

PAUL G. PINSKY

Education, Health, and
Environmental Affairs Committee

Chair
Education Subcommittee

Co-Chairman
Joint Committee on Administrative,
Executive, & Legislative Review



THE SENATE OF MARYLAND
ANNAPOLIS, MARYLAND 21401-1991

22nd Legislative District
Prince George's County

Annapolis Office
220 James Senate Office Building
Annapolis, Maryland 21401-1991
301-858-3155 • 410-841-3155

E-Mail
Paul_Pinsky@senate.state.md.us

Attorney General J. Joseph Curran, Jr.
200 St. Paul Place
Baltimore, MD 21202

Dear Attorney General Curran,

I am writing to state a concern regarding the right of the people of Maryland, as expressed by its Legislature, to be heard. As a result of recent federal action – or to be accurate, inaction – the will of Maryland's citizens is being thwarted. Despite passage of SB 401 and the override of the Governor's veto of SB 401 (in April of 2005) which called for removal of Maryland, our state is still officially on the list of states that have signed on to the Central American Free Trade Agreement (CAFTA).

After the legislative session was completed this past April, Governor Ehrlich was not willing to inform the U.S. Trade Representative of the action taken by the Legislature. Subsequently, after expressing continued dissatisfaction to the governor's office, the Secretary of State then informed the Trade Representative of the state's action. The U.S. Trade Representative was aware of the action taken by Maryland's legislature. (This according to U.S. Congressman Cardin's office.) Even with the contact from the Maryland Secretary of State's office and his own awareness of the action, he would not remove Maryland from the list of states who had agreed in advance to abide by the procurement provisions of CAFTA. Apparently, the reason for this 'non-removal' was that it could not be done unless the Central American states who are part of CAFTA agree to release the State of Maryland from the procurement provisions.

This appears to me to be a specious reading of international law and ignores the sovereignty of our state. I believe that some action is necessary to rectify this situation. Clearly the State of Maryland, via the duly constituted legislative process, has expressed its desire to not be bound by the procurement provisions of CAFTA. Clearly the U.S. Trade Representative has chosen not to accept this action. I therefore am appealing to you to take the most appropriate and efficacious action, including legal, to correct the federal government's response to the duly constituted action of the Maryland legislature.

I look forward to hearing from you.

Sincerely,

A handwritten signature in black ink that reads "Paul Pinsky".

Senator Paul G. Pinsky