

The Washington Post

Editorial: Bad Example

3/23/2009

Mexico's justified retaliation against U.S. trucking protectionism

Monday, March 23, 2009; A14

AS PRESIDENT Obama and many of his supporters articulated it during the 2008 campaign, the case against President George W. Bush's foreign policy emphasized his highhanded treatment of countries with which we disagree. Too often going it alone in pursuit of asserted national interests, the United States under Mr. Bush showed contempt for international law, which alienated existing friends and repelled potential new ones. The new president has made a number of gestures toward correcting America's standing in the world. But on at least one occasion he and his party have acted as if the only thing that matters is what's good for the United States -- or, rather, certain people in the United States.

We speak of the Democratic Congress's recent approval of a law, signed by Mr. Obama, that killed any chance that long-haul freight trucks from Mexico could operate in the United States, as had been promised under the North American Free Trade Agreement. Giving U.S. and Mexican trucks reciprocal access to each other's markets would save fuel and money. An international arbitration panel has also found that the United States is legally required to let Mexican trucks in. Yet the Teamsters union bitterly resisted, claiming that poorly regulated trucks from south of the border would be menaces on U.S. highways.

To meet legitimate safety concerns and this country's legal obligations, the Bush administration promoted a pilot project under which Mexican trucks, screened by U.S. personnel, could operate freely within the United States. The Mexican trucks compiled a safety record comparable to that of American rigs. Almost everyone was happy with the deal -- except the Teamsters, for whom economic turf rather than safety has always been paramount.

Now, in retaliation, the Mexican government has ordered tariffs of 10 to 45 percent on some 90 U.S. products worth \$2.4 billion in sales to Mexico each year: These include both manufactured items such as cellphones and agricultural ones such as pears and cherries. Mexico's action is fully legal under the arbitrators' ruling. Indeed, it has refrained from imposing the sanctions for years in pursuit of a negotiated solution. Mexico appears to be holding back on targeting really huge U.S. exports such as corn -- as leverage for the good-faith negotiation with the Obama administration it says it seeks.

However, a settlement of this entirely avoidable dispute, which harms both the U.S. image in Latin America and American consumers, farmers and workers, cannot begin until the Senate confirms former Washington governor Gary Locke as commerce secretary. Ron Kirk, confirmed last week as U.S. trade representative, has been sending equivocal signals. "I believe in trade and will work to expand it, but I also know that not all Americans are winning from it and that our trading partners are not always playing by the rules," he told a Senate hearing. Actually, Mr. Kirk's statement applies in

reverse to the Mexican trucking case. Other countries that aspire to free trade with us will be watching closely to see if the Obama administration can mend the damage that has already been done.