

113TH CONGRESS
1ST SESSION

H. R. 3558

To provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce customs and trade laws relating to textile and apparel articles, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 20, 2013

Mr. GRAVES of Georgia (for himself, Mr. MCINTYRE, Mr. COBLE, Mr. MCHENRY, Mr. LIPINSKI, Mr. WESTMORELAND, Mr. MICHAUD, Mrs. ELLMERS, Mr. PASCRELL, Mr. MCGOVERN, Mr. HUDSON, Mr. RANGEL, Mr. JONES, Mr. BISHOP of Georgia, Mr. MEADOWS, Mr. JOHNSON of Georgia, Mr. PITTINGER, Ms. LINDA T. SÁNCHEZ of California, Mr. HOLDING, Mr. DAVID SCOTT of Georgia, Mr. GOWDY, Mr. WILSON of South Carolina, Mr. COLLINS of Georgia, and Ms. FOXX) introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To provide the Department of Homeland Security, U.S. Customs and Border Protection, and the Department of the Treasury with authority to more aggressively enforce customs and trade laws relating to textile and apparel articles, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

2 (a) SHORT TITLE.—This Act may be cited as the
3 “Textile Enforcement and Security Act of 2013”.

4 (b) TABLE OF CONTENTS.—The table of contents for
5 this Act is as follows:

- Sec. 1. Short title; table of contents.
- Sec. 2. Textile or apparel article defined.
- Sec. 3. Definitions.
- Sec. 4. Findings.
- Sec. 5. Sense of Congress.

TITLE I—ADDITIONAL AUTHORITIES FOR U.S. CUSTOMS AND
BORDER PROTECTION

- Sec. 101. Seizure and forfeiture of certain textile or apparel articles and use of amounts from fines, penalties, and forfeitures.
- Sec. 102. Increase in certain TTA positions and import specialist positions and biennial review of staff levels.

TITLE II—AMENDMENTS TO THE TARIFF ACT OF 1930

- Sec. 201. Special provisions regarding certain violations relating to import documentation.
- Sec. 202. Electronic preference verification system for origin of textile or apparel articles under CAFTA–DR, NAFTA, and other free trade agreements.
- Sec. 203. Establishment of textile and apparel new importer program.
- Sec. 204. Nonresident importer declaration program for textile or apparel articles.

TITLE III—ESTABLISHMENT OF TEXTILE AND APPAREL
MANUFACTURING AND SUPPLIER REGISTRY

- Sec. 301. Establishment of textile and apparel manufacturing and supplier registry.

TITLE IV—IMPLEMENTATION REPORT

- Sec. 401. Implementation report.

6 **SEC. 2. TEXTILE OR APPAREL ARTICLE DEFINED.**

7 (a) IN GENERAL.—In this Act, the term “textile or
8 apparel article” means any of the following:

- 9 (1) Any good classifiable in chapters 50
10 through 63 of the HTS.

1 (2) Any good classifiable under one of the fol-
2 lowing HTS headings or subheadings:

3 (A) 3005.90.

4 (B) 3921.12.15.

5 (C) 3921.13.15.

6 (D) 3921.90.11.

7 (E) 3921.90.15.

8 (F) 3921.90.19.

9 (G) 3921.90.25.

10 (H) 3921.90.29.

11 (I) 3921.90.40.

12 (J) 6601.

13 (K) 7019.19.15.

14 (L) 7019.19.28.

15 (M) 7019.40 through 7019.59.

16 (N) 8708.21.00.

17 (O) 9404.30.

18 (P) 9404.90.

19 (b) HTS DEFINED.—In subsection (a), the term
20 “HTS” means the Harmonized Tariff Schedule of the
21 United States.

22 **SEC. 3. DEFINITIONS.**

23 In this Act:

24 (1) CAFTA–DR COUNTRY.—The term
25 “CAFTA–DR country” has the meaning given such

1 term in section 3(2) of the Dominican Republic-Cen-
2 tral America-United States-Free Trade Agreement
3 Implementation Act (19 U.S.C. 4002(2)).

4 (2) CEE.—The term “CEE” means the Center
5 of Excellence and Expertise for Apparel, Footwear,
6 and Textiles of U.S. Customs and Border Protec-
7 tion.

8 (3) COMMISSIONER.—The term “Commis-
9 sioner” means the Commissioner responsible for
10 U.S. Customs and Border Protection.

11 (4) DEDICATED.—The term “dedicated”
12 means, with respect to an import specialist, that
13 such import specialist focuses solely on the import of
14 textile or apparel articles.

15 (5) ENTER; ENTRY.—The terms “enter” and
16 “entry” refer to the entry, or withdrawal from ware-
17 house for consumption, of a textile or apparel article
18 in the customs territory of the United States.

19 (6) IMPORTER.—The term “importer” means
20 one of the parties qualifying as an importer of
21 record under section 484(a)(2)(B) of the Tariff Act
22 of 1930 (19 U.S.C. 1484(a)(2)(B)).

23 (7) NEW IMPORTER.—The term “new im-
24 porter” means an importer with fewer than 3 years
25 of history of importing textile or apparel articles into

1 the United States. For purposes of this paragraph,
2 a new importer that merges with or is purchased by
3 another importer, or is otherwise altered, shall be
4 considered to remain a new importer until such time
5 as such new importer presents proof to the Commis-
6 sioner of such merger, purchase, or other alteration
7 for a determination regarding whether such new im-
8 porter may be treated as an importer.

9 (8) NONRESIDENT IMPORTER.—The term “non-
10 resident importer” means an importer who is—

11 (A) an individual who is not a citizen of
12 the United States or an alien lawfully admitted
13 for permanent residence in the United States;
14 or

15 (B) a partnership, corporation, or other
16 commercial entity that is not organized under
17 the laws of a jurisdiction within the customs
18 territory of the United States (as such term is
19 defined in General Note 2 of the Harmonized
20 Tariff Schedule of the United States) or in the
21 Virgin Islands of the United States.

22 (9) SPECIAL OPERATIONS.—The term “special
23 operations” means an initiative that is—

24 (A) implemented to address specific in-
25 stances of transactions that do not comply with

1 the customs and trade laws of the United
2 States with respect to textile or apparel articles;

3 (B) used to address any import violations
4 involving textile or apparel articles, including
5 fraud, quota requirements, revenue collection,
6 trade preferences or requirements under free
7 trade agreements, product safety, antidumping
8 and countervailing duties, or intellectual prop-
9 erty rights; or

10 (C) initiated to address a singular instance
11 or a pattern of high-risk behavior, involving a
12 particular commodity or other trade issue, in-
13 cluding valuation, origin fraud, or trade pref-
14 erence violation, on the part of a country, im-
15 porter, shipper, exporter, customs broker,
16 freight forwarder, or manufacturer.

17 (10) TTA.—The term “TTA” means the Tex-
18 tile and Trade Agreements division of the Office of
19 International Trade within U.S. Customs and Bor-
20 der Protection.

21 (11) TPVTS.—The term “TPVTS” means Tex-
22 tile Product Verification Teams.

23 (12) TRAINED.—The term “trained” means,
24 with respect to an import specialist, that such im-
25 port specialist has received, at least during the last

1 3 years, education or training related to the import
2 of textile or apparel articles.

3 **SEC. 4. FINDINGS.**

4 Congress finds the following:

5 (1) The fraudulent or illegal imports of textile
6 and apparel articles into the United States results in
7 significant revenue loss to the Department of the
8 Treasury.

9 (2) The Textile and Trade Agreements division
10 of the Office of International Trade within U.S.
11 Customs and Border Protection or any subsequent
12 division has, with respect to textile or apparel arti-
13 cles, the primary responsibility to ensure the proper
14 enforcement of all customs and trade laws, rules,
15 and regulations affecting textile and apparel articles.

16 (3) The TTA has the authority to direct the im-
17 plementation and enforcement of free trade agree-
18 ments, multilateral agreements, bilateral textile
19 agreements, trade preference programs, and all
20 other customs and trade laws affecting textiles and
21 apparel articles.

22 (4) The primary focus of the TTA is to ensure
23 the effective implementation of all trade enforcement
24 activities involving textile or apparel articles with its
25 principle focus to prevent circumvention of the re-

1 requirements to obtain preferential trade treatment
2 under free trade agreements and trade preference
3 programs in order to avoid quotas or duties.

4 **SEC. 5. SENSE OF CONGRESS.**

5 It is the sense of Congress that—

6 (1) U.S. Customs and Border Protection and
7 the TTA should be involved in supporting the nego-
8 tiation of enforcement provisions of trade preference
9 programs and free trade agreements affecting tex-
10 tiles and apparel articles;

11 (2) the TTA should conduct outreach to other
12 Federal departments and agencies involved in overall
13 trade policy, such as Department of Commerce and
14 the Office of the United States Trade Representa-
15 tive;

16 (3) the TTA should develop policies and proce-
17 dures that provide guidance to the CEE and to the
18 ports of entry of the textile and apparel articles, in-
19 cluding training of officials of U.S. Customs and
20 Border Protection;

21 (4) officials of the TTA should coordinate and
22 collaborate with officials of the CEE to establish en-
23 forcement priorities, based on risk assessments, and
24 a national enforcement response;

1 (5) the TTA headquarters office is currently
2 below its optimal staffing levels and the TTA per-
3 sonnel efforts should be targeted at retaining senior
4 staff and hiring new qualified personnel so that the
5 division is brought up to optimal staffing levels, and
6 these positions should be designated as not only pol-
7 icy positions, but enforcement positions as well;

8 (6) the TTA should implement special oper-
9 ations, Textile Product Verification Teams, and
10 other actions under U.S. Customs and Border Pro-
11 tection authority to ensure enforcement of customs
12 and trade laws relating to imports of textile or ap-
13 parel articles in a timely manner as concerns arise,
14 particularly as such concerns relate to enforcement
15 of the North American Free Trade Agreement, the
16 Dominican Republic-Central America-United States
17 Free Trade Agreement, and all other free trade
18 agreements and trade preference programs, in order
19 to prevent transshipments and origin fraud;

20 (7) the TTA officials should coordinate and col-
21 laborate with foreign government counterparts to en-
22 sure effective enforcement of textile and apparel ar-
23 ticles; and

24 (8) U.S. Customs and Border Protection should
25 ensure that seizures, detentions, special operations,

1 and TPVTs remain the primary focus of its enforce-
2 ment efforts relating to textile and apparel articles.

3 **TITLE I—ADDITIONAL AUTHORI-**
4 **TIES FOR U.S. CUSTOMS AND**
5 **BORDER PROTECTION**

6 **SEC. 101. SEIZURE AND FORFEITURE OF CERTAIN TEXTILE**
7 **OR APPAREL ARTICLES AND USE OF**
8 **AMOUNTS FROM FINES, PENALTIES, AND**
9 **FORFEITURES.**

10 (a) SEIZURE AND FORFEITURE.—

11 (1) IN GENERAL.—The following textile or ap-
12 parel articles shall be subject to seizure and for-
13 feiture in accordance with the customs and trade
14 laws of the United States and title 18, United States
15 Code:

16 (A) Any textile or apparel article imported
17 into the United States—

18 (i) for which a trade preference has
19 been claimed; and

20 (ii) that has been either misdescribed
21 on entry as to country of origin or for
22 which the importer does not verify actual
23 country of origin, for purposes of avoiding
24 a duty or other obligation to the United
25 States Government, including—

1 (I) any textile or apparel article
2 accompanied by documentation that
3 indicates a false or fraudulent country
4 of origin or source of textile or ap-
5 parel articles; and

6 (II) any textile or apparel article
7 accompanied by a counterfeit visa, li-
8 cense, permit, bill of lading, or similar
9 documentation that is subsequently
10 used by the importer for entry of tex-
11 tile or apparel articles.

12 (B) A textile or apparel article imported
13 into the United States by an importer who pro-
14 vides false information with respect to the phys-
15 ical address of the importer or who does not
16 meet the requirements of section 484(a)(2)(B)
17 of the Tariff Act of 1930 (19 U.S.C.
18 1484(a)(2)(B)).

19 (2) EXCEPTION.—A clerical error shall not be
20 considered a violation of paragraph (1) unless such
21 error is part of a pattern of negligent conduct.

22 (b) USE OF AMOUNTS FROM FINES, PENALTIES,
23 AND FORFEITURES.—

24 (1) IN GENERAL.—Notwithstanding any other
25 provision of law, the Secretary of Homeland Secu-

1 rity, the Commissioner, or the Secretary of the
2 Treasury—

3 (A) shall use amounts from fines, pen-
4 alties, and forfeitures of property for violations
5 of any law regarding the import of textile or ap-
6 parel articles enforced by the Secretary of
7 Homeland Security or the Secretary of the
8 Treasury to pay for—

9 (i) expenses directly related to special
10 operations, TPVTs, and other enforcement
11 actions;

12 (ii) expenses related to training and
13 education for applicable revenue positions,
14 including import specialists, international
15 trade specialists, and auditors who partici-
16 pate in the enforcement of the customs
17 and trade laws of the United States with
18 respect to the export or import of textile or
19 apparel articles; and

20 (iii) implementation of the provisions
21 of this Act; and

22 (B) may use amounts from fines, penalties,
23 and forfeitures of property for violations of any
24 law regarding the import of textile or apparel
25 articles enforced by the Secretary of Homeland

1 Security, the Commissioner, or the Secretary of
2 the Treasury to pay for a reward of not less
3 than 20 percent of the amount of the fine or
4 penalty collected, or the value of the property
5 forfeited, or \$20,000, whichever is the lesser
6 amount, to any person who furnishes informa-
7 tion that leads to an arrest, conviction, civil
8 penalty assessment, or forfeiture of property for
9 any violation of any law regarding the import of
10 textile or apparel articles enforced by the Sec-
11 retary of Homeland Security, the Commis-
12 sioner, or the Secretary of the Treasury.

13 (2) RULE OF CONSTRUCTION.—Amounts de-
14 scribed in paragraph (1) and used to pay for ex-
15 penses described in subparagraph (A) of that para-
16 graph or a reward described in subparagraph (B) of
17 that paragraph are in addition to amounts otherwise
18 available for such purposes.

19 **SEC. 102. INCREASE IN CERTAIN TTA POSITIONS AND IM-**
20 **PORT SPECIALIST POSITIONS AND BIENNIAL**
21 **REVIEW OF STAFF LEVELS.**

22 (a) INCREASE IN CERTAIN TTA POSITIONS.—Not
23 later than 180 days of the date of the enactment of this
24 Act, the Commissioner shall ensure that—

1 (1) the Textile Enforcement Branch (or any
2 successor or related branch) of the TTA shall con-
3 sist of, at a minimum, one branch chief and 6 oper-
4 ations staff, of whom 3 operations staff shall be as-
5 signed to one of the CAFTA–DR countries for pur-
6 poses of assisting U.S. Customs and Border Protec-
7 tion with verification of textile and apparel pref-
8 erences claimed under the Dominican Republic-Cen-
9 tral America-United States Free Trade Agreement;

10 (2) the Textile Policy Branch (or any successor
11 or related division) of the TTA shall consist of, at
12 a minimum, one division chief and 3 operations
13 staff, and 2 textile trade analysts; and

14 (3) the Quota Branch (or any successor or re-
15 lated branch of the Interagency Collaboration Divi-
16 sion) of the TTA shall consist of, at a minimum, one
17 branch chief and 4 operations staff.

18 (b) INCREASE IN TEXTILE AND APPAREL TRAINED
19 IMPORT SPECIALISTS.—As soon as practicable after the
20 date of the enactment of this Act, the Commissioner shall
21 certify, with respect to the 15 largest (by value of entries)
22 United States ports of entry for textile or apparel articles,
23 that import specialists who are assigned to such ports of
24 entry are trained in fraud, trade preference verification,
25 classification, undervaluation, or other issues relating to

1 imports of textile or apparel articles so that the number
2 of such trained import specialist positions is not less than
3 150 percent of the number of trained import specialist po-
4 sitions as of the date of the enactment of this Act.

5 (c) INCREASE IN DEDICATED TEXTILE AND AP-
6 PAREL IMPORT SPECIALISTS.—As soon as practicable
7 after the date of the enactment of this Act, the Commis-
8 sioner shall increase dedicated textile and import special-
9 ists by 25 percent at the 15 largest (by value of entries)
10 United States ports of entry for textile or apparel articles
11 over the number of such specialists as of the date of the
12 enactment of this Act.

13 (d) BIENNIAL REVIEW OF STAFF LEVELS.—Not
14 later than one year after the date of the enactment of this
15 Act, and every 2 years thereafter, the Commissioner shall
16 submit to the Committee on Ways and Means and the
17 Committee on Homeland Security of the House of Rep-
18 resentatives, the Committee on Finance and the Com-
19 mittee on Homeland Security and Governmental Affairs
20 of the Senate, and the co-chairs of the Congressional Tex-
21 tile Caucus a report on the staffing levels specified in this
22 section, including a determination of whether or not there
23 is need for additional staff to carry out the duties of the
24 TTA.

1 **TITLE II—AMENDMENTS TO THE**
2 **TARIFF ACT OF 1930**

3 **SEC. 201. SPECIAL PROVISIONS REGARDING CERTAIN VIOLA-**
4 **LATIONS RELATING TO IMPORT DOCUMENTA-**
5 **TION.**

6 (a) PUBLICATION OF NAMES OF CERTAIN VIOLA-
7 TIONS.—Section 592A(a)(1) of the Tariff Act of 1930 (19
8 U.S.C. 1592a(a)(1)) is amended—

9 (1) in the matter preceding subparagraph (A),
10 by striking “is authorized to” and inserting “shall”;
11 and

12 (2) in subparagraph (A), by inserting before the
13 comma at the end the following: “, including for vio-
14 lations of quotas, duties, or trade preference pro-
15 grams”.

16 (b) LIST OF HIGH-RISK COUNTRIES.—Section
17 592A(b)(1) of the Tariff Act of 1930 (19 U.S.C.
18 1592a(b)(1)) is amended, in the first sentence—

19 (1) by striking “is authorized to” and inserting
20 “shall”; and

21 (2) by inserting “or duties or violate trade pref-
22 erence programs” after “quotas”.

1 **SEC. 202. ELECTRONIC PREFERENCE VERIFICATION SYS-**
2 **TEM FOR ORIGIN OF TEXTILE OR APPAREL**
3 **ARTICLES UNDER CAFTA-DR, NAFTA, AND**
4 **OTHER FREE TRADE AGREEMENTS.**

5 (a) ESTABLISHMENT.—Not later than 180 days after
6 the date of the enactment of this Act, the President, act-
7 ing through the Commissioner and in coordination with
8 the head of the Office of Textiles and Apparel of the De-
9 partment of Commerce, shall establish an electronic
10 verification system for tracking textile or apparel articles
11 imported or exported under the Dominican Republic-Cen-
12 tral America-United States Free Trade Agreement, the
13 North American Free Trade Agreement, or any other free
14 trade agreement to which the United States is a party,
15 to ensure compliance with the respective requirements of
16 such agreements.

17 (b) IMPLEMENTATION.—The President shall seek to
18 enter into consultations and agreements, as appropriate,
19 with the government of each foreign country that is a
20 party to an agreement referred to in subsection (a) for
21 purposes of implementing the electronic verification sys-
22 tem established under that subsection.

23 (c) CONFIDENTIALITY.—The electronic verification
24 system established under subsection (a) shall ensure that
25 proprietary information, such as information about supply
26 chain participants, is coded so that only U.S. Customs and

1 Border Protection and Office of Textiles and Apparel per-
2 sonnel can access the information.

3 (d) SENSE OF CONGRESS.—It is the sense of Con-
4 gress that the President should seek to make the integra-
5 tion of the electronic verification system established under
6 subsection (a) in future free trade agreements a priority
7 in negotiations for such agreements.

8 **SEC. 203. ESTABLISHMENT OF TEXTILE AND APPAREL NEW**
9 **IMPORTER PROGRAM.**

10 (a) IN GENERAL.—Not later than 180 days after the
11 date of the enactment of this Act, the Commissioner shall
12 establish a new importer program that directs U.S. Cus-
13 toms and Border Protection to adjust bond amounts for
14 new importers of textile and apparel articles based on the
15 level of risk with respect to protection of the revenue of
16 the Federal Government presented by each new importer.

17 (b) REQUIREMENTS.—The Commissioner shall en-
18 sure that, as part of the new importer program established
19 under subsection (a), U.S. Customs and Border Protec-
20 tion—

21 (1) develops risk assessment guidelines for new
22 importers of textile and apparel articles;

23 (2) adjusts bond amounts for new importers in
24 accordance with the risk assessment guidelines de-
25 veloped under paragraph (1);

1 (3) maintains a centralized database of new im-
2 porters; and

3 (4) ensures accuracy of required information
4 provided to U.S. Customs and Border Protection by
5 new importers.

6 (c) BONDING AUTHORITY.—Section 623(b) of the
7 Tariff Act of 1930 (19 U.S.C. 1623(b)) is amended by
8 adding at the end the following new paragraph:

9 “(5) In the case of importation of textile or ap-
10 parel articles, by regulation or specific instruction
11 require, or authorize U.S. Customs and Border Pro-
12 tection officers to require, the amount of the bond
13 to include amounts equal to any duties, fees, or pen-
14 alties estimated to be payable on such articles. For
15 purposes of this paragraph, amounts equal to any
16 penalties estimated to be payable on such articles
17 shall be based on a risk assessment of the new im-
18 porter carried out in accordance with section 203 of
19 the Textile Security and Enforcement Act of 2013.
20 Any person who violates a requirement imposed pur-
21 suant to this paragraph shall be liable for a civil
22 penalty of \$50,000 for each such violation.”.

23 (d) OTHER PENALTIES.—In addition to the penalties
24 specified in paragraph (5) of section 623(b) of the Tariff
25 Act of 1930 (19 U.S.C. 1623(b)), as added by subsection

1 (c) of this section, for a violation of such paragraph, any
2 person who violates any other customs or trade law of the
3 United States with respect to the importation of textile
4 or apparel articles shall be subject to any applicable civil
5 or criminal penalty, including seizure and forfeiture that
6 may be imposed under such customs or trade law, includ-
7 ing section 592 of the Tariff Act of 1930 (19 U.S.C.
8 1592).

9 **SEC. 204. NONRESIDENT IMPORTER DECLARATION PRO-**
10 **GRAM FOR TEXTILE OR APPAREL ARTICLES.**

11 (a) ESTABLISHMENT OF PROGRAM.—Not later than
12 180 days after the date of the enactment of this Act, the
13 Commissioner shall establish and maintain a nonresident
14 importer declaration program with respect to the importa-
15 tion of textile or apparel articles. The program shall re-
16 quire nonresident importers of textile or apparel articles
17 to provide the information required under subsection (b)
18 and declare the information required under subsection (c),
19 and require that such information accompany the entry
20 summary documentation for such textile or apparel arti-
21 cles.

22 (b) INFORMATION REQUIRED.—The Commissioner
23 shall require the following information to be submitted by
24 any nonresident importer seeking to import textile or ap-
25 parel articles:

1 (1) An identification of a resident agent in the
2 State in which the port of entry is located who is au-
3 thorized to accept service of process against the non-
4 resident importer in connection with the importation
5 of the textile or apparel articles.

6 (2) A certification that the resident agent de-
7 scribed in paragraph (1) has assets in the United
8 States in sufficient amounts for the purpose of en-
9 suring the payment of any additional loss of revenue
10 not covered by any surety bond or for any civil pen-
11 alties levied by the Federal Government in connec-
12 tion with the importation of the textile or apparel
13 articles.

14 (3) A copy of the commercial invoice accom-
15 panying the shipment of the textile or apparel arti-
16 cles, including the name, address, and contact infor-
17 mation for each person in the transaction, such as
18 the trading house, the freight forwarder, and the ul-
19 timate purchaser of the goods.

20 (c) DECLARATIONS REQUIRED.—Pursuant to proce-
21 dures prescribed by the Commissioner, any nonresident
22 importer seeking to import textile or apparel articles shall
23 declare the following:

24 (1) The nonresident importer has secured a
25 bond in connection with the importation of the tex-

1 tile or apparel articles as required by paragraph (5)
2 of section 623(b) of the Tariff Act of 1930 (19
3 U.S.C. 1623(b)) (as added by section 203(c) of this
4 Act).

5 (2) The nonresident importer has established a
6 power of attorney in connection with the importation
7 of the textile or apparel articles.

8 (d) AUTHORITY.—A resident agent under this section
9 shall accept service of process on behalf of the nonresident
10 importer of such agent for the purpose of duties, penalties,
11 or other fines issued by the Secretary of Homeland Secu-
12 rity or the Commissioner if the Secretary or the Commis-
13 sioner is unable to collect duties, penalties, or other fines
14 from such nonresident importer.

15 (e) PENALTIES.—

16 (1) IN GENERAL.—It shall be unlawful for any
17 person to import into the United States any textile
18 or apparel article in violation of this section.

19 (2) CIVIL PENALTIES.—Any person who vio-
20 lates paragraph (1) shall be liable for a civil penalty
21 of \$50,000 for each such violation.

22 (3) OTHER PENALTIES.—In addition to the
23 penalties specified in paragraph (2), any violation of
24 this section that violates any other customs or trade
25 law of the United States shall be subject to any ap-

1 plicable civil and criminal penalty, including seizure
2 and forfeiture, that may be imposed under such cus-
3 toms or trade law or title 18, United States Code,
4 with respect to the importation of textile or apparel
5 articles.

6 **TITLE III—ESTABLISHMENT OF**
7 **TEXTILE AND APPAREL MAN-**
8 **UFACTURING AND SUPPLIER**
9 **REGISTRY**

10 **SEC. 301. ESTABLISHMENT OF TEXTILE AND APPAREL MAN-**
11 **UFACTURING AND SUPPLIER REGISTRY.**

12 Not later than 180 days after the date of the enact-
13 ment of this Act, the President, acting through the Com-
14 missioner and in coordination with the head of the Office
15 of Textiles and Apparel of the Department of Commerce,
16 shall establish an electronic Textile and Apparel Manufac-
17 turing Supplier Registry pilot program to serve as a cen-
18 tralized database of United States producers and manu-
19 facturers of thread, yarn, fabric, and apparel that supply
20 products to companies in the United States, countries that
21 are parties to the North American Free Trade Agreement,
22 the Dominican Republic-Central America-United States
23 Free Trade Agreement, and other free trade agreements
24 or eligible for preference programs for countries in the
25 Western Hemisphere.

1 **TITLE IV—IMPLEMENTATION**
2 **REPORT**

3 **SEC. 401. IMPLEMENTATION REPORT.**

4 Not later than one year after the date of the enact-
5 ment of this Act, the Commissioner shall submit to the
6 Committee on Ways and Means and the Committee on
7 Homeland Security of the House of Representatives, the
8 Committee on Finance and the Committee on Homeland
9 Security and Governmental Affairs of the Senate, and the
10 co-chairs of the Congressional Textile Caucus a report on
11 the implementation of this Act.

○