



August 14, 2006

Ambassador Susan C. Schwab
United States Trade Representative
600 17th Street, N.W.
Washington, DC 20508

Dear Ambassador Schwab:

On behalf of the National Education Association's (NEA) 2.8 million members, we are writing to request that you withdraw the higher education sector from the United States General Agreement on Trade in Services (GATS) "offer." We wanted to make our concerns about this proposal known to you at this time even though we realize that an impasse has been reached in the Doha Round of global trade talks regarding the World Trade Organization's (WTO) GATS. We realize that the talks broke down over other issues, but respectfully suggest that this impasse gives you an opportunity to revisit this critical area.

NEA has been concerned about this issue for some years now and has been working closely through international organizations such as Education International. In May 2005, NEA staff met with Christopher Melly, Deputy Assistant U.S. Trade Representative (USTR), Services and Investment, to better understand the USTR intentions for higher education and to express our concerns. In addition, we have issued several reports on the implications of international trade policies for higher education over the past few years. Two recent publications are available on our website, "Higher Education & International Trade Agreements" at <http://www2.nea.org/he/global/index.html>, and "A Unified European Higher Education Area in 2010" at <http://www2.nea.org/he/heupdate/vol11no2.pdf>.

NEA strongly believes that education is a basic right. As a result, we urge the government not to initiate, expand, or extend commitments in trade agreements before developing protections that:

- Promote education as a human right and public good, not a commodity for sale;
- Protect the academic freedom, working conditions, and rights of higher education faculty and staff;
- Respect cultural and linguistic diversity, as well as promote equality within and between nations;
- Preserve the ability of governments to regulate in the public interest with the goal of maintaining and expanding public education; and
- Establish rules governing international education that are based on educational, not commercial, objectives.

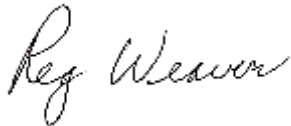
Given the relatively amorphous boundaries between public and private institutions of higher education in today's environment, we believe this proposal has an even more far-reaching impact than previously envisioned. Subjecting higher education to WTO jurisdiction would place at risk a multitude of important higher education policies, such as subsidies, scholarships, and loans. These policies could be challenged as "barriers to trade" on numerous grounds in WTO trade tribunals. A myriad of educational policies could be jeopardized, regardless of safeguards in the proposal.

Further, we have concerns about new rules under negotiation in the context of the GATS talks that would jeopardize state licensing requirements for higher educational institutions, technical standards, and qualification requirements for educators. The replacement of experience for academic qualifications does not ensure a quality workforce in the provision of educational services.

To subject higher education to WTO jurisdiction without a thorough review by relevant policymakers within state and federal governments would be a serious error with devastating consequences. It is important to note that once signed, the binding terms of the GATS make it prohibitively difficult to "take back" sectors from WTO jurisdiction.

The higher educational system in the United States has benefited greatly from our unique blend of federal and state oversight. This process has created a higher education system that is the envy of the world. We do not need WTO trade tribunals second-guessing U.S. lawmakers and regulators in closed trade tribunals. Please withdraw the higher education sector from the U.S. GATS "offer."

Sincerely,

A handwritten signature in cursive script that reads "Reg Weaver". The signature is written in black ink and is positioned below the "Sincerely," text.

Reg Weaver
President