

Issuance of Waiver of CITA's Procedures Requiring Receipt of Original Signed Submissions in Commercial Availability Proceedings

January 27, 2021

Under the Committee for the Implementation of Textile Agreements (CITA)'s current procedures for considering commercial availability requests, CITA must receive both an electronic (email) copy and an original signed, mailed copy (hard copy) to accept a submission. Under these procedures, all business confidential information must be contained solely in the hard copy, which must be mailed to CITA's office. However, due to the ongoing COVID-19 pandemic and the current telework directive issued by the U.S. Department of Commerce, the Chairman of CITA and OTEXA staff are not able to take receipt of mailed hard copy submissions.

Under these specific and unusual circumstances, CITA has determined that it is necessary to issue a waiver of CITA's requirements that a hard copy of submissions in commercial availability proceedings be mailed to CITA's office and that business confidential information be included only in the hard copy. This waiver will allow for electronic submissions without original hard copies, including submissions that contain business confidential information through a secure online system. This waiver will be in effect until such time as the Chairman of CITA determines that normal CITA/Department of Commerce, Office of Textiles and Apparel (OTEXA) operations have resumed which allow for receipt of hard copy submissions. The waiver is applicable for submissions under the following free trade agreements (FTAs) and trade preference programs: the U.S.-Dominican Republic-Central America Free Trade Agreement (CAFTA-DR), the U.S.-Colombia Trade Promotion Agreement (U.S.-Colombia TPA), the U.S.-Peru Trade Promotion Agreement (U.S.-Peru TPA), the U.S.-Panama Trade Promotion Agreement (U.S.-Panama TPA), the African Growth and Opportunity Act (AGOA), and the Caribbean Basin Trade Partnership Act (CBTPA).

Electronic submissions, and the secure online system referenced above, will also be utilized in coordinating with the Office of the U.S. Trade Representative (USTR) on requests for rules of origin changes under the following FTAs: the U.S.-Australia Free Trade Agreement (USAFTA), the U.S.-Bahrain Free Trade Agreement (USBFTA), the U.S.-Chile Free Trade Agreement (USCFTA), the U.S.-Korea Free Trade Agreement (KORUS FTA), the U.S.-Morocco Free Trade Agreement (USMFTA), the U.S.-Oman Free Trade Agreement (USOFTA), the U.S.-Singapore Free Trade Agreement (USSFTA), and the U.S.-Mexico-Canada Agreement (USMCA). As CITA does not have formal procedures related to these proceedings, no waiver is required to institute this change.

Access to the secure electronic system will be by invitation only. **Interested entities planning to file a commercial availability request should contact Laurie Mease at Laurie.Mease@trade.gov for instructions before submitting any documents (either public or confidential versions) to CITA.**