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January 4, 2016

William Jackson
Chairman, Committee for the Implementation of Textile Agreements
Room 30003
United States Department of Commerce
Washington DC 20230.

Phone: 202-395-9493

Also via email to
William_Jackson@ustr.eop.gov and Maria.D'Andrea@trade.gov

Subject: Request for Public Comment on a Commercial Availability Request Under the U.S.-Morocco Free Trade Agreement Relating to Certain Printed and Piece-Dyed Warp Knit Fabrics of Polyester or Nylon Fibers

Dear Mr. Jackson,

I write as a consultant to the U.S. textile industry to oppose the request to modify the rules of origin for certain swimwear made of certain warp knit fabric under the U.S. Morocco Free Trade Agreement ("MFTA"), published December 7, 2015, at 80 FR 75999. I understand that my clients, Elastic Fabrics of American and the Darlington division of the George C. Moore will be filing their own comments as domestic U.S. manufacturers of the subject fabrics.

The request from the Swimsuit Commission Corporation should be rejected "out of hand" as failing to present any factual basis for the request. No attempt is made in the request to demonstrate short supply of the fabric in the region. No evidence is presented of any attempt to contact potential suppliers in the U.S. or Morocco. Indeed, my associates in the warp knit industry in the U.S. state that they were at no time contacted by the Swimsuit Commission Corporation, Gottex Swimwear Brands LTD, or any Moroccan swimwear manufacturers. Had the requestors made any attempt to locate regional suppliers they would have known that the fabric is indisputably *not* in short supply.

The sole justification given in the request for modifying the rules of origin is the fact that such warp knit fabric for use in the production of swimwear is on the short supply list of a negotiated, but not enacted, let alone implemented, free trade agreement, the Trans-Pacific Partnership ("TPP"). I believe it is a misuse of the negotiated TPP and the MFTA to suggest that the mere appearance of an article on the TPP short supply list is compelling and sufficient evidence for the article being short supply under the terms of another agreement.

My clients who make warp knit swimwear fabric in the U.S. believe that the U.S. negotiators erred in allowing this fabric on the TPP short supply list. However, we understand that the TPP list was the result of negotiations and compromises. Perhaps the negotiators, in "giving up" that fabric in TPP, believed they were getting something for textiles in return that was worth the damage it would do to America's warp knit industry. Whether what they got was worth it is not the point. The point is that the Moroccans now want the same concession without having to give up anything in return.

Because this fabric is available from domestic U.S. sources that will be harmed were the request granted, and because no U.S. textile industry interests can possibly be aided by the requested change, I urge in the strongest terms that the U.S. reject this request.

If you have any questions about our opposition you may contact me at 617-237-6008 or david@agathonassociates.com.

Yours,



David Trumbull
January 4, 2016