

**As Introduced**

**132nd General Assembly  
Regular Session  
2017-2018**

**H. C. R. No. 32**

**Representative Ingram**

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

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**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