

GARY LOCKE
Governor



STATE OF WASHINGTON
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June 17, 2004

Ambassador Robert B. Zoellick
United States Trade Representative
600 17th Street, NW
Washington, DC 20508

Dear Ambassador Zoellick:

I am writing to supplement my letter of September 30, 2003, responding to your request that Washington extend its commitments under the World Trade Organization Government Procurement Agreement (GPA) to certain countries that are negotiating trade agreements with the United States. These agreements are the Central American Free Trade Agreement (CAFTA), the South African Customs Union (SACU), the Free Trade Areas of America (FTAA), and the bilateral trade agreements with Morocco and Australia.

As you are well aware, procurement policies can be used to promote economic development and to reflect the values of our citizens. Therefore, in addition to the specific exemptions that apply to Washington State procurement, I want to stress again the importance of maintaining all of the exemptions in the text and appendices of the government procurement chapters of trade agreements. These exemptions include preferences for promoting the development of distressed areas; businesses owned by minorities, disabled veterans, and women; and measures to protect public morals, order or human safety, animal or plant health, and intellectual property.

Moreover, the exemptions that allow for "green procurement" preferences are absolutely vital to ensure that we can implement policies that protect the natural beauty of our state. These exemptions must include the latitude to establish technical specifications that take into account the processes and methods of the production of goods and services to protect the state's environment.

After further reviewing these agreements, I wish to clarify that the following policies are exempted from Washington State's commitments to the government procurement chapters of the SACU, CAFTA, and FTAA: measures associated with human rights practices, sweatshops, apprenticeship set-asides, companies that engage in forced labor or the most egregious forms of child labor, and state action to assist displaced state workers in competing for state contracts that have been historically and customarily performed by state employees.

Lastly, since finalizing the commitment by numerous parties to these agreements is a dynamic process, I wish to reserve the right to further clarify the state's commitments to any agreements that are not yet completed.



Ambassador Zoellick
June 17, 2004
Page 2

I greatly appreciate your clarifying our state's exemptions under the government procurement chapters to these agreements.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Locke". The signature is fluid and cursive, with a long horizontal stroke at the end.

Gary Locke
Governor

cc: Senator Bill Fink Finkbeiner, Senate Majority Leader
Senator Lisa Brown, Senate Minority Leader
Representative Frank Chopp, Speaker of the House
Representative Richard DeBoldt, House Minority Leader