

United States Senate

WASHINGTON, DC 20510

November 23, 2004

Anita Thomas
Office of Europe and the Mediterranean
Office of the U.S. Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ms. Thomas:

Thank you for the opportunity to comment on enhancing the transatlantic economic relationship, as outlined in your August 17, 2004, Federal Register notice.

As your notice points out, transatlantic trade and investment between the United States and the European Union is a major component of our nation's economy. However, the importance of this economic relationship should not be used as an excuse to circumvent or undermine other important American values, such as environmental protection, consumer protection, and protection of public health. Furthermore, the U.S. government should conduct its international trade responsibilities in a manner that is transparent and fair to all interested parties, including government agencies, public interest groups, and individual citizens with an interest in these values.

In my experience, this has not always been the case when the U.S. Trade Representative (USTR) takes action. I refer specifically to the Administration's position with respect to the potential trade implications of the European Union's proposed chemicals regulation, known as Registration, Evaluation, and Authorization of Chemicals (REACH). As indicated in letters that Senator Jeffords and I sent to Trade Representative Zoellick earlier this year, I am troubled by reports that the Administration fashioned its position on REACH to reflect unsubstantiated cost concerns raised by a narrow segment of U.S. industry, without genuine consideration of the likely health and environmental benefits that the regulation would generate. Furthermore, although your office claims to have consulted a "broad range of stakeholders" in developing the Administration position, we have not been provided with the names of businesses, consumer groups, environmental organizations, public health groups, labor representatives, and congressional staffers with whom you consulted, or how extensively each was consulted.

It is only reasonable to expect that your office would fully consider the potential benefits as well as the costs of trade-related policy positions such as REACH, which have the potential for substantial public health benefits for both European Union and American citizens, to the extent that chemical products subject to REACH are sold or used in this country. The USTR should adopt and implement procedures to ensure that the views of all U.S. stakeholders are considered during development of the U.S. position on matters like REACH.

Thank you for the opportunity to comment on this important issue.

Sincerely,

A handwritten signature in black ink that reads "Frank R. Lautenberg". The signature is written in a cursive style with a large, prominent "F" and "L".

Frank R. Lautenberg
United States Senator