

December 26, 2006

David M. Spooner
Assistant Secretary for Import Administration
Room 1870
U.S. Department of Commerce
14th Street and Constitution Ave., N.W.
Washington, DC 20230

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IMPORT ADMINISTRATION

Re: Import Monitoring Program for Textiles and Apparel from Vietnam
(71 FR 70364 – December 4, 2006)

Dear Assistant Secretary Spooner:

I am writing on behalf of Levi Strauss & Co. (LS&CO.) in response to the U.S. Commerce Department's request for public comment regarding the import monitoring program for textile and apparel products from Vietnam. Implementing the proposed monitoring system presents serious challenges, and we would like to offer the following recommendations for administering the program in a way that is the least trade distorting as possible.

LS&CO. has worked hard to establish lasting partnerships with apparel producers in Vietnam in keeping with our Global Sourcing and Operating Guidelines and Terms of Engagement (TOE). Depending upon how this monitoring program functions in practice, these partnerships could be in jeopardy. We therefore urge you to ensure that the program is fully consistent with the letter and spirit of existing U.S. law and is in full compliance with all relevant WTO disciplines.

Precise Product Coverage

We believe that the monitoring program should only apply to those products from Vietnam that compete directly with identical textile and apparel products produced in the United States. We also believe that monitoring must be conditioned on the affected U.S. industry's willingness to provide the U.S. government with accurate and timely information regarding its production, employment and sales.

Limit the Burden on Exporters and Importers

The proposed monitoring program should not impose any additional costs, reporting or paperwork requirements on Vietnamese apparel exporters or U.S. importers. Further, the program should be fully transparent, with the data collected to be publicly available in a timely fashion.

Requirements for Initiating an Antidumping Action

No antidumping action should be self-initiated as a result of the monitoring program unless all existing U.S. antidumping standards are met, including domestic industry support for the action.

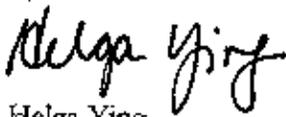
Input from parties with no standing in the antidumping action such as upstream raw material suppliers should not be considered as part of the proceedings. Likewise, non-Vietnamese foreign producers of textile and apparel should not be considered interested parties for purposes of any antidumping action considered as part of this monitoring process.

WTO Consistency

Finally, we would urge the Department to carefully consider how the proposed monitoring program might conflict with U.S. obligations under the World Trade Organization (WTO). Depending upon how the monitoring system is implemented, the Vietnam-specific program could run afoul of WTO disciplines in several areas. We, therefore, urge the Department to ensure that the proposed monitoring system is fully consistent with U.S. WTO commitments. Failure to do so would risk retaliatory action that could add an additional element of uncertainty to bilateral trade with Vietnam.

As noted above, we value the partnerships we have developed in Vietnam and hope that the new monitoring program will not jeopardize those relationships. We welcome the opportunity to provide these comments, and we look forward to working with you to ensure that the monitoring system is implemented in an appropriate fashion.

Sincerely,



Helga Ying
Director, Worldwide Government Affairs and Public Policy
Levi Strauss & Co.