

**More Than 300 State Legislators From All 50 States Sign Letter to USTR
Lighthizer Urging the End of ISDS in NAFTA**

The Honorable Robert Lighthizer
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

September 12, 2018

Dear Ambassador Lighthizer:

As state legislators, we write to strongly support your efforts to remove investor-state dispute settlement (ISDS) from the North American Free Trade Agreement (NAFTA). Eliminating ISDS from NAFTA is consistent with the long-standing bipartisan position of the majority-Republican National Conference of State Legislatures (NCSL), which clearly opposes inclusion of ISDS in any trade agreement.

We draw your attention to the specific language of the long-standing NCSL Policy Directive from the Standing Committee on Labor and Economic Development:

NCSL will not support Bilateral Investment Treaties (BITs) or Free Trade Agreements (FTAs) with investment chapters that provide greater substantive or procedural rights to foreign companies than U.S. companies enjoy under the U.S. Constitution. Specifically, NCSL will not support any BIT or FTA that provides for investor/state dispute resolution. NCSL firmly believes that when a state adopts a non-discriminatory law or regulation intended to serve a public purpose, it shall not constitute a violation of an investment agreement or treaty, even if the change in the legal environment thwarts the foreign investors' previous expectations.

NCSL believes that BIT and FTA implementing legislation must include provisions that deny any private action in U.S. courts or before international dispute resolution panels to enforce international trade or investment agreements. Implementing legislation must also include provisions stating that neither the decisions of international dispute resolution panels nor international trade and investment agreements themselves are binding on the states as a matter of U.S. law.

Thus, as you seek to conclude NAFTA renegotiations, we urge you to ensure that ISDS is removed to protect the sovereignty of states.

Sincerely,

	Name	Title	Party	State
1.	Mack Butler	Representative	Republican	Alabama
2.	Tim Wadsworth	Representative	Republican	Alabama

3.	David Guttenberg	Representative	Democrat	Alaska
4.	Harriet Drummond	Representative	Democrat	Alaska
5.	Mia Costello	Senator	Republican	Alaska
6.	Paul K. Seaton	Representative	Republican	Alaska
7.	Andrea Dalessandro	Senator	Democrat	Arizona
8.	Ben Toma	Representative	Republican	Arizona
9.	Kevin Payne	Representative	Republican	Arizona
10.	Sylvia Allen	Senator	Republican	Arizona
11.	David Whitaker	Representative, Minority Leader	Democrat	Arkansas
12.	Greg Leding	Representative	Democrat	Arkansas
13.	Bob Wieckowski	Senator	Democrat	California
14.	Lorena Gonzalez Fletcher	Assemblywoman	Democrat	California
15.	Scott Wiener	Senator	Democrat	California
16.	Todd Gloria	Assembly Member	Democrat	California
17.	Chris Hansen	Representative	Democrat	Colorado
18.	Dafna Michaelson Jenet	Representative	Democrat	Colorado
19.	John Kefalas	Senator	Democrat	Colorado
20.	Kevin Lundberg	Senator	Republican	Colorado
21.	Matt Jones	Senator	Democrat	Colorado
22.	James Albis	Representative, Deputy Majority Leader	Democrat	Connecticut
23.	Joseph P. Gresko	Representative	Democrat	Connecticut
24.	Kevin Ryan	Representative, Deputy Speaker	Democrat	Connecticut
25.	L. Scott Frantz	Senator	Republican	Connecticut
26.	Matt Ritter	Representative	Democrat	Connecticut
27.	James Johnson	Representative	Democrat	Delaware
28.	John Kowalko	Representative	Democrat	Delaware
29.	Daphne Campbell	Senator	Democrat	Florida
30.	Kristin Jacobs	Representative	Democrat	Florida
31.	Wengay M. Newton Sr.	Representative	Democrat	Florida
32.	John Carson	Representative	Republican	Georgia
33.	Nan Grogan Orrock	Senator	Democrat	Georgia
34.	Calvin Say	Representative	Democrat	Hawaii
35.	Ken Ito	Representative	Democrat	Hawaii

36.	Mike Gabbard	Senator	Democrat	Hawaii
37.	Roy Takumi	Representative	Democrat	Hawaii
38.	Mat Erpelding	Representative, Minority Leader	Democrat	Idaho
39.	Phylis K. King	Representative	Democrat	Idaho
40.	Laura Fine	Representative	Democrat	Illinois
41.	Linda Chapa LaVia	Representative	Democrat	Illinois
42.	Pamela J. Althoff	Senator, Republican Caucus Chair	Republican	Illinois
43.	William Davis	Representative	Democrat	Illinois
44.	David Abbot	Representative	Republican	Indiana
45.	Matt Pierce	Representative	Democrat	Indiana
46.	Sue Errington	Representative	Democrat	Indiana
47.	Art Staed	Representative	Democrat	Iowa
48.	Charlie McConkey	Representative	Democrat	Iowa
49.	Chuck Isenhart	Representative	Democrat	Iowa
50.	Jerry Kearns	Representative	Democrat	Iowa
51.	Marti Anderson	Representative	Democrat	Iowa
52.	Mary Gaskill	Representative	Democrat	Iowa
53.	Monica Kurth	Representative	Democrat	Iowa
54.	Sharon Steckman	Representative	Democrat	Iowa
55.	Tim Kacena	Representative	Democrat	Iowa
56.	Annie Kuether	Representative	Democrat	Kansas
57.	Boog Highberger	Representative	Democrat	Kansas
58.	Randall Hardy	Senator	Republican	Kansas
59.	Sydney Carlin	Representative	Democrat	Kansas
60.	Joni Jenkins	Representative	Democrat	Kentucky
61.	Mary Lou Marzian	Representative	Democrat	Kentucky
62.	Reginald K. Meeks	Representative	Democrat	Kentucky
63.	Lance Harris	Representative	Republican	Louisiana
64.	Anne-Marie Mastraccio	Representative	Democrat	Maine
65.	Ben Chipman	Senator	Democrat	Maine
66.	Benjamin Collings	Representative	Democrat	Maine
67.	Betty A. Austin	Representative	Democrat	Maine
68.	Cathy Breen	Senator	Democrat	Maine

69.	Charlotte Warren	Representative	Democrat	Maine
70.	Christina Riley	Representative	Democrat	Maine
71.	Christopher Babbidge	Representative	Democrat	Maine
72.	Craig Hickman	Representative, Chair of Citizen Trade Policy Commission	Democrat	Maine
73.	Dave Miramant	Senator	Democrat	Maine
74.	David H. McCrea	Representative	Democrat	Maine
75.	Deane Rykerson	Representative	Democrat	Maine
76.	Denise Harlow	Representative	Democrat	Maine
77.	E.B. (Brownie) Carson	Senator	Democrat	Maine
78.	Garrel Craig	Representative	Republican	Maine
79.	Geoff Gratwick	Senator	Democrat	Maine
80.	Janice Cooper	Representative	Democrat	Maine
81.	Jared Golden	Representative, Assistant Majority Leader	Democrat	Maine
82.	Jessica Fay	Representative	Democrat	Maine
83.	John Madigan	Representative	Democrat	Maine
84.	Lisa Keim	Senator	Republican	Maine
85.	Lois Galgay Reckitt	Representative	Democrat	Maine
86.	Mark E Bryant	Representative	Democrat	Maine
87.	Maureen Terry	Representative	Democrat	Maine
88.	Michelle Dunphy	Representative	Democrat	Maine
89.	Mick Devin	Representative	Democrat	Maine
90.	Ralph Chapman	Representative	Green	Maine
91.	Rebecca Millett	Senator	Democrat	Maine
92.	Richard Malaby	Representative	Republican	Maine
93.	Richard R. Farnsworth	Representative	Democrat	Maine
94.	Robert Alley	Representative	Democrat	Maine
95.	Ryan M. Fecteau	Representative	Democrat	Maine
96.	Shenna Bellows	Senator	Democrat	Maine
97.	Stacey Guerin	Representative	Republican	Maine
98.	Stephen S. Stanley	Representative	Democrat	Maine
99.	Thomas RW Longstaff	Representative	Democrat	Maine
100.	Troy Jackson	Senator, Democratic Leader	Democrat	Maine

101.	Walter Kumiega	Representative	Democrat	Maine
102.	Al Carr	Delegate	Democrat	Maryland
103.	Ana Sol Gutierrez	Delegate	Democrat	Maryland
104.	David Moon	Delegate	Democrat	Maryland
105.	Jheanelle Wilkins	Delegate	Democrat	Maryland
106.	Paul G. Pinsky	Senator	Democrat	Maryland
107.	Ronald Young	Senator	Democrat	Maryland
108.	Carmine Gentile	Representative	Democrat	Massachusetts
109.	Dave Rogers	Representative	Democrat	Massachusetts
110.	Denise Provost	Representative	Democrat	Massachusetts
111.	Jennifer Benson	Representative	Democrat	Massachusetts
112.	John Scibak	Representative	Democrat	Massachusetts
113.	Michael O. Moore	Senator	Democrat	Massachusetts
114.	Michael Rodrigues	Senator	Democrat	Massachusetts
115.	Paul Mark	Representative	Democrat	Massachusetts
116.	Rebekah Warren	Senator	Democrat	Michigan
117.	Robert Wittenberg	Representative	Democrat	Michigan
118.	Steve Bieda	Senator	Democrat	Michigan
119.	Yousef Rabhi	Representative	Democrat	Michigan
120.	Carlos Mariani	Representative	Democratic-Farmer-Labor	Minnesota
121.	David Bly	Representative	Democratic-Farmer-Labor	Minnesota
122.	Ilhan Omar	Representative	Democratic-Farmer-Labor	Minnesota
123.	Jennifer Schultz	Representative	Democratic-Farmer-Labor	Minnesota
124.	Jerry Newton	Senator	Democratic-Farmer-Labor	Minnesota
125.	Jim Abeler	Senator	Republican	Minnesota
126.	Jim Carlson	Senator	Democratic-Farmer-Labor	Minnesota
127.	John Hoffman	Senator	Democratic-Farmer-Labor	Minnesota
128.	John Marty	Senator	Democratic-Farmer-Labor	Minnesota
129.	Patricia Torres Ray	Senator	Democratic-Farmer-Labor	Minnesota
130.	Rena Moran	Representative	Democratic-Farmer-Labor	Minnesota
131.	Rick Hansen	Representative	Democratic-Farmer-Labor	Minnesota
132.	Sandra Masin	Representative	Democrat	Minnesota
133.	Sandy Pappas	Senator	Democratic-Farmer-Labor	Minnesota

134.	Scott Dibble	Senator	Democratic-Farmer-Labor	Minnesota
135.	Susan Allen	Representative	Democratic-Farmer-Labor	Minnesota
136.	Hillman Terome Frazier	Senator	Democrat	Mississippi
137.	Mark Matthiesen	Representative	Republican	Missouri
138.	Steve Helms	Representative	Republican	Missouri
139.	Andrea Olsen	Representative	Democrat	Montana
140.	Fred Anderson	Representative	Republican	Montana
141.	Jill Cohenour	Senator	Democrat	Montana
142.	Margie MacDonald	Senator	Democrat	Montana
143.	Mary Ann Dunwell	Representative	Democrat	Montana
144.	Sue Malek	Senator	Democrat	Montana
145.	Tom Facey	Senator	Democrat	Montana
146.	Carol Blood	Senator	Democrat	Nebraska
147.	Dan Quick	Senator	Democrat	Nebraska
148.	Jason Frierson	Assembly Member, Speaker	Democrat	Nevada
149.	Maggie Carlton	Assemblywoman	Democrat	Nevada
150.	Bob Giuda	Senator	Republican	New Hampshire
151.	Brian Sullivan	Representative	Democrat	New Hampshire
152.	David Meader	Representative	Democrat	New Hampshire
153.	Jan Schmidt	Representative	Democrat	New Hampshire
154.	Jody L. McNally	Representative	Republican	New Hampshire
155.	John Cloutier	Representative	Democrat	New Hampshire
156.	John Reagan	Senator	Republican	New Hampshire
157.	Lee Oxenham	Representative	Democrat	New Hampshire
158.	Mark King	Representative	Democrat	New Hampshire
159.	Martha Fuller Clark	Senator	Democrat	New Hampshire
160.	Patrick Long	Representative	Democrat	New Hampshire
161.	Renny Cushing	Representative	Democrat	New Hampshire
162.	Parker Space	Assemblyman	Republican	New Jersey
163.	Bill Tallman	Senator	Democrat	New Mexico
164.	Gail Chasey	Representative	Democrat	New Mexico
165.	Gerald Ortiz y Pino	Senator	Democrat	New Mexico
166.	Liz Thomson	Representative	Democrat	New Mexico

167.	Mary Kay Papen	Senator, President Pro Tempore	Democrat	New Mexico
168.	Patricia Roybal Caballero	Representative	Democrat	New Mexico
169.	Amy Paulin	Assembly Member	Democrat	New York
170.	Barbara Lifton	Assemblywoman	Democrat	New York
171.	Felix W. Ortiz	Assembly Member, Assistant Speaker	Democrat	New York
172.	Harvey Epstein	Assembly Member	Democrat	New York
173.	Jo Anne Simon	Assembly Member	Democrat	New York
174.	Liz Krueger	Senator	Democrat	New York
175.	Richard N. Gottfried	Assembly Member	Democrat	New York
176.	Cynthia Ball	Representative	Democrat	North Carolina
177.	Mary Belk	Representative	Democrat	North Carolina
178.	Michele D. Presnell	Representative	Republican	North Carolina
179.	Pricey Harrison	Representative	Democrat	North Carolina
180.	Susan Fisher	Representative	Democrat	North Carolina
181.	Terry Van Duyn	Senator	Democrat	North Carolina
182.	Tim Mathern	Senator	Democrat	North Dakota
183.	Adam C. Miller	Representative	Democrat	Ohio
184.	Bill Seitz	Representative	Republican	Ohio
185.	Brigid Kelly	Representative	Democrat	Ohio
186.	Catherine Ingram	Representative	Democrat	Ohio
187.	Cecil Thomas	Senator	Democrat	Ohio
188.	Charleta B. Tavares	Senator, Assistant Democratic Leader	Democrat	Ohio
189.	David Leland	Representative	Democrat	Ohio
190.	Edna Brown	Senator, Minority Whip	Democrat	Ohio
191.	Fred Strahorn	Representative, Minority Leader	Democrat	Ohio
192.	Glenn Holmes	Representative	Democrat	Ohio
193.	Hearcel Craig	Representative	Democrat	Ohio
194.	Jack Cera	Representative	Democrat	Ohio
195.	Janine Boyd	Representative	Democrat	Ohio
196.	Joe Schiavoni	Senator	Democrat	Ohio
197.	John Boccieri	Representative	Democrat	Ohio
198.	John Patterson	Representative	Democrat	Ohio
199.	Kenny Yuko	Senator, Minority Leader	Democrat	Ohio

200.	Kristin Boggs	Representative	Democrat	Ohio
201.	Martin Sweeney	Representative	Democrat	Ohio
202.	Michael Ashford	Representative	Democrat	Ohio
203.	Michael J. O'Brien	Representative	Democrat	Ohio
204.	Michael J. Skindell	Senator	Democrat	Ohio
205.	Michael Sheehy	Representative	Democrat	Ohio
206.	Michele Lepore-Hagan	Representative	Democrat	Ohio
207.	Nickie J. Antonio	Representative	Democrat	Ohio
208.	Richard D. Brown	Representative	Democrat	Ohio
209.	Sandra Williams	Senator	Democrat	Ohio
210.	Sean J. O'Brien	Senator	Democrat	Ohio
211.	Tavia Galonski	Representative	Democrat	Ohio
212.	Thomas West	Representative	Democrat	Ohio
213.	Vernon Sykes	Senator	Democrat	Ohio
214.	Roland Pederson	Senator	Republican	Oklahoma
215.	Alissa Keny-Guyer	Representative	Democrat	Oregon
216.	Brad Witt	Representative	Democrat	Oregon
217.	Chris Gorsek	Representative	Democrat	Oregon
218.	Chuck Thomsen	Senator	Republican	Oregon
219.	Dennis B. Linthicum	Senator	Republican	Oregon
220.	Julie Fahey	Representative	Democrat	Oregon
221.	Michael Dembrow	Senator	Democrat	Oregon
222.	Mike Nearman	Representative	Republican	Oregon
223.	Pam Marsh	Representative	Democrat	Oregon
224.	Phil Barnhart	Representative	Democrat	Oregon
225.	Daylin Leach	Senator	Democrat	Pennsylvania
226.	James R. Roebuck	Representative	Democrat	Pennsylvania
227.	John P. Blake	Senator	Democrat	Pennsylvania
228.	Madeleine Dean	Representative	Democrat	Pennsylvania
229.	Mary Jo Daley	Representative	Democrat	Pennsylvania
230.	Morgan Cephas	Representative	Democrat	Pennsylvania
231.	Arthur Handy	Representative	Democrat	Rhode Island
232.	Patricia A. Serpa	Representative	Democrat	Rhode Island

233.	Ryan Pearson	Senator	Democrat	Rhode Island
234.	Gilda Cobb-Hunter	Representative	Democrat	South Carolina
235.	Kevin Killer	Senator	Democrat	South Dakota
236.	Jimmy Matlock	Representative	Republican	Tennessee
237.	Alma A. Allen	Representative	Democrat	Texas
238.	Ana Hernandez	Representative	Democrat	Texas
239.	Armando Martinez	Representative	Democrat	Texas
240.	Carol Alvarado	Representative	Democrat	Texas
241.	Eddie Lucio III	Representative	Democrat	Texas
242.	Harold V. Dutton, Jr.	Representative	Democrat	Texas
243.	Ina Minjarez	Representative	Democrat	Texas
244.	James White	Representative	Republican	Texas
245.	Joe Deshotel	Representative	Democrat	Texas
246.	Joe Moody	Representative	Democrat	Texas
247.	John Whitmire	Senator	Democrat	Texas
248.	Jose R. Rodriguez	Senator	Democrat	Texas
249.	Mary Ann Perez	Representative	Democrat	Texas
250.	Mary Gonzalez	Representative	Democrat	Texas
251.	Roberto R. Alonzo	Representative	Democrat	Texas
252.	Senfronia Thompson	Representative	Democrat	Texas
253.	Sylvia R. Garcia	Senator	Democrat	Texas
254.	Toni Rose	Representative	Democrat	Texas
255.	Adam Robertson	Representative	Republican	Utah
256.	Daniel Hemmert	Senator	Republican	Utah
257.	Jani Iwamoto	Senator	Democrat	Utah
258.	Joel K. Briscoe	Representative, Minority Whip	Democrat	Utah
259.	Raymond Ward	Representative	Republican	Utah
260.	Bill Botzow	Representative	Democrat	Vermont
261.	Chip Troiano	Representative	Democrat	Vermont
262.	David L. Deen	Representative	Democrat	Vermont
263.	Helen Head	Representative	Democrat	Vermont
264.	Jim Masland	Representative	Democrat	Vermont
265.	Kathleen Keenan	Representative	Democrat	Vermont

266.	Michael I Yantachka	Representative	Democrat	Vermont
267.	Robert Starr	Senator	Democrat	Vermont
268.	Robin J. Chesnut-Tangerman	Representative	Democrat	Vermont
269.	Valerie Stuart	Representative	Democrat	Vermont
270.	Virginia Lyons	Senator, Co-Chair of Commission on International Trade & State Sovereignty	Democrat	Vermont
271.	Warren F. Kitzmiller	Representative	Democrat	Vermont
272.	Adam P. Ebbin	Senator	Democrat	Virginia
273.	Elizabeth Guzman	Delegate	Democrat	Virginia
274.	Kaye Kory	Delegate	Democrat	Virginia
275.	Patrick Hope	Delegate	Democrat	Virginia
276.	Richard Black	Senator	Republican	Virginia
277.	Scott A. Surovell	Senator	Democrat	Virginia
278.	Siobhan Dunnavant	Senator	Republican	Virginia
279.	Beth Doglio	Representative	Democrat	Washington
280.	Bob Hasegawa	Senator	Democrat	Washington
281.	Christine Rolfes	Senator	Democrat	Washington
282.	Cindy Ryu	Representative	Democrat	Washington
283.	Derek Stanford	Representative	Democrat	Washington
284.	Eileen Cody	Representative	Democrat	Washington
285.	Gerry Pollet	Representative	Democrat	Washington
286.	Jamie Pedersen	Senator	Democrat	Washington
287.	Joe Fitzgibbon	Representative	Democrat	Washington
288.	Larry Haler	Representative	Republican	Washington
289.	Maralyn Chase	Senator	Democrat	Washington
290.	Marko Lias	Senator	Democrat	Washington
291.	Mia Gregerson	Representative	Democrat	Washington
292.	Monica Jurado Stonier	Representative, Deputy Majority Whip	Democrat	Washington
293.	Nicole Macri	Representative	Democrat	Washington
294.	Patty Kuderer	Senator	Democrat	Washington
295.	Rebecca Saldaña	Senator	Democrat	Washington
296.	Ruth Kagi	Representative	Democrat	Washington
297.	Sharon Tomiko Santos	Representative	Democrat	Washington

298.	Shelley Kloba	Representative	Democrat	Washington
299.	Steve Conway	Senator	Democrat	Washington
300.	Timm Ormsby	Representative	Democrat	Washington
301.	M. Scott Brewer	Delegate	Democrat	West Virginia
302.	Chris Taylor	Representative	Democrat	Wisconsin
303.	Dave Hansen	Senator	Democrat	Wisconsin
304.	Dianne Hesselbein	Representative	Democrat	Wisconsin
305.	Gary Hebl	Representative	Democrat	Wisconsin
306.	Jonathan Brostoff	Representative	Democrat	Wisconsin
307.	Josh Zepnick	Representative	Democrat	Wisconsin
308.	Melissa Sargent	Representative	Democrat	Wisconsin
309.	Terese Berceau	Representative	Democrat	Wisconsin
310.	Tod Ohnstad	Representative	Democrat	Wisconsin
311.	Debbie Bovee	Representative	Democrat	Wyoming
312.	Marti Halverson	Representative	Republican	Wyoming