

As Introduced

**132nd General Assembly
Regular Session
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H. C. R. No. 32

Representative Ingram

Cosponsors: Representatives Miller, Patterson, O'Brien, Ashford

A C O N C U R R E N T R E S O L U T I O N

To urge the President of the United States to negotiate 1
the removal of the investor-state dispute settlement 2
provisions in the North American Free Trade Agreement. 3

**BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF THE STATE OF
OHIO (THE SENATE CONCURRING):**

WHEREAS, The investor-state dispute settlement provisions 4
(ISDS) in the North American Free Trade Agreement provide 5
foreign investors overbroad protections; and 6

WHEREAS, The ISDS provides foreign investors the right to 7
bypass domestic courts, including courts created by Article III 8
of the United States Constitution, and challenge the United 9
States government directly before an international arbitration 10
tribunal (a right that United States companies do not have); and 11

WHEREAS, The ISDS panels are neither democratically 12
selected nor accountable to any public entity, nor are they 13
required to consider basic principles of United States law, nor 14
must they weigh the public interest against the alleged 15
violation of an investor's rights; and 16

WHEREAS, Under this system the United States government can 17
only be a defendant (the investor takes on no corresponding 18
responsibilities), and even when the United States government 19

"wins," the United States people lose because valuable 20
government resources are expended to defend these often 21
meritless claims; and 22

WHEREAS, When a state adopts a non-discriminatory law or 23
regulation intended to service a public purpose, it should not 24
constitute a violation of an investment agreement or treaty, 25
even if the change in the legal environment thwarts the foreign 26
investors' previous expectations; now therefore be it 27

RESOLVED, That we, the members of the 132nd General 28
Assembly of the State of Ohio, hereby urge the President of the 29
United States to negotiate to remove the investor-state dispute 30
settlement provisions in the North American Free Trade 31
Agreement; and be it further 32

RESOLVED, That the Clerk of the House of Representatives 33
transmit an authenticated copy of this resolution to the 34
President of the United States and the news media of Ohio. 35