

# Compromise Reached on Fast-Track Trafficking Provision

By Rachel Oswald, CQ Roll Call

A compromise struck this week between Sen. Robert Menendez and the Obama administration will likely spare the United States from having to expel Malaysia from Pacific trade talks.

Menendez is now backing changes to anti-human trafficking language that he earlier inserted during the Senate Finance Committee's April markup of the fast-track bill. The modification would create a narrow pathway for Malaysia to remain a participant in the 12-nation Trans-Pacific Partnership while also still requiring it to take steps to rectify its gross human trafficking problem.

After the Senate voted on Thursday to end debate on a substitute amendment containing the Trade Promotion Authority legislation (S 995), the New Jersey Democrat told CQ he feels confident that his and Sen. Ron Wyden's, D-Ore., revised language would get a vote.

"Whether that gets done in a manager's package, which I would find acceptable, or whether it gets done by virtue of the amendment that we specifically offered to amend the underlining language in the bill – that still exists post-cloture – is an open question," Menendez said. "But that it's going to get done one way or the other, I'm convinced it will."

was described as a poison pill, the end of TPA, causing the entire Senate to be paralyzed because it wouldn't be possible to move forward.”

## Support for Change

Anti-trafficking advocates have come out in support of the proposed change.

Karen Stauss, director of programs at Free the Slaves, said her organization and the broader ATEST movement do not see the modification as a watering-down of the bill even though they are still supportive of the original Menendez anti-trafficking language.

Stauss said there were two goals with both amendments. One was to “use the opportunity of desirable trade benefits to exert leverage on poorly performing countries.” The second was to preserve the integrity of the TIP report, which otherwise might come under pressure to artificially raise a nation's tier status so it could be part of TPP or other future trade deals.

“You can imagine in the U.S. government, there is pressure to be less critical of our friends,” she said, adding that thus far “we have been pretty pleased with the way the State Department has stayed pretty truthful within that [TIP] report.

Abramowitz said another benefit of the provision is it would apply to future countries, such as Thailand, that are not part of the current TPP negotiations but may want to join the regional trade agreement in the future. Thailand is currently classified as a Tier 3 country, in large part due to the prolific use of coerced labor in its massive seafood industry.

Meanwhile, Malaysia has been called out by the State Department for the labor trafficking that many migrant workers in the Southeast Asian country experience, particularly on agricultural plantations, construction sites, textile factories and in private homes as domestic help.

**TAGGED: Fast-Track Authority, Human Trafficking, Trade Deals, Trade Promotion Authority**