

# White House and House Democrats at Odds on Colombia Free Trade Agreement

By Beata Spuhler

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According to *Congressional Quarterly*, the House voted on April 10, 2008 (224-195) to delay indefinitely its consideration of the United States-Colombia Trade Promotion Agreement (Colombia TPA). The House's delay in acting on the Colombia TPA is inconsistent with the rules for Trade Promotion Authority, often referred to as "fast-track." Fast-track authority requires that Congress provide a "yes" or "no" vote within 90 days of receiving implementing legislation from the President. Although this rule change does not necessarily signify a rejection of the agreement, the House's action will certainly delay the vote beyond the 90-day period.

On April 7, 2008, President Bush sent implementing legislation for the Colombia TPA to Congress for a vote under fast-track authority. Even though fast-track authority expired in July 2007, the agreement was signed prior to its expiration. On April 9, 2008, House Speaker Nancy Pelosi announced that House Democratic leaders would plan to seek a floor vote during the next day's session to delay consideration of the agreement beyond the 90-day period required by law.

Speaker Pelosi had cautioned President Bush that submitting the trade pact to Congress now would not be wise in the midst of a heated election in which trade policy is a hot topic, and indicated that if brought to

the floor at this time, the legislation would not pass. Senate Finance Committee Chairman Max Baucus had endorsed Pelosi's move to delay the vote, while Republican Minority Leader John Boehner criticized Pelosi's move to delay consideration of the agreement. The White House is apparently infuriated by Pelosi's decision, which White House Spokesperson Dana Perino believes could adversely affect future Free Trade Agreement negotiations.

The Colombia TPA would allow 80% of U.S. exports to enter into Colombia duty-free. Imports from Colombia to the United States already have duty free access under the Andean Trade Promotion Act. The Administration asserts that the Colombia TPA would merely level the playing field for U.S. exports to Colombia.

However, concerns have been voiced that the provisions in the agreement insufficiently protect human rights, which is one reason why this agreement is still on the table. In addition, prior to voting on the Colombia TPA, Democrats in Congress would like to focus on the expansion and renewal of Trade Adjustment Assistance (TAA), which provides benefits to U.S. workers displaced as a result of increased imports. The vote to delay consideration of the Colombia TPA could pave the way for Congress to act on TAA before making a decision on this agreement or any other pending bilateral free trade agreements.

## Customs & Trade Practice Group

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