

**Congress of the United States**  
**Washington, DC 20515**

July 24, 2015

The Honorable Michael Froman  
U.S. Trade Representative  
600 17th Street, N.W.  
Washington, D.C. 20508

Dear Ambassador Froman,

The Obama Administration has said that in the Trans-Pacific Partnership (TPP) Agreement, it is negotiating the strongest labor protections of any trade agreement in history. These include enforceable, trade sanction-backed commitments to extend workers their fundamental rights as recognized by the International Labor Organization (ILO) —namely, the right to form unions, the right to collectively bargain, the right to be free of forced and child labor, and the right to be free of employment discrimination. TPP also will include, for the first time, the right to a minimum wage and protections on hours of work and occupational safety and health, heightened protections in “export processing zones” where abuses tend to be highest, and measures to discourage forced labor wherever it is found. We fully support this effort and believe it is critical to ensuring the dignity of work abroad and to leveling the playing field for American workers here at home.

But commitments in trade agreements, standing alone, are never enough. They must be backed up by real implementation and enforcement. To ensure that the TPP is as strong on those grounds as it is on the rules reflected in the agreement itself, we urge the Administration to take a number of additional steps. These steps, together constituting a new Labor Enforcement Strategy for TPP, will help to ensure that the TPP Agreement translates into real change on the ground for workers.

1. Work with TPP partner countries to identify specific commitments to bring countries into compliance with labor chapter. We understand that the Administration is engaged in discussions with TPP partner countries about achieving compliance with the Labor Chapter commitments. We urge the Administration to work closely with the countries to identify specific steps that each country should take in this regard so that, moving forward, partner countries—in particular Mexico, Vietnam, Malaysia, and Brunei—have tailored U.S. guidance on issues of concern.
2. Ask TPP partner countries to frontload reforms. We urge the Administration to ensure that TPP partner countries frontload reforms and take steps to implement key reforms before receiving access to our market under the Agreement. This ensures that both we and our trading partner get the benefits of our bargain.
3. Identify specific technical assistance programming that will be needed to ensure that trading partners are able to implement labor commitments under the TPP and ensure adequate capacity-

building funding. One of the lessons we have learned over the years is that many of our trading partners, especially developing country partners, need help meeting the high standards that we impose. We urge the Administration to identify the specific technical assistance programs that will be needed to help developing country TPP partners to meet the obligations in the Labor Chapter and to work with the Congress to ensure that there is adequate funding not only in the near term, but in years to come, for such programming.

4. Develop faster and more streamlined processes for reviewing petitions regarding labor violations. There has been criticism that the Administration's process for reviewing petitions regarding labor violations takes too long. The petition regarding Honduras, for example, was in the process of review for a number of years before DOL issued its report in connection with the petition. We strongly urge the Administration to undertake a review of these processes and develop a strategy to streamline and speed them up.
5. Develop a whole-of-government strategy for prioritizing labor concerns in trading partner countries and engaging the governments more quickly to resolve concerns. Many labor concerns arise outside of any formal petition process and quick engagement with other governments is key to resolving issues. Maximum effectiveness is achieved by ensuring that engagement is done on a whole-of-government basis, so that not only USTR and DOL but other agencies as well are engaged in the effort to press for change. We urge the Administration to develop a strategy for prioritizing labor concerns in trading partner countries and implementing a whole-of-government approach to seeking resolution.
6. Establish a mechanism for regular engagement with Congress regarding implementation and, after the agreement comes into force, partner countries' continuing compliance with TPP obligations. Congressional engagement must be a core part of the Administration's monitoring and enforcement efforts. We urge the Administration to establish a mechanism for regular engagement with Congress to provide information regarding the status of implementation and compliance efforts and to solicit Congressional input in that regard.
7. Place labor attachés in critical countries. In the past, labor attachés have played a vital role in engaging foreign countries on labor issues and providing "boots on the ground" to help address concerns. Given the critical importance of implementation and compliance with TPP's labor obligations, we urge the Administration to place labor attachés in key TPP partner countries, including Vietnam.
8. Formalize the Interagency Trade Enforcement Center. The Interagency Trade Enforcement Center (ITEC), established by President Obama in 2012, has been an important part of the Administration's enforcement effort, bringing together resources across the U.S. government to help in the effort to ensure that trading partners live up to their obligations. We urge the Administration to work with Congress to formalize and codify the ITEC. Doing so will ensure it continues on as a resource for future Administrations, including as they monitor and enforce the rights and obligations under TPP.

9. Provide public reporting on labor compliance issues. We urge the Administration to engage in regular, public reporting on labor compliance issues so that stakeholders and members of the public can be informed and can engage the Administration on issues of concern.
  
10. Ensure that there is close collaboration with the International Labor Organization (ILO), non-governmental organizations, and business and civil society stakeholders. Engaging the ILO and stakeholders with expertise and interest on labor issues will be critical to ensuring that obligations are implemented the right way and that problems are addressed effectively and expeditiously.

Done right, trade can be a powerful force for protecting workers at home and abroad. Here in the United States, export jobs pay up to 18% more than non-export jobs, and estimates suggest that increased exports over the past two decades have raised the incomes of the typical middle-class worker by an extra \$1,300. In developing countries, evidence shows that trade can raise wages, alleviate poverty, and bring workers out of the shadows and into decent, formal-sector jobs. A TPP agreement that includes robust commitments on labor rights will help level the playing field for American workers, and ensure that workers across the TPP region are able to enjoy fundamental labor rights and share in the benefits of expanded trade. But for our workers—and workers around the world—to reap the benefits of TPP, those commitments must be fully enforceable. Implementation of this Labor Enforcement Strategy will ensure that countries abide by the commitments they make in TPP, that workers' fundamental rights are protected and upheld, and that the significant economic benefits of TPP are broadly shared.

Sincerely,



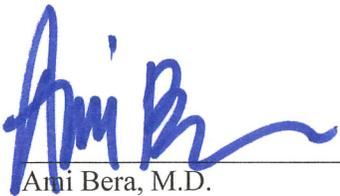
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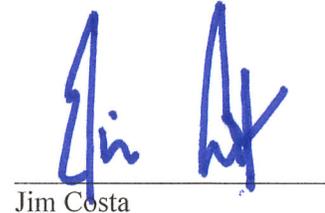
Earl Blumenauer



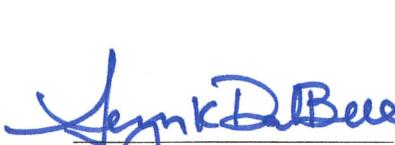
Suzanne Bonamici



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Jim Costa

  
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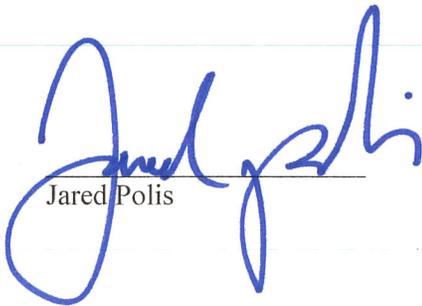
  
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