

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.
Investigation No. 332-503

**Earned Import Allowance Program: Evaluation of the Effectiveness of the Program
for Certain Apparel from the Dominican Republic, Tenth Annual Review**

AGENCY: United States International Trade Commission.

ACTION: Notice of Opportunity to Provide Written Comments in Connection with the Commission's Tenth and Final Annual Review.

SUMMARY: The U.S. International Trade Commission (Commission) has announced its schedule, including deadlines for filing written submissions, in connection with preparing a report on its tenth and final annual review in investigation No. 332-503, *Earned Import Allowance Program: Evaluation of the Effectiveness of the Program for Certain Apparel from the Dominican Republic, Tenth Annual Review*.

DATES:

June 7, 2019: Deadline for filing written submissions.

September 20, 2019: Transmittal of tenth report to House Committee on Ways and Means and Senate Committee on Finance.

ADDRESSES: All Commission offices, including the Commission's hearing rooms, are located in the United States International Trade Commission Building, 500 E Street SW, Washington, DC. All written submissions, including statements, and briefs, should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The public file for this investigation may be viewed on the Commission's electronic docket (EDIS) at <https://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Project leader Laura V. Rodriguez (202-205-3499 or laura.rodriguez@usitc.gov) for information specific to this investigation. For information on the legal aspects of this investigation, contact William Gearhart of the Commission's Office of the General Counsel (202-205-3091 or william.gearhart@usitc.gov). The media should contact Margaret O'Laughlin, Office of External Relations (202-205-1819 or margaret.oloughlin@usitc.gov). Hearing-impaired individuals may obtain information on this matter by contacting the Commission's TDD terminal at 202-205-1810. General information concerning the Commission may also be obtained by accessing its website (<https://www.usitc.gov>). Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000.

BACKGROUND: Section 404(b) of the Dominican Republic-Central America-United States Free Trade Agreement Implementation Act (CAFTA-DR Act) (19 U.S.C. 4112(b)) required the Secretary of Commerce to establish an Earned Import Allowance Program (EIAP) and directed the Commission to conduct annual reviews of the program to evaluate its effectiveness and make recommendations for improvements. Section 404(c) of the CAFTA-DR Act authorized certain apparel articles wholly assembled in an eligible country to enter the United States free of duty if accompanied by a certificate that shows evidence of the purchase of certain U.S. fabric. The term "eligible country" was defined to mean the Dominican Republic. More specifically, the program allowed producers (in the Dominican Republic) that purchased a certain quantity of qualifying U.S. fabric to produce certain cotton bottoms in the Dominican Republic to receive a credit that can be used to ship a certain quantity of eligible apparel using third-country fabrics from the Dominican Republic to the United States free of duty.

Section 404(d)(1) of the CAFTA-DR Act directs the Commission to conduct an annual review of the program to evaluate the effectiveness of the program and make recommendations for improvements. Section 404(d)(2) of the CAFTA-DR Act requires the Commission to submit annually its reports containing the results of its reviews to the House Committee on Ways and Means and the Senate Committee on Finance. Section 404(e) of the CAFTA-DR Act states that the program is to be in effect for the 10-year period beginning on the date on which the President certifies to the appropriate congressional committees that sections A, B, C, and D of the Annex to Presidential Proclamation 8213 (December 20, 2007) have taken effect. In Presidential Proclamation 8323 (November 25, 2008), the President certified that the provisions of Proclamation 8213 referenced in section 404(e)(1) of the CAFTA-DR Act, as amended, have taken effect. Commerce has announced that the program expired on December 1, 2018 with no more entries allowed after November 30, 2018. The Commission expects to submit its report on its tenth annual review by September 20, 2019.

Copies of the Commission's prior reports are available on the Commission's website at www.usitc.gov, including the ninth annual report, which was published on August 3, 2018 (ITC Publication 4809). The Commission instituted this investigation pursuant to section 332(g) of the Tariff Act of 1930 to facilitate docketing of submissions and to facilitate public access to Commission records through the Commission's EDIS electronic records system. The Commission published notice of institution of this investigation in the Federal Register on April 29, 2009 (47 FR 19592), and published notice of the Commission's invitation to submit information in connection with the ninth annual report in the Federal Register on March 2, 2018 (83 FR 9028).

WRITTEN SUBMISSIONS: Interested parties are invited to file written submissions concerning this tenth and final annual review. All written submissions should be addressed to the Secretary, and all such submissions should be received no later than 5:15 pm, June 7, 2019. All written submissions must conform to the provisions of section 201.8 of the *Commission's Rules of Practice and Procedure* (19 C.F.R. 201.8). Section 201.8 and the Commission's Handbook on Filing Procedures require that interested parties file documents electronically on or before the filing deadline and submit eight (8) true paper copies by 12:00 noon eastern time on the next business day. If confidential treatment of a document is requested, interested parties must file, at the same time as the eight paper copies, at least four (4) additional true paper copies in which the confidential information must be deleted (see the following paragraphs for further information regarding confidential business information). Persons with questions regarding electronic filing should contact the Office of the Secretary, Docket Services Division (202-205-1802).

CONFIDENTIAL BUSINESS INFORMATION. Any submissions that contain confidential business information must also conform to the requirements of section 201.6 of the Commission's *Rules of Practice and Procedure* (19 C.F.R. 201.6). Section 201.6 of the rules requires that the cover of the document and the individual pages be clearly marked as to whether they are the "confidential" or "non-confidential" version, and that the confidential business information is clearly identified by means of brackets. All written submissions, except for confidential business information, will be made available for inspection by interested parties.

The Commission will not include any confidential business information in the report that it sends to the Committees or makes available to the public. However, all information, including confidential business information, submitted in this investigation may be disclosed to and used: (i) by the Commission, its employees and offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the

programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel for cybersecurity purposes. The Commission will not otherwise disclose any confidential business information in a manner that would reveal the operations of the firm supplying the information.

SUMMARY OF WRITTEN SUBMISSIONS: The Commission intends to publish a summary of the written submissions of interested persons in an appendix to its report. Persons wishing to have a summary of their position included in the appendix should include a summary with their written submission and should include a statement that the summary is included for this purpose. The summary may not exceed 500 words, should be in MSWord format or a format that can be easily converted to MSWord, and should not include any confidential business information. The summary will be published as provided if it meets these requirements and is germane to the subject matter of the investigation. In the appendix the Commission will identify the name of the organization furnishing the summary, and will include a link to the Commission's Electronic Document Information System (EDIS) where the full written submission can be found.

By order of the Commission.

A handwritten signature in black ink, appearing to read 'Lisa R. Barton', with a stylized flourish at the end.

Lisa R. Barton
Secretary to the Commission

Issued: March 26, 2019