

AMENDMENT TO SENATE AMENDMENT TO H.R.

1314

OFFERED BY MR. POLIS OF COLORADO

Page 13, insert the following after line 14 and redesignate succeeding subparagraphs accordingly:

1 (A) stating, in the preamble of any trade
2 agreement entered into under section 3(b), that
3 the trade agreement does not accord greater
4 substantive rights than domestic investors have
5 under United States laws;

6 (B) explicitly stating that, unless an inves-
7 tor is able to prove otherwise based on the cus-
8 tomary international law standard, “arbitrary”
9 conduct by a State or State actions that upset
10 an investor’s expectations do not violate the
11 minimum standard of treatment;

12 (C) stating, in the preamble of any trade
13 agreement entered into under section 3(b), that
14 the trade agreement does not accord greater
15 substantive rights than domestic investors have
16 under United States laws;

