

Rigged Trade Agreements and Rigged Government. “Secret Sections” of the Trans-Pacific Partnership Revealed

A Week with Senator Wyden

By [Kevin Zeese](#)

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Note: We are still hoping that Senator Wyden will listen to the people and not his big money donors. He should announce now that he will not be supporting any fast track trade authority legislation. The three treaties being negotiated in secret by Obama are too far along and cannot meet the transparency and participation requirements that Wyden has said he supports. He should come out against fast track for all the deals currently being negotiated.

In recent town hall events Sen. Wyden has said that export from Oregon to Asia is a foundation of the Oregon economy. But, as he knows, the US already has trade deals with most of the countries involved in the TPP so it will make little difference on Oregon's exports. What it will do is give these foreign corporations the ability to move to locations with cheaper labor and resources as well as the power to sue if Oregon takes action in the public interest to protect people and planet. The TPP is a loser for the Oregon economy and for the people of Oregon. KZ

Participating in US politics, as a citizen activist, puts you face-to-face with corruption and the ugliness of money-politics.

At least I find it ugly that a senator would be negotiating fast track legislation through Congress for secret corporate rigged trade deals while raising money from big business interests that would profit immensely from those deals. Taking money while negotiating legislation that benefits the donor should be illegal. It should be considered bribery or a pay-off, but the deep corruption of US politics has legalized that kind of bribery and made it the norm.

While this was occurring [Wikileaks published the text](#) of the Investment Chapter of the Trans-Pacific Partnership. This chapter that allows corporations to sue governments when a law passed in the public interest would undermine their profits. Corporations can sue for the profits they were expecting in rigged trade tribunals where corporate lawyers play the role of judges and there is no court review. Even the US Supreme Court cannot overrule the corporate judges.

A Week With Wyden

That is what we saw this week as we focused our attention on Senator Ron Wyden (D-OR). Wyden is the key Democrat on the Finance Committee. If he co-sponsors fast track with

Senator Orrin Hatch (R-UT) then it will be harder to stop these crony capitalist rigged agreements. We'll see if the bribes he received on Wednesday from DC's big business lobbyists at his bribe-fest, err fundraiser, was enough for him to ignore what the people of Oregon have said they clearly oppose. [Polling shows that 73 percent of Oregonians oppose fast track](#) and 63 percent oppose the TPP. Half of the voters in Oregon said they would be less likely to support Wyden if he works with Republicans to pass fast track. You would think in a representative democracy the elected official who represents that constituency would say 'no' to fast track rather than negotiate in secret with a Republican leader on how to get fast track through the Congress. But, Senator Wyden is not listening to what the people of Oregon want. Maybe he has been in Washington, DC too long or maybe he is more comfortable in his \$10 million home in New York City. Or, maybe it is just that he gets paid to well by big business interests so he represents the moneyed interests instead of the people.

From meeting with Wyden's staff, it is clear that the senator thinks the public is too dumb to vote against him because of this issue. They think trade doesn't matter to voters. Wyden underestimates voters. In fact, because we now have the NAFTA experience people understand how trade impacts their lives and the TPP is much bigger than NAFTA. We know the results: lost jobs, lower incomes, bigger wealth divide, higher trade deficits, undermining of the environment and increased migration. People now know trade agreements have had terrible consequences on their lives.

We sat-in Wyden's office for a week doing a "[toast-in](#)" to make the point that Wyden's career is toast if he co-sponsors fast track. Democratic Party aligned groups are saying they will remove Wyden from office in 2016 if he supports fast track. [The Hill reported](#) how multiple groups are planning to oust him. It started with Howard Dean's Democracy For America, when they saw the poll results showing how out-of-step Wyden is with Oregon voters they urged a primary challenge. The call was then taken up by the [Working Families Party](#) in Oregon. And, just this week [MoveOn members in Oregon](#) voted with 79 percent saying they would support a primary challenger against Wyden. MoveOn has 88,000 members in Oregon. The AFL-CIO is withholding PAC contributions, not just to Wyden, and is running advertisements in Oregon criticizing fast track.

Balanced against the views of Oregon voters is the money donated to him by big business. As the ranking member of the Senate Finance Committee, a lot of big business money comes his way and passing fast track for TPP and other agreements rigged for transnational corporations as a top priority. [Only 3 percent](#) of Wyden's personal contributions come from small donations, the rest come from large donations and PACs. [Open Secrets reports](#) that over the past five years many of Wyden's industry donations come from big business interests who will benefit from the rigged corporate trade agreements that fast track would help to pass. This includes private investment firms (\$824,460 in Wyden donations), the insurance industry (\$379,950), pharmaceuticals and health products (\$356,278), manufacturing and distribution (\$203,720), business services (\$165,050), finance (\$147,815), oil and gas (\$129,414) and chemical and related manufacturing (\$101,850). That is over \$2 million - do those donations speak louder than voters? This week [Congressional Quarterly reported](#) that Senator Wyden was holding a fundraiser at Bistro Bis, an upscale restaurant near Capitol Hill. The invitation said "Friends of all industries welcome to attend." The day before the event we organized a protest in order to highlight that Wyden was fundraising for industries that would profit from fast track. The afternoon before the event [he moved the fundraiser](#) to a still undisclosed location. It was interesting to see how quickly he moved to hide his actions at the big bribe-fest. He's being tight lipped not

only about where it was held but who attended and how much money was raised. What's he hiding?

It is so common for politicians to be considering legislation that would benefit an industry or corporate interest and while doing so hold a fundraiser. What better time to stick people up for money but when you are holding the key to future profits? This is so common that it is the norm in Washington, DC. Of course, that does not make it right; indeed what it shows is that the norm in US politics is deep corruption, and Wyden exemplifies it.

TPP Secret Exposed

As this was happening, one of the most important secret sections of the TPP was published by Wikileaks. Senator Wyden has been calling for transparency, but I don't think this level of transparency is what he has in mind. If it was he would insist the text of the full agreement be made public before fast track is considered. He has not done this because he knows that if members of Congress and the people knew what was in this agreement fast track would not even be considered; indeed the TPP would never become law. The only way for these rigged corporate trade agreements to become law is secrecy and speed, the latter so there is no time to even read them.

Secrecy is such a high priority that Wikileaks emphasized in its press release:

"The document is classified and supposed to be kept secret for four years after the entry into force of the TPP agreement or, if no agreement is reached, for four years from the close of the negotiations."

Imagine that, secret law multiplied. It is bad enough to negotiate a law in secret and pass it through Congress with no hearings but then to keep the law secret until four years after it becomes law. Imagine that, laws that will impact every aspect of our lives keep so secret. This sounds like a dystopian science fiction novel. Would anyone think that a country that passed laws with such secrecy was a democracy? A novel about a government like this would not be about a democracy - it would be about a dictatorship of corporations where the people are serfs to corporate power.

Ilana Solomon, director of the Sierra Club's Responsible Trade Program, [said](#) :

"It is outrageous that we have to continue to rely on leaked texts to expose the details of this trade pact — and that every leak confirms the threats of the Trans-Pacific Partnership to clean air and water."

What does the text show? [Teamster president Jimmy Hoffa writes](#):

"corporations could sue the U.S. or other countries included in the deal if they didn't like their laws. Such challenges would be handled by an unaccountable international arbitration forum. And taxpayers would end up paying the tab if the private sector wins."

"With the veil of secrecy ripped back, finally everyone can see for themselves that the TPP would give multinational corporations extraordinary new powers that would undermine our sovereignty, expose U.S. taxpayers to billions in new

liability and privilege foreign firms operating here with special rights not available to U.S. firms under U.S. law,” said [Lori Wallach, director of Public Citizen’s Global Trade Watch](#).

[Larry Cohen, president of the Communication Workers of America](#) describes the chapter as “worse than we imagined” and says:

“These 56 pages must be a wakeup call for our nation. We must be defenders of democracy first and push aside the special interests of multinational corporations.”

[Food and Water Watch](#), which opposes fast track and the TPP because of its threat to food and water, summarized the leak saying it will prevent “commonsense public health, environmental and consumer safeguards” by providing “special rights for corporations at the expense of the public interest, letting foreign companies demand financial compensation”

Under the TPP only foreign corporations can sue governments (domestic corporations do not share in that power), while people have no recourse. If dangerous food is imported and people are poisoned, they cannot sue in the tribunal; if fracking or a burst pipeline destroys the water supply of a community, they cannot sue; if workers lose their jobs to low-paid foreign workers, the workers have no recourse; if websites are forced off the Internet because of violation of extremist copyright provisions, they cannot sue. On issue after issue people will be harmed by the provisions of rigged corporate agreements but they will have no recourse, while corporations can sue thereby ensuring increased risks to all of us.

How can Senator Wyden say with a straight face that he supports transparency when he would consider co-sponsoring to fast track bill a secret agreement; a fast track bill that would not even give people enough time to read the multi-thousand page agreement?

The Moment

Now is the key moment to tell Senator Wyden that you oppose fast track. His number in DC is (202) 224-5244. You can find numbers to his six Oregon offices and submit a written comment [here](#). If you want to take more action visit www.StopFastTrack.com. The people have the power to defeat transnational corporations on these issues but we must take action in order to do so.

Senator Wyden and Senator Hatch hope to finish their negotiations this week and introduce a bill in mid-April. They actually wanted to do so in mid-February but have been stopped. We can stop them again, if we act now. But, no matter how Wyden goes we can defeat fast track. Momentum is on the side of the people, as are the facts. [Fast track is not a done deal](#). The coalition to stop fast track is the largest ever built to oppose corporate trade. We represent tens of millions of people. We can win.

Kevin Zeese is co-director of Popular Resistance.

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