



Center for the Advancement of
the Rule of Law in the Americas

GEORGETOWN LAW

USMCA

INNOVATIONS AND U.S. RATIFICATION

MONDAY, APRIL 22ND, 2019

GEORGETOWN UNIVERSITY LAW CENTER
GEWIRZ STUDENT CENTER, 12TH FLOOR
120 F ST NW, WASHINGTON, DC 20001



9:00 am - 09:15 am

WELCOME & INTRODUCTION

Álvaro Santos

Professor, Georgetown Law/Director, Center for the Advancement of the Rule of Law in the Americas (CAROLA)

9:15 am - 10:45 am

PANEL 1

IS USMCA A NEW PATH FOR TRADE AGREEMENTS?

NAFTA was the precursor of an entire generation of trade agreements. Will USMCA also set a new course for trade agreements to come? Participants will examine the extent to which the USMCA may represent a break with the liberal globalization model enshrined in previous trade agreements and what its potential benefits or concerns may be. Important changes in USMCA include new provisions on investment, labor, rules of origin, digital trade, environment and intellectual property. Does the agreement respond to concerns about jobs, wages, and economic distribution raised by critiques of globalization and of TPP and NAFTA? To what extent do these changes represent a new direction and a response to the globalization backlash?

CHAIR/DISCUSSANT:

Grant Aldonas

Executive Director, Institute of International Economic Law, Georgetown Law

PANELISTS:

Christine McDaniel

Senior Research Fellow, Mercatus Center, George Mason University

Kimberly Ann Elliott

Visiting Fellow, Center for Global Development

Ben Beachy

Director, A Living Economy, Sierra Club

Inu Manak

Visiting Fellow, Cato Institute

10:45 am - 11:00 am

COFFEE BREAK



11:00 am - 12:30 pm

PANEL 2

USMCA RATIFICATION IN THE U.S.

With a Democratic majority in the House of Representatives, the political landscape in the U.S. has changed. This new majority has raised concerns about certain aspects of the USCMA, including labor reform in Mexico, enforcement mechanisms in USMCA, the withdrawal of Section 232 tariffs on steel and aluminum on imports from Canada and Mexico, and the protection of pharmaceutical products. How can these issues be addressed in the ratification process? Can they be included in the USMCA implementing bill or in possible additions to the agreement? What can we learn from NAFTA's ratification process? What are the time constraints given the current political calendar?

CHAIR/DISCUSSANT:

Jennifer Hillman

Professor, Georgetown Law

PANELISTS:

Celeste Drake

Trade and Globalization Policy Specialist, AFL-CIO

Brian A. Pomper

Partner, Akin Gump

Stephen J. Claeys

Partner, Wiley Rein

Elizabeth Baltzan

Principal, American Phoenix Trade Advisory Services PLLC

12:30 pm - 1:00 pm

LUNCH

1:00 pm - 2:00 pm



KEYNOTE

Her Excellency Martha Bárcena Coqui

Ambassador of Mexico to the United States





ÁLVARO SANTOS

Alvaro Santos is Professor of Law and Faculty Director of the Center for the Advancement of the Rule of Law in the Americas (CAROLA) at Georgetown Law. He teaches and writes in the areas of international trade, economic development, transnational labor law and the future of NAFTA. He recently served as Deputy Negotiator of the USMCA Agreement for the newly elected government of Mexico.

Professor Santos is co-editor of the forthcoming book *World Trade and Investment Law Reimagined: A Progressive Agenda for an Inclusive Globalization* (2019) and author of numerous articles and book chapters. He serves on the editorial boards of the *American Journal of Comparative Law*, *the Journal of International Economic Law*, *the Law and Development Review*, and *the Latin American Journal of International Trade Law*. He regularly teaches at Georgetown's Global Trade Academy and Harvard's Institute for Global Law and Policy (IGLP) and has also taught at the University of Texas, Tufts University, Melbourne Law School, Centro de Investigación y Docencia Económicas (CIDE), and the University of Turin. He received an LL.B. with high honors from Universidad Nacional Autónoma de México (UNAM) and an LLM and SJD from Harvard Law School.



GRANT ALDONAS

Grant Aldonas serves as the Executive Director of the Institute of International Economic Law at Georgetown Law, a position he has held since the fall of 2017. Mr. Aldonas was confirmed as the Under Secretary of Commerce for International Trade in 2001 and served in that capacity until 2005. He is also the founder and principal managing director of Split Rock International, a consultancy that advises global companies, governments, and international institutions on globalization, trade, and economic development. Grant has taught at Georgetown Law as an adjunct professor since 2000, served as an IIEL Advisory Board Member and Senior Fellow, and co-chaired the Institute's flagship annual academy on international economic law. He also serves as a Senior Adviser with the Center for Strategic and International Studies and as a Commissioner with the London-based Legatum Institute's Special Trade Commission, which was formed to develop options for the British government's post-Brexit trade policy. Grant has served as Majority Chief International Trade Counsel with the U.S. Senate Committee on Finance and has been on the board of numerous organizations. He also been as a U.S. diplomat, a consultant, and a partner at global law firms. Grant is, in addition, a guitarist and music producer whose work includes producing a well-received series of concerts exploring American blues and roots guitar. Grant graduated from the University of Minnesota with a B.A. in International Relations and from the University of Minnesota Law School with a J.D.



CHRISTINE MCDANIEL

Christine McDaniel is a Senior Research Fellow at the Mercatus Center. Her research focuses on international trade, globalization, and intellectual property rights. McDaniel previously worked at Sidley Austin, LLP, a global law firm, where she was a senior economist. She has held several positions in the U.S. government, including Deputy Assistant Secretary at the Treasury Department and senior trade economist in the White House Council of Economic Advisers, and has worked in the economic offices of the U.S. Department of Commerce, U.S. Trade Representative, and U.S. International Trade Commission. Christine spent three years in Australia as deputy chief economist in Australia's patent office. She has published in the areas of international trade, intellectual property, and empirical trade analysis and modeling. She holds a Ph.D. in Economics from the University of Colorado, and received her B.A. in Economics and Japanese Studies from the University of Illinois at Urbana-Champaign.



KIMBERLY ANN ELLIOTT

Kimberly Ann Elliott is a Visiting Fellow with the Center for Global Development and the author or co-author of numerous books and articles on trade policy and globalization, economic sanctions, and food security. Her most recent book is *Global Agriculture and the American Farmer: Opportunities for US Leadership*, published by CGD in mid-2017. In 2009-10 she chaired the CGD working group that produced the report, *Open Markets for the Poorest Countries: Trade Preferences that Work*, and before that, authored the book *Delivering on Doha: Farm Trade and the Poor*, which was co-published in July 2006 by CGD and the Peterson Institute for International Economics. Elliott was with the Peterson Institute for many years before joining the Center full-time. She served on a National Research Council committee on Monitoring International Labor Standards and on the USDA Consultative Group on the Elimination of Child Labor in US Agricultural Imports, and is currently a member of the National Advisory Committee for Labor Provisions in US Free Trade Agreements. Elliott received a Master of Arts degree, with distinction, in security studies and international economics from the Johns Hopkins University, School of Advanced International Studies (1984) and a Bachelor of Arts degree, with honors in political science, from Austin College (1982). In 2004, Austin College named her a Distinguished Alumna.



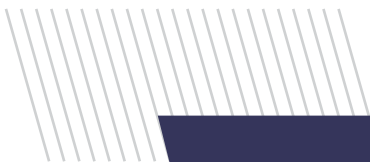
BEN BEACHY

Ben Beachy has worked to transform economic policies for over a decade in organizations fighting for climate equity, workers' and immigrants' rights, trade justice, and public health. That includes work as director of Sierra Club's Living Economy program, senior policy advisor for Sierra Club's trade team, research director for Public Citizen's Global Trade Watch, and national organizer for Witness for Peace. Ben Beachy also has written on the financial crisis with the Global Development and Environment Institute in Boston, researched climate impacts with Action Aid in India, and investigated labor abuses with the Worker Rights Consortium in Central America. Ben Beachy received a Master in Public Policy from Harvard's Kennedy School of Government, where he was a Public Service Fellow. Ben Beachy hails from West Virginia and volunteers in support of immigrant-led efforts to resist deportations.



INU MANAK

Inu Manak is a visiting scholar at the Cato Institute and a Ph.D. Candidate at Georgetown University, Department of Government, specializing in international political economy, with an emphasis on trade and development. Her research focuses on the escalation and settlement of early stage trade conflicts at the World Trade Organization (WTO) committees, and challenges to legal capacity building in developing countries. She is also a participating scholar in the Robert A. Pastor North American Research Initiative, a joint program between American University's Center for Latin American and Latino Studies and the School of International Service. Manak was a Junior Visiting Fellow at the Center for Trade and Economic Integration at the Graduate Institute in Geneva (2016) and Fellow at TradeLab (2016-2017), a Geneva-based NGO. Manak earned an M.A. in international affairs at American University and a B.A. in political science (first class honors) at Simon Fraser University.





JENNIFER HILLMAN

Jennifer Hillman is currently a professor from practice at the Georgetown University Law Center in Washington DC, teaching courses in international trade, international business and the law of Brexit, while serving as a fellow of Georgetown's Institute of International Economic Law (IIEL). She has had a distinguished career in public service, having served as a member of the WTO Appellate Body, as a Commissioner at the U.S. International Trade Commission, as the General Counsel and Ambassador/Chief Textiles Negotiator at USTR, and as the legislative director for U.S. Senator Terry Sanford (NC). She is a member of the Council on Foreign Relations and the Board of Visitors of the Sanford School of Public Policy at Duke University and was formerly a partner in the law firm of Cassidy Levy Kent and a Senior Transatlantic Fellow at the German Marshall Fund of the US. She is a graduate of Duke University and the Harvard Law School.



CELESTE DRAKE

Since 2011, Celeste Drake has been the Trade and Globalization Policy Specialist for the AFL-CIO, where she works to reform U.S. trade policy to promote shared prosperity and inclusive growth. She has testified before the U.S. Senate Committee on Foreign Relations, the U.S. House Ways and Means Subcommittee on Trade, and the U.S. International Trade Commission and has spoken to international audiences including the European Union's Economic and Social Committee and Taiwan's Ministry of Labor. Prior to joining the AFL-CIO, Ms. Drake served as Legislative Director for Congresswoman Linda T. Sánchez (D-CA), Legislative Counsel for Congressman Lloyd Doggett (D-TX), and Clerk for the Honorable David R. Thompson of the U.S. Court of Appeals for the 9th Circuit. She previously served on the Advisory Committee for the U.S. Export-Import Bank and currently sits on the governing board of Jubilee USA Network. Her latest article, "*Disparate Treatment for Property and Labor Rights in U.S. Trade Agreements*," appears in the 2018 edition of the UCLA School of Law Journal of International Law and Foreign Affairs.



BRIAN A. POMPER

Brian Pomper is a partner in the Public Law and Policy group at the law firm Akin Gump Strauss Hauer & Feld, LLP. He was a founding partner of Parven Pomper Strategies Inc., a political strategy and government relations consulting firm focusing on moderate, centrist Democrats in the House and Senate, that was acquired by Akin Gump in 2010. Prior to founding his firm, Pomper was Chief International Trade Counsel for now-Chairman Max Baucus (D-Mont.) on the Democratic staff of the Senate Finance Committee. In that capacity, he was responsible for advising on all aspects of the Finance Committee's trade and development agenda, including oversight of ongoing trade negotiations, market access issues, international trade litigation disputes, and customs issues; drafting legislation, speeches, newspaper editorials, and memoranda; and developing and implementing national and state political strategies. He is a frequent speaker and frequently quoted authority on international trade issues, and he is a trusted advisor to Democrats on international trade policy. Pomper worked on the staff of the Finance Committee from 2003 through 2006. From 1997 until 2003, he worked at the law firm of Skadden, Arps, Slate, Meagher & Flom, where he focused on international trade, litigation, and intellectual property matters. Before entering private law practice, he served as a law clerk for the Hon. Sidney R. Thomas of the United States Court of Appeals for the Ninth Circuit in Billings, Montana. He earned a B.S. degree in mechanical engineering with honors from the Massachusetts Institute of Technology and a law degree magna cum laude from the Cornell University Law School, where he was managing editor of the Cornell International Law Journal. He is also a member of the Patent Bar. He also serves on the faculty of The George Washington University's Graduate School of Political Management as an adjunct professor focusing on international trade policy and politics.



STEPHEN J. CLAEYS

Stephen J. Claeys is a partner in the law firm of Wiley Rein LLP. He assists clients on a variety of international trade law and policy matters, including bilateral and multilateral trade agreements, trade remedies and safeguards, foreign market access barriers, e-commerce and digital trade, agriculture trade, and customs enforcement. He has 25 years of experience advising members of Congress, senior White House and U.S. Department of Commerce officials, and clients on international trade law and policy, and supervising the enforcement of the U.S. trade remedies laws. Steve obtained his law degree at Northwestern University and his B.A. at the University of Notre Dame.



ELIZABETH BALTZAN

Beth Baltzan is a lawyer who practiced with two preeminent law firms before joining the government. In government, she worked for the Office of the United States Trade Representative and the House Ways and Means Committee. She has also worked for the Public Company Accounting Oversight Board and the Senate Permanent Subcommittee on Investigations. At USTR, Baltzan was the principal customs and rule-of-origin lawyer for all U.S. trade agreements negotiated between 2003 and 2009. She was also the principal lawyer for U.S. programs benefiting developing countries. Baltzan also had a sizable litigation portfolio at USTR, including multiple disputes at the World Trade Organization. In connection with her litigation work, she participated in WTO negotiations. In 2012, Baltzan joined the House Ways and Means Trade Subcommittee Democratic staff, where she became a trusted adviser to Members and staff on a range of issues, including the Trans-Pacific Partnership and the Trans-Atlantic Trade and Investment Partnership Agreement. In 2016, USTR asked Baltzan to return to the agency to assist in preparing a dispute against China involving subsidies to its aluminum industry. In 2019, she was named to the NAFTA Chapter 19 Dispute Settlement Roster. Baltzan has appeared on CNBC's Closing Bell and Fox Business' Making Money with Charles Payne, and has also been published in the L.A. Times. She graduated from Stanford University in 1991 with a Bachelor's in International Relations and earned her JD from Georgetown University Law Center in 1996.



MARTHA BÁRCENA COQUI

Ambassador Martha Bárcena Coqui has a degree in Communication Sciences from the Universidad Iberoamericana, Mexico City and a degree in Philosophy, *summa cum laude*, from the Pontifical Gregorian University in Rome. She holds a Master's Degree in International Studies (Diplomatic School, Spain) and has a Master's Degree in Philosophy specializing in Political Philosophy (Universidad Iberoamericana). She speaks English, French and Italian and has knowledge of German, Danish and Chinese. She joined the Mexican Foreign Service in 1979, and has been the Consul in Barcelona, Ambassador to the Kingdom of Denmark non-resident to the Kingdom of Norway and the Republic of Iceland, Ambassador to the Republic of Turkey, non-resident to Georgia and the Republics of Azerbaijan, Kazakhstan and Turkmenistan, and Permanent Representative of Mexico to the United Nations Agencies based in Rome. Ambassador Bárcena has also held multiple other positions at the Ministry of Foreign Affairs, and has been Mexico's delegate to the UN, the OAS, UNESCO, FAO, WFP, IFAD and ICAO, as well as head of Delegation in sessions of the Forum on Migration and Development. She has participated in multiple international conferences, including the G-20 and the World Humanitarian Summit. She is the author of several articles on the reconceptualization of security, globalization, United Nations peacekeeping operations, the role of civil society in international relations, culture and diplomacy, and Mexico-EU relations, as well as the Agenda 2030. Ambassador Bárcena has participated in seminars and workshops on the United States-Mexico security agenda and in the Commission of Studies for State Reform in Mexico. She is a founding member of Desarmex, an NGO that promotes education for peace and disarmament. Ambassador Bárcena was a professional ballet dancer at the Compañía Nacional de Danza. She is an avid reader and enjoys classical music, opera and ballet.

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