

112TH CONGRESS
2D SESSION

H. RES. 767

Expressing the sense of the House of Representatives relating to increased transparency in the negotiations of the Trans-Pacific Partnership (TPP) Agreement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

AUGUST 2, 2012

Mr. JONES submitted the following resolution; which was referred to the Committee on Ways and Means

RESOLUTION

Expressing the sense of the House of Representatives relating to increased transparency in the negotiations of the Trans-Pacific Partnership (TPP) Agreement, and for other purposes.

Whereas government officials from the United States and eight Pacific Rim nations—Australia, Brunei, Chile, Malaysia, New Zealand, Peru, Singapore, and Vietnam—have been negotiating for over three years to sign a Trans-Pacific Partnership (TPP) Agreement;

Whereas Canada and Mexico joined the negotiations in June 2012;

Whereas Members of Congress, the American public, and the press have been denied access to the negotiations and to the draft text of this lengthy international agreement;

Whereas press reports suggest that the TPP would compromise United States sovereignty by imposing a regime of global governance on the United States regarding domestic land use; control of United States natural resources and property rights; immigration and visa rights; service sector regulation; patents and copyrights; and food and product standards and labeling;

Whereas leaked text of the draft agreement reveals that the TPP would submit the United States to the jurisdiction of foreign tribunals administered by the United Nations and the World Bank that would be empowered to order unlimited payment of United States taxpayer dollars to foreign firms who claim that Federal, State, or local governments are not delivering on the new privileges and rights TPP would grant to them;

Whereas leaked TPP text suggests foreign investors and firms operating within the United States would be given greater substantive and procedural rights than United States citizens and firms are provided under the United States Constitution as interpreted by the United States Supreme Court;

Whereas press reports indicate the TPP would ban “buy American” and “buy local” preferences in Federal Government procurement;

Whereas leaked TPP text reveals the TPP would include special protections and incentives that promote the offshoring of United States jobs and investment;

Whereas the TPP may require the United States to import meat and other foods that do not meet United States safety standards, putting United States producers at a

disadvantage and United States consumers' health at risk;

Whereas under the terms of the draft agreement, failure by the Federal, State, or local governments to conform United States domestic laws, regulations, and administrative procedures to this regime would subject the United States Government to trade sanctions imposed until United States laws are altered to conform with the TPP requirements;

Whereas the terms of this international regime of governance could only be altered by consensus of all signatory governments and the TPP has no expiration date, meaning the TPP would lock in expansive international preemption of United States laws and policies; and

Whereas every Pacific Rim nation, including China and Russia, could eventually be included in the TPP, which is being designed as a "docking" agreement to which additional countries may join: Now, therefore, be it

1 *Resolved*, That it is the sense of the House of Rep-
2 resentatives that—

3 (1) Members of Congress should be allowed to
4 observe Trans-Pacific Partnership (TPP) Agreement
5 negotiations on behalf of the American people they
6 represent;

7 (2) Members of Congress, the American public,
8 and the press should be allowed access to the draft
9 text of the agreement and to the text of United
10 States negotiating proposals;

1 (3) any final TPP agreement should not under-
2 mine United States sovereignty by submitting the
3 United States, its people, or its businesses to the ju-
4 risdiction of foreign tribunals;

5 (4) any final TPP agreement should not in-
6 crease United States unemployment or the United
7 States trade deficit; and

8 (5) any final TPP agreement that is not a trea-
9 ty approved by two-thirds of the Senate under Arti-
10 cle II, section 2, clause 2 of the Constitution does
11 not have the force of law.

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