.
- **Advancing Labor Standards in the WTO:** At the Singapore Ministerial Meeting of the WTO in 1996, the Administration fought for and won -- for the first time in the GATT/WTO's existence -- a formal commitment by 128 nations to the observance of core labor standards. The WTO also endorsed collaboration with the ILO to advance this agenda.
- **Encouraging Private Sector Codes of Conduct:** In 1994, the Administration developed and disseminated Model Business Principles protecting core worker rights and encouraged private sector adoption through conferences and a best practices award. In 1996, President Clinton helped launch the Apparel Industry Partnership: a collaboration between labor, business and nongovernmental organizations to encourage adoption of a code of conduct prohibiting exploitative child labor and encouraging humane working conditions through external monitoring and consumer awareness.
- **Suspension of Trade Benefits:** The Administration suspended full trade preferences for Burma, Sudan, Mauritania, and Syria and partial preferences for Pakistan for inadequate observance of basic worker rights.
- **International Monitoring of Labor Standards:** In 1997, Administration support was decisive in the adoption of an ILO proposal to establish a mechanism to monitor countries' implementation of core labor standards. The Administration has supported examination of labor standards implementation through the Organization for Economic Cooperation and Development (OECD), conferences on core labor standards in developing economies in Asia and Latin America, and ILO Programs to combat child labor in Pakistan, Bangladesh, Thailand, and Brazil.

NAFTA IS THE FIRST TRADE AGREEMENT TO INCLUDE PROTECTIONS FOR WORKERS. THE NORTH AMERICAN AGREEMENT ON LABOR COOPERATION (NAALC) HAS ENHANCED OVERSIGHT AND ENFORCEMENT OF NATIONAL LABOR LAWS AND CREATED NORTH AMERICAN COOPERATION ON FUNDAMENTAL LABOR ISSUES — FOR THE FIRST TIME. THE INTERNATIONAL PUBLIC SCRUTINY ASSOCIATED WITH THE NAFTA SUBMISSION PROCESS HAS BEEN AN IMPORTANT IMPETUS FOR CHANGE IN MEXICO.

- **Union Recognition and Secret Ballots:** The NAALC submission process subjects member governments to public and international scrutiny for alleged violations of labor laws; it can also lead to economic sanctions. To date, the United States has received seven submissions against Mexico, and Mexico has reviewed one submission against the United States. The review of these submissions has yielded concrete remedies. In one case, a Mexican labor tribunal granted recognition to the petitioning union, reversing an earlier decision, and afforded a new hearing for workers dismissed for union activity. In other cases, workers were permitted secret ballot elections, a practice not common in Mexico. In addition, a number of Mexican labor disputes have been settled by companies wishing to avoid the negative publicity associated with the NAFTA review process.
- **Legal Advances:** Important legal advances on labor rights have taken place in Mexico since NAFTA was signed. In 1996, the Supreme Court of Mexico issued two decisions finding state statutes restricting freedom of association unconstitutional. Mexico's Department of Labor has issued recommendations providing for greater autonomy and professionalism of tripartite labor tribunals and making the union registration process a purely administrative decision.
- **Stronger Mexican Enforcement:** Since NAFTA was signed, Mexico's Secretariat of Labor and Social Welfare reports a nearly 250 percent increase in funding for enforcement and a 30 percent reduction in the number of workplace injuries and illnesses.

PRESIDENT CLINTON HAS CONSISTENTLY FOUGHT TO ENSURE THAT THE NEW ECONOMY BENEFITS ALL WORKERS. INDEED, NO PRESIDENT CARES MORE ABOUT THE CONCERNS OF LOW-WAGE AND DISLOCATED WORKERS.

- **NAFTA Transitional Adjustment Assistance (NAFTA TAA).** The President fought for and won a special NAFTA-TAA program that for the first time provides retraining and reemployment assistance and income support to workers displaced by production shifts as well as trade, and provides income support for "secondary" workers.
- **Dislocated Worker Training.** President Clinton has doubled funding for the Dislocated Worker assistance program helping an additional 300,000 workers get training and job search assistance.
- **HOPE Scholarships and Tuition Tax Credits.** To help workers enhance their skills throughout their working lifetimes, the President fought for and won both a \$1,500 two-year HOPE Scholarship and a 20% tuition tax credit.
- **Health Benefits for Job Changers.** The 1996 "Kassebaum-Kennedy" law ensures that as many as 25 million more Americans will no longer have to fear that they will lose their access to health insurance if they lose their job or change jobs.
- **One-Stop Career Centers.** To help workers make a rapid transition between jobs, the Administration is transforming a fragmented array of employment and training programs into a "One-Stop" coordinated information and delivery system. The President's budget proposed \$150 million in funding to expand One-Stop Career Centers to all states in 1998.

TRADE AND THE ENVIRONMENT UNDER PRESIDENT CLINTON

President Clinton is committed to ensuring that trade expansion and increased international competition contribute to environmental protections at home and abroad. The President negotiated the first trade agreement to include explicit environmental provisions and fought to ensure that NAFTA contained mechanisms to address the unique environmental problems that have long challenged communities along the 2000-mile shared border with Mexico. President Clinton fought for and won important advances on the environment in the WTO Agreement, including a permanent forum to address the link between trade and the environment in the World Trade Organization (WTO). He has strongly and effectively implemented U.S. environmental laws to obtain improvements in other countries' environmental practices, including using, where called for, the threat of trade sanctions.

PRESIDENT CLINTON HAS DONE MORE TO ADVANCE ENVIRONMENTAL INTERESTS IN INTERNATIONAL TRADE FORA THAN ANY OTHER U.S. PRESIDENT.

- **Advancing Environmental Protections in the WTO:** The Administration fought for and won important environmental advances in the Uruguay Round of trade negotiations, including recognition in the Preamble of the WTO Agreement of sustainable development as a key objective of the WTO; strengthened agreements on Sanitary and Phytosanitary Measures and the Agreement on Technical Barriers to Trade to protect legitimate environmental measures from challenge under the Agreements; improvements to the Dispute Settlement Understanding to provide for the use of environmental experts in disputes and to make the process more transparent by allowing disputing parties to make their submissions public and requiring that a public version be provided of all panel submissions; and securing the creation of a Committee on Trade and Environment in the WTO, for the first time creating a permanent forum for addressing the linkage between trade and the environment.
- **Improved Environmental Practices Worldwide:** The Administration has aggressively implemented U.S. environmental laws, using the threat of trade sanctions where appropriate to obtain improvements in other countries' environmental practices. For example, President Clinton imposed trade sanctions on Taiwan for its failure to curb illegal trade in rhino horn and tiger bone. These sanctions were lifted when Taiwan made demonstrable progress in halting this trade.
- **Proposed an APEC Environmental Technologies and Services Sector Liberalization Initiative:** The Administration is working to advance APEC-wide sector liberalization in an industry ignored by previous administrations. High tariffs and disguised barriers to trade have limited the ability of developing countries to use the most advanced and useful technologies and services to address environmental problems from basic water and wastewater treatment needs to the need for the most advanced bioremediation technologies.
- **Forged Agreement For A Global Phaseout of Persistent Pollutants:** The Clinton Administration led the way on an agreement to phase out the use of 12 dangerous, persistent organic pollutants worldwide, such as PCBs and DDT.

THE NORTH AMERICAN AGREEMENT ON ENVIRONMENTAL COOPERATION (NAAEC) HAS LED TO UNPRECEDENTED REGIONAL ENVIRONMENTAL COOPERATION AND IMPROVED ENFORCEMENT OF MEXICO'S ENVIRONMENTAL LAWS. THE INTERNATIONAL PUBLIC SCRUTINY ASSOCIATED WITH THE NAFTA SUBMISSION PROCESS HAS BEEN AN IMPORTANT IMPETUS FOR CHANGE IN MEXICO.

- **Cleaning Up the U.S.-Mexico Border:** NAFTA's environmental institutions are addressing critical environmental infrastructure needs.
 - **\$2-3 Billion in Lending:** Over time, the North American Development Bank (NADBank) will be able to leverage its capital into \$2 to \$3 billion in lending. To date, 16 projects have been certified with a combined cost of nearly \$230 million, and construction has already begun on seven projects.
 - **Border Cleanup Projects:** The NADBank, together with the NAFTA Border Environment Cooperation Commission (BECC) and federal and state officials on both sides of the border, have identified more than 30 environmental projects along the border with a total cost of about \$500 million for their 1997-99 work plan.

- **Affordable Water Cleanup for Poor Border Communities.** NADBank is establishing co-financing mechanisms with U.S. and Mexican grant programs to provide affordable financing for poor border communities. A recent agreement will enable NADBank to combine its loans with up to \$170 million in grants from the Environmental Protection Agency for border water and wastewater projects.
- **Border XXI:** The United States and Mexico have established a five-year blueprint for achieving a clean border environment. We are already cooperating to abate emissions from vehicles at border crossings, tracking transboundary shipments of hazardous wastes, and operating a U.S.-Mexico Joint Response Team to minimize the risk of chemical accidents, to name just a few activities.
- **Submission Process on Environmental Enforcement:** The NAAEC submission process -- which subjects member governments to public and international scrutiny for alleged violations of environmental laws, and can also lead to economic sanctions -- is working as intended. Under NAFTA, Mexico's enforcement of its environmental laws has improved and there has been an unprecedented amount of cooperation between the United States and Mexico on environmental enforcement.
- **Oversight of Enforcement:** The NAFTA Commission for Environmental Cooperation's (CEC) review of citizen submissions alleging nonenforcement of environmental laws has led to an investigation of the adequacy of environmental reviews of a cruise ship pier in Cozumel, Mexico and a report on water use in the Fort Huachuca, Arizona area.
- **Banning Pesticides.** Through the CEC, Mexico has agreed to join the United States and Canada in banning the pesticides DDT and chlordane, ensuring that these long-lived, toxic substances no longer cross our border.
- **Improved Mexican Enforcement.** Mexico has increased the number of environmental enforcement actions from roughly 3,100 in 1991 to between 12,000 and 13,000 annually since NAFTA was signed. Mexico reports a 72% reduction in serious environmental violations in the maquiladora industry and a 43% increase in the number of maquiladora facilities in complete compliance.

TRADE AGREEMENTS AND FOOD SAFETY

America applies the same food safety standards to imports as we do to domestic products.

- **Safety of Imported Foods.** The Food and Drug Administration (FDA) figures show that, in general, agricultural imports are no more likely to present health risks from microbial pathogens than domestic agricultural products.
- **Funding Up For Inspections For Imported Pests and Diseases.** In order to protect U.S. animal and plant health from imported pests and disease, the Agricultural and Plant Health Inspection Services has increased funding for inspections 78 percent and added 44 percent more personnel since 1990.
- **Drop In Tainted Food Entering the United States.** The FDA reports that detentions of Canadian origin food products dropped 12 percent and detentions of Mexican origin products declined 30 percent in 1996.
- **NAFTA and Food-Borne Illnesses.** Recent data from investigation of food-borne illness outbreaks by the American government do not substantiate the charge that food-borne illness has increased because of expanded trade through NAFTA.
- **This Year, Vice-President Gore Announced Plan To Modernize and Increase U.S. Food Safety.** In May, Vice-President Gore announced initiative, "Food Safety from Farm to Table", to modernize and increase the safety of the nation's supply. The plan would, among other things:
 - Enhance coverage of imported foods and evaluate new methods for testing imports.
 - The Hazard Analysis and Critical Control Points regulations include specific provisions related to food imports to prevent food safety hazards before the product enters the marketplace. USDA, FDA, and EPA are also researching more efficient ways of testing for food-borne hazards.
 - Federal, state, and local governments will build a new early warning system to help detect outbreaks of food-borne illness earlier, so the food safety regulatory network can quickly respond to contain any future problems, including stopping shipments at the border and increasing testing.

ADMINISTRATION OFFICIALS ON FAST TRACK

President Clinton Said Fast Track Is Needed To Keep Economy Growing

President Clinton: "To keep our economy growing and to create these good jobs we must keep tearing down foreign barriers to American goods and services. That's why, next month, I will ask Congress to renew presidential fast track authority to negotiate tough new trade agreements. This is authority that every President from both parties has had since 1974. I will use it to negotiate trade agreements that will keep us competitive, boost our exports, create more good jobs and raise our standard of living." [Radio Address, 8/24/97]

Vice President Gore Said Fast Track Is About Our Future As A Nation

Vice President Al Gore: "America is now enjoying the longest sustained period of growth in a generation -- with a quarter of that coming from overseas trade. We need to stay on the fast track of global prosperity. We have come too far to turn back now. Free trade is working -- and as a result, unprecedented numbers of Americans are working. We need to stay the course. You see, Fast Track is about something more than a handful of trade treaties. It's about our future as a nation at the dawn of a new century." [Remarks by Vice President Al Gore, Software Publishers Association, 9/9/97]

Trade Rep. Barshefsky Called Fast Track Key Component In Our Trade Arsenal

Trade Representative Charlene Barshefsky: "We can pursue portions of our trade agenda with our existing tools. But, to seize the opportunities in the global economy and to fully meet the competition, the President needs a new grant of trade agreements implementing authority, or fast track. Fast track is a key component of our trade arsenal." [Testimony of Ambassador Charlene Barshefsky United States Trade Representative Before the Senate Agriculture, Nutrition and Forestry Committee Federal News Service, 6/18/97]

Secretary Rubin Called For Fast Track; Prosperity At Home Depends on Global Leadership

Treasury Secretary Robert Rubin in calling on Congress to grant the President fast track authority: "The effect of trade permeates itself throughout our economy. U.S. leadership in the global economy is thus critical to building prosperity at home and creating jobs...The world is liberalizing trade, and it's going to do it with us or it's going to do it without us." [Columbus Dispatch, 4/30/97]

Secretary Daley Said Fast Track Is Important For The U.S. Economy

Commerce Secretary William Daley: "[T]he need for fast track authority comes at a time that, in my opinion, is extremely important, and not only for the president and this administration, but more importantly, for the U.S. economy as we get to the end of this century, because there will be growing opportunities as some of these regions improve their economies, and growing opportunities for U.S. exports." [Commerce Secretary Daley briefing, (as transcribed by Federal News Service), 8/20/97]

Glickman Said Fast Track Was Essential For U.S. To Maintain Leadership Role

Secretary of Agriculture Daniel Glickman: “[I]t is essential that Congress ultimately renew the President's fast-track negotiating authority if the United States is to maintain a leadership role in efforts such as APEC [Asian Pacific Economic Cooperation]. Lack of fast-track authority ties the President's hands in trade negotiations.” [Prepared Statement by Daniel Glickman Secretary U.S. Department of Agriculture before the House Committee on Agriculture (Federal News Service), 6/5/96]

Nat'l Security Adviser Berger Said Fast Track Necessary To Build Competitive World Economy

National Security Adviser Sandy Berger: “[W]e, I think, have benefited enormously as a country by the trade expansion enterprises that have been undertaken...But that agenda is not complete. We must have the authority from Congress that previous presidents have had so that we can negotiate agreements with countries who don't fear that they will be renegotiated once they're submitted to the Congress...[W]e are committed to seek the authority that we need to finish the job of building a competitive world economy.” [National Security Adviser Berger Foreign Policy Speech (as transcribed by Federal Document Clearing House), 3/27/97]

PAPERS, EXPERTS & OPINION LEADERS ON FAST TRACK

NATIONAL NEWSPAPERS ENDORSE FAST TRACK

***New York Times* said President Clinton Deserves Fast Track**

"Every President for over the past 20 years has used [Fast Track] to open up foreign markets... The Administration needs Fast Track to complete negotiations... on opening markets to foreign-provided services, tightening copyright protections and prying open government contracts to bids by foreign companies. Fast Track is also needed to negotiate trade agreements with Chile and other South American countries. They are already negotiating deals with Europe, Mexico and Canada that would give exports from those countries favored access." [NYT, 9/8/97]

***Washington Post* Said Much Is To Be Gained By Giving The President Fast Track**

Washington Post editorial: "Free trade is good for the U.S. economy. It helps create jobs that tend to be higher-paying than average. Exports have helped revive the U.S. manufacturing sector, which not so many years ago was widely portrayed as terminally rusting. New agreements, if achieved, will increasingly play to U.S. strengths in agriculture, high-technology products and services ranging from insurance to telecommunications. Pursuing such agreements particularly makes sense because the American economy already is so open; little is to be lost, and much is to be gained, from pressuring other countries to approach the U.S. level of openness. That can't happen unless Congress gives Mr. Clinton what's known as 'fast-track' negotiating authority. [Washington Post, 4/27/97]

***Los Angeles Times* Supported Fast Track Authority For The President**

Los Angeles Times editorial: "Clinton needs so-called fast-track authorization to move on this opportunity to expand hemispheric trade, a goal we support. The time seems right...Congress should grant the president the fast-track authorization he needs to shape a package for Chile and bring it to a vote." [Los Angeles Times, 2/28/97]

***Chicago Tribune* Called For Granting Fast Track Fast**

Chicago Tribune editorial entitled "Grant Fast-track Authority Fast": "Congress should move on the president's request [for fast track] at once...Free trade means jobs and opportunity. Why is Congress standing in the way?" [Chicago Tribune, 8/26/97]

***Business Week* Said Fast Track Was Vitally Important**

Business Week editorial entitled "Put Fast-track in the Fast Lane": "There will doubtless be grandstanding about trade with China in coming weeks, and bellyaching about Japan's recent trade gains -- but that will pass. Fast-track authority transcends this political brouhaha, and is vitally important as an instrument to help break down global trade barriers. [Business Week, 5/19/97]

***Newsday* Said Fast Track Promises Americans New Jobs and Higher Incomes**

“In the long run, the issue of expanding trade in the Americas is compelling because it promises Americans new jobs and higher incomes - which is why Congress should grant President Bill Clinton “fast-track” negotiating authority so both Chile and the United States could share the benefits of increased imports and exports as soon as possible.” [*Newsday* editorial, 3/6/97]

***Houston Chronicle* Said It Was “Vital” For Congress To Grant President Fast Track**

Houston Chronicle editorial: “Failure to be a major player when these trade agreements are being negotiated and hammered out among countries in regions like Latin America and Asia reduces this nation’s ability to expand its exports and increase jobs at home. That is why it is vital for Congress to grant President Clinton fresh fast-track negotiating authority to develop new trade agreements in Latin America and Asia.” [*Houston Chronicle*, 3/17/97]

***Boston Globe* In 1994 Said Fast Track Had Worked For Nearly Half A Century**

1994 *Boston Globe* editorial: “The so called ‘fast track’ method of negotiating international agreements with Congress has worked well for nearly half a century.” [*Boston Globe*, 9/16/94]

***Sun-Sentinel* Said Fast Track Would Give The President Essential Flexibility**

“Fast-track...would give the administration essential flexibility in negotiating trade pacts with Chile and other Latin American nations, and with the World Trade Organization as broader accords are discussed...It’s critical for Congress to be wise and think ahead...in moving swiftly but thoughtfully to provide a fast track.” [*Sun-Sentinel* editorial (Ft. Lauderdale, FL), 7/15/97]

***Fresno Bee* and *Sacramento Bee* Said President Clinton Was Right To Seek Fast Track**

Editorial in both the *Sacramento Bee* and *Fresno Bee*: “Clinton is right to seek such [fast track] authority, given the advantages new trade pacts could bring to U.S. firms facing growing competition abroad.” [*Sacramento Bee*, 4/27/97; *Fresno Bee*, 4/29/97]

***Washington Times* Called Fast Track an Important Initiative to Expand Free Trade**

Washington Times editorial: “This deal should be a no-brainer... To the extent that government restricts worldwide competition among producers through tariffs or other trade barriers, it taxes, in effect, consumers everywhere, including in the United States. This is Big Government in an age when Mr. Clinton said its day has passed.” [*Washington Times*, 9/9/97]

***Rocky Mountain News* Said American Workers Will Be Hurt Without Fast Track**

Rocky Mountain News editorial: “NAFTA gives Congress ample precedent to approve fast-track legislation. Should Congress tarry, other fast-moving nations will leave their tracks all over American workers’ opportunities” [*Rocky Mountain News*, 5/21/97]

***Arizona Republic*: President Clinton Needs Fast Track, Without It US Has No Credibility**

“Before [the reconvening of the Summit of the Americas in March], Clinton needs fast-track authority from Congress...Without fast track, the United States will not have the credibility it needs to negotiate a delicate agreement involving 34 countries.” [*Arizona Republic*, 7/10/97]

EXPERTS & OPINION LEADERS ARGUE FOR FAST TRACK

Glassman Said Fast-Track Is “Vital”

American Enterprise Institute fellow James Glassman: “In order to win agreements with those countries, Clinton needs ‘fast-track’ negotiating authority, so Congress can’t delay the deals or add crippling amendments. Fast track is vital...” [Washington Post, 7/1/97]

Dr. Tyson Said Fast Track Would Enable the President to Break Down Trade Barriers

Former economic adviser to President Clinton and current University of California at Berkeley economics and business administration professor Laura D’Andrea Tyson: “With 95 percent of the world’s consumers outside our borders, we must focus on breaking down barriers to trade abroad, not building them up at home. This requires that Congress grant President Clinton and his able trade representatives fast-track authority to negotiate tough, enforceable trade agreements.” [Washington Post, 7/9/97]

Hughes CEO Armstrong Said President Clinton Has Strong Pro-export Record

Hughes Electronics CEO C. Michael Armstrong: “To its credit, the Clinton administration has compiled a strong pro-export policy record...” [Arizona Republic, 8/24/97]

***Boston Globe’s* Oliphant Offered Two “Huge” Reasons for Fast Track**

Boston Globe’s Tom Oliphant: “Africa is now the second huge reason (the more advanced countries of South America are the first) for Congress to grant Clinton so-called ‘fast-track’ authority this fall to negotiate free trade agreements -- so-called because they must be approved or rejected as negotiated, with no room for congressional tinkering.” [Boston Globe, 6/24/97]

Brookings’ Lustig Said We Risk Falling Off Proverbial Bicycle Without Fast Track

Brookings Institution senior fellow Nora Claudia Lustig: “Now that the rest of the region is ready to move forward with economic integration, it is ironic that the United States, after decades of promoting the principle of free trade, appears hesitant. This image can only be removed if the Clinton administration moves forward with a request for fast-track negotiating authority... Going with free trade could well be like learning to ride the proverbial bicycle: Either we keep moving forward or we risk falling off.” [Brookings Policy Brief No. 20, “NAFTA: Setting the Record Straight,” 6/97]

Trade Expert Baer Said U.S. Would Lose Leverage Without Fast Track

Delal Baer, a trade expert with experience in South America: “Without fast-track you have no leverage... The balance of power in terms of negotiating leverage is shifting from the United States to the southern cone because we don’t bring anything to the table.” [Copley News Service, 5/21/97]

Denying President Fast Track Would Be No Small International Embarrassment

Journal of Commerce senior correspondent Richard Lawrence: "But there's hope. Congress may actually do something exciting in 1997. After years of hesitation, it may enact 'fast-track' legislation, giving the president broad trade negotiating authority for which he has long longed...[T]he president must have broad new negotiating authority. For Congress to give less would be no small international embarrassment -- to both Democrats and Republicans." [*Journal of Commerce*, 8/15/97]

KC Starr's McClanahan: Without Fast Track, Other Countries Will Steal Our Markets

In his Op-Ed piece entitled "Fast-track follies: U.S. will lose lucrative markets if it doesn't move quickly," *Kansas City Starr* editorial staff member E. Thomas McClanahan wrote, "If the free-trade agenda stalls, we're going to wake up some day and discover that other countries have quietly stolen our markets -- not because of better products or more productive workers, but because too many people in our national capital couldn't be bothered. Make no mistake. If that happens, the cost will be both economic -- and political." [*Kansas City Star*, 7/29/97]

de Tocqueville Institution's Sobel Said Fast Track Necessary; Gives President Credibility

Alexis de Tocqueville Institution's Chairman Clifford Sobel: "...[T]he most important reason why fast track is necessary is that it gives the President of the U.S. the credibility to negotiate with foreign countries in good faith. Without fast track, it would be far more difficult for the President to conclude additional trade agreements..." [Sobel's testimony before Joint Hearings on Fast Track Negotiating Authority (as transcribed by the Federal News Service), 5/17/95]

THE WHITE HOUSE

Office of the Press Secretary
(Martha's Vineyard, Massachusetts)

Saturday, August 23, 1997

RADIO ADDRESS OF THE PRESIDENT
TO THE NATION

Martha's Vineyard, Massachusetts

THE PRESIDENT: Good morning. Today I want to talk about the tools we need to keep our economy growing in a way that helps all our people to prosper and advances America's leadership in the world as we move into the 21st century.

For nearly five years now, we have pursued a new economic course for America, with three parts: eliminate the deficit, invest in education and training, and open new markets abroad for America's products and services. It is working. The American people are enjoying the longest period of sustained economic growth in a generation -- with 12 million new jobs, unemployment below five percent, core inflation at a 30-year low. Once again, America is the world's number one exporter, the world's largest producer of semiconductors, the world's largest producer of automobiles. Our nation has been ranked the world's most competitive economy for the last five years.

With a strong and prosperous America moving into the 21st century, we must continue our successful economic strategy. In 1993, we passed an economic plan that cut the deficit 75 percent in four years. And now we have a balanced budget with an historic focus on education and incentives to bring jobs to people and places that still don't have them.

But to keep America growing, to keep America leading, we have to continue to create high-wage jobs, and to do that, we must continue to expand American exports. After all, 95 percent of the world's consumers live beyond our borders. Already, over the last four years, more than 25 percent of our economic growth has come from overseas trade. Now, that's a big reason more than half our new jobs in the last two years have paid above average wages, because export-related jobs pay, on average, about 15 percent more than non-export jobs. And today, our exports support more than 11 million good, high-paying American jobs, including one in five of our manufacturing jobs.

To keep our economy growing and to create these good jobs we must keep tearing down foreign barriers to American goods and services. That's why, next month, I will ask Congress to renew presidential fast track authority to negotiate tough new trade agreements. This is authority that every President from both parties has had since 1974. I will use it to negotiate trade agreements that will keep us competitive, boost our exports, create more good jobs and raise our standard of living.

This fast track authority will do three things. First, it gives the President the flexibility I need to forge strong agreements in sectors where our nation is most competitive -- such as agriculture, information technology, medical equipment and environmental technology. Second, it will strengthen my ability to get worldwide agreements, especially for our nation's farmers, tearing down barriers in the world agricultural market. It will also help to ensure that American companies and workers compete in the global economy in a contest that is open, with a level playing field, with rules that are fair and enforced.

Third, it will help me to negotiate more open markets with specific countries, especially in Latin America and Asia. In the coming century, these emerging markets in Latin America and Asia are expected to grow three times as fast as our own -- and their demand for United States goods and services is already taking off. If we don't seize these new opportunities, our competitors surely will. Already, since 1992, in Latin America and Asia alone, our competitors have negotiated 20 trade agreements that do not include the United States.

To make sure all our people share the fruits of increased prosperity and commerce, I also will continue to promote worker rights and responsible environmental policies with our trading partners. And I'll keep working to strengthen retraining and educational opportunities for workers here. We have to pull together, not apart, to compete and win in the global economy.

For more than two decades now, on a bipartisan basis, Congress has consistently supported initiatives to open markets and create jobs -- including the President's authority to break down trade barriers around the world. Our workers and our businesses are the best in the world, but they can't compete in the slow lane. I look forward to working closely with Congress to keep American prosperity on the fast track.

#

FAST TRACK FACT SHEET

BACKGROUND ON FAST TRACK

Who Has Trade Negotiating Authority?

- **A Balance Between the President and Congress:** The Constitution gives Congress exclusive authority to set tariffs and enact other legislation governing international trade. The President has the Constitutional authority to negotiate international agreements. If the President negotiates a trade agreement that requires changes in U.S. tariffs or in other domestic laws, that trade agreement's implementing legislation must be submitted to Congress--or the President must have Congress' advance approval of such changes.

How does Fast Track Work?

- **A Strong Role for Congress:** In exchange for the expedited considerations of implementing legislation, Congress retains a central role before and during the negotiating process and, equally important in determining how to implement trade agreements. Requests for fast track have always included extensive notification and consultation requirements for the President with Congress itself and with private sector advisory committees. In every trade agreement negotiated under fast track, Congress has been an active participant in identifying negotiating objectives, monitoring the actual negotiations, and drafting implementing legislation.
 - To apply fast track to a trade agreement, whether sectoral, bilateral or multilateral, the President must notify Congress in advance of his intention to sign such an agreement. For most previous grants, the advance notice requirement was 90 days; for the Uruguay Round, the notice requirement was set at 120 days. Even before the President signals his intention to enter into an agreement, the private sector advisory committees are required to report to both Congress and the President on their views as to whether the agreement meets U.S. negotiating objectives. For bilateral trade agreements, the Congress must be given advance notice of the President's intent to begin negotiations. During the next 60 legislative days, either the House Ways and Means Committee or the Senate Finance Committee can vote to deny fast track for the proposed agreement.
 - Once the negotiations have been concluded and the President has signed it, the Congress and the Administration begin a period of extensive discussions on drafting legislation. This process, reflecting the growing complexity of trade agreements, has involved an increasing number of committees of jurisdiction and interested Congressional Members. The President is required to spell out precisely how he intends to use his existing regulatory authority in implementing the agreement. Congress retains the right to vote down an agreement if, after consultation, it still finds the package unacceptable.
 - Additional Congressional prerogatives include special procedures for revoking fast track if the President fails to meet the consultation requirements. Where fast track authority has been granted with the possibility of an extension, either House retains the right to

disapprove an extension provided either the House Ways and Means Committee or the Senate Finance Committee have reported out an "extension disapproval resolution."

- 60 Years of Cooperation between the President and Congress: For over 60 years, the Congress and the President have recognized that the negotiation and implementation of trade agreements require special cooperation. In the aftermath of the Smoot-Hawley Tariff Act of 1930 and the Depression, both the Congress and the President recognized that only by working closely together could trade barriers be torn down and markets opened to US goods. This new attitude was first reflected in the Reciprocal Trade Agreements Act of 1934, and has remained part of U.S. trade law ever since.
- Fast Track has Worked for Over 20 Years: In recent years, as tariffs became less of an obstacle to trade and many of our trading partners sought to protect their domestic markets by erecting non-tariff barriers, the scope of trade negotiations broadened and by agreement between the Ford Administration and the Congress, fast track was created to accommodate this broader trade agenda. It was first embodied in the Trade Act of 1974 to deal with the Tokyo Round negotiations called for in the GATT. Fast track procedures for approving trade agreements have been renewed by Congress in 1979, 1984, 1988, 1991 and most recently in 1993. As a result, Presidents have had fast track negotiating authority continuously from January 1975 until April 1994, with a brief hiatus for eight months in 1988.

FAST TRACK: WHY CONTINUING TO GIVE AMERICA THE ABILITY TO OPEN FOREIGN MARKETS IS IMPORTANT TO AMERICAN WORKERS' AND THEIR FAMILIES

As the American people prepare for the challenges of the 21st century, we face a critical choice: We can meet the challenges of the future, write the trade rules and continue America's remarkable economic growth -- or we can turn our back on the world and fail to compete for new markets, new contracts, new business and new jobs. All over America, jobs have been created in small, medium and large companies that would not be here today if we did not have the ability to negotiate tough, fair trade agreements.

AUTOMOTIVE INDUSTRY

- **Over 2.3 million workers are directly employed in the automotive industry.** U.S. vehicle exports totaled over \$24 billion in 1996 and should grow 5% *per year* through 2002. U.S. automotive parts exports totaled \$41 billion in 1996 and are expected to grow 9% *per year* through 2002.
- **Auto sales in Asia (excluding Japan) grew 65% between 1990-1995** and may grow another 60% by 2005. Vehicle sales to Japan grew 207% between 1992 and 1996.
- **Sales in Brazil** are expected to grow 55% in the next five years.
- **From 1990-1996, U.S. auto exports to the biggest emerging markets (excluding Mexico) rose \$500 million and are estimated to reach \$6.1 billion by 2010.** U.S. parts exports to these emerging markets are expected to more than triple from the current \$3 billion to \$10 billion in 2010.

MANUFACTURING

- **18.5 million American workers -- over 15% of total workforce -- are employed in manufacturing.** Exports of goods and services have risen from about 4% of GDP in the early 1960's to over 13% today.
- **U.S. exports have grown three times faster than Japan's, five times than Germany's since the mid-1980's.**
- **13 of the 20 largest medical technology companies in the world are U.S. owned.** The U.S. medical device industry is expected to grow 6% *per year* over the next 5 years.

INFORMATION TECHNOLOGY

- **The information technology industry generates 3.5 million domestic jobs directly and indirectly.** The U.S. is the world. America is number one in the world in semiconductors, computers and software. Over the last four years, U.S. semiconductor exports have grown 139%, its telecommunications exports have grown 113% and U.S. computer and parts exports have grown 54%.
- **Nine of the world's top ten software companies are based in the U.S.**
- **U.S. software exports to the Asia-Pacific expanded 57% last year alone, and over one-third of U.S. computer equipment exports now go to the Asia-Pacific region.**

SERVICES

- **Exports of services by U.S. firms supported 3.5 million U.S. jobs in 1994.** U.S. service exports have more than doubled over the last ten years, increasing \$135 billion since 1987, and \$84 billion just since 1990.
- **U.S. exports to emerging markets have grown at impressive rates: nearly 30% to China, Taiwan and Korea; and over 20% to Hong Kong and Argentina.**

AGRICULTURE

- **U.S. agricultural exports support nearly a million jobs -- more than 60 percent of those jobs off the farm in processing, transportation, and trade.**
- **The U.S. is once again the world's largest exporter of food and farm products, commanding around a 22% share of global agricultural trade.** Last year, our agricultural exports were twice the level of our agricultural imports -- a claim no other industry sector can make.

AGRICULTURE

- *Agriculture's future is tied to trade.* U.S. agricultural exports climbed to \$60 billion in 1996, the highest ever. Since 1990, the value of U.S. agricultural exports has increased by \$20 billion, or nearly 50 percent. Each week last year, on average, American producers and processors shipped out more than \$1.1 billion in farm and food products to foreign markets.
- *American agriculture is more than twice as reliant on foreign trade as the U.S. economy as a whole,* with exports currently accounting for an estimated 30 percent of agriculture's cash receipts. Production from up to a third of U.S. cropland is exported.
- *Exports are agriculture's source of future growth in sales and income.* The domestic U.S. market is relatively mature and slow growing. American farmers and ranchers already produce an abundance far in excess of domestic needs, and their productivity continues to increase. Meanwhile, global food demand is expanding rapidly, and more than 95 percent of the world's consumers live outside U.S. borders. U.S. exports are growing more than three times as fast as domestic demand for foods.
- *The share of U.S. production exported averages:* 26 percent for coarse grains; 27 percent for oranges; 28 percent for grapes, broccoli, and pears; 36 percent for soybeans; 40 percent for grapefruit; 45 percent for cotton; 49 percent for rice; 54 percent for wheat; 57 percent for hides and skins; and 70 percent for almonds.
- *Total agricultural exports in fiscal 1996 included:* \$9.3 billion worth of coarse grains; a record \$8.1 billion in meat and livestock products; \$7.9 billion in soybeans and products; \$7.0 billion in wheat and flour; a record \$5.7 billion in fruits, vegetables, and preparations; \$3.0 billion in cotton; and a record \$2.4 billion in poultry meat.

Agricultural Trade Contributes to a Strong U.S. Economy

- *Agricultural trade is important to the overall U.S. economy.* U.S. agricultural exports support nearly a million jobs -- more than 60 percent of those jobs off the farm in processing, transportation, and trade. Export-related jobs pay higher than average wages, providing good-paying jobs for American workers in rural and urban areas throughout the nation.
- *The total contribution to U.S. economic activity from 1996's agricultural exports is estimated at around \$140 billion.* Each dollar in agricultural exports multiplies throughout the economy, generating farm purchases of inputs and spurring additional economic activity in manufacturing and other sectors.

- Agriculture is one of the few U.S. industry sectors that consistently runs a trade surplus, posting a surplus every year since 1960. In fact, among industry sectors, agriculture was the leading positive contributor to the U.S. trade balance in 1996 -- not chemicals, industrial machinery, or computers, but agriculture. Our agricultural trade surplus in fiscal 1996 topped \$27 billion, the largest farm trade surplus in history. The surplus in agricultural trade was enough to pay for virtually all the cars imported last year from Japan and Germany combined.
- *The United States is once again the world's largest exporter of food and farm products*, commanding around a 22-percent share of global agricultural trade. Last year, our agricultural exports were twice the level of our agricultural imports -- a claim no other industry sector can make. Dollar for dollar, we export more corn than coal, more wheat than steel, more meat than aluminum, and more fruits and vegetables than CD's, records, and tapes.

Trade Agreements Help U.S. Agriculture

- *Agriculture remains one of the most protected and subsidized sectors of the world economy.* Because U.S. agriculture is among the most competitive in the world, the trade distortions in agriculture are a particular problem for the United States.
- *U.S. agriculture increasingly turns to world markets to increase sales;* trade agreements that open markets and reduce unfair competition are critical for protecting and improving the health of the U.S. agricultural sector. Free and fair trade allows one of our nation's greatest assets--the competitive strength of American agriculture--to work to full advantage.

Fast Track Is Needed for Further Trade Negotiations

- *Despite progress in the WTO and other free trade agreements, we still have a lot of work to do* in removing barriers to U.S. agricultural exports and addressing unfair competition from other countries. The only way we can make substantial progress is through broad negotiations where the United States has the ability to request concessions from other countries, and induce commitments by making some of our own.
- *To have credibility at the negotiating table, the President must be backed up by fast track authority.* Otherwise, other countries will not make the concessions we need because of fear that Congress will demand the President pull U.S. commitments off the table at the last second.

Fast Track Will Be Used to Create New Trade Opportunities

- *The Administration is seeking broad fast track authority* -- the ability to negotiate trade agreements in the WTO and in specific regions as appropriate under the changing circumstances facing our exporters.
- *Further work in the WTO is a priority for the Administration.* The WTO is the only way for us to comprehensively address the countries around the world that maintain high tariffs or

trade-distorting subsidy policies. U.S. participation there will determine whether world agricultural trade liberalization continues or regresses to protectionism.

- *NAFTA has been a big success for U.S. agriculture, and broadening NAFTA membership will open up new markets for our exports.* Other regional trade arrangements, such as APEC (Asia-Pacific Economic Cooperation), the FTAA (Free Trade Area of the Americas), or new agreements in areas such as Africa are promising areas for the United States to open export markets and ensure growing opportunities for years ahead.

U.S. Agriculture Will Pay a Price If Fast Track Is Not Granted

- *Most U.S. trading partners in this hemisphere have been active in forging closer ties with neighboring countries* in an effort to provide for economic growth and export opportunities for their agricultural producers.
- *For example, Argentina, Brazil, Paraguay, and Uruguay have formed a common market, MERCOSUR,* that provides significant trade preferences to each other in this rapidly expanding region. Chile, one of the best economic performers in Latin America, has been particularly aggressive, signing trade agreements with Bolivia, Colombia, Ecuador, Mexico, Venezuela, MERCOSUR, and most recently Canada. More than 30 bilateral and regional trade agreements are already operating here in the Western Hemisphere, and the United States is party to only one – NAFTA. While these preferential trade agreements multiply, the U.S. share of the region's total agricultural imports is declining.
- *The EU is already the world's largest trading bloc and is poised for major expansion in the next few years.* Through its "association agreements," the EU has already secured for its exporters a significant advantage in the emerging markets of Central and Eastern Europe. The only way to limit the effects of these agreements and of EU expansion, particularly in agriculture, is by negotiating further multilateral liberalization in the next round of WTO talks.
- *As a low-cost supplier of high-quality foods, the United States is well positioned to benefit substantially from trade liberalization among the 18-member APEC group.* Reducing tariffs in the fast-growing countries of the Pacific Rim could provide a dramatic boost to U.S. exports of consumer-oriented products. Without fast track, the U.S. commitment to economic development and future trade growth in the region will not be taken seriously.
- *As long as the United States lacks fast track authority, we won't be able to make any progress in the WTO.* Without a negotiating mandate, the U.S. will lack credibility to push for a fast start on WTO agriculture negotiations scheduled to start at the end of 1999. Further multilateral trade negotiations in the WTO are the most effective way to open a range of markets of interest to U.S. producers and exporters. In contrast to a web of bilateral and regional arrangements, WTO negotiations can ensure that U.S. exporters have the same chance to compete in foreign markets and allow U.S. negotiators to push for concessions that benefit all U.S. industries.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

AUTOMOTIVE INDUSTRY

Fast Track means expanding trade, creating more higher paying jobs, improving our standard of living and maintaining America's global leadership. With Fast Track, the President will keep breaking down barriers to our products and services. He has outlined his broad trade objectives for opening markets in Asia, Latin America, Africa and elsewhere.

Flexibility is needed to negotiate agreements and increase exports in sectors where the United States is most competitive, such as agriculture, medical equipment, telecommunications and environmental equipment. Exports support an estimated 11.5 million American jobs, including one in five manufacturing jobs and over the last four years have created 1.7 million new jobs.

We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to the U.S. automotive industry and its workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about the U.S. automotive industry and some of the difficulties our companies face around the world.

The automotive industry is one of the United States largest manufacturing industry

- The industry and its suppliers generates 5.4 percent of GDP.
- Over 1.2 million workers are directly employed in the automotive industry.

Exports have become increasingly important to this industry

- U.S. automotive parts exports, which supply the majority of industry exports, totaled \$40.8 billion in 1996 and are expected to grow 9 percent annually through 2002.
- Automotive parts exports represent more than one quarter of total parts production.
- U.S. vehicle exports totaled \$24.4 billion in 1996 and should grow 5 percent annually through 2002. Vehicle exports are a significant share (almost 3%) of total U.S. exports.
- U.S. exports of motor vehicles account for 7.6 percent of worldwide vehicle exports while U.S. parts exports represent 17.5 percent of the worldwide export market.

FTAA and Asian countries are the some of the greatest potential growth markets

- Vehicle unit sales in Asia (excluding Japan) grew 65 percent between 1990 and 1995 and may grow another 60 percent by 2005. Vehicle sales to Japan grew 207% between 1992 and 1996. FTAA markets also are exploding. Sales in Brazil may grow 55 percent in the next five years.
- U.S. parts exports to the big emerging markets (excluding Mexico) are expected to more than triple from the current \$3 billion to \$10 billion in 2010. Exports to FTAA markets will grow from \$1.7 billion to \$5.6 billion. Exports to ASEAN nations are also expected to triple from \$600 million to \$2.1 billion during this period.
- Between 1990 and 1996, U.S. vehicle exports to the big emerging markets (excluding Mexico) rose from almost \$1 billion to \$1.5 billion and are estimated to reach \$6.1 billion by 2010. Export growth to FTAA nations will be stronger and could more than double from \$1.3 billion to \$3 billion.

The automotive industry is one of the world's most highly protected

- By the turn of the century, the total ASEAN market is expected to exceed 2 million units, and Thailand's production capacity alone will exceed 1.3 million. However, major barriers to entry exist, including local content requirements and tariffs ranging from 35-200 percent with an average of 100 percent.
- China, Indonesia, and Malaysia have national car programs that discriminate against foreign vehicles and parts, and the Philippines and Vietnam are considering similar regimes.
- South African tariffs range from 43 percent to 57.5 percent. It also maintains significant non-tariff barriers like local content and export requirements.
- The MERCOSUR countries anticipate a doubling of demand for automobiles by the year 2000. Brazil maintains a highly restrictive import regime for those companies not invested in Brazil while Argentina provides tariff preferences to encourage local vehicle production.
- Left intact, these barriers will exacerbate economic distortions in global automotive markets and limit the ability of U.S. producers to achieve the most competitive level of production in the United States.

Fast Track will strengthen U.S. efforts to reduce trade barriers and expand international markets which are key to maintaining U.S. competitiveness and innovation

- To combat these problems, U.S. government and industry are attempting to pursue these issues in existing multilateral and regional fora, including the WTO, APEC, ASEAN Dialogue, and by enforcing U.S. trade laws.

- The United States has made an APEC proposal that would examine both “cooperative” elements such as standards issues as well as identify and address other trade barriers in the sector.

Competition doesn't wait for U.S. leadership

- Poland is the fastest growing market in Europe and new passenger car sales could be on the order of 400-500 thousand vehicles per year. Duty rates range to 35 percent, but a larger concern are preferences granted to the E.U. under the E.U. Association agreements.
- Intra-FTAA country agreements now completed or contemplated also could limit U.S. market access. Chile's trade agreements with Mexico and Canada providing for duty free entry of automotive goods from those countries provides an 11 percent price advantage over U.S. products.

CIVIL AIRCRAFT

Fast Track means expanding trade, creating more higher paying jobs, improving our standard of living and maintaining America's global leadership. With Fast Track, the President will keep breaking down barriers to our products and services. He has outlined his broad trade objectives for opening markets in Asia, Latin America, Africa and elsewhere.

Flexibility is needed to negotiate agreements and increase exports in sectors where the United States is most competitive, such as agriculture, medical equipment, tele-communications and environmental equipment. Exports support an estimated 11.5 million American jobs, including one in five manufacturing jobs and over the last four years have created 1.7 million new jobs.

We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to the civil aircraft industry and its workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about the U.S. civil aircraft industry and some of the difficulties our companies face around the world.

Civil aircraft is a vital national industry

- The U.S. civil aircraft industry supports over 450,000 high-wage, highly-skilled jobs.
- Aerospace workers earn an average of 45 percent more than other manufacturing workers.

Export markets are essential to the civil aircraft industry

- One out of every two civil aircraft manufactured in the U.S. is exported.
- U.S. exports grew 18 percent between 1995 to 1996, from \$25 billion to \$29 billion.
- The industry generated a trade surplus in civil aircraft, engines, and parts of \$18 billion in 1996.
- The U.S. share of worldwide orders (excluding the newly independent states of the former Soviet Union) for large, civil aircraft is about 70 percent. Airbus Industrie (European consortium) accounts for about 30 percent.

Low and middle income country markets are the fastest growing markets for U.S. producers.

- Asia has become the fastest growing foreign market for U.S. civil aircraft, accounting for about 45 percent of U.S. civil aircraft exports in 1996.
- U.S. civil aircraft sales to India have more than quadrupled in the last five years.

- Within ASEAN, there is a large and growing demand for airport and ground support equipment. Almost all of Thailand's demand must be met by imports. The Philippines has initiated a \$3 billion fleet and modernization program. Singapore is a major purchaser of Boeing aircraft, and nine out of every ten dollars of civil aerospace industry output in Singapore is in aircraft repair and overhaul operations.
- Korea is in the midst of a major civil aviation expansion; a ten year procurement program envisions the purchase of some 230 aircraft worth about \$20 billion.
- Currently, Poland has one of the youngest fleets in the world -- largely through purchases and leases with Boeing.

High tariffs and government subsidization are major barriers.

- Most U.S. competitors are heavily subsidized.
- Many foreign airlines are government-owned or controlled. These airlines are subject to political pressures from governments which support foreign competitors (such as Airbus Industrie) over U.S. manufacturers.
- Low and middle income country tariffs range from 3 to 40 percent while the U.S. has no tariffs.
- The use of offset requirements in markets such as South Africa can distort economic efficiencies. Aircraft and parts are our fourth and third largest exports to South Africa.

Fast track will help strengthen U.S. efforts to reduce trade barriers and expand international markets which will be key to maintain U.S. competitiveness and innovation.

- Like the ITA, the U.S. is pursuing in APEC further sectoral liberalization on civil aircraft.
- A Free Trade Area of the Americas would eliminate barriers to U.S. sales, and provide a powerful incentive to purchase U.S. civil aircraft rather than those of Airbus Industrie.
- Current WTO negotiations on establishing elements of a transparency agreement to offer the opportunity to secure more transparency in foreign government bids, to the benefit of U.S. firms and workers.

Competition doesn't wait for U.S. leadership

- Canada is competitive in Latin America, especially in the business and regional jet aircraft sectors. Canada already has an FTA with Chile which will provide a three percentage point tariff advantage over U.S. suppliers by 1997. This tariff differential, which will increase to 11 percentage points when the FTA is fully implemented, provides the Canadian industry a significant advantage in certain segments of the market.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

ENERGY EQUIPMENT

Fast Track means expanding trade, creating more higher paying jobs, improving our standard of living and maintaining America's global leadership. With Fast Track, the President will keep breaking down barriers to our products and services. He has outlined his broad trade objectives for opening markets in Asia, Latin America, Africa and elsewhere.

Flexibility is needed to negotiate agreements and increase exports in sectors where the United States is most competitive, such as agriculture, medical equipment, tele-communications and environmental equipment. Exports support an estimated 11.5 million American jobs, including one in five manufacturing jobs and over the last four years have created 1.7 million new jobs.

We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to the U.S. energy equipment industry and its workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about the U.S. energy equipment industry and some of the difficulties our companies face around the world.

The energy equipment industry has growing employment totaling about 350,000 U.S. workers.

- Shipments in 1995 were \$51.6 billion.

The export market is vital to sustained growth in the industry

- Since 1990, U.S. exports of energy equipment have doubled reaching \$15.5 billion in 1996 with a trade surplus of \$6.5 billion.
- U.S. exports to the big emerging markets, China and FTAA countries more than doubled since 1990.
- As demand in the U.S. has leveled-off, manufacturers are increasingly looking to export markets. Exports account for an estimated 34 percent of the U.S. industry's product shipments. By 2005, energy equipment exports are expected to exceed domestic shipments.
- The estimated annual future growth rate of shipments for the industry as a whole over the next decade is expected to average 5 percent while the estimated growth rate for energy sector exports is expected to average 12 percent.

The demand for energy in low and middle income countries is expected to grow at more than twice the rate of industrialized countries

- Low and middle income countries are implementing policies designed to encourage private investment in resource development, such as removing bans on foreign investment. This should translate into more opportunities for U.S. companies in oil and gas exploration, as well as other aspects of energy services.
- Growing at 4.2 percent per year, Asian energy consumption spurred by strong economic growth will reach 60 percent of that of the industrialized world by 2015.
- Thailand is expected to invest about \$22 billion in new power plants; Indonesia is spending \$40 billion developing a natural gas field; China and India represent even larger potential markets as each country attempts to meet increasing demand.
- U.S. companies currently supply 66 percent of Indonesia's demand for oil exploration and production equipment.
- Venezuela may become an increasingly important market as it is opening up its petroleum sector to foreign participation in exploration and production. The sector accounts for 25 percent of GDP and nearly three-quarters of the country's export earnings.
- The electric power systems market in Korea will continue to grow through economic development and increased consumer demand. The market this year amounts to nearly \$12 billion and is likely to grow 10-20 percent next year.

Non-tariff measures are principal barriers to increased exports

- Non-transparent and/or discriminatory procurement procedures inhibit U.S. exports.
- Inadequate regulatory and investment frameworks hinder U.S. firms doing business in many low and middle income countries.

Fast Track will strengthen U.S. efforts to reduce trade barriers and expand international markets which are key to maintaining U.S. competitiveness and innovation

- To combat these problems, U.S. government and industry are attempting to pursue these issues in existing multilateral and regional fora, including the WTO, APEC, ASEAN Dialogue, and by enforcing U.S. trade laws.
- Current WTO negotiations on establishing elements of a transparent agreement offer the opportunity to secure more transparency in foreign government bids, to the benefit of U.S. firms and workers.

Competition doesn't wait for U.S. leadership

- Mercosur countries are in the process of privatizing the electricity sector and expect increased demand for generation and distribution equipment. Imports supply approximately one-fifth of the equipment demand, and the United States supplies one-third of that. Tariffs range to 24 percent.
- With U.S., German and Japanese companies providing almost equal shares of energy equipment in world markets (14 percent, 17 percent and 18 percent respectively), any preferential access to low and middle income countries markets achieved by the U.S. competitors could be seriously detrimental to U.S. exports.
- The United States is the second largest supplier of electrical power systems to Thailand (behind Japan) and has only about one-sixth of the Philippines imports of electric power system equipment.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

ENVIRONMENTAL TECHNOLOGIES AND SERVICES

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We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to the U.S. environmental technologies and services industries and their workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about the U.S. environmental technologies and services industries and some of the difficulties our companies face around the world.

Environmental technologies equipment and services (ETE) is one of the fastest growing industry sectors worldwide

- This document includes products and services in the following areas: air pollution and treatment; water and wastewater; hazardous and solid waste; noise abatement; energy conservation; instrumentation and monitoring; and related services. All statistics in the document were compiled by the California Environmental Business International.
- The U.S. environmental technologies (ET) industry employed about 1.3 million Americans in 1995.
- More than 25,000 new jobs were created in this sector in the U.S. in 1995.
- The U.S. environmental technologies industry reached \$180 billion in revenues in 1995, a 4.3 percent increase over 1994.

International markets are increasingly important to the ET industry

- Revenue generated outside the U.S. accounted for 8.1 percent of the U.S. industry's 1995 total earnings, compared to only 6.7 percent in 1994.

- U.S. ET exports increased 26 percent from \$11.5 billion in 1994 to \$14.5 billion making the U.S. the world's largest supplier.
- Growth in exports was responsible for 40 percent of the \$7.5 billion in 1995 ET industry growth.

Access to overseas markets, especially low and middle income countries, are essential to U.S. firms

- The global market is projected to grow from about \$440 billion in 1995 to approximately \$600 billion by the year 2010.
- A 17 percent growth rate is expected in Asia (exclusive of Japan), and the South American market is expected to grow by 12 percent. By contrast, the Japanese market is expected to grow only 2 percent and Western Europe by 4 percent.

Opportunities abound for U.S. environmental technology

- While the U.S. enjoys over \$14 billion in environmental exports only 8 percent of the U.S. environmental industry's revenue comes from exports. Major competitors, such as Germany and Japan, export in excess of 20 percent of production.
- Venezuela expects to spend more than \$1 billion between now and 2001 for water treatment alone. Currently, there are no major import barriers but trade is small. U.S. firms hold about a three-fifths share.
- Asian countries represent a significant growth potential for U.S. exporters of environmental technology. The market in Indonesia exceeds \$1.3 billion (of which \$300 million is from the United States). Thailand's market exceeds \$1 billion (U.S. exports account for two-fifths of that) and could double over the next five years. Malaysia's market is around \$700 million and is expected to grow at 15-20 percent per year through 2000.
- In Korea, a major portion of the rapidly growing environmental technology market (\$1.4 billion in 1996) is supplied by local manufacturers; U.S. exports amounted to less than 10 percent of the market. The market is expected to grow substantially through at least 1998. The tariff rate is 8 percent.

Fast Track will strengthen U.S. efforts to reduce trade barriers and expand international markets which will be key to maintain U.S. competitiveness and innovation

- Many of the ET opportunities in overseas markets are in public works contracts by foreign governments. However, the vast majority of low and middle income countries have not signed the WTO Government Procurement Code.
- The USG can negotiate government procurement obligations in plurilateral negotiations.

- Like the ITA, the U.S. is pursuing in APEC further sectoral liberalization on products in this sector.

Competition doesn't wait for U.S. leadership

- Brazilian experts expect \$10 billion in new investment through the year 2000 as Brazil addresses significant environmental concerns. U.S. exports last year amounted to about \$100 million. Tariffs range to 18 percent, although Mercosur partners receive duty free treatment, and other members of ALADI (Latin American Integration Association) receive a 60 percent duty reduction. In some cases, local participation is required for foreign investors.
- Poland has made a significant commitment to environmental clean-up and investments in the sector now account for over one percent of GDP. The pollution control equipment market exceeded \$400 million in 1996, and imports amounted to over three-quarters of that. The most promising areas for U.S. firms include: air pollution control, wastewater treatment, and waste disposal. Duties are in the 9-11 percent range, but European competitors receive significant preferences.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

INFORMATION TECHNOLOGY INDUSTRIES

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We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to U.S. information technology industries and their workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about U.S. information technology industries and some of the difficulties our companies face around the world.

The information technology industries are vital to the U.S. economy

- U.S. information technology companies have operations in all 50 states and generate over 3.5 million domestic jobs directly and indirectly; this sector provides predominantly high-wage employment.
- Information technology industries have become the back-bone of the U.S. and global economy. Information technology has become integrated into all modern business transactions and is an engine of growth in global trade.
- In 1996, U.S. shipments for computer hardware, telecom equipment and electronic components was \$166.4 billion.

U.S. manufacturers are global leaders

- Through diligent efforts to improve competitiveness, U.S. industry has taken back leadership in global market share, including: semiconductors, semiconductor manufacturing equipment, and printed circuit board production.
- Computer software alone, is the third largest manufacturing industry in the U.S. economy in terms of value-added and was estimated to be worth approximately \$66.8 billion in 1996.

- In 1996, U.S. telecom equipment shipments were valued at \$56 billion, accounting for one-third of world-wide shipments. One reason that U.S. telecommunications technology is so competitive is that the United States was the first country to open its market to competition in 1984.

Exports are an essential component of info-tech companies market strategy

- U.S. computer hardware, telecom equipment and electronic component companies exported an estimated \$90.9 billion in 1996. Info-tech companies as a whole export over one third of their production.
- Due to dramatic growth in technology markets world-wide, U.S. IT companies are becoming export dependent; thus, exports are vital to U.S. competitiveness.

Access to low and middle income countries is critical to this strategy

- Emerging markets are the engine for future growth. Asia and Latin America technology markets, in particular, will continue to experience double digit growth rates, at least double the rate of U.S. and European markets.
- Brazil has the largest telecom sector in Latin America with a market worth nearly \$ 8 billion in 1996, however, tariff rates are up to 32 percent.

Tariffs and non-tariff measures block access to emerging markets

- Export growth would be greatly enhanced for all information technology products if tariff and non-tariff measures were reduced among U.S. trading partners through the broadening of agreements such as the recent Information Technology Agreement.
- Non-tariff measures (NTMs) are the most significant barriers to export growth of U.S. information technology products.

Fast track will strengthen U.S. efforts to reduce trade barriers and expand international markets which will be key to maintaining U.S. competitiveness and innovation

- To combat these problems, U.S. government and industry are attempting to pursue these issues in existing multilateral and regional fora, including the WTO, APEC, ASEAN Dialogue, and by enforcing U.S. trade laws.
- U.S. info-tech companies place high priority on the implementation of tariff elimination under ITA-I. Additionally, they strongly support new and expanded coverage under ITA -II, such as expansion of product coverage and country signatories, and addressing the removal of NTMs.

Competition doesn't wait for U.S. leadership

- Since the Mercosur countries chose not to join the Information Technology Agreement, the FTAA is very important to U.S. IT companies. U.S. competitors are targeting Latin America as a market priority. Already, the European Union has signed a framework agreement with the Mercosur partners, which could give advantages to European products in the key emerging markets of Latin America.
- Preferences granted in Central Europe to the European Union under its association agreements to members like Hungary who have not yet joined the ITA may hinder U.S. exports. These preferences arise in several countries and the situation could worsen once they are fully phased in. This can be particularly difficult in the technology sector, where for example, tariff preferences can be as high as 15 percent.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

MEDICAL EQUIPMENT

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Below are useful facts about the U.S. medical equipment industry and some of the difficulties our companies face around the world.

The medical device industry is one of the fastest growing U.S. industries and employs 261,000 high-wage, highly-skilled U.S. workers

- The industry is a top high-tech innovator and serves as an engine of growth for other high-tech sectors such as semiconductors.
- 13 of the 20 largest medical technology companies in the world are U.S. owned.
- The U.S. medical device industry is expected to grow 6 percent annually over the next 5 years. Key to this growth will be our ability to supply the increasing demand in Asia and South America for these products.

Medical device export markets are crucial to the industry

- Total medical device exports reached \$11 billion in 1996, a 14 percent rise from 1995. The sector has a record-high trade surplus of \$5 billion.
- Exports as a share of industry shipments were 20 percent in 1990 but were 25 percent in 1996. By 2005, 30 percent of industry shipments could be bound for export.
- The U.S. has 28 percent of the worldwide market but faces stiff competition from Japan and the EU which together account for 50 percent of the worldwide market.

Access to low and middle income countries are central to increased U.S. exports

- Since 1990, U.S. medical devices exports to China, ASEAN and the other big emerging markets (excluding Mexico) doubled, reaching \$2 billion in 1996, while U.S. exports to the world increased by only 12 percent at an average annual rate of about 12 percent.
- Health care reform and hospital privatization in many emerging markets will spiral demand for U.S. products.
- Thailand's medical device market exceeds \$600 million, and Indonesia's market has been growing by over 10 percent annually. Malaysia has budgeted \$1.4 billion this year to upgrade health care quality, and Singapore has over \$500 million earmarked for redevelopment projects.
- Brazil's large market for medical equipment and supplies (estimated to be \$1.2 billion in 1996) is expected to continue strong growth as IFI loans (\$715 million) continue to upgrade the sector. Total U.S. exports amounted to over \$250 million in 1996, which accounted for about half of all imports. Tariffs range up to 20 percent while imports from Argentina and Chile are duty free.

The industry faces tough barriers in low and middle income countries

- Barriers include approval procedures for imported devices; government health care reimbursement policies which discriminate against U.S. products; and non-transparent government procurement policies.
- MERCOSUR countries are developing import and standards regulations which will negatively impact U.S. medical device manufacturers.

Fast Track will strengthen U.S. efforts to reduce trade barriers and expand international markets which are key to maintaining U.S. competitiveness and innovation

- Like the ITA, the U.S. is pursuing in APEC further sectoral liberalization on medical equipment.
- Many opportunities in overseas markets are in contracts by foreign governments. However, the vast majority of low and middle income countries have not signed the WTO Government Procurement Code.
- The USG can negotiate government procurement obligations in plurilateral negotiations.

Competition doesn't wait for U.S. leadership

- Global demand for U.S. medical products may shift to European and Japanese suppliers if the U.S. fails to negotiate critical trade agreements, such as the APEC sectoral initiative, which will completely eliminate tariffs and reduce regulatory and standards barriers.
- U.S. competitors are already negotiating trade agreements with low and middle income countries. For example, the EU has signed a framework agreement with the Mecosur partners, which potentially will give European medical device firms an advantage over the United States.
- Poland's medical budget is 4.6 percent of GDP. Imports accounted for over \$300 million in 1996 – less than 10 percent of which come from the United States. European competitors receive duty-free treatment while U.S. exports face a 10 percent price disadvantage.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

PHARMACEUTICALS

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We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to the pharmaceuticals industry and its workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Pharmaceutical manufacturing and research is a key U.S. industry

- The Pharmaceuticals industry and its suppliers employ over 218,000 workers, and represents about 1 percent of U.S. GDP with total sales of \$80 billion in 1995.
- The U.S. is the world leader in discovering and developing new medicines. Of the 265 major new drugs developed between 1970 and 1992, almost half originated from U.S. firms.
- The U.S. pharmaceutical industry is the world center for R&D in pharmaceuticals. In 1996, R&D expenditures represented 16 percent of total industry sales.

Exports are vital to pharmaceutical manufacturers

- Total U.S. pharmaceutical exports reached \$8.9 billion in 1996, an 11 percent rise from 1995.
- Exports are expected to increase as demand for better health care accompanies rising living standards throughout the world.
- Exports are expected to grow between 7 and 9 percent through 2000.
- Exports as a percentage of shipments has been steadily rising since 1990 and was 11.2 percent in 1995.

Low and middle income countries offer significant growth potential for U.S. pharmaceutical exports

- U.S. pharmaceutical exports to ASEAN countries (Singapore, Indonesia, Thailand, Malaysia, Philippines, Brunei and Vietnam) increased about 50 per cent since 1993.
- Korea imports U.S. pharmaceuticals at twice the rate of total imports.
- Exports to Latin America grew 43 percent.

Fast track will strengthen U.S. efforts to reduce trade barriers and expand international markets which will be key to maintain U.S. competitiveness and innovation

- Adequate patent, trademark, and trade secret protection for pharmaceutical products is essential for the development of new products and is critical for stimulating U.S. pharmaceutical trade and investment in growing markets in Asia, Latin America, Russia and other countries in the Newly Independent States.
- Additional barriers which need to be removed include discriminatory registration requirements, illicit business and pharmaceutical marketing practices and discriminatory government procurement rules. All of these severely limit US companies ability to compete on a level playing field.
- Korea does not provide national treatment with respect to reimbursement under its national health insurance system, discouraging end-users from buying imported pharmaceuticals.
- To maintain competitiveness, the U.S. industry must overcome international obstacles such as the lack of intellectual property protection; international regulatory approval; and lack of legal predictability. For pharmaceutical trade and investment to flourish it must have a business environment that offers a transparent and consistent legal framework.
- U.S. industry estimates that if trade barriers in the Andean Community (Bolivia, Colombia, Ecuador, Peru and Venezuela) were removed, U.S. sales could increase in the range of \$100 - \$500 million. This is also true with respect to removal of trade barriers in the Korean market.
- According to U.S. industry, removal of trade barriers in Argentina could increase U.S. pharmaceutical sales by \$500 million.

Competition doesn't wait for U.S. leadership

- Brazil is the fourth largest market for pharmaceutical products in the world and is growing at 17 percent per year. Tariffs range from 0 to 14 percent, yet are not applied to Mercosur partner Argentina which has a major drug manufacturing industry.
- Japan is developing new markets in Europe and Asia and is investing heavily in R&D in a bid to catch up with its foreign competitors.
- Given the steady increase in R&D costs, the ability to develop new drugs and new global markets is expected to play an even greater role in determining the long-term growth of the U.S. pharmaceutical industry.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

SERVICES

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We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to U.S. service industries and their workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about the U.S. service industries and some of the difficulties our companies face around the world.

The services sector is by far the largest component of the U.S. economy

- Four out of five private sector non-farm jobs are in the U.S. economy's service sector - 81 million in 1996.

Exports of services by U.S. firms supported and estimated 3.9 million U.S. jobs in 1996

- U.S. service exports have more than doubled over the last ten years, increasing \$135 billion since 1987, and \$84 billion just since 1990.
- In 1995, U.S. services exports accounted for 16 percent of global services exports; our closest competitors that year were France (8 percent), and Germany, Italy, Japan and the U.K. (between 5 and 6 percent)
- With services exports estimated to reach \$300 billion by 2005 and \$350 billion by 2010, the future growth in services exports is tremendous. With the expanding electronic commerce market, the growth trend in the service sector may easily surpass these estimates.
- Take for example the healthcare services industry. In 1994, exports reached \$812 million, the industry is estimated to grow to \$1.03 billion by 1998 and continue its growth to \$1.4 billion by 2002.

Emerging markets are the fastest growing export markets

- U.S. exports to emerging markets have grown at impressive rates: nearly 30 percent to China, Taiwan and Korea; and over 20 percent to Hong Kong and Argentina.
- United States also exported over \$1 billion in 1995 to the emerging markets of Argentina, Brazil, China, Hong Kong, the Philippines, India, Indonesia, Korea, Malaysia, Singapore, and Thailand.
- In Korea, transportation services account for over 6 percent of GDP, with growth of over 15 percent annually during this decade.
- Korea's construction and engineering markets could reach over \$22 billion per year.

Unless negotiated away, barriers can inhibit increased U.S. exports

- Brazil has restrictive investment laws, lack of transparency in administrative procedures, and limits on foreign capital participation. The Brazilian Constitution prohibits new foreign entries into the financial sector; the government reserves the right to refuse entry to managers or executives associated with providing a service if they do not provide new technology, increase productivity in Brazil, or attract new investment.
- In Korea, a number of service sectors remain restrictive for foreign investment, including audio-visual services, insurance, telecommunications, and advertising.
- Distribution in the domestic market is restricted in Indonesia. Under Thai law, foreigners are prohibited from working in certain professions; and Malaysia maintains restrictions on advertising and radio/tv content.
- India maintains a variety of restrictions on services operations: investments in insurance are prohibited (except in narrowly defined segments); in banking, they are severely regulated although U.S. firms are active in financial services with domestic firms.
- South Africa fails to provide adequate intellectual property rights with respect to franchising. The estimated market size of fast food franchising in South Africa is \$300 million.

Fast track will strengthen U.S. efforts to reduce trade barriers and expand international markets which will be key to maintain U.S. competitiveness and innovation.

- To combat these problems, U.S. government and industry are attempting to pursue these issues in existing multilateral and regional fora, including the WTO, APEC, ASEAN Dialogue, and by enforcing U.S. trade laws.

THE PRESIDENT'S TRADE AGENDA AND FAST TRACK

FOREST PRODUCTS

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We face a critical choice: shape the global economy to America's advantage, or turn back and fail to compete for new business, new contracts and new jobs. It is particularly important to U.S. forest product industries and their workers that we negotiate from a position of strength. Fast Track will give us that advantage.

Below are useful facts about U.S. forest product industries and some of the difficulties our companies face around the world.

America's forest products industry, with annual sales of \$199 billion, employs more than 1.3 million workers

- The U.S. forest products industry is one of the top ten U.S. manufacturing industries and is among the top ten manufacturing industries in 46 states.

Export markets are increasingly vital to U.S. forest products companies

- More than 60 percent of the industry's increased output is directly tied to increased exports.
- From 1986 to 1996, exports grew annually 11.5 percent to \$17.5 billion in 1996. Yet, domestic sales increased less than 2 percent annually.
- Exports accounted for an estimated 9 percent of the U.S. industry's product shipments in 1996 compared to only 5 percent in 1986.
- Future growth for the industry over the next five years is expected to be 2 percent in the United States, but 4 percent in U.S. exports of forest products.

Low and middle income countries, particularly the Big Emerging Markets, hold the greatest promise for future economic growth

- U.S. exports of forest products to the big emerging markets in 1996 were \$3.7 billion, growing more than twice as fast as exports to the rest of the world.
- In the ASEAN countries, demand for imports is strong, especially in Indonesia which relies heavily upon paper pulp and waste paper imports (60 percent of which comes from the United States). Yet, Indonesia's wood product sector is heavily protected.
- South Africa imports about \$125 million per year in wood/paper products. Although the U.S. share is currently small but is expected to increase as the government moves to allow private sector equity participation in the state-owned forestry and forest products company. Tariffs range up to 30 percent. The EU is currently negotiating a preferential trade agreement with South Africa that could further disadvantage these exports.

The future growth in U.S. exports will depend on the further opening of key international markets, including Asian and Latin American countries

- U.S. producers face considerably higher market access barriers (both tariff and nontariff) in a number of key foreign markets.
- U.S. exports to India are minuscule (\$2 million), and tariffs are as high as 43 percent on paper/paper products.
- Low and middle income countries have much higher tariffs than the U.S. average rate of less than 2 percent. For example, the import duty for ASEAN countries and South America averages 12 percent and 15 percent respectively.
- Prescriptive product standards, especially in low and middle income countries, further inhibit expansion of forest products exports, especially for lumber and solid wood products.

Fast Track will strengthen U.S. efforts to reduce trade barriers and expand international markets which are key to maintaining U.S. competitiveness and innovation

- To combat these problems, U.S. government and industry are attempting to pursue these issues in existing multilateral and regional fora, including the WTO, APEC, ASEAN Dialogue, and by enforcing U.S. trade laws.
- Like the ITA, the U.S. is pursuing in APEC further sectoral liberalization on wood and paper products.

Competition doesn't wait for U.S. leadership

- The 13 percent U.S. share of the worldwide export market for forest products could be threatened if major European competitors (Finland and Sweden have 8 percent each of the world market) gain a competitive advantage through negotiation by the EU of preferential trade agreements with low and middle income countries.
- Brazil is a major producer/exporter of products in this sector, including to the United States. Import tariffs range up to 2-16 percent while imports from Mercosur partners are zero.