



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION  
PRODUCER QUESTIONNAIRE**

**Apparel Production in Haiti  
Investigation No. 5003-TR-1**

***Further information.--If you have any questions concerning the enclosed questionnaire or other matters related to this investigation, you may contact the following members of the Commission's staff (Fax 202-205-3205):***

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## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS**

### **GENERAL INFORMATION**

***Background.***--Title V of the Tax Relief and Health Care Act of 2006 (TRHCA) (Public Law No. 109-432), which may also be cited as the Haitian Hemispheric Opportunity through Partnership Encouragement Act (Haitian HOPE Act), directs the Commission to submit a report to Congress on the effects of providing special rules for imports into the United States of apparel assembled in Haiti. Specifically, the statute directs the Commission to analyze the effects of providing special rules to Haiti on trade markets and industries involving textiles and apparel in Haiti, the countries described in clauses (ii) and (iii) of section 213A(b)(2)(C) of the Caribbean Basin Economic Recovery Act, and the United States. In order that it might prepare this report, the Commission has instituted investigation No. TR-5003-1 *Textiles and Apparel: Effects of Special Rules for Haiti on Trade Markets and Industries*. The Commission published notice of institution in the Federal Register (72 FR 6288, February 9, 2007) and has scheduled a hearing on this matter on November 8, 2007. The Commission must provide its report to the Congress by June 20, 2008. Hearing-impaired individuals can obtain information regarding this investigation via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire.***--Return the completed questionnaire to the United States International Trade Commission by no later than August 17, 2007.

***Confidentiality.***--The commercial and financial data furnished in response to this questionnaire that reveal the individual operations of your firm will be treated as confidential business information by the Commission to the extent that such data are not otherwise available to the public and will not be published in a manner that will reveal the individual operations of your firm and will not be disclosed except as may be required by law. Section 332(g) of the Tariff Act of 1930 provides that the Commission may not release information that qualifies as confidential business information (under Commission Rule 201.6 (19 CFR § 201.6)) unless the party submitting the confidential business information had notice, at the time of submission, that such information would be released by the Commission, or such party subsequently consents to the release of the information. Information submitted in this questionnaire response and throughout this investigation may be used by the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of this investigation or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.

The report that the Commission intends to prepare in this investigation is one that can be made public in its entirety. Therefore, any confidential business information received by the Commission in this investigation and used in preparing the report will not be published in a manner that would reveal the operations of the firm supplying the information. Data your firm submits in response to the Commission's inquiry may be aggregated with data submitted by

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **GENERAL INFORMATION--Continued**

other firms, but such aggregated data will not be published in a manner that would reveal the individual operations of your firm.

### **INSTRUCTIONS**

**Verification.**--The information submitted in the enclosed questionnaire is subject to verification and follow-up by the Commission staff. To facilitate possible verification of data, please keep all supporting documents used in the preparation of the questionnaire response.

**Answer all questions.**--Do not leave any question or section blank. If the answer to any question is “none,” write “none,” or in “not applicable,” write “NA.” If information is not readily available from your records in exactly the form requested, please provide estimates. Answers to questions and any necessary comments or explanations should be supplied in the space provided.

**Submission.**--Return the completed questionnaires in electronic format either by (i) e-mailing them to [russell.duncan@usitc.gov](mailto:russell.duncan@usitc.gov) or (ii) sending them, saved to a disk, CD, or USB drive, in a mail delivery service (please do not use regular postal service as U.S. government mail delivery scanning procedures damage disks, CDs, and USB drives). Hard copy submissions (fax and mail delivery service) will also be accepted, but electronic submission is preferred.

### **DEFINITIONS**

**Haitian HOPE Act.**--The Haitian HOPE Act refers to Title V of the U.S. Tax Relief and Health Care Act of 2006 (TRHCA). Title V of the TRHCA accords U.S. importers duty-free access to the U.S. market for imports of apparel assembled in Haiti regardless of the source of the raw material inputs (fabric, trimming, fasteners, *etc.*) subject to certain value-added requirements and quota limits. The special rules for imports of apparel from Haiti entered into force on March 20, 2007, following a Presidential proclamation (Proc. No. 8114, March 19, 2007) as required by law. See the Federal Register at 72 FR 13657 (March 22, 2007).

**Apparel.**--Any product which is properly classified in Chapters 61 and 62 of the Harmonized Tariff Schedule of the United States (HTS) *and* certain items which are properly classified in Chapters 64 (footwear) and 65 (headwear) of the HTS which the U.S. Department of Commerce’s Office of Textiles and Apparel (“OTEXA”) has categorized as apparel products for the purposes of the U.S. Textile and Apparel Category system (See OTEXA’s concordance found at <http://otexa.ita.doc.gov/corr.htm> for more information). The following is a list of the 10-digit statistical reporting numbers in the HTS for products within Chapters 64 and 65 which are considered “apparel” products. (next page)

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**DEFINITIONS--Continued**

<b>U.S. HTS number</b>	<b>Description of goods not in Chapters 61 &amp; 62 which are otherwise classified as apparel</b>
6405206030 6405206060 6405206090	Footwear with soles and uppers of wool felt.
6406991505 6406991510 6406991540 6406991550 6406991560 6406991570	Parts of footwear (such as removeable insoles, uppers detached from outer soles, heel cushions, and similar articles) made of textile materials.
6501009000 6502009030 6503009000 (deleted) 6504009015 6504009060	Hats, headgear, hat forms, hat bodies, hat shapes, and hoods made out of man made textiles or non-fur felt without brims and not blocked to shape, lined nor trimmed.
6505901515 6505901525 6505901540 6505901560 6505902030 6505902060 6505902545 6505902590 6505903030 6505903045 6505903090 6505904030 6505904045 6505904090 6505905030 6505905045 6505905090 6505906030 6505906040 6505906045 6505906090 6505907030 6505907045 6505907090 6505908045 6505908050 6505908090 6505909030 6505909045 6505909089	Hats and other headgear, knitted or crocheted, or made up from textile fabric.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

If your firm is unable to verify the proper classification at the 10-digit level using the U.S. specific statistical reporting numbers provided above, your firm may consider subheadings 6406.99 and 6505.90 of the internationally harmonized tariff schedule as “apparel” for the purposes of reporting in this questionnaire.

***Firm.***--An individual proprietorship, partnership, joint venture, association, corporation (including subsidiaries), business trust, or cooperative.

***Related firm.***--A firm that your firm solely or jointly owned, managed, or otherwise controlled.

***Establishment.***--Each facility of a firm in Haiti involved in the production of apparel.

***Production Workers.***--All employees (both supervisory and nonsupervisory) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, transportation, maintenance, repair, janitorial and guard services, and other services closely associated with the firm’s apparel assembly operations.

***Production.***--All production in your establishment(s) in Haiti.

***Shipments.***--Shipments of products produced in your establishment(s) in Haiti.

***Home market shipments.***--Shipments within Haiti, including shipments to related firms.

***Export shipments.***--Shipments to destinations outside Haiti, including shipments to related firms.

***Inventories.***--Finished goods inventory, not raw materials nor work-in-progress.

***Raw Material Inputs.***--The physical materials used in the production of apparel such as fabric, trimming, fasteners, *etc.*

***Machinery.***--Any equipment used in the production of apparel which automates a process, such as sewing machines, fabric cutters, bleaching machines, computers, *etc.*

***United States.***--For purposes of this investigation, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**CBTPA countries**--Barbados, Belize, Costa Rica, Dominican Republic, El Salvador, Guatemala, Guyana, Haiti, Honduras, Jamaica, Nicaragua, Panama, Saint Lucia, and Trinidad and Tobago. For the purposes of this questionnaire, please consider the all of these countries “CBTPA countries,” even though some may no longer qualify for CBTPA benefits.

**Countries with which the U.S. has an FTA**--Australia, Bahrain, Canada, Chile, Israel, Jordan, Mexico, Morocco, and Singapore.

**AGOA countries**--Angola, Benin, Botswana, Burkina Faso, Burundi, Cameroon, Cape Verde, Chad, Congo (ROC), Congo (DRC), Djibouti, Ethiopia, Gabon, Gambia, Ghana, Guinea, Guinea-Bissau, Kenya, Lesotho, Liberia, Madagascar, Malawi, Mali, Mauritius, Mozambique, Namibia, Niger, Nigeria, Rwanda, Sao Tome and Principe, Senegal, Seychelles, Sierra Leone, South Africa, Swaziland, Tanzania, Uganda, and Zambia.

**ATPA countries**--Bolivia, Colombia, Ecuador, and Peru.

**Foreign sources**--Any country other than Haiti, the United States, or one of the countries listed as a “CBTPA country,” a “Country with which the U.S. has an FTA,” an “AGOA country,” or an “ATPA country.”

**Supplier**--Any person or firm which provides raw material inputs (as defined above) for the production of apparel in your establishment.

**Customer**--Any person or firm which purchases apparel (as defined above) assembled by your firm.

**Competitor**--Any person or firm which assembles apparel (as defined above) other than your firm.

**Security Premiums**--Costs associated with increased security of production facility and business operations relating to the production of apparel, such as salaries of security professionals, bribes paid to locals in exchange for reduced harassment, extra transportation costs (*e.g.* armored vehicles), extra packaging costs to prevent theft, *etc.*