
SENATE JOINT MEMORIAL 8001

State of Washington

64th Legislature

2015 Regular Session

By Senators Chase, Hasegawa, Conway, McCoy, and Kohl-Welles

Read first time 01/19/15. Referred to Committee on Trade & Economic Development.

1 TO THE HONORABLE BARACK OBAMA, PRESIDENT OF THE UNITED STATES,
2 AND TO THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES, AND TO THE SENATE AND HOUSE OF REPRESENTATIVES OF
4 THE UNITED STATES, IN CONGRESS ASSEMBLED, AND TO THE SECRETARY OF THE
5 UNITED STATES DEPARTMENT OF STATE, THE UNITED STATES ATTORNEY
6 GENERAL, AND THE SECRETARY OF THE UNITED STATES DEPARTMENT OF
7 COMMERCE:

8 We, your Memorialists, the Senate and House of Representatives of
9 the State of Washington, in legislative session assembled,
10 respectfully represent and petition as follows:

11 WHEREAS, The Founders intended for Congress to set policy for our
12 international trade agreements; and

13 WHEREAS, That Congressional approval of Fast Track trade
14 promotion legislation would effectively delegate congressional
15 prerogatives to the United States Trade Representative and the
16 President of the United States; and

17 WHEREAS, That Congressional approval of Fast Track trade
18 promotion legislation would sharply limit Congress' role in trade
19 policy by forcing the Trans Pacific Partnership trade agreement
20 through on a quick up or down vote, with no amendments; and

21 WHEREAS, Congressional approval of Fast Track trade promotion
22 authority would grant the President of the United States the power to

1 sign the Trans Pacific Partnership trade agreement before Congress
2 has an opportunity to vote on it; and

3 WHEREAS, The investment chapter of the Trans Pacific Partnership
4 trade agreement would allow foreign companies to sue the United
5 States for money damages of unlimited size in compensation for
6 compliance with legislation, administrative rules, or court decisions
7 of the State of Washington; and

8 WHEREAS, That the adoption by the State of Washington of a
9 nondiscriminatory law or administrative rule to serve a public
10 purpose would constitute a violation of the Trans Pacific Partnership
11 investment chapter if the change in the legal environment thwarts the
12 foreign investors' previous expectations of profit; and

13 WHEREAS, The Trans Pacific Partnership investment chapter
14 provides greater substantive and procedural rights to foreign
15 companies than United States companies enjoy under the United States
16 Constitution; and

17 WHEREAS, The National Conference of State Legislatures has
18 resolved not to support any international trade and investment
19 agreement or trade promotion authority legislation that includes such
20 an investment chapter or otherwise violates fundamental principles of
21 federalism;

22 NOW, THEREFORE, Your Memorialists respectfully pray that Congress
23 oppose: Any trade promotion legislation that would facilitate
24 approval of the Trans Pacific Partnership trade agreement; any future
25 trade agreement that includes provisions for investor-state dispute
26 resolution or that otherwise violates principles of federalism; and
27 any future trade promotion legislation that violates the original
28 intent of the Founders regarding the separation of powers and the
29 authority of Congress to set international trade policy.

30 BE IT RESOLVED, That copies of this Memorial be immediately
31 transmitted to the Honorable Barack Obama, President of the United
32 States, the Secretary of the United States Department of State, the
33 United States Attorney General, the Secretary of the United States
34 Department of Commerce, the President of the United States Senate,
35 the Speaker of the House of Representatives, and each member of
36 Congress from the State of Washington.

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