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Clean Water Action* Climate Solutions * Defenders of Wildlife* The Delaware
Riverkeeper*Earthjustice*Earthworks*Endangered Species Coalition*Energy Action Coalition *
Environmental Health Coalition * Environmental Investigation Agency*Food and Water Watch*Friends of the
Earth *Green America*Greenpeace USA* Institute for Agriculture and Trade Policy* Institute for Policy Studies,
Climate Policy Program*KyotoUSA* League of Conservation Voters* Natural Resources Defense Council* New
Energy Economy*Oil Change International*Olympic Climate Action*Partnership for Policy Integrity*
Physicians for Social Responsibility*Rachel Carson Council *Rainforest Action Network*RE Sources for
Sustainable Communities*Safe Climate Campaign*Sierra Club*Sierra Student Coalition* SustainUS*
US Climate Plan* Washington Environmental Council* Wild Earth Guardians

June 11, 2015

Re: Oppose H.R. 1314 -- Fast Track of Trade Agreements Threatens Our Environment

Dear Member of Congress:

As leading U.S. environmental and science organizations, we write to express our strong opposition to H.R. 1314, the Hatch-Wyden-Ryan “fast track” bill, and to strongly urge you to oppose this bill.

As Ways and Means Ranking Member Sandy Levin has [demonstrated in a side-by-side comparison](#), the Hatch-Wyden-Ryan fast track bill is almost *identical* to the failed fast track bill introduced in January 2014 by Sens. Baucus and Hatch and Rep. Camp that removes Congressional oversight over trade negotiations. It fails to address the reforms proposed by a diverse group of more than 600 organizations that would help ensure that trade agreements getting this streamlined approval meet a set of strong objectives before those agreements become law. Like old fast track bills, the Hatch-Wyden-Ryan bill would empower the president to send trade agreements to Congress for expedited approval even if they don’t meet the negotiating objectives set out by Congress.

This expansive model of trade authority is particularly inappropriate for today’s trade agreements, which are about much more than traditional trade issues like tariffs and quotas and which will have significant implications for our environment, public health, and global climate. Under negotiation in the Trans-Pacific Partnership (TPP) and the Transatlantic Trade and Investment Partnership (TTIP), both of which would be covered by the Hatch-Wyden-Ryan fast track-bill, for example, are rules that would grant foreign corporations the right to sue governments, in private tribunals, over environmental, public health, and other laws and policies that corporations allege reduce the value of their investment; rules that would require the United States Department of Energy to automatically approve exports of liquefied natural gas to countries in the pacts with no analysis to determine whether exporting natural gas is in the public interest; and a system for “harmonizing” regulations that could significantly weaken public health and environmental protections by offering new opportunities for foreign governments and corporations to intervene early on in our rule-making process.

The negotiating objectives in Hatch-Wyden-Ryan bill will do nothing to help address our concerns about the environmental implication of these agreements. First, this fast-track bill fails to make the negotiating objectives binding, so there is absolutely no guarantee that the very few negotiating objectives in the bill related to the environment will actually be adhered to.

Second, it is important to note that while the bill fails to make negotiating objectives binding, it also omits negotiating objectives that could help protect our environment and includes negotiating objectives that, if adhered to, would seriously harm our environment. For example the bill is *silent* on whether or how climate change issues should be handled in trade deals despite the potential for trade rules to undermine climate progress. Also, still under negotiation in the Trans-Pacific Partnership environment chapter are whether

countries will be required to put in place a legally binding and meaningful prohibitions on illegal timber and wildlife trade and whether countries will be required to ban harmful practices like shark finning and commercial whaling. The Hatch-Wyden-Ryan bill is *silent* on these critical outstanding issues. At the same time, the bill's negotiating objectives maintain the dangerous system of investor-state dispute settlement which has allowed foreign corporations to sue governments in private trade tribunals over environmental, climate, and other public interest policies that corporations allege reduce their profits.

Finally, it is important to note that Hatch-Wyden-Ryan bill fails to meaningfully address our concerns about the lack of transparency in trade negotiations. The bill would require the President to publish the full text of a trade deal 60 days before the President enters into the deal--but *after* the agreement has been completed and *after* it is possible to still make changes. This bill, therefore, maintains the unacceptable practice of excluding the public from the *entire* trade negotiation process.

U.S. involvement in trade negotiations should be guided by democracy, transparency, political accountability and must lead to a 'race to the top' that provides real protections for communities, workers, and the environment. A new model of trade that delivers benefits for most Americans, promotes broadly shared prosperity, and safeguards the environment and public health is possible. To achieve such goals, however, fast track must be replaced with a new system for negotiating and implementing trade agreements that includes a Congressional role in selecting appropriate trading partners; the publishing of government submissions and composite texts during the negotiations; Congressional certification that trade goals have been met before trade negotiations can conclude; and Congressional authorization for the executive branch to sign and enter into trade agreements.¹

We once again urge you to oppose H.R. 1314, the Hatch-Wyden-Ryan fast track legislation and replace the outdated fast track procedures with a new trade negotiating and approval process that would help deliver trade agreements that could benefit workers, communities, public health, and the environment.

Sincerely,

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¹ For more information on our proposed elements for a new model of trade authority, [see the civil society letter signed by nearly 600 organizations to Senator Wyden.](#)