



SEATTLE CITY COUNCIL

Legislative Summary

Res 31573

Record No.: Res 31573

Type: Resolution (Res)

Status: Passed at Full Council

Version: 3

In Control: Full Council

File Created: 02/18/2015

Final Action: 03/30/2015

Title: A RESOLUTION expressing the Seattle City Council's opposition to the current form of Trade Promotion Authority ("Fast Track"), strong concerns about draft elements of the proposed Trans-Pacific Partnership (TPP), and support of fair trade practices and agreements that protect American jobs, protect workers, protect the environment, improve the quality of life in all signatory countries, maintain the integrity and sovereignty of our judicial system, and not give multinational corporations power to undermine national and local governmental authority to create reasonable rules and regulations.

Date

Notes:

Filed with City Clerk:

Mayor's Signature:

Sponsors: O'Brien,Sawant

Vetoed by Mayor:

Veto Overridden:

Veto Sustained:

Attachments:

Drafter: jodee.schwinn@seattle.gov

Filing Requirements/Dept Action:

History of Legislative File

Legal Notice Published:

Yes

No

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Clerk	02/19/2015	sent for review	Council President's Office			
	Action Text: The Resolution (Res) was sent for review to the Council President's Office						
	Notes:						
1	Council President's Office	02/19/2015	sent for review	Planning, Land Use, and Sustainability Committee			
	Action Text: The Resolution (Res) was sent for review to the Planning, Land Use, and Sustainability Committee						
	Notes:						

- 1 Full Council 02/23/2015 referred Planning, Land Use, and Sustainability Committee
- Action Text: The Resolution (Res) was referred to the Planning, Land Use, and Sustainability Committee
- Notes:
- 1 Planning, Land Use, and Sustainability Committee 03/17/2015 adopt as amended Pass
- Action Text: The Committee recommends that Full Council adopt as amended the Resolution (Res) with a Divided Report.
- In Favor: 3 Chair O'Brien, Member Licata, Sawant
- Opposed: 1 Vice Chair Burgess
- 2 Full Council 03/30/2015 adopted as amended Pass
- Action Text: The Motion carried and the Resolution was adopted as amended by the following vote, and the President signed the Resolution:
- Notes: ACTION 1:
- Motion was made by Councilmember O'Brien, duly seconded and carried, to amend Resolution No. 31573, by substituting version 3 for version 2.
- ACTION 2:
- Motion was made and duly seconded to adopt Resolution 31573 as amended.
- In Favor: 9 Councilmember Bagshaw, Council President Burgess, Councilmember Clark, Councilmember Godden, Councilmember Harrell, Councilmember Licata, Councilmember O'Brien, Councilmember Rasmussen, Councilmember Sawant
- Opposed: 0
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CITY OF SEATTLE
RESOLUTION 31573

A RESOLUTION expressing the Seattle City Council's opposition to the current form of Trade Promotion Authority ("Fast Track"), strong concerns about draft elements of the proposed Trans-Pacific Partnership (TPP), and support of fair trade practices and agreements that protect American jobs, protect workers, protect the environment, improve the quality of life in all signatory countries, maintain the integrity and sovereignty of our judicial system, and not give multinational corporations power to undermine national and local governmental authority to create reasonable rules and regulations.

WHEREAS, the City of Seattle strongly supports international fair trade practices and agreements that foster economic growth and high standards for labor, our environment, and public health; and

WHEREAS, Washington is a trade dependent state in which at least 40% of jobs are directly or indirectly related to international trade, and in the last decade Washington exports grew 176 percent, from \$29.6 billion in 2004 to \$81.6 billion in 2013; and

WHEREAS, Seattle is home to the Port of Seattle, the Trade Development Alliance, and scores of internationally-successful companies employing our people and heightening Seattle's interest in the TPP and Congressional "Fast Track" authority; and

WHEREAS, the TPP will likely involve policy matters related to intellectual property, labor, human rights, agriculture, natural resources, the environment, government procurement, financial services, healthcare, telecommunications, energy, and others, all important to our city, other local jurisdictions, and Washington State; and

WHEREAS, fair trade practices and agreements should promote the creation of family-wage jobs, encourage shared prosperity, protect our environment, ensure the safety of food and other products, revitalize manufacturing, and ensure local governments can regulate for high standards;

WHEREAS, the TPP, like other international trade deals, is being negotiated in closed-door negotiating sessions between the United States and 11 Pacific Rim nations and has not been made available to the public or state and local elected officials; and

WHEREAS, in 1999 the Seattle City Council issued a resolution opposing the proposed Multilateral Agreement on Investments, which contained investment provisions similar to those contained in the proposed TPP, as described below; and

1 WHEREAS, the January 2015 draft of the Investment Chapter of the TPP includes “Investor-
2 State Dispute Settlement” provisions that could give multinational corporations excessive
3 power to undermine national and local governmental authority to create reasonable rules
4 and regulations, including those related to environmental safeguards, future climate policy,
5 food safety standards, and specific protections for American jobs; and
6

7 WHEREAS, members of Congress, including Congressman Jim McDermott of Seattle, signed
8 letters in 2012 and 2013, calling on our trade representatives to consult with Congress to
9 pursue a more transparent and inclusive legislative process for consideration of the TPP;
10 and
11

12 WHEREAS, in a letter dated December 3, 2014, Governor Jay Inslee urged the United States
13 government to take a lead role in establishing trade rules that address emerging issues and
14 challenges in international trade, including foreign restrictions on cross-border data flows,
15 improved protections of intellectual property rights, and improved international regulatory
16 cooperation; and
17

18 WHEREAS, Governor Inslee also cautioned that in its current form the liabilities of investor-
19 state provisions outweigh their potential value, urging our trade representatives to maintain
20 strong support of protecting state and local regulations over trade rules, with the interest of
21 expanding our state’s leading economic sectors, while including enforceable labor and
22 environmental provisions in trade agreements; and
23

24 WHEREAS, the President has asked Congress to approve the TPP under "Fast Track" procedural
25 rules, which limit our Congressional representatives’ ability to adequately review, debate
26 and amend the TPP and make a determination as to whether the TPP is in the best interests
27 of the American people and our local residents.
28

29 **NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF**
30 **SEATTLE, THAT:**
31

32 Section 1. The Seattle City Council opposes “Fast Track” authority in its current form
33 for the Trans Pacific Partnership (TPP) and instead, urges the President and Congress to conduct
34 a fully transparent and inclusive legislative process for consideration of the TPP. Further, just as
35 global economics and competitiveness have undergone considerable change, the City Council
36 believes Congress should update the rules and procedures for Trade Promotion Authority so that
37 trade agreement parameters match the complexities of the 21st century economy, and Congress
38 identifies and adopts the parameters through a timely, meaningful and open public process.
39

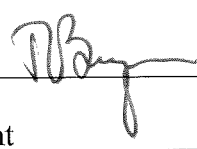
40 Section 2. The Seattle City Council strongly supports fair trade practices and agreements
41 that protect American jobs, protect workers, protect the environment, include enforceable labor
42 and environmental standards, improve the quality of life in all signatory countries, maintain the
43 integrity and sovereignty of our judicial system, and do not give multinational corporations
44 excessive power to undermine national and local governmental authority to create reasonable
45 rules and regulations.

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Section 3. The Seattle City Council urges President Obama and U.S. Trade Representative Michael Froman to negotiate a Trans-Pacific Partnership agreement that meets the above principles.

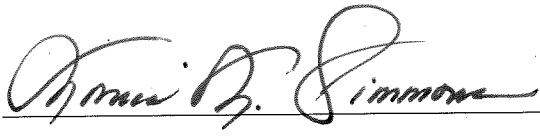
Section 4. If these principles are not adequately addressed in the final Trans-Pacific Partnership Agreement, the Seattle City Council will urge our Congressional delegation to vote to reject this trade agreement.

Adopted by the City Council the 30th day of March, 2015, and signed by me in open session in authentication of its adoption this 30th day of March, 2015.



President _____ of the City Council

Filed by me this 30th day of March, 2015.



Monica Martinez Simmons, City Clerk

(Seal)

**Divided Report for Resolution 31573
For Consideration at Full Council on March 30, 2015**

On March 17th, the City Council's Planning Land Use and Sustainability Committee discussed a proposed resolution related regarding the Trans-pacific Partnership and the federal government's use of Trade Promotion Authority.

On March 17th, the Committee voted to approve the proposed Resolution as amended, by a vote of 3 to 1.

Yes 3 (O'Brien, Licata, Sawant)

No 1 (Burgess)

Majority Position (O'Brien, Licata, Sawant)

The City of Seattle and the State of Washington are two of the most economically trade-dependent cities and states, respectively, in the country. Seattle in particular is home to numerous internationally recognized companies, which heightens our interest as a City Council in this new trade deal known as the Trans-Pacific Partnership (TPP). The TPP is being negotiated in secret by the United States and 11 other Pacific Rim countries — including Australia, Brunei, Canada, Chile, Japan, Malaysia, Mexico, New Zealand, Peru, Singapore, and Vietnam. The reach of this trade pact will likely extend beyond the 12 countries, as negotiators intend to be able to add countries to the agreement down the road.

Any changes to the economic policies that impact this city should be oriented towards improving conditions for our workers and protecting our natural environment.

While proponents claim the TPP will be the most progressive trade deal in U.S. history, the deal has been negotiated completely behind closed doors, with only members of Congress able to receive briefings on its full contents. Further, the White House is asking Congress for Trade Promotion Authority, commonly known as "Fast Track" authority, which would allow the TPP to be negotiated and finalized with no opportunity for Congress to amend it and strictly limiting the time and procedures under which it would be debated. It would restrict Congress to a simple yes or no vote on the deal with no opportunity to make amendments.

The only drafts available to the public are via WikiLeaks, and what we see in these leaked drafts of the TPP raise serious concerns about the ability of local governments like the City of Seattle to enact local labor and environmental standards in line with our own policies and standards.

Among the biggest issues of concern with granting Fast Track authority for the TPP is in the inclusion of provisions like Investor-State Dispute Settlements (ISDS), which would allow multinational corporations to challenge Seattle or U.S. laws that could jeopardize future profits of these. These ISDS proceedings take place in foreign tribunals outside of any nation's established legal proceedings, and if Seattle's laws were challenged, we would not have the ability to defend our laws in these foreign tribunals.

Given Seattle's role in advancing some of the highest labor and environmental standards of any city in the country, such as new \$15/hour minimum wage law or policies resulting from our Climate Action Plan, we could be a prime target for these ISDS suits. These ISDS provisions were included in prior trade deals such as NAFTA, and to date multinational corporations have launched over 550 challenges against 98 different countries, according to the United Nations Conference on Trade and Development 2014 report on ISDS.

The majority of the PLUS Committee oppose granting fast track authority to the President given what little is known about the TPP, especially since what little we know (e.g., ISDS) causes such concern. Transparency and democracy are key values for progressive politics, and should be for our progressive policies as well. Fast track goes against those principles and so the majority believes the resolution should be approved (as amended in committee).

Further, if the Seattle City Council passes this resolution, we will follow the city of Bellingham. The Bellingham City Council unanimously passed a resolution Monday night, March 23rd, in opposition to "Fast Track" Trade Promotion Authority when Congress considers the Trans-Pacific Partnership agreement.

Minority Position (Burgess)

The Trans-Pacific Partnership (TPP) is an international trade agreement currently being negotiated with 11 other Pacific Rim countries by the president of the United States. If the TPP is successfully negotiated, the president will submit it to Congress for ratification.

Trade policy and specific trade agreements are important issues for the City of Seattle and the state of Washington. At least 40% of all jobs in Washington State are directly or indirectly related to international trade. Most of our city's largest employers are engaged in international trade. Our international trade agreements should promote fair trade practices, protect American jobs, protect workers, protect the environment, improve the quality of life in all signatory countries, and maintain the integrity and sovereignty of our judicial system. It is possible to engage in responsible global trade, while ensuring fair labor practices and economic prosperity for all.

The proposed resolution expresses the City Council's opposition to the *method* of Congressional approval of the TPP. The resolution opposes the Congress granting President Obama Trade Promotion Authority,

Seattle City Council
Divided Report for Res 31573

also known as “fast track.” Trade Promotion Authority has been used by Congress since the early 1930s to give presidents authority to negotiate the best possible agreements with foreign leaders and to increase the chances of final Congressional approval. Every president since Franklin Roosevelt, except Presidents Nixon and Obama, has been granted this authority by Congress.

Some have suggested that Trade Promotion Authority violates the democratic process or usurps the power and authority of the legislative branch. It does no such thing. Congress itself either grants or denies this authority through the normal legislative process; the president doesn’t claim it or take it. Further, Trade Promotion Authority carries with it a set of principles or standards that the Congress develops and adopts, a set of parameters that the president knows must be met if the negotiated agreement is to be approved by Congress. This process distinguishes the roles of the Legislative and Executive branches: one sets policy parameters and one negotiates.

If Trade Promotion Authority is approved, our elected representatives in Congress will still make the final decision as to whether the TPP is a good deal for the American people. If it is not good enough, they can send it back to the president.

Resolution 31573 unnecessarily involves the City Council in a procedural question outside of our jurisdiction.

The Council should instead consider an alternative resolution that recognizes the value of trade to Seattle and conveys the principles that must be upheld in the TPP: that it promote fair trade practices, protect American jobs, protect workers, protect the environment, improve the quality of life in all signatory countries, and maintain the integrity and sovereignty of our judicial system, and that there be more transparency as the negotiations continue.