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AND GOVERNMENT REFORM

COMMITTEE ON THE BUDGET

ASSISTANT WHIP



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UNITED STATES
HOUSE OF REPRESENTATIVES

June 7, 2013

The Honorable Sander M. Levin
Ranking Member
Ways and Means Committee
1106 Longworth House Office Building
Washington, D.C. 20515

Cc: The Honorable Nancy Pelosi

Dear Ranking Member Levin:

We look forward to working with you to establish United States trade policies that promote the creation of American jobs and support our national economic interests while safeguarding Congress's prerogatives to determine what domestic policies best promote the public interest.

As the economy continues to recover from the greatest financial crisis since the Great Depression, we can all agree that we cannot afford to have American production and American jobs sent offshore because of unfair trade agreements that undermine our economic growth. When jobs and production factories are offshored, American wages are lost, American-made products decline, and our international interests are compromised.

Job offshoring was a major issue in the previous election that unites our constituents - Democrats, Republicans and Independents alike. Polling consistently shows that Americans oppose our past model of "trade" agreements that facilitate offshoring, undermine Buy American policies, and subject American laws to review by foreign tribunals empowered to order payment of unlimited U.S. tax dollars to foreign firms that seek to avoid playing by the same rules as U.S. firms.

Thus, we write with serious concerns about both the Trans-Pacific Partnership Free Trade Agreement (TPP FTA) now being negotiated by the Obama administration and the prospect of Congress delegating wide swaths of its Constitutional authority to regulate trade (Article 1, Section 8) to the president through "Fast Track" or any other open-ended delegation of "trade promotion" authority.

In the last Congress, two-thirds of House Democrats joined together on a letter to President Obama demanding access to the draft TPP FTA texts and raising concerns about how the pact could internationally preempt Congress's domestic policymaking prerogatives. They wrote:

"Since the United States will be obliged to bring existing and future U.S. policies into compliance with the norms established in the TPP FTA, the negotiations USTR is pursuing will create binding policies on future Congresses in numerous areas. These could include those related to labor, patent and copyright, land use, food, agriculture and product standards, natural resources, the environment, professional licensing, state-owned enterprises and government procurement policies, as well as financial, healthcare, energy, telecommunications and other service sector regulations."

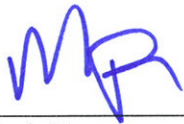
Unfortunately, today TPP FTA talks continue in extreme secrecy. The administration has yet to release draft texts after more than three years of negotiations, and the few TPP FTA texts that have leaked reveal serious problems. Thus, we are especially concerned about any action that would transfer Congress's exclusive constitutional trade authority to the president.

Congress needs to work together to get American trade policy back on track - not give away its authority to do so. Reducing our authority to ensure our trade agreements serve the public interest will undermine our efforts to create American jobs and to reform a misguided trade policy that has devastated our manufacturing base through the offshoring of American production and American jobs.

Indeed, given the vast scope of today's "trade" agreements, we do not believe that a broad delegation of Congress's constitutional trade authority is generally appropriate. Negotiations on the TPP FTA delve deeply into many non-trade matters under the authority of Congress and state legislatures. If completed, the TPP FTA would lock in policies on these non-trade matters that could not be altered without consent of all other signatory countries. Thus, ensuring Congress has a robust role in the formative aspects of trade agreements is vital.

We are all deeply committed to creating jobs in our communities and across the country. To do so effectively, we believe it is critical that Congress maintains its authority to ensure American trade agreements are a good deal for the American people.

Sincerely,



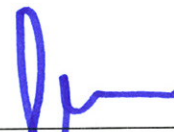
Mark Pocan
Member of Congress



Ron Barber
Member of Congress

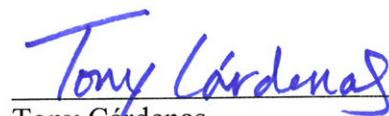


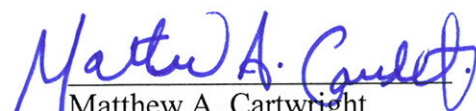
Joyce Beatty
Member of Congress





Ami Bera
Member of Congress

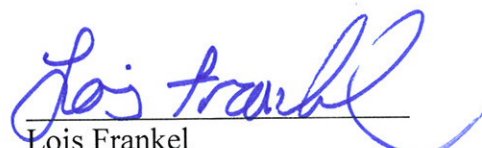

Julia Brownley
Member of Congress



Tony Cardenas
Member of Congress

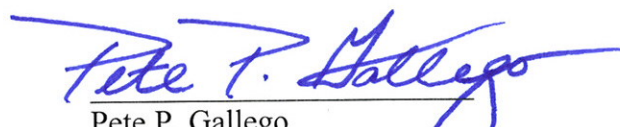

Matthew A. Cartwright
Member of Congress



William L. Enyart
Member of Congress

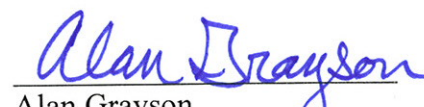

Bill Foster
Member of Congress

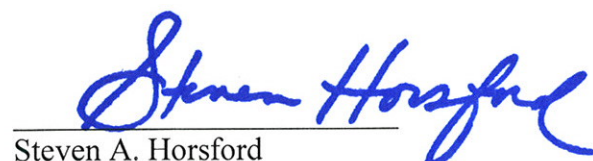

Lois Frankel
Member of Congress

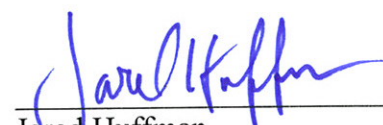

Tulsi Gabbard
Member of Congress

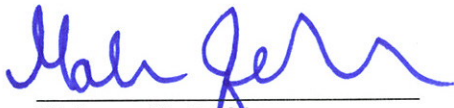

Pete P. Gallego
Member of Congress


Joe Garcia
Member of Congress

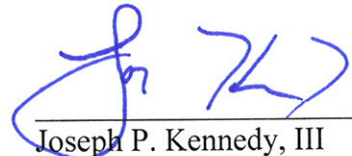

Alan Grayson
Member of Congress


Steven A. Horsford
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Jared Huffman
Member of Congress



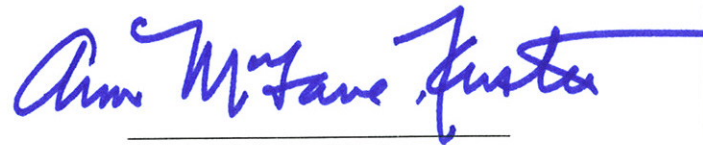
Hakeem S. Jeffries
Member of Congress



Joseph P. Kennedy, III
Member of Congress



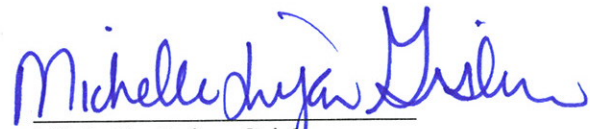
Ann Kirkpatrick
Member of Congress



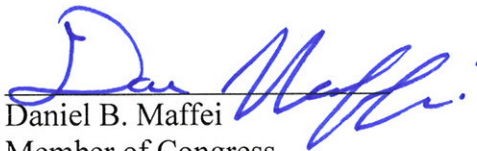
Annie McLane Kuster
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Alan S. Lowenthal
Member of Congress



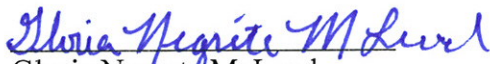
Michelle Lujan Grisham
Member of Congress



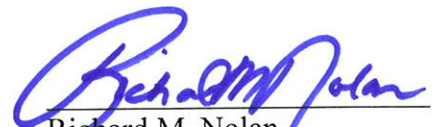
Daniel B. Maffei
Member of Congress



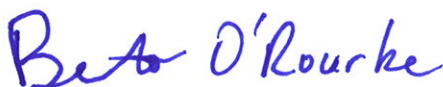
Patrick E. Murphy
Member of Congress



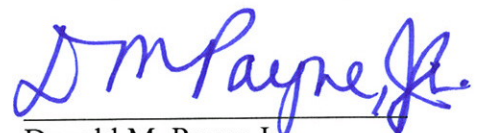
Gloria Negrete McLeod
Member of Congress



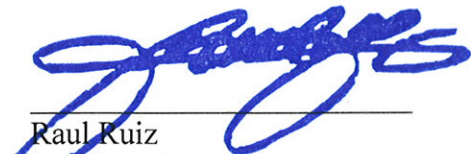
Richard M. Nolan
Member of Congress



Beto O'Rourke
Member of Congress



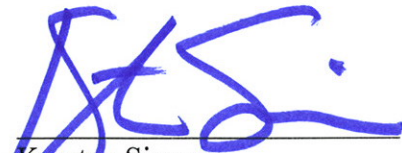
Donald M. Payne Jr.
Member of Congress



Raul Ruiz
Member of Congress

Carol Shea-Porter

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Member of Congress



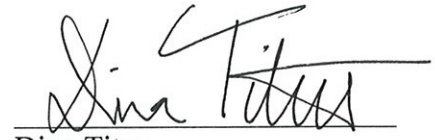
Kyrsten Sinema
Member of Congress

Eric Swalwell

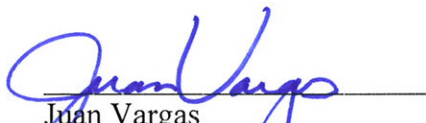
Eric Swalwell
Member of Congress

Mark Takano

Mark Takano
Member of Congress



Dina Titus
Member of Congress



Juan Vargas
Member of Congress



Marc A. Veasey
Member of Congress