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**DRAFT**

Oakland City Attorney's Office

## OAKLAND CITY COUNCIL

Resolution No. \_\_\_\_\_ C.M.S.

INTRODUCED BY COUNCILMEMBERS GUILLEN, KALB, AND CAMPBELL  
WASHINGTON

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### **RESOLUTION OPPOSING THE TRANS-PACIFIC PARTNERSHIP (TPP) AND THE EXTENSION OF TPP TRADE POLICIES**

**WHEREAS:** U.S. trade deals for the past 25 years have been corporate-driven, incorporating rules that skew benefits to economic elites while requiring working families to bear the brunt of such policies; and

**WHEREAS:** The growing trade deficits, driven by the North American Free Trade Agreement, China's accession to the World Trade Organization, and the U.S.-Korea Free Trade Agreement, have displaced 700,000 jobs and 3.2 million jobs, and 75,000 jobs respectively; and

**WHEREAS:** U.S. employment in manufacturing dropped by five million from 2000 to 2015; and

**WHEREAS:** The City of Oakland unemployment rate is 5.5% with even higher unemployment rates in certain communities; and

**WHEREAS:** The City of Oakland poverty rate is 20.5%, which requires the expenditure of limited public funds to assist families in crisis; and

**WHEREAS:** Jobs lost due to trade devastate families and entire communities and can permanently reduce lifetime earnings for hundreds of thousands of workers; and

**WHEREAS:** The long decline of the American manufacturing base—exacerbated by bad trade policies that reward outsourcing—has undermined our economic security and poses a direct threat to our national security; and

**WHEREAS:** The offshoring of manufacturing and service jobs deprives local and state governments of sorely needed revenues, jeopardizing the livelihoods of millions of public servants as well as construction workers whose jobs depend upon infrastructure building, repair and maintenance; and

**WHEREAS:** Under NAFTA-style trade rules, the U.S. annual trade deficit has increased dramatically from 70 billion in 1993, the year before NAFTA went into effect, to more than \$508 billion in 2014; and

**WHEREAS:** The disproportionate voice of powerful global corporations in the formation of U.S. “free trade” agreements has advanced an agenda that undermines the public interest and threatens democracy; and

**WHEREAS:** NAFTA and all but two of the U.S. trade deals that followed it include special legal rights for foreign investors, known as “investor-to-state dispute settlement” or ISDS, that allow foreign firms to bypass state and federal courts to challenge state and local laws, regulations, and administrative and judicial decisions in international tribunals; and

**WHEREAS:** The TPP is likely to include provisions locking in monopoly protections for expensive specialty drugs called biologics and constrict the government’s ability to limit spending on drugs, potentially increasing drug costs for the government and all Americans; and

**WHEREAS:**

Foreign investors already have used NAFTA's ISDS provisions to challenge decisions regarding local building permits, state bans on toxic chemicals and decisions of state courts; and

**WHEREAS:**

Promoting economic growth with equity in the City of Oakland requires an approach that reforms the entire trade negotiation process to ensure that voices of workers, farmers, small businesses, families and communities are heard and their interests addressed; and

**WHEREAS:**

The Trans-Pacific Partnership (TPP) has been negotiated in secret, effectively shutting state and local governments out of the process, limiting our ability to influence its rules to ensure the people of the City of Oakland can participate in the benefits of trade; and

**WHEREAS:**

Given the enactment of fast track trade negotiating authority, states, localities and their citizens will have no opportunity to correct shortcomings in the TPP since its text will not be made public until it is final and no longer can be improved; and

**WHEREAS:**

Repeating old mistakes in negotiating new trade agreements such as the TPP represents a missed opportunity to strengthen our economy, reduce income inequality and promote sustainable growth; therefore, be it

**RESOLVED THAT:**

The City of Oakland calls upon our elected officials in the U.S. Senate and U.S. House of Representatives to oppose the TPP and any similar trade deals if they fail to improve and restructure the misguided and problematic policies of the past; and be it

**FURTHER RESOLVED:**

The City of Oakland calls upon our elected officials in the U.S. Senate and U.S. House of Representatives to support new trade deals such as the TPP only if they will:

- Exclude investor-to-state dispute settlement (ISDS) and other provisions that favor foreign companies over domestic ones and undermine public choices;
- Ensure that countries cannot undercut U.S. based producers with weaker labor and environmental laws and enforcement;
- Ensure that the U.S. will engage in robust enforcement of trade rules, including robust labor and environmental rules;
- Include strong rule of origin to promote economic growth and job creation in the U.S.;
- Promote high standards of protection for workplaces, products, and natural resources rather than promoting a race to the bottom; and
- Put the interests of people and the planet over the interests of private profit;
- Not lead to an increase in prescription drug costs for residents of the United States.

IN COUNCIL, OAKLAND, CALIFORNIA,

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL WASHINGTON, GALLO, GUILLEN, KALB, KAPLAN, REID AND PRESIDENT GIBSON MCELHANEY

NOES –  
ABSENT –  
ABSTENTION –

ATTEST:

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LATONDA SIMMONS  
City Clerk and Clerk of the Council of  
the City of Oakland, California