

HOUSE RESOLUTION NO. 92-4750, by Representatives Valle, G. Cole, Jacobsen, Franklin, Heavey, R. King, Dellwo, Rust and Nelson

WHEREAS, The protection of our natural environment must be a paramount concern in the State of Washington and the United States, and represents a duty for which we all share responsibility, as the pioneers of environmental consciousness recognized; and

WHEREAS, The integrity of our environment is vital not only for the health and safety of all residents but also for our overall quality of life; and

WHEREAS, The citizens of the United States and the State of Washington have a right to demand both a strong economy and a safe, clean, and healthy environment rather than being forced to choose either economic prosperity or environmental quality; and

WHEREAS, Environmental degradation is too often the result of shortsighted calculations of short-term profit and loss on the part of businesses and governments in this country and elsewhere around the world; and

WHEREAS, Many areas near the border between the United States and Mexico are being forced to endure extremely poor environmental conditions; and

WHEREAS, Fifty percent of border residents are not connected to municipal sewage systems, while eighty percent of assembly plants known as "maquiladoras," or factories for assembling products in Mexico usually for export to the United States, are out of compliance with Mexican environmental laws; and

WHEREAS, The presence of toxic industrial pollutants in border waterways is not being monitored, despite studies indicating elevated levels of liver and gallbladder cancers in thirty-three counties

along the Rio Grande river; and

WHEREAS, A spot sampling by the National Toxic Campaign Fund, while not comprehensive or statistically valid, found that seventy-five percent of the sites visited were discharging toxic chemicals, while at more than a third of the sites severely toxic discharges were found; and

WHEREAS, Tests on both sides of the border at Nogales, Arizona indicate ground water contamination with high levels of cadmium, arsenic, and other chemical pollutants; and

WHEREAS, The maquiladora assembly plants are required to ship hazardous wastes to their owners' country, but a 1988 survey found only eleven of four hundred United States-owned maquiladoras in compliance with this law, while hundreds of thousands of tons of chemicals and other wastes are unaccounted for; and

WHEREAS, If United States standards for environmental laws and regulations and their enforcement are brought down to the level of Mexican standards for environmental laws and their enforcement, in pursuit of "harmonizing" regulations, the resulting standards would gravely undermine environmental protection in the United States and the public health and safety of our citizens; and

WHEREAS, The European Community has charged that a large number of United States environmental protection laws, including the Endangered Species Act, the Marine Mammal Protection Act, the Magnuson Fisheries Conservation and Management Act, and the Corporate Average Fuel Economy Law constitute unfair trade barriers and therefore violate trade agreements; and

WHEREAS, This same principle according to which environmental

protections are seen as unfair trade barriers could represent an even greater threat to the rights of states, including the State of Washington, to develop and stimulate innovative environmental laws; and

WHEREAS, A General Agreement on Tariffs and Trade (GATT) three-judge panel ruled that countries cannot set up trade restrictions for environmental purposes except through treaties, setting a precedent under which the United States could become subject to sanctions, reciprocal trade retaliation and monetary damage awards under GATT rules if the United States fails to repeal the Marine Mammal Protection Act, or at least the tuna embargo provisions against Mexico now in place and designed for the protection of dolphins; and

WHEREAS, The North American Free Trade Agreement threatens to exacerbate the flight of factories from areas of higher pollution control to areas of lower control, and in turn to worsen pollution problems in the border area while triggering pressures in the United States to lower environmental standards in order to improve competitiveness and to stop the flight of factories and jobs from our country;

NOW, THEREFORE, BE IT RESOLVED, That trade policies and agreements, including the North American Free Trade Agreement talks and the General Agreement on Tariffs and Trade Uruguay Round negotiations, must incorporate strong safeguards for environmental protection which rely upon both enforcement and voluntary compliance with environmental laws; and

BE IT FURTHER RESOLVED, That any effort either to eliminate nontariff trade barriers as a means of weakening our nation's

environmental laws or to use trade agreements to undermine or circumvent environmental, health, safety, and consumer laws, regulations, and protections must not be tolerated.