

Congress of the United States
Washington, DC 20515

The Honorable Carlos M. Gutierrez
Secretary of Commerce
U.S. Department of Commerce
1401 Constitution Ave., NW
Washington, DC 20230

May 2, 2007

Dear Secretary Gutierrez,


As members of the Ways and Means Committee, we are writing to express our concerns with the Import Monitoring Program of Textile and Apparel Products from Vietnam. Congressional passage of Permanent Normal Trade Relations (PNTR) for Vietnam was intended to provide benefits for both United States businesses and consumers, as well as strengthen the U.S.-Vietnam relationship and provide opportunities for economic growth that would benefit the Vietnamese people. We are deeply concerned that the disruption in trade caused by the import monitoring program is cutting away at many of the benefits of granting PNTR status to Vietnam. Even more troubling, these negative impacts come at no benefit to U.S. apparel producers.


We believe that the Department of Commerce must demonstrate the specific statutory authority for this unprecedented type of program. We believe that in key areas, particularly regarding the standards by which Commerce will "self-initiate" an anti-dumping investigation, this program is inconsistent with U.S. trade remedy law. If the Department is unable to demonstrate this legal authority, we would expect the program to be abolished immediately. We are also concerned that the program, in discriminating against imports from Vietnam, could place the United States in violation of a number of agreements under the World Trade Organization.

While we find the program, in general, to be unnecessary, if it is to go forward, the Commerce Department must take every reasonable step to minimize its negative consequences for U.S. importers, retailers, and consumers. Specifically, the scope of the monitoring program should be limited to those apparel products, defined at the ten-digit HTS level, produced in a commercially viable fashion in the United States, for which producers of those products have asked for monitoring, and for which there is evidence of material injury to those producers being caused by imports from Vietnam.

Going forward, every effort must be made to ensure that the carefully constructed framework of U.S. trade remedy laws is not undermined by circumventing the rules requiring standing by U.S. producers of like or competitive products or the need to demonstrate material injury due to imports. We stand ready to work with you to ensure that United States economy receives the full range of benefits from granting PNTR status to Vietnam by limiting the application of the import monitoring program and ensuring the greatest predictability for U.S. importers, retailers, and consumers.

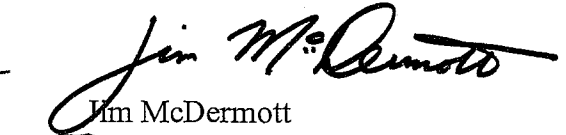
Sincerely,


Earl Blumenauer
Member of Congress

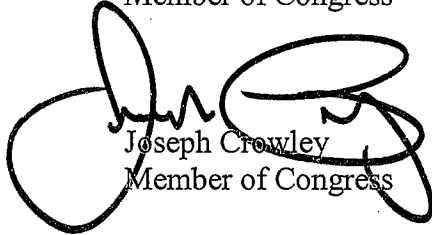

Jim Ramstad
Member of Congress



Mike Thompson
Member of Congress



Jim McDermott
Member of Congress



Joseph Crowley
Member of Congress



Ron Kind
Member of Congress