

*NSR. Will you cosponsor HCONRES 246 - directs the Pres. to negotiate a trade agreement which are consistent of U.S. Health, Safety, Labor and Environ. laws. This work be consistent if your vote against extension of fast track.*

# Congress of the United States

House of Representatives

Washington, D.C. 20515

February 21, 1992

## SUPPORT HOUSE CONCURRENT RESOLUTION 246--LET'S NOT GIVE UP OUR HEALTH, SAFETY, LABOR AND ENVIRONMENTAL LAWS IN A TRADE AGREEMENT

Dear Colleague:

Hidden in the morass of complex negotiations involving the General Agreement on Tariffs and Trade ("GATT") is a timebomb called international harmonization that could undermine U.S. laws designed to protect health, safety, the environment and labor. The most recent draft of the GATT agreement has the following dangerous ramifications:

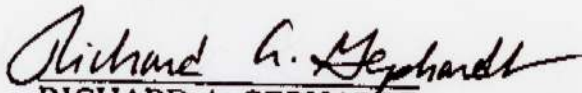
- U.S. laws that are more protective than the standards set by international bodies could be challenged by another country as an unfair trade barrier. This includes laws setting maximum pesticide residues, regulations banning food additives and vitally important environmental laws.
- These laws would be held to violate GATT unless they are found to be scientifically justified. But that decision would not be made in our courts - instead it would be made by a three-member GATT panel, comprised of members from other countries who may have no understanding of U.S. laws. Under GATT rules, the panel would meet in secret, with no opportunity for public comment. It is not at all clear what would be needed to provide the required adequate scientific justification.
- Many U.S. environmental laws would be open to attack. This includes laws to protect endangered species, the oceans, dolphins, and the stratospheric ozone layer - as well as future efforts to stop global warming. These laws work to protect the world's ecosystems by controlling the import of products that are manufactured or procured in a manner that is not environmentally sound. Our nation would then be forced to choose between these important laws and the threat of international sanctions.
- The U.S. would also be under international pressure to preempt many state and local laws designed to protect our citizens, if those laws are stronger than international standards.

What can you do? Cosponsor House Concurrent Resolution 246. It directs the President to negotiate a GATT agreement that is compatible with U.S. health, safety, labor and environmental laws. It informs the public that Congress will not approve legislation to implement a GATT agreement that undercuts those laws.



We have worked hard in this country to adopt strong environmental, food safety and labor standards. Yet the draft GATT agreement could force the U.S. to replace many of those standards with weaker, international standards. Since GATT is still being negotiated, it is not too late. Cosponsoring House Concurrent Resolution 246 will help to send this message.

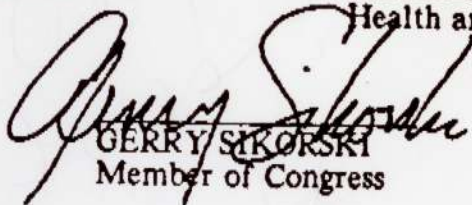
Sincerely,



RICHARD A. GEPHARDT  
House Majority Leader



HENRY A. WAXMAN  
Chairman, Subcommittee on  
Health and the Environment



GERRY SIKORSKI  
Member of Congress

## GROUPS THAT SUPPORT HOUSE CONCURRENT RESOLUTION 246

## ENVIRONMENTAL

American Cetacean Society  
American Humane Association  
American Society for the Prevention  
of Cruelty to Animals  
Clean Water Action  
Committee for Humane Legislation  
Earth Island Institute  
Environmental Action  
Environmental Investigation Agency  
Friends of the Earth  
Humane Society of the U.S.  
Marine Mammal Fund  
National Coalition Against the  
Misuse of Pesticides  
National Toxics Campaign  
Sierra Club  
Society for Animal Protective  
Legislation  
World Society for the Protection of Animals

## LABOR

Amalgamated Clothing and Textile  
Workers Union  
Communication Workers of America  
Food and Allied Service Trades,  
AFL-CIO  
International Association of  
Machinists  
International Union of Electronic,  
Electrical, Salaried, Machine &  
Furniture Workers  
Jewish Labor Committee  
Oil, Chemical and Atomic Worker  
International Union  
Service Employees International  
Union  
United Food and Commercial Workers  
International  
United Mine Workers  
United Steel Workers

## CONSUMER

Center for Science in the  
Public Interest  
Community Nutrition Institute  
Government Accountability Project  
National Consumers League  
Public Voice for Food and Health Policy  
Public Citizen

## AGRICULTURAL

American Agriculture Movement, Inc.  
Association of Farm Worker  
Opportunity Programs  
Institute for Agriculture and  
Trade Policy  
International Alliance for  
Sustainable Agriculture  
National Family Farm Coalition  
National Farmers Organization  
National Farmers Union

## RELIGIOUS

Church of the Brethren,  
Washington Office  
Church Women United  
Union of American Hebrew  
Congregations  
United Methodist Church, General  
Board of Church and Society

## CITIZENS

Americans for Democratic Action  
Child Labor Coalition  
Development Group for Alternative  
Policies  
Fair Trade Campaign  
League of Rural Voters



# Congress of the United States

House of Representatives

Washington, DC 20515

March 2, 1992

**UPHOLD U.S. ENVIRONMENTAL, HEALTH AND SAFETY STANDARDS**

Dear Colleague:

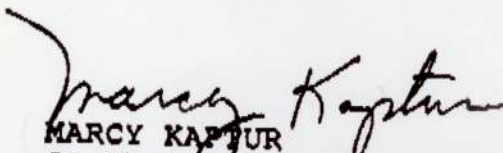
As Co-Chairs of the Fair Trade Caucus, we are asking you to co-sponsor House Concurrent Resolution 246 to make it clear that Congress will not approve any trade agreement that jeopardizes U.S. environmental, public health, or consumer safety standards.

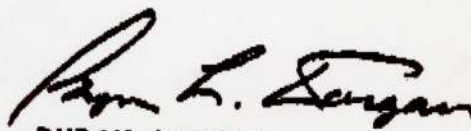
At a time when the Administration is negotiating 2 precedent setting international trade agreements, it is critical that Congress maintain close guard over the preservation of American laws. For example, the new GATT proposal known as the Dunkel draft threatens to preempt many important areas of Congressional, state and local authority. We do not want an international trade agreement to pull the high standards of American laws down to the lowest common denominator. We do not want to give over the jurisdiction of our courts to a three-member GATT panel. We have already seen preemptions of what could come in the August 1991 GATT tuna-dolphin panel decision which decreed that a U.S. environmental law was a barrier to trade that must be eliminated. This GATT ruling was a direct challenge to the U.S. Marine Mammal Protection Act of 1972.

H. Con. Res. 246 directs the President to negotiate a GATT agreement that is compatible with U.S. health, safety, labor and environmental laws. This is a reasonable and fair standard for any trade agreement the U.S. is considering.

If you are concerned about environmental, labor, and consumer standards in the ongoing NAFTA and Uruguay Round of the GATT negotiations, we urge you to support our colleagues Dick Gephardt and Henry Waxman and co-sponsor H. Con. Res. 246. Send the right message to our trade negotiators and the American public.

Sincerely,

  
MARCY KAPTUR  
Co-Chair, Congressional  
Fair Trade Caucus

  
BYRON DORGAN  
Co-Chair, Congressional  
Fair Trade Caucus

WAXMAN095

ELC

102D CONGRESS  
1ST SESSIONH. CON. RES. 246

## IN THE HOUSE OF REPRESENTATIVES

Mr. WAXMAN (for himself, Mr. GEPHARDT, Mr. WYDEN, Mr. SIKORSKI, Mr. CONYERS, Mr. FORD of Michigan, Mr. BROWN, Mr. BERMAN, Mr. DOWNEY, Mr. ESPY, Mrs. KENNELLY, Mr. LEWIS of Georgia, Mr. McDERMOTT, Mr. MATSUI, Mr. OBEY, Mr. OLVER, Mr. ROSE, Mr. RUSSO, Mr. SANDERS, Mr. SCHUMER, Mr. TORRES, and Mr. WEISS) submitted the following concurrent resolution; which was referred to the Committee on \_\_\_\_\_

SEE ATTACHED FOR ADDITIONAL COSPONSORS

## CONCURRENT RESOLUTION

[ Expressing the sense of Congress with respect to the relation of trade agreements to health, safety, labor, and environmental laws of the United States. ]



WAXMAN095

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Whereas a General Agreement on Tariffs and Trade (hereinafter in this resolution referred to as the ``GATT``) dispute resolution panel decreed on August 16, 1991, that certain provisions of the Marine Mammal Protection Act of 1972 designed to protect dolphins are a barrier to trade and must be eliminated;

Whereas the GATT panel ruling additionally declared that nations may not have laws that protect health, safety, or the environment beyond that nation's geographic borders, or laws that take into account the process or conditions under which a product is produced or harvested;

Whereas the GATT panel ruling may also jeopardize other United States laws and international agreements intended to protect global resources, including provisions that protect the stratospheric ozone layer, provisions to save endangered species, provisions to discourage driftnet fishing, and provisions for the protection of whales; and

Whereas ongoing negotiations for the Uruguay Round of the GATT, reflected in the December 1990 draft agreement and the United States-Mexico Free Trade Agreement, could weaken United States health, safety, labor, and environmental laws, including laws adopted by State and local authorities: Now, therefore, be it

WAXMAN095

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1       *Resolved by the House of Representatives (the Senate*  
2       *concurring)*

3       SECTION 1. PRESIDENT.

4       The Congress calls upon the President to initiate and  
5       complete negotiations, as part of the current Uruguay Round  
6       GATT talk, to make the GATT compatible with the Marine Mammal  
7       Protection Act and other United States health, safety, labor,  
8       and environmental laws, including those laws that are  
9       designed to protect the environment outside the geographic  
10      borders of the United States.

11      SEC. 2. LEGISLATION.

12      The Congress will not approve legislation to implement  
13      any trade agreement (including the Uruguay Round of the GATT  
14      and the United States-Mexico Free Trade Agreement) if such  
15      agreement jeopardizes United States health, safety, labor, or  
16      environmental laws (including the Federal Food, Drug, and  
17      Cosmetic Act and the Clean Air Act).



# Public Citizen

Buyers Up • Congress Watch • Critical Mass • Health Research Group • Litigation Group  
Ralph Nader, Founder



TO: Jackie Dacles

FROM: ATLANTA MCDONALD

TO FOLLOW: INFO RE: H. CON. RES. 246

COMMENTS: Mollohan is already a cosponsor.

I spoke to Stewart Durr in Staggers

office today and he said Staggers

would cosponsor the resolution

If you have any questions or would like more info, please call me.

7 PAGES, PLUS COVER SHEET

PHONE: (202) 546-4996

FAX: (202) 547-7392

Also, if you would like to cosponsor the resolution, please call Susan Reich at the Subcommittee on Health & the Environment 226-7626. Thanks.

215 Pennsylvania Avenue SE • Washington, DC 20003 • (202) 546-4996





171 Co-sponsors

# Referral to Ways & Means Energy & Commerce

FROM: ATLANTA MCI (WASH DC)

TO FOLLOW: INFO RE: H. CON. RES. 516

COMMENTS: Mollman is member of co-sponsors

I spoke to Stewart Trust in Chicago

Office located and he said Stewart

would cooperate the resolution

If you have any questions or would like more info, please call me.

7 PAGES, PLUS COVER SHEET

PHONE: (505) 246-4886

FAX: (505) 247-7383

Also, if you would like to co-sponsor

The resolution, please call Susan Benth

of The Subcommittee on Health, The Environment

556 F650. Thanks

315 Pennsylvania Avenue SE • Washington, DC 20003 • (505) 246-4886