

February 28, 2005     The World Trade Organization, which the United States joined in 1994, has been disastrous for American sovereignty. A tax bill passed last year provides a vivid example of just how blatantly Congress is surrendering our sovereignty to quasi-governmental bodies like the WTO. For years, high-tax Europe has objected to how we tax American companies on their overseas earnings. The EU took its dispute to the WTO grievance board, which voted in favor of the Europeans. The WTO ruling was clear: Congress must change American law to comply with European rules. Make no mistake about it: WTO ministers tell Congress to change American laws, and Congress complies. In fact, congressional leaders obediently scrambled to make sure the corporate tax bill passed before a WTO deadline. Thousands and thousands of bills languish in committees, yet a bill ordered by the WTO was pushed to the front of the line. Americans should expect to see more of the laws we live under being dictated by international bodies. Later this year, all European Union countries will unify their food supplement laws to conform with rules established by a United Nations commission. This commission, called Codex Alimentarius, calls for strict control of dietary supplements. Under the Codex rules, Europeans will need a doctor's prescription to obtain even basic vitamins. Thanks to the WTO, Americans may find their supplements similarly restricted in an attempt to harmonize the regulatory playing field between the U.S. and Europe. After all, this is the new reality in the WTO era: no nation may enjoy an "unfair" trade or regulatory environment.

This affront to our national sovereignty was of course predictable when we joined the WTO. A Congressional Research Service report was quite clear about the consequences of our membership: "As a member of the WTO, the United States does commit to act in accordance with the rules of the multi-lateral body. It is legally obligated to insure that national laws do not conflict with WTO rules." Our membership in the WTO is unconstitutional, which is to say illegal. The Constitution grants Congress, and Congress alone, the authority to regulate trade. Congress cannot cede that authority to the WTO or any other international body, nor can the President legally sign any treaty that purports to do so. When Congress in essence transfers its authority over trade matters to the WTO, it acts illegally. Fortunately, Congress has an opportunity this year to withdraw our membership in the WTO. When the U.S. first joined the organization in 1994, a rushed lame-duck Congress inserted a 5 year review clause to garner some last-minute votes. This clause allows members of Congress to bring a resolution every 5 years calling for a vote on our continued membership. I plan to join with other House colleagues this year in demanding withdrawal from the WTO. Our sovereignty is a precious national asset, and the American people are tired of watching Congress sell out one constitutional principle after another.