



# AMERICANS FOR LIMITED GOVERNMENT

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February 24, 2015  
Representative Tom Emmer  
503 CHOB  
Washington, D.C. 20515

Dear Representative Emmer:

I read your letter on providing President Obama Trade Promotion Authority (TPA), or what Senate Majority Leader calls, "an enormous grant of power," and felt compelled to help you clarify a couple of points you made. First and foremost, there continues to be a misconception that TPA will allow Congress to set objectives for negotiations, in particular as they relate to the Trans-Pacific Partnership (TPP) trade deal.

As you undoubtedly are aware, the TPP negotiations have been on-going for the past six years, and according to the U.S. Trade Representative are likely to wrap up in March. Given that the U.S. Trade Representative testified earlier this year before the Senate that he chose to disregard a letter signed by a majority of the House and Senate urging that currency manipulation be included in any prospective deal, it is clear that President Obama has no more regard for Congressional input in this area than he has shown on immigration.

In terms of demanding strict transparency through the negotiating process, Congress can demand anything it wants, but President Obama is under no legal requirement to follow those demands. In fact, the only way that Congress has to impose its will on a negotiating process is to force any treaty submitted to be subjected to full and transparent scrutiny, including the ability to amend objectionable sections. Under TPA, this ability to fix highly objectionable areas is voted away.

Also, TPA reduces the threshold for passage of a treaty from a two-thirds majority to a simple one. The Constitution dictated the two-thirds vote for treaty ratification because treaties override the conflicting laws of the United States when approved. Given President Obama's vow to use his pen and phone to continue his fundamental transformation of America, you and your colleagues need to answer the basic question: do you trust the President to, as he describes, "write the rules for the world's economy?"

Would you vote to give the President the power to write legislation with Congress only having a simple majority veto over the changes? This is exactly what passage of TPA does by stripping away all Congressional prerogatives besides a final passage vote.

There can be no doubt that passing TPA will allow the managed TPP trade deal to be passed and ratified more rapidly. Ask yourself however, if ceding President Obama authority on a trade deal that impacts everything from the food we eat, to the BTU's we burn, to the Internet we use, at a time in our nation's history where the Executive Branch's usurpation of Congressional Constitutional authority has reached a crisis level, is a wise idea. I am confident that upon reflection, you will find it impossible to support ceding this power to President Obama.

Sincerely,

Richard M. Manning  
President  
Americans for Limited Government

**CC: House Republican Conference Members**