



Call your U.S. Rep. now: final vote probably within 4 weeks.

**FAST-TRACK gives authority to the President to negotiate trade agreements. Congress gives up its right to thoroughly debate, amend, or otherwise alter those trade agreements. Congress can only vote "yes" or "no" on the whole agreement.**

**Fast-Track is Undemocratic by Its Very Nature:** The checks and balances in our democratic process are eliminated when a President is handed FAST-TRACK AUTHORITY by Congress. Our elected representatives CANNOT CHANGE any part of the trade agreement the President has negotiated. Congress CANNOT GET RID OF parts that hurt working people while benefiting transnational corporations. Congress CANNOT IMPROVE the agreement to make it better for the majority of people. Like all other Congressional legislation, trade agreements should be amended, debated, and put through committee scrutiny (i.e. holding hearings for public input).

The last Congressional authorization of Fast-Track was for 1992-1995. Since it lapsed in 1995, Congress has since refused to renew it (see side-bar). **One of the worst results of the 1992-1995 Fast-track was NAFTA's Chapter 11.** Not widely known by the public is the fact that Chapter 11 allows multinational corporations to sue our government for the purpose of negating our democratically enacted laws. The result is that our elected officials are more and more fearful of enacting protective laws (see op-ed on reverse side). NAFTA and WTO, negotiated under Fast-Track, work well for corporations, but not for real people and communities. *We are moving toward corporate rule and away from democratic governance!*

We have one last chance to stop Fast-Track for President Bush and undebated acceptance of Trojan horses similar to NAFTA's Chapter 11. The House of Representatives will be voting soon, probably before July 4th, on the combined House/Senate version of Fast-Track. A few minutes of your time and a free phone call may make a huge difference to the future of this country.

**First, call your own U.S. Rep., then call the four wavering WA Congressional Reps. and tell them to OPPOSE FAST-TRACK. Call Toll-Free: 1-877-611-0063 (courtesy of the AFL-CIO)**

WA Congressional House members who are wavering: Brian Baird (4th), Adam Smith (9th), Jay Inslee (1st) and Rick Larsen (2nd). Tell them: DO NOT HAND OVER CONGRESS' CONSTITUTIONAL AUTHORITY TO BUSH. VOTE 'NO' ON FAST TRACK.

For more info: see [www.peopleforfairtrade.org](http://www.peopleforfairtrade.org) or call 206-782-8292

## A Short History of Fast-Track

**1973 to 1992** - When Congress gave Pres. Nixon Fast-Track in 1973, trade agreements were, and historically had been, limited to tariffs and quotas on goods. It was used during 1973-92 to pass several trade agreements in this traditional sense.

**1992** - Pres. Clinton was granted Fast-Track by Congress (expiring in 1995) to pass NAFTA and WTO. In these agreements, however, the boundaries of what was included in trade agreements exploded. NAFTA and WTO required the reshaping of our domestic laws on food inspection, service sector regulations and intellectual property. NAFTA and WTO also established unelected-tribunals that now enforce their rulings through multi-million dollar penalties, paid with taxpayer-dollars, to corporations.

**1997 & 1998** - In 1997, Pres. Clinton asked Congress for Fast-Track again, but due to the catastrophic reality of the four-year NAFTA record, he was afraid to call for a vote. In 1998, Clinton made another attempt, but Fast Track was voted down overwhelmingly in Congress.

**2001-2** - Pres. Bush is currently asking Congress for Fast-Track to expand NAFTA to the entire Western Hemisphere. The U.S. House approved Fast-Track by one vote in December, 2001 and the Senate approved Fast-Track in May, 2002. Because the House and Senate bills are different, they will be reconciled in a "Conference Report". That version of Fast-Track will be voted on again in both the House and the Senate, possibly before July 4th.

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## Fast-Track: a Way to Dump Democracy

PATTI GOLDMAN, managing attorney at the Earthjustice Legal Defense Fund

A little more than a year and a half ago, thousands marched in Seattle to demand that trade institutions, such as the World Trade Organization, respect the world environment and the creatures that inhabit it. Environmentalists joined unions, family farmers and religious leaders to complain that the WTO has put our laws to protect endangered species, forests, air quality and food safety at risk.

Now Congress is threatening to bargain away our democracy in order to accelerate passage of new trade agreements.

When Congress returns from its August recess, it may consider giving the president what is known as "fast-track" authority to negotiate trade agreements without ordinary congressional and public oversight. Fast-track authority allows the president to negotiate trade agreements in secret.

The final agreements are submitted to Congress only when they are a done deal. Congressional hearings and debate are sharply limited and the entire package must be voted up or down within an inflexible and extremely short period of time.

Fast-track authority is anti-democratic. It gives the president unaccountable power to decide the terms of trade agreements.

As the WTO meeting made clear, trade agreements are not simply about tariffs any more. They establish rules that determine the viability of health and environmental protections. The WTO and the North American Free Trade Agreement (NAFTA) give other

countries the right to challenge our environmental laws as unfair trade barriers. Mexico and Malaysia have done so with our dolphin and sea turtle protections and Venezuela with our air pollution laws, to name a few examples. These challenges are resolved by trade officials who hear arguments and make decisions behind closed doors.

In the face of threatened trade challenges, the United States has allowed pesticide residues on food that do not meet U.S. standards. Minnesota has waived its purchasing preference for recycled paper in the face of Canadian claims that it would disadvantage paper produced from logging native forests.

NAFTA goes further and gives corporations the right to sue for monetary damages when laws harm their foreign investments. The first such challenge to a chemical ban resulted in repeal of the ban and payment of millions of dollars. More recently, Methanex Corp., a Canadian-based corporation, filed a NAFTA claim for \$970 million for losses, including a decline in stock value, from California's phase-out of a toxic gasoline additive that has contaminated drinking water. These investor lawsuits can be tantamount to blackmail. A foreign corporation can insist on being paid a hefty sum to stop marketing a product that causes harm.

Trade agreements make fundamental policy choices that create winners and losers.

How much definitive scientific proof is required before a country can ban harmful chemicals, like asbestos? Can a country limit trade based on the harmful effects of logging, fishing or factory production? Can a local government sponsor eco-labeling or limit its

own purchases to sustainably produced wood? Can the United States restrict imports of cheap Canadian timber produced with heavy government subsidies and by clear-cutting virgin forests right to the banks of salmon streams?

In the United States, people have a voice when laws addressing these fundamental questions are debated and enacted. The people also should have a voice before these rights are traded away.

Our democratic system thrives on checks and balances, as well as on public accountability. Fast-track authority sacrifices both.

It truncates the congressional oversight provided through hearings and debate and eliminates the congressional power to amend. Trade agreements are a fait accompli by the time they are submitted to Congress. The public is kept in the dark about the terms of the agreement and cannot work through elected members of Congress to alter terms harmful to the public interest.

While the WTO has earned a reputation as an institution unresponsive to public demands and input, we live in a democracy. Congress can control and shape the laws that govern U.S. consideration and approval of trade agreements.

Congress should not jettison democratic lawmaking for the sake of rushing into new trade agreements. We are not against trade; in fact, trade is important to the region's economy. However, recent trade deals have been stacked against the environment, putting profits above people and the environment. Congress has a responsibility to insist that trade agreements safeguard our environmental laws. This power should not be traded away.