

United States Senate

WASHINGTON, DC 20510

March 12, 2009

The Honorable Ronald Kirk
United States Trade Representative
Office of United States Trade Representative
600 17th Street NW
Washington, DC 20508

Dear Ambassador Kirk:

We understand that the first round of new negotiations on the Trans-Pacific Partnership (TPP), scheduled to begin this month in Australia, will address the structure and scope of a prospective regional trade agreement.

As the Administration's first major trade policy initiative, the TPP will be the venue for President Obama to bring his message of change to the issue of trade and to begin creating a new trade agreement model that boosts prosperity and security at home and around the world. We see the TPP as an opportunity for the Obama Administration to re-shape our use of trade policy as a tool to create good American jobs while promoting economic opportunity and fundamental human rights and democratic principles among trade partners.

As the TPP talks re-start, we request from you further information and consultation on two areas of concern: the economic merits of a prospective regional agreement with these partner countries, and how the TPP negotiations or specific U.S. demands therein could serve as leverage to promote human and labor rights and democratic reforms in Vietnam and Brunei.

The United States already has trade agreements with four of the seven potential TPP countries - Australia, Singapore, Chile, and Peru. According to government statistics, these four countries already comprise 86 percent of the total combined \$1.6 trillion GDP of the seven other countries engaged in TPP talks. In addition, we note that one of the seven countries proposed as a TPP partner, Vietnam, does not have a market economy. Vietnam, like several Asian countries, also intentionally undervalues its currency, which poses severe challenges to American producers.

Furthermore, the State Department's 2009 Report on Human Rights Practices noted that workers in Vietnam are prohibited from joining or forming any union that is not controlled by the government of Vietnam. On political freedoms, the State Department reported that "[t]he government [of Vietnam] continued to crack down on dissent, arresting political activists and causing several dissidents to flee the country." In Brunei, there is virtually "no trade union

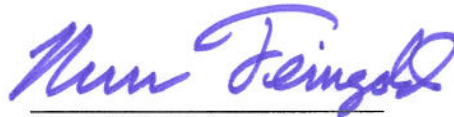
activity in the country and there is no legal basis for either collective bargaining or strikes,” according to the International Trade Union Confederation. We view the TPP negotiations as an opening to ensure that any country seeking to be part of the TPP meet criteria with respect to labor rights, democratic governance and other human rights.

These challenges, however, represent opportunities for the new Administration. We believe these negotiations are an opportunity to redefine and redirect U.S. trade policy. It is essential that we rebalance our trade and globalization policies so that they reflect our nation’s democratic values are beneficial to our workers, consumers, farmers, and firms.

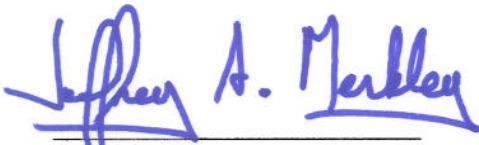
Sincerely,



Sherrod Brown
United States Senator



Russell D. Feingold
United States Senator



Jeff Merkley
United States Senator



Patty Murray
United States Senator