

# Memorandum

**To:** Omar Khan, Assistant U.S. Trade Representative for Intergovernmental Affairs and Public Engagement  
**Cc:** Julia Friedman  
**From:** Susan Ariel Aaronson, Ph.D, Research Professor of International Affairs, GWU  
**Date:** 3/5/15  
**Re:** *Strategies to Increase Public Trust and Accountability in US Trade Policymaking*

*The trade policymaking process does not meet public expectations for openness in the Internet Age. Here are some ideas that may help USTR engage more Americans in a dialogue with the public, be seen as responsive, and inspire greater trust.*

## **I. Ideas regarding Advisory Process and Increased Transparency**

*Develop Advisory Committees for specific chapters in addition to existing advisory committees.*

*Work with a think tank or university to create a Transparency Working Group: a temporary group to give recommendations to USTR on what it can do to facilitate greater transparency related to ongoing negotiations. The group should include key Congressional staff. The advisory group would meet once a week for two months to develop a consensus on transparency strategies for USTR that balance public demands for openness with a clear understanding of the need for secrecy in selected chapters/provisions. USTR should commit to summarizing these recommendations on its web site and explain its response to these specific recommendations.<sup>1</sup>*

*Engage in a race to the top with EU on transparency<sup>2</sup> While USTR has not agreed to release its negotiating positions, why not release a document on its objectives for each chapter?*

## **II. Ideas to Build Trust**

- Create a web page showing how negotiations are conducted and clearly explaining the meaning of key terms in the negotiations.
- Establish a web portal where individuals can comment on specific USTR activities. USTR should summarize these comments and show how it will respond to what they say. By creating a feedback loop, more stakeholders will see USTR as responsive and accountable.

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## III. Ideas regarding how to interact with stakeholders: Brainstorming and Crowdsourcing

### Brainstorming:

*USTR should call for (or a university or international organization could convene) a public brainstorming on a longstanding policy problem bedeviling negotiations. As a made up example to illustrate the importance of brainstorming, USTR could ask for public input into how to ensure that TPP enhances human welfare in the US and the ten other Pacific countries. An Assistant USTR could give a background briefing which does not identify nations, but rather suggests parameters each nation will or will not accept. Then the Assistant USTR should ask for ideas. USTR should commit to consider ideas that move process forward but do not alienate Congress.*

*Experiment with crowdsourcing. USTR could seek public input regarding new ways of thinking about issues or new ways to help stakeholders. For example, USTR could ask: how can we empower unions in the global economy? One way might be to negotiate provisions that empower unions as service providers? (Unions might be able to offer training, benefits, and bargaining expertise, as example). Use this crowdsourcing both to build trust and gain new ideas.*

## IV. Change the Terms of Trade—update the language policymakers use to defend trade agreements

a. USTR should not only talk about how trade agreements have *enhanced economic welfare*, but how they have *enhanced human welfare* (e.g. access to information, more political participation, cultural exchange, democratization, greater respect for some human rights, improving the rule of law.)

b. **Stop** using mercantilist arguments-trade agreements are governance agreements that allow foreign actors the ability to influence governance in our trade partners. They give us leverage. Show how trade agreements such as TTIP can create a regulatory race to the top.

## V. Make the agreements more coherent in order to build trust

Without deliberate intent, negotiating parties may utilize language in the services, investment, and regulatory coherence chapters that could as example undermine the labor rights chapters. Depending on how they are written, these chapters could advance labor rights and increase employment, but at the same time they could also have negative effects.

## VI. Clearly state principles for negotiating trade agreements

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Suggest USTR clearly delineate these principles and show how these principles led to a certain outcome: These principles could reassure stakeholders that USTR negotiates agreements in the public interest and not at the behest of multinational corporations.

For example “USTR negotiates trade agreements rooted in the core values and norms that the US stands for: that hard work will lead to more opportunities; enhanced human welfare; and economic and social stability in the US and abroad. USTR builds on the template and negotiating authority from Congress; USTR adapts these templates to specifics of negotiating partners. USTR will be as transparent as possible regarding the objectives and outcomes of negotiations for each chapter.”

**Endnotes:**

1 In its “Open Government Plan,” the U.S. Trade Representative’s office agreed that it needed to become more responsive to the public at large but officials have not figured out how to do so (See <http://tinyurl.com/n7ztdug>. Senior officials U.S. have noted that the failure to be transparent can undermine the credibility of trade negotiations and necessitates a search for new ways to involve stakeholders. (See <http://tinyurl.com/logrhr4>.)

2 <https://www.youtube.com/watch?v=gno9v4qmathw>