



July 20, 2017

Chairman
Committee for the Implementation of Textile Agreements
Room 3001
U.S. Department of Commerce
14th and Constitution Avenue NW
Washington, DC 20230

Submitted via e-mail to [OTEXA Bahrain FTA@trade.gov](mailto:OTEXA_Bahrain_FTA@trade.gov)

Re: Request for Public Comment on a Commercial Availability Request Under the U.S.-Bahrain Free Trade Agreement

To Whom It May Concern:

This letter is transmitted in response to the Federal Register notice dated May 22, 2017, in which CITA invited public comments on a commercial availability request under the U.S.-Bahrain Free Trade Agreement (USBFTA) covering a total of thirty-five fabrics. The National Council of Textile Organizations (NCTO) and American Fiber Manufacturers Association (AFMA) strongly oppose the petition as we represent member companies that produce nearly all the subject fabrics domestically as well as their component suppliers. It is our contention these fabrics, as outlined below, can be provided in commercial quantities in a timely manner by U.S. producers, and thus the U.S.-Bahrain FTA should not be amended.

Specifically, our member companies have supplied information indicating that the following fabrics are available for the specified end uses from the U.S. domestic industry in commercial quantities in a timely manner:

Item Nos: 1, 2, 3, 4, 5, 6, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, and 35.

Furthermore, we note that Bahrain did not conduct due diligence to our knowledge to substantiate their contention that this lengthy list of fabrics is not available from U.S. producers. Instead of availability, the expiration of the 65 million square meter TPL last year appears to be the rationale for pursuing these expansive rule of origin changes. NCTO and AFMA have longstanding positions opposing TPLs as they undercut the value of the yarn-forward rule and grant FTA preferences to inputs from non-contracting parties, such as Pakistan or China. The USBFTA TPL was negotiated to be temporary, and replacing it with short supply status for numerous products available domestically

would severely undermine the yarn-forward rule intended as the framework for the U.S.-Bahrain FTA and nearly all other U.S. FTAs.

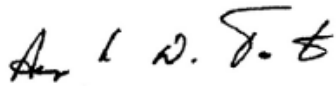
In addition, many of the fabrics requested correlate to similar fabrics on the Trans-Pacific Partnership (TPP) commercial availability list, although the definitions are much broader in the Bahrain petition. We note that Bahrain was never party to TPP, and the United States has formally withdrawn from TPP per guidance from the President of the United States.

Significantly, NCTO and AFMA never viewed the TPP list as a definitive statement that the products included are in short supply. Certain items on the TPP list were objected to by our members, and it is only logical to conclude that the final TPP listing is the result of a negotiated compromise with the other countries involved in the agreement. There are domestic producers that would argue that they have production capabilities that overlap with various products on the TPP list. For these reasons, we strongly object to any predetermination that the inclusion of a product on the TPP list is grounds for granting short supply status to that product under other U.S. free trade agreements.

Based on the aforementioned process concerns, the evidence of domestic production by established U.S. producers, and the harm that approval of these petitions would inflict on U.S. producers and their suppliers, we respectfully urge CITA to reject these three requests.

We appreciate the opportunity to comment, and please let us know if we can provide any further information.

Sincerely,



Auggie Tantillo
President & CEO
National Council of Textile Organizations



Diane Bayatafshar
Acting President
American Fiber Manufacturers Association