

May 15, 2001

Secretary Donald Evans  
Department of Commerce  
14<sup>th</sup> & Constitution Ave., NW  
Washington, DC 20230

USTR Robert Zoellick  
Office of the United States Trade Representative  
600 17<sup>th</sup> Street NW  
Washington, DC 20508

Dear Secretary/USTR,

On behalf of the Industry Functional Advisory Committee on Standards (IFAC 2), I am writing with concerns regarding the European Union's attempt to impose its regulatory process on its trading partners in multiple international fora. Redundant initiatives are advanced in a variety of international or European forums. A recent example is the work being conducted by the United Nations Economic Commission for Europe Working Party on Technical Harmonization and Standardization Policies (WP.6).

Over the last year we have been briefed by the Department of Commerce's National Institute of Standards and Technology (NIST), which serves as the Vice Chair of WP.6, on the development of an "International Model for Implementing Good Regulatory Practice". The stated objective of the proposal is to develop a model to harmonize regulations and therefore minimize technical barriers to trade. While we applaud efforts to eliminate and reduce technical barriers to trade, we believe that this work is redundant to existing work and current obligations in the WTO Technical Barriers to Trade (TBT) Committee and could ultimately undermine these obligations and future work.

From the beginning, we believed this work was unnecessary and played into the hands of the Europeans, but were willing to allow the process to work itself out. At the last IFAC 2 meeting on April 18, it became evident that despite NIST's good intentions to redirect the discussion and create a useful paper this has not been realized. We believe the WP 6 should not create another proposed model and should defer to existing international disciplines to address technical barriers to trade. Therefore, should the WP 6 continue with this effort, we request that the U.S. government via NIST rethink its participation in the working party. Continued participation would not serve US industries' interests and could ultimately create additional barriers to trade.

Regards,



S. Joe Bhatia  
Chair of IFAC 2 on behalf of IFAC 2