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**United States Senate**

WASHINGTON, DC 20510-3704

January 31, 2007

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

Dear Secretary Gutierrez:

I remain deeply concerned about your Department's decision to establish a monitoring program for textile and apparel imports from Vietnam and a new process for initiating antidumping investigations. In response to your January 23, 2007 *Federal Register* notice, I request that these comments be made part of the record.

The U.S. apparel industry – including a number of Oregon retailers – has been developing significant relationships with producers and exporters of textile and apparel from Vietnam. I am concerned that the program outlined by the Administration will significantly impact these businesses by undermining the predictability necessary for the growth of our textile and apparel trade with Vietnam. As such, I believe that as you develop this process, it is essential that the Department commit to the following:

- After a full and transparent review of comments solicited in both the December 4, 2006 and January 23, 2007 *Federal Register* notices, the Department should submit the specifics of any proposed program to additional public comments through a Notice of Proposed Rulemaking;
- Further, the Department must clearly indicate in such a notice how the proposed program is consistent with applicable statutory requirements and international obligations of the United States. Specifically, it is important for the Department to outline in detail the statutory authority it believes it has to implement the announced monitoring program and to self-initiate anti-dumping measures under these circumstances;
- The Department must ensure that any proposed monitoring program structure will be limited to goods produced by Vietnamese state-owned manufacturers; and
- The Department must ensure that antidumping monitoring will be initiated only after a substantial portion of domestic producers of the identical product requests such a measure and certifies its willingness to provide detailed evidence of injury caused by the import of a particular product.