

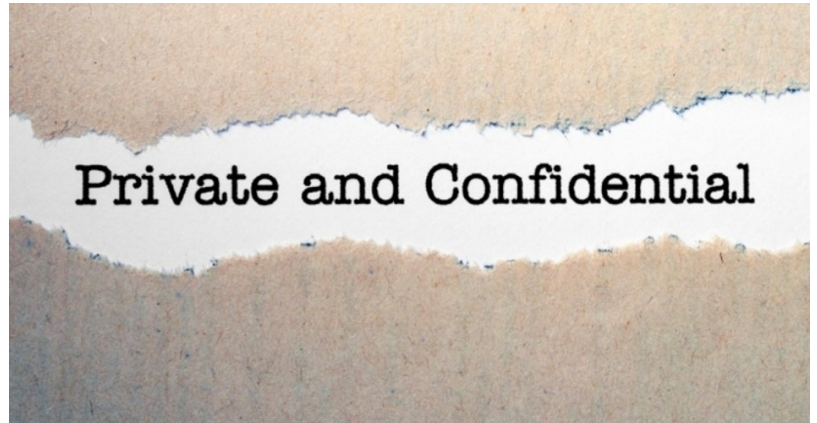


Written by [Joe Wolverton, II, J.D.](#) on December 7, 2013

Members of Congress Call for TPP Transparency

The New American was among the media outlets invited to a telephone press conference hosted by the Sierra Club on December 5. The Trans-Pacific Partnership (TPP) was the topic of the event.

Five members of Congress participated in the presser, each of whom voiced concerns about the still-secret proposed trade pact. Ilana Solomon, the director of the Sierra Club's Responsible Trade Program, moderated the call with Representatives Rosa DeLauro (D-Conn.), George Miller (D-Calif.), Zoe Lofgren (D-Calif.), Earl Blumenauer (D-Ore.), and Steve Israel (D-N.Y.).



The representatives expressed their concerns leading up to this weekend's last-minute meeting on the Trans-Pacific Partnership in Singapore. While the goal of the meeting is to announce that a final deal has been reached, many fundamental provisions remain unresolved, including some that directly impact the authority of Congress to regulate international commerce.

One of the key issues yet to be resolved in the trade pact is around currency manipulation, the process by which countries reduce the value of their currency in order to encourage exports.

"Currency manipulation has expanded the U.S. trade deficit and cost us jobs," said Congresswoman Rosa DeLauro. "Several countries involved in the TPP negotiations have a history of or are currently manipulating their exchange rates to promote their exports at the expense of American workers. Congress has made clear that currency disciplines are critical to leveling the playing field for American workers and that not including them in the TPP would be a slap in the face to those workers. Any deal announced that does not address this issue is not a deal in the eyes of Congress, which has the final say when it comes to trade."

During the discussions, Representative Miller worried that American labor laws would be subordinated to foreign control and that the pact might result in the emaciation of the economic and manufacturing power of the United States.

"If the United States doesn't insist on stronger, enforceable worker protections in the TPP, American workers will pay the price as more jobs are moved offshore and countries provide ever-fewer protections in a global race to the bottom," said Miller. "Past trade deals have given lip service to protecting workers, while allowing conditions on the ground to deteriorate. This time, labor protections need to be integrated into the TPP itself, not put in a side deal, in order to make international human rights a concrete reality for more people around the world."

In the "intellectual property" portion of the pact leaked in November by WikiLeaks, U.S. copyright laws and standards are also altered by the proposed TPP agreement.

"We've expressed concern in the past that these trade agreements really are at the expense of



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consumer rights, fair use, and the public domain and it doesn't look like they've been resolved," said Representative Zoe Lofgren. "This is something that is backdooring, through a trade agreement, that which could not be obtained in Congress. I think we all remember SOPA ... it looks like there are some elements of SOPA that are being inserted into this trade agreement and I don't think the American people are going to put up with it."

Other copyright and Internet freedom activists are responding in similar manner to this section of the WikiLeaks TPP revelation. Like Lofgren, a good number of commentators are pointing to the SOPA-like provisions contained in the IPR chapter now available to the public.

SOPA is an acronym for the controversial Stop Online Piracy Act, legislation that has failed repeatedly to pass in Congress. The name of the bill, like so many other inappropriately named federal follies (Affordable Care Act?), has nothing to do with the real intent: granting government control over the content and traffic on the Internet.

One of the most damaging effects of the TPP is the surrender of legislative power over trade to multinational corporations.

Notably, in both statements announcing the hemispheric enlargement of the trade bloc, former U.S. Trade Representative Kirk places the approval of "domestic stakeholders" (read: large corporations) on a level with that of Congress. It is precisely this exalting of big business, as well as the as-yet-impenetrable wall of secrecy surrounding the drafting of the TPP treaty, that has troubled many of the people's representatives in Congress.

Although the treaty negotiations are being kept under a thick veil of secrecy, a draft document leaked to the Internet discloses that as part of its membership in the TPP, the United States would agree to exempt foreign corporations from our laws and regulations, placing the resolution of any disputes as to the applicability of those matters to foreign business in the hands of an international arbitration tribunal overseen by the secretary-general of the United Nations.

An organization actively protecting the sovereignty of the United States is Americans for Limited Government (ALG). In June 2012, [ALG released a statement](#) drawing attention to critical provisions of the leaked TPP agreement, as well as ably pointing out some of the most noxious aspects of the proposed agreement:

These new trade agreements will place domestic U.S. firms that do not do business overseas at a competitive disadvantage. Based on these leaked documents, foreign firms under this trade pact could conceivably appeal federal regulatory and court rulings against them to an international tribunal with the apparent authority to overrule our sovereignty. If foreign companies want to do business in America, they should have to follow the same rules as everyone else. No special favors.

It is telling that the only apparent way these Pacific nations will enter a free trade agreement with the U.S. is if they are exempt from our onerous environmental and financial regulations that make it cost-ineffective to do business here. Instead of making these foreign firms exempt from these burdensome rules, they should just repeal the regulations and make it cheaper to do business here.

This poses an even wider problem, though. Obama is negotiating a trade pact that would constitute a judicial authority higher than even the U.S. Supreme Court that could overrule federal court rulings applying U.S. law to foreign companies. That is unconstitutional....

This tribunal needs to be removed from this agreement, and no foreign company doing business on our



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soil should have a competitive advantage, created by some dumb agreement, over American companies. What is Obama thinking? He is placing international organizations above the interests of our own country.

Just days after the proposed provisions of the TPP appeared online last year, *The New American* interviewed ALG President Bill Wilson. Wilson was asked what he believes Americans have to fear should the United States enter the TPP and why he thinks the negotiations have been conducted in secret.

“These trade pacts, starting with NAFTA and before [GATT], strike at the heart of national sovereignty, ours and that of the other member nations,” Wilson warned. “At their core they diminish the prerogatives and powers of a specific country and surrender them to international bodies or corporations.”

Regardless of all these legitimate concerns and the fact that members of Congress are forbidden from reading a trade agreement that should fall within their power to regulate, negotiators from the 12 TPP member nations will meet in Singapore on December 7 to hammer out the final sticking points in time for [a year-end ratification](#).

Joe A. Wolverton, II, J.D. is a correspondent for The New American and travels frequently nationwide speaking on topics of nullification, the NDAA, and the surveillance state. He is the host of The New American Review radio show that is simulcast on YouTube every Monday. Follow him on Twitter @TNAJoeWolverton and he can be reached at jwolverton@thenewamerican.com

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