



Republican trade policy: Finding the fast track or circling a roundabout?

By Bill Watson
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There are many valid reasons to criticize the president's handling of the Trans-Pacific Partnership negotiations. But GOP members of the Ways and Means Committee have taken the blame game one step too far. Last month they signed a letter actually threatening to oppose the TPP unless the president first secures trade promotion authority from Congress. This petulantly passive-aggressive ultimatum makes the perfect the enemy of the good and does a great disservice to both the struggling U.S. trade agenda and the American public.

The Republicans are right that the administration should not have started negotiating the TPP agreement before securing trade promotion authority. That authority, also known as fast track, allows the president to submit trade agreements to Congress for a timely up-or-down vote without amendments. In exchange, Congress imposes a series of negotiating objectives that any fast-tracked agreement must meet.

Congress sets the blueprint for U.S. trade policy, and then promises to get out of the way. It's been an effective model for executive-legislative cooperation on trade policy for decades.

This administration, however, has done it all backwards. They spent years negotiating the TPP, a 12-member mega-regional trade agreement, before even requesting fast track authority from Congress. Now members of Congress on both sides of the aisle are distrustful of the administration's trade agenda and feel left out of the TPP negotiations.

But when a patient is dying on the operating table because one doctor made a mistake, the second doctor doesn't threaten to shoot the patient in the head to make a point. There are ways for the Republicans to help the U.S. trade agenda despite the administration's bungling.

One thing trade supporters in Congress can do is stop obsessing over trade promotion authority. Yes, the president should have requested fast track years ago. Yes, the president should be more actively whipping Democrats to support it now. But he didn't, and he's not. The chances of securing trade promotion authority now are slim. At this point, arguing over fast track is a waste of time and energy.

But don't we need fast track in order to get the best deal from our trading partners in the TPP? Not necessarily. It's true that trade promotion authority enables foreign negotiators to put

more on the table without the fear that Congress will disrupt the bargain with last minute demands. But there's also a downside.

At this late stage in the negotiations, the imposition of new, mandatory negotiating objectives could be very disruptive. What's more, any trade promotion authority bill that could be passed by this Congress is going to include a handful of especially bad negotiating objectives.

To pass an avidly trade-skeptic, Democrat-controlled Senate, a fast track bill will likely include strong requirements related to currency manipulation—an issue that foreign governments have flat-out refused to negotiate in a trade agreement. Such a mandate could set back the already struggling negotiations and would, at the very least, require the United States to expend significant negotiating capital.

Trade promotion authority will also mandate the inclusion of enforceable provisions on labor and environment regulation. We already know that the administration has met significant resistance from our trading partners on this issue. Trade promotion authority would require U.S. negotiators to give up other objectives to secure those provisions.

Even if the House Republicans are right that trade promotion authority would indeed secure the “best agreement obtainable,” opposing the second-best agreement is just bad policy. This is especially true considering how unlikely it is that Congress will pass a good fast track bill.

Their all-or-nothing attitude for the TPP is harmful to the countless American consumers and businesses that would benefit from freer trade. If you have the power to enact a TPP that gives you 90% of what you want, you can blame the president for the missing 10%, but opposing the deal is irrational.

Instead of fixating on the president's mistakes, Republicans should be bolstering the prospects for passage of the TPP without fast track by, most of all, publicly making the case for open trade. Yes, the president should be doing that—it's his agenda, after all. But he's not. Instead of threatening to kill the TPP, make clear that you support the goals of the agreement regardless of how the President mucks it up.

Saving a dying U.S. trade agenda may be difficult, but the deal's not dead yet. Giving up on the TPP now and blaming President Obama is pure political malpractice.

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