



THE ASSEMBLY
STATE OF NEW YORK
ALBANY

May 20, 2004

Governor George Pataki
Executive Chamber
State Capitol
Albany, New York 12224

Dear Governor Pataki:

We are writing with regard to New York State's apparent concurrence with efforts by the Bush Administration to enact international trade agreements that contain severe constraints on domestic procurement policies. These agreements would prohibit State enactment of policies such as:

- "green" procurement policies, including those requiring recycled content, fuel efficiency, energy efficient or renewable energy
- policies that would give preference to locally-produced goods and services;
- preference policies that would demand corporate responsibility in countries where human rights abuses occur; and
- policies that prohibit purchases of goods made in sweatshops or goods made with slave labor.


We are deeply concerned that your administration would commit itself to comply with such procurement conditions, which we believe fly in the face of policies we have enacted in New York State.

If your administration has concurred with the Bush administration trade agreement efforts, we ask that you immediately withdraw New York State from the list of concurring states. Second, we ask that you provide the Legislature with the Bush administration request for State concurrence, so that we can review the request.

We believe that setting procurement policy is within the purview of the Legislature. Furthermore, we believe that public review and hearings are appropriate before the State considers supporting any such conditions.

Since actions on agreements such as the Free Trade Area of the Americas (FTAA), the Central American Free Trade Agreement (CAFTA), the South African Customs Union and other bilateral trade pacts around the world are imminent, your timely response is critical. Thank you.

Sincerely,



Thomas P. DiNapoli
Member of Assembly



Steven Englebright
Member of Assembly



William Colton
Member of Assembly