



Evergreen Freedom Foundation

A Nonprofit Public Policy Research Organization

January 30, 2004

Stephanie Barnett
Department of Community, Trade and Economic Development
PO Box 42525
Olympia, WA 98504

Dear Ms. Barnett:

We received your fax of CTED's January 29, 2004 response to our records request at 6:41p.m. last night. In the letter you indicated that CTED will need "*up to an additional 10 business days from the date of this letter*" to provide the requested records. The public has a right to timely information since they are footing the bill for the Boeing contract, and the legislature needs these documents to make prudent decisions regarding the agreement.

When we first requested a copy of the Boeing agreement from the Governor's office on December 19, 2003 (by phone) and then on December 22, 2003 (in writing), we believed ***all the documents*** that made up the Boeing agreement would be provided. For reasons unknown to us, CTED has required that each document contained in the agreement be requested by name to be received. This flies in the face of Governor Locke's comments at his January 21, 2004 press conference that ". . . ***all of the actions and all of the agreements that were contained in [the Boeing] proposal***," have been made available to the press. Even though the law is clear about records availability, and even though the governor claimed transparency, it appears no one on the outside has access to the details.

Exhibits F and G must be made available in their entirety (not blank as currently provided) as these exhibits are essential to the legislative process now at hand. Exhibit F refers to all the authorizing resolutions and ordinances necessary for the agreement. Currently this exhibit is blank. Exhibit G refers to the opinions of counsel regarding the Boeing agreement, also currently blank.

On January 21, 2004 we made a subsequent request to our request for a copy of the agreement, and also asked for a copy of the state's contract with the Boeing consultant. On January 23, 2004 CTED denied the state had a contract with the Boeing consultant. We know that \$100,000 was allocated from the Governor's 2003 Emergency Fund to CTED for the purposes of the "*Boeing site selection*." We also know that CTED currently has a contract with Development Counselors, INC (DCI) and that DCI sub-contracted with Deloitte. A December 21, 2003 *Seattle Times* article ("*How Washington won the battle for the 7E7*") identifies Mark Klender's firm (Deloitte) as having been hired by the state regarding the Boeing site selection. Please immediately provide CTED's contract with Mark Klender (Deloitte) and his report. CTED's contract with DCI indicates that any sub-contracting DCI does must be approved by CTED.

Based on the Governor's comments that nothing in this agreement has been a secret and has been readily available, we would have hoped by now to have received more cooperation from CTED. That not being the case, we will take legal action if necessary to receive these documents immediately so that legislators and the public will have the information before legislative action is taken.

Sincerely,

Bob Williams
President

cc: Governor Gary Locke
Attorney General Christine Gregoire
Martha Choe, 7E7 Project Coordinator