



COMMONWEALTH of VIRGINIA

Office of the Governor

September 17, 2003

Sandra D. Bowen
Secretary of Administration

(804) 786-1201
Fax: (804) 371-0038
TTY: (804) 786-7765

The Honorable Robert B. Zoellick
The United States Trade Representative
Executive Office of the President
Washington, D.C. 20508

Dear Ambassador Zoellick:

This replies to your September 1, 2003, letter to Governor Warner requesting Virginia's assistance in the area of government procurement. Governor Warner asks that I reply inasmuch as the Commonwealth's procurement functions are within the aegis of this Secretariat.

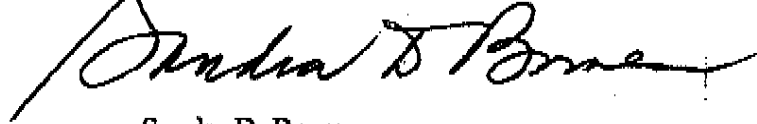
We understand from your requests that in order to enhance trade negotiations at the federal level, you first seek assurances that Virginia is interested in being covered/benefited by whatever trade agreements that might result from your work. Additionally, you ask that Virginia obligate itself in the procurement arena to standards set out in the GPA and summarized in the September 1, 2003, letter. In addition you ask that we "consider coverage" under non-GPA trade agreements currently in various states of negotiation with Morocco and other countries you set out. Finally, you request that we designate an appropriate Virginia policy-level individual with whom your office might work.

Virginia, like other states, expects to be a beneficiary of whatever trade agreements might result from your work at the federal level so long as those benefits are consistent with its laws. Our procurements are controlled by Virginia's Public Procurement Act, Sections 2.2-4300, *et seq*, Code of Virginia. The GPA obligations set out in your 9/1/03 letter that you ask Virginia to assume appear to seek a procurement climate that is open, public, and fair, while authorizing protections of proprietary information. I am confident you will find that Virginia's procurement laws are drafted for these purposes and support the objectives you outline.

I am certain you understand that it is premature for Virginia to agree to terms of agreements still in negotiation. While we are confident you will work in all of our interests, it seems inappropriate at this point to make such a commitment and we decline to do so. As requested though we will consider those matters when the time is right. Virginia's open, fair, competitive procurement processes should support your efforts.

Should you need further help in Virginia, please feel free to contact Richard B. Zorn, Deputy Secretary of Administration, (804) 786-1201.

Sincerely,

A handwritten signature in black ink, appearing to read "Sandra D. Bowen". The signature is written in a cursive style with a large initial 'S' and a long horizontal stroke at the end.

Sandra D. Bowen