



Office of the United States Trade Representative
600 17th Street NW
Washington, DC 20508

May 10, 2013

Re: Coalition for Sensible Safeguards' Comment Concerning Proposed Transatlantic Trade and Investment Agreement, Docket No. [USTR-2013-0019](#), posted 04/01/2013

This comment letter is submitted on behalf of the [Coalition for Sensible Safeguards](#) (CSS) in response to the USTR's request for comments on the proposed Transatlantic Trade and Investment Partnership (TTIP) and the High Level Working Group's recommendation to negotiate "non-tariff barriers" and "behind the border obstacles."ⁱ CSS is an alliance of over 150 consumer, small business, labor, scientific, research, good government, faith, community, health, environmental, and public interest groups, joined in the belief that our country's system of regulatory safeguards provides a stable framework that secures our quality of life and paves the way for a sound economy that benefits us all. As you conduct your negotiations we hope you will consider:

The High Level Working Group's outline for negotiations call for the elimination of "non-tariff barriers" and "behind the border obstacles" will diminish the ability of the United States to continue to meet legitimate regulatory objectives. This language shares a familiar deregulatory tone with the Transatlantic Business Council's calls for the elimination of "trade irritants" and "regulatory convergence."ⁱⁱ This language is code for sweeping deregulation and binding rules that prevent governments from developing domestic standards and safeguards.

The framework's guidance to "resolve concerns and reduce burdens arising from existing regulations through equivalence" and reduce costs through harmonization should not result in uniform, one-size-fits-all standards that will strip down current protections serving the interests of American families. If across-the-board standards are adopted they should not harmonize down to embrace the lowest cost effective standards. They should instead harmonize upward, ensuring broadly shared prosperity across borders that will help us compete on the right things – the emerging, innovative industries of the future that will lead on clean manufacturing, safer chemicals, clean energy solutions and more -- and permit parties to adopt more stringent standards. Regulatory ceilings that buoy corporate influence and

hamstringing the US' ability to democratically devise and enforce common-sense domestic safeguards are unacceptable. Additionally, negotiators should reject calls for subjecting regulations to a trade-impact assessment. Regulators are already overburdened with business-impact assessments, and such a requirement would fundamentally distort regulatory policy, requiring regulators to subordinate their mission of protecting the public to commercial trade interests.

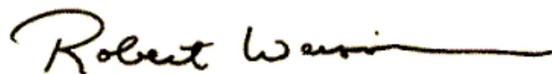
Negotiations with the potential to drastically affect domestic regulatory policy must be transparent and open to the public. Far too often, corporations enjoy disproportional access to high-level negotiators and their materials. If the negotiators intend to act with the public's best interests at heart, then they ought to quickly provide full public access to the details of the negotiations and suggestions from states and actors. Moreover, ample time should be given for interested public parties to review said materials, so that they may make worthwhile contributions. The single most important transparency imperative is to make negotiating texts available to the public as they are tabled.

In sum, the Coalition for Sensible Safeguards is troubled at the prospects of surrendering regulatory safeguards in the name of trade efficiency. As these negotiations proceed, decisions ought to be brokered in the light of day, and corporate interests should not override the public interest. Effective standards and safeguards provide health, safety and financial security for American families; and are a key component of a strong economy. More than that, standards and safeguards are at the very core of our American way of life and should not be sacrificed.

Sincerely,



Katherine McFate, President and CEO, OMB Watch
Co-chair, Coalition for Sensible Safeguards



Robert Weissman, President, Public Citizen
Co-chair, Coalition for Sensible Safeguards

ⁱ "Final Report," High Level Working Group on Jobs and Growth, Feb. 11, 2013. Available at: http://trade.ec.europa.eu/doclib/docs/2013/february/tradoc_150519.pdf

ⁱⁱ "The Transatlantic Economic Partnership: Overview and Assessment," Directorate General for Trade of the European Commission, Oct. 2000, at 5. Available at: http://trade.ec.europa.eu/doclib/docs/2003/october/tradoc_111712.pdf