

## United States Senate

November 22, 2005

Ambassador Robert Portman  
Office of the U.S. Trade Representative  
600 17<sup>th</sup> Street, N.W.  
Washington, D.C. 20508

Dear Ambassador Portman,

I am writing to you to express my concerns regarding the implementation of various terms of the Dominican Republic – Central American Free Trade Agreement (DR-CAFTA) and the continuing negotiations on the Andean Free Trade Agreement (AFTA). These two agreements are inextricably intertwined as successful passage of AFTA will be, in many cases, tied to adherence to the terms and side agreements of DR-CAFTA. It is imperative that the focus of USTR be not only on the negotiating of new trade agreements, but also on the monitoring and enforcement of previously signed agreements.

I sent you a letter on July 18<sup>th</sup> regarding ILO monitoring in CAFTA. I have attached a copy for your reference. To date I have not received a response. It is important that the United States properly implement the commitments made during DR-CAFTA so that future agreements and discussions will benefit from the successes to be achieved through the assistance of the ILO in Central America. I appreciate your timely attention to this matter.

It is my understanding that many of the most contentious issues in negotiations on AFTA have been left for this current round which is scheduled to conclude in the near future. I am worried that efforts to complete negotiations in this timeframe may negatively impact the most vulnerable in the Andean region. I am particularly concerned about labor rights protections in AFTA. As you know, labor violations have become endemic in the region, particularly in Colombia where trade unionists are routinely killed and subject to other forms of persecution. I am interested in hearing your perspective of the situation, and I would like to meet with you in the near future to discuss options to address these problems.

I would also appreciate your help in describing what steps USTR is taking to mitigate any negative impacts of this agreement on subsistence-level farmers. Since 2000, the U.S. has spent \$1.2 billion to eradicate coca and to help rural farmers transition from drug cultivation to commercially-viable export crops. It appears that the USTR's position of rejecting safeguards for sensitive agricultural products may undermine this effort by displacing these individuals and leaving them with few alternatives beyond drug cultivation. By not addressing this issue directly, we raise the potential for increased coca production, greater social instability, and

additional illegal immigration to the United States. I believe that these demands by USTR are contradictory to our counter-drug efforts in the region, and we should reassess how to align trade promotion and our national security policies in the Andean region.

I look forward to continuing to work with your office on these and other matters.

Sincerely,



Jeff Bing  
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JB/jsb