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Contact: Maggie Henderson (202) 454-5108

Freshman House Democrats Disinclined to Delegate Congress' Constitutional Trade Authority to Obama, Says Letter Released Today

Will GOP Provide Democratic President With Extraordinary Fast Track Authority?

WASHINGTON, D.C. – In a letter today, two-thirds of the Democratic freshmen in the U.S. House of Representatives indicated that they are not inclined to delegate away Congress' constitutional responsibility over trade, in the form of Fast Track Trade Authority or any other broad delegation mechanism. Given that Democratic members of Congress do not want to give away their constitutional authority to a Democratic president, it would be peculiar if Republican House members would agree to do so, given that their distrust of President Barack Obama is epic, said Public Citizen.

“This letter reveals that even for a Democratic president, the new Democratic House members do not want to give away their constitutional trade authority and thus lose control over whether agreements meet the public interest,” said Lori Wallach, director of Public Citizen’s Global Trade Watch. “It would be perverse if the Republican House members who regularly attack President Obama for overstepping his authority were willing to grant him more power by explicitly delegating away the exclusive constitutional trade power established by the Founding Fathers specifically to check presidential unilateralism on trade.”

The letter, spearheaded by Rep. Mark Pocan (D-Wis.), also outlines the 36 co-signers’ intent to work toward a fair trade agenda that stops the offshoring of U.S. jobs and protects the national economy. A copy of the letter can be found [here](#).

The [letter says](#):

“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...

“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’ 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.”

“Rep. Pocan’s leadership on this letter is highly informed and greatly appreciated,” said Wallach. “While he is new to the U.S. House of Representatives, he served in the Wisconsin Legislature and ran a small business for years, and in those capacities he has seen the damage of our past trade agreements and watched how Congress had delegated away its constitutional authority and thus its power to change course.”

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