

**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,

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.