

National Association of Attorneys General

Resolution: In Support of State Sovereignty and Regulatory Authority

Adopted: Spring Meeting, March 19 - 22, 2002, Washington, D.C.

WHEREAS, in the past many of us have joined together to protest efforts in Congress to invade state sovereign prerogatives with regard to takings claims issues; and

WHEREAS, state and local governments are by law uniquely situated to provide the best safeguards for their citizens in many areas involving consumer and environmental protection; and

WHEREAS, we strongly support the promotion of international trade, including elimination of unfair and discriminatory barriers to the importation of foreign products and foreign investment; however,

WHEREAS, H.R. 3005 as currently drafted may allow trade negotiators to grant foreign investors new and greater rights to seek financial compensation based on state, local, or federal governmental regulatory actions; and

WHEREAS, implementation of the standards in Chapter 11 of the North American Free Trade Agreement (NAFTA) raises serious concerns over its potential impact on the power of state or local governments to protect the welfare and environment of their citizens; and

NOW, THEREFORE, BE IT RESOLVED THAT THE NATIONAL ASSOCIATION OF ATTORNEYS GENERAL:

1. Encourages Congress to ensure that in any new legislation providing for international trade agreements foreign investors shall receive no greater rights to financial compensation than those afforded to our citizens;
2. Authorizes the Executive Director of the National Association of Attorneys General to transmit these views to Members of Congress, and to work with appropriate Federal government officials on initiatives consistent with this resolution and with the needs of the Attorneys General.

Abstain: Attorney General John Cornyn (TX)