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STATE OF MAINE

Citizen Trade Policy Commission

June 3, 2009

President Barack Obama
The White House
1600 Pennsylvania Avenue NW
Washington, DC 20500

Dear President Obama,

The Citizen Trade Policy Commission (commission) is an ongoing study commission that was established pursuant to Public Law 2003, chapter 699, in recognition of the need to establish a state-level mechanism to appropriately assess the impact of international trade agreements on Maine's state and local laws, business environment and working conditions. We are writing to you to express our concerns with the proposed U.S.-European Union settlement in the World Trade Organization's (WTO's) Internet gambling case brought by Antigua against the United States.

There have been a number of attempts to site a Liquefied Natural Gas (LNG) facility in Maine and each effort has generated a great deal of government concern, public protest and press (as it does in every coastal state where such a facility is proposed) because of potential health, environmental and safety concerns. While the commission has not taken a position on the siting of a LNG facility in Maine, we are troubled by the USTR's proposal to have this sector committed to the WTO. We strongly support Maine's ability to regulate the siting and operation of LNG facilities in Maine without those regulations being subject to WTO challenges in foreign tribunals where WTO rules, not U.S. law, apply and the basic due process rights provided in our courts do not exist. We encourage USTR not to submit this service sector under the General Agreement to Trade and Services (GATS).

We also request that at a minimum, the text of the proposed U.S. commitments be clarified to ensure that the USTR goal of excluding LNG facilities is actually accomplished in the commitment text. The most effective way to do so would be to remove the sub-category of “Bulk storage of liquids or gases” from the U.S. settlement offers in the Antigua gambling case and to ensure that the sub-category is not included in any offers at WTO.

Thank you for your consideration of this matter and we look forward to a new relationship with you and the Office of USTR under your leadership.

Sincerely,

Troy Jackson
Senate Co-Chair

Margaret Rotundo
House Co-Chair

cc: Members of the Citizen Trade Policy Commission
Ambassador Ronald Kirk, United States Trade Representative
Senator Olympia J. Snowe
Senator Susan M. Collins
Representative Michael H. Michaud
Representative Chellie Pingree
Governor John E. Baldacci
Senator Elizabeth Mitchell, President
Representative Hannah Pingree, Speaker