

The Trouble With T's

A friend of mine (yes I have one or two) asked several days ago to explain the current set of T's – you know, TPA, TAA, TPP, T-TIP, and TiSA . I'll take them in order.

TPA & TAA

The TPA and TAA are not actual trade agreements but rather bills that enable procedures or aspects of trade agreements. TPA are the initials for “Trade Promotion Authority” and TAA is “Trade Adjustment Assistance.” TPA provides the Executive Branch the right to proceed with trade agreement negotiations with foreign governments and a set of rules for how those agreements will be handled when they are submitted to Congress. TPA's are temporary grants of authority and seem to last for a period of about 5 years. They are said to be necessary if other nations are to be inclined to negotiate a trade agreement in that TPA's provide assurance that Congress will not amend the agreement. The TAA is a bill to provide money and mechanism for retraining and other measures for those American citizens who lost their jobs as a consequence of a trade agreement.

Republicans typically support TPA's because they are enable trade agreements that open the door for Americans to foreign goods and services, and in the long run to more money for the Federal government. Democrats typically oppose TPA's because they believe trade agreements will lead to a loss of union-based jobs. TAA's are supported by Democrats because they provide compensation for job loss due to trade agreements and money for the Dems to play with. Republicans oppose TAA's because they do not believe the job loss is significant and that it is no more than a Democrat boondoggle.

The Senate passed both the TPA and the TAA that we are now reading about in the news in a manner that tied the two together. You could not have one without the other. When the two, tied together, reached the House the TAA failed (Vote #361 on 061115: 126/302) and the TPA passed (Vote #362 on 061115: 219/211). But, because they were tied together the TPA died in spite of its approval. Then 7 days later the House voted on the TPA as a separate item (imbedded under a title of another bill) (Vote #374 on 061815: 218/208). But this meant that the two bills must be sent back to the Senate where the Senate can agree (or not) to vote on them separately.

Where matters now stand is that the Senate Democrats would have to agree to voting on the two measures separately, first TPA and then TAA. But the Dems do not trust that if TPA is passed that the TAA will be brought up for a vote. For this reason the TPA may die in the Senate.

TPP, T-TIP, and TiSA

The U.S. is currently in 14 Free Trade Agreements (FTAs), click [HERE](#) – one of them being NAFTA. There are another 18 proposed, one of them being TPP. There are about 6 World Trade Organization Agreements (WTO) in place, click [HERE](#). There are more in addition to these and I find it all overwhelming – so lets get to the point of the three currently in the news.

TPP stands for Trans Pacific Partnership, TTIP stands for Transatlantic Trade and Investment Partnership, which is with the European Union, and TiSA stands for Trade in Services Agreement, which is with over 50 other nations. For those nations involved in the TPP click [HERE](#) and for those nations involved in the TiSA click [HERE](#). (If you do not trust Wikipedia to be accurate then look elsewhere.)

While I do believe there has to be trade agreements I find all of this disturbing for the following reasons. (You are free to agree or disagree with me. I advise you to do your own homework either way.)

1 – Congress, including Congressman Goodlatte, seems to be saying the TPP is a “trade agreement” not a “treaty.” This is “semantics”. It is a treaty and for that reason the Senate has “Advise and Consent” authority – Article II, Section 2, Paragraph 2 – which means that 2/3rds of the Senate must approve (concur with) the agreement. But the Senate has given up its authority.

2 – A trade agreement (treaty) involves regulations. Article I, Section 8, Paragraph 3 gives Congress the authority “to regulate Commerce with foreign Nation ...” There is nothing in the wording to say whether a simple or super majority is needed to approve regulations – however the words carry with it the right to “amend” anything to the satisfaction of the Congress. So Congress has given up, by way of a TPA, the very authority it was granted. I do not accept a TPA as being constitutional because Congress has no authority to waive its authority. But it has, as it has in so much else. The consequence is that the Constitution comes to mean less and less. Congress has in effect made the Constitution a living document.

3 – I know from reading documents leaked by Wiki Leaks that within these “trade agreements” is language pertaining to Immigration Policy and to Environment. It is in such a way that it leaves what is to be within the means of Obama who uses Executive Orders and Executive Memorandums to do as he wants in both areas – and Congress sits mutely by.

4 – I do know that Republicans have included within the TAA a tax penalty on small businesses that incorrectly file 1099s, etc. as a means to fund the TAA. According to Congressman Goodlatte’s Office the amount would be from \$40 to \$50 per instance. It is not acceptable to tied more financial tax burden on small business because of employment and job issues created by trade agreements (treaties.) Moreover, the amount here does not include the additional time and expense small business will spend interacting with the IRS to settle those penalties.

5 – All of this revolves around a Congress passing bills for which they have not read the content, a Congress which has made bills unnecessarily long and complex, and a Congress that is NOT listening to We the People. Congress appears to believe We the People could sit mutely by without opinion. Congress seems to have forgotten it members are elected to “represent”, not “dictate.”

So is my paranoia and pessimism unwarranted? If you think so then go about your daily lives and say nothing to those in Congress.