



United States Senate

WASHINGTON, DC 20510-0504

<http://feinstein.senate.gov>

December 26, 2006

The Honorable Carlos M. Gutierrez
Secretary of Commerce
Herbert Clark Hoover Building
1401 Constitution Avenue, N.W.
Washington, DC 20230

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IMPORT ADMINISTRATION

Dear Secretary Gutierrez:

With the recent Congressional approval of Permanent Normal Trade Relations with Vietnam, I write to express my concern about the Department of Commerce's proposed Import Monitoring Program for apparel and textile imports from Vietnam.

I am concerned about efforts by the Department to establish a monitoring program for apparel and textile imports from Vietnam, as well as a proposed new process for initiating antidumping investigations. As you well know, the U.S. apparel industry is highly reliant on textile imports from Vietnam. I fear that this proposed program will undermine the predictability that is essential for the continued growth of our textile and apparel trade with Vietnam.

On December 4, the Department issued a Federal Register request for public comments on the import monitoring program. In my view, it is essential that, in its Final Rulemaking, the Department adopt an approach that provides sufficient predictability to enable trade between the United States and Vietnam to grow as foreseen by the U.S.-Vietnam Bilateral Agreement. In particular, I request that the Department take the following steps:

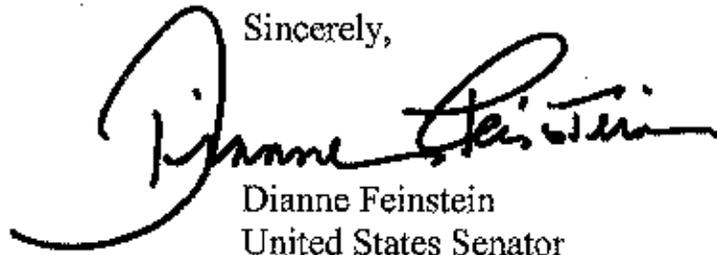
- submit any proposed program to public comments through a Notice of Proposed Rulemaking;

- demonstrate in such notice how the proposed program is consistent with applicable statutory requirements and international obligations of the United States;
- ensure that the program's structure will include monitoring limitations for goods produced by Vietnamese state-owned manufacturers. Moreover, antidumping monitoring should be initiated only after a substantial portion of domestic producers of the identical product request such measure and provide evidence of injury caused to them by the import of a particular product.

In addition to these measures, I hope that the Department will work together with U.S. businesses—both apparel producers and importers—to ensure that the development of monitoring mechanisms for our trade with Vietnam is done through a cooperative and transparent process, protecting the interest of American businesses while providing the predictability necessary to strong bilateral trade between the United States and Vietnam.

Thank you for your attention to this matter. I appreciate your time and look forward to your response.

Sincerely,

A handwritten signature in black ink, appearing to read "Dianne Feinstein". The signature is fluid and cursive, with a large initial "D".

Dianne Feinstein
United States Senator

CC: David M. Spooner, Assistant Secretary for Import Administration
(for official file, in response to December 4, 2006 Request for Public Comment)