

112TH CONGRESS  
1ST SESSION

# S. 1683

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 trade laws relating to textile and apparel articles, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 12, 2011

Mrs. HAGAN (for herself and Mr. GRAHAM) introduced the following bill;  
which was read twice and referred to the Committee on Finance

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## 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 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,*

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

4       (a) SHORT TITLE.—This Act may be cited as the  
5       “Textile Enforcement and Security Act of 2011”.

6       (b) TABLE OF CONTENTS.—The table of contents for  
7       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 TAPP 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.

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

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

**4 (1) Any good classifiable in chapters 50**  
**5 through 63 of the HTS.**

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

**8 (A) 3005.90.**

**9 (B) 3921.12.15.**

**10 (C) 3921.13.15.**

- 1 (D) 3921.90.25.  
2 (E) 6601.10 through 6601.99.  
3 (F) 7019.19.15.  
4 (G) 7019.19.28.  
5 (H) 7019.40 through 7019.59.  
6 (I) 8708.21.  
7 (J) 9404.30.40.  
8 (K) 9404.30.80.  
9 (L) 9404.90.

10 (b) HTS DEFINED.—In subsection (a), the term  
11 “HTS” means the Harmonized Tariff Schedule of the  
12 United States.

13 **SEC. 3. DEFINITIONS.**

14 In this Act:

15 (1) COMMISSIONER.—The term “Commis-  
16 sioner” means the Commissioner responsible for  
17 U.S. Customs and Border Protection.

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

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

1           (4) SPECIAL OPERATIONS.—The term “special  
2 operations” means an initiative that is—

3           (A) implemented to address specific in-  
4 stances of transactions that do not comply with  
5 United States trade laws with respect to textile  
6 or apparel articles;

7           (B) used to address any import violations  
8 involving textile or apparel articles, including  
9 fraud, quota requirements, revenue collection,  
10 trade preferences or requirements under free  
11 trade agreements, product safety, anti-dumping  
12 and countervailing duties, or intellectual prop-  
13 erty rights; or

14           (C) initiated to address a singular instance  
15 or a pattern of high-risk behavior, involving a  
16 particular commodity or other trade issue, in-  
17 cluding valuation, origin fraud, or trade pref-  
18 erence violation, on the part of a country, im-  
19 porter, or manufacturer.

20           (5) TAPP.—The term “TAPP” means the Tex-  
21 tile and Apparel Policy and Programs division of the  
22 Office of International Trade within U.S. Customs  
23 and Border Protection.

24           (6) TPVTs.—The term “TPVTs” means Tex-  
25 tile Product Verification Teams.

1           (7) DEDICATED.—The term “dedicated”  
2 means, with respect to an import specialist, that  
3 such import specialist who focus solely on the import  
4 of textile or apparel articles.

5           (8) TRAINED.—The term “trained” means,  
6 with respect to an import specialist, that such im-  
7 port specialist has received, at least every last three  
8 years, education or training related to the import of  
9 textile or apparel articles.

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

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

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

23          (10) NEW IMPORTER.—The term “new im-  
24 porter” means an importer with fewer than three  
25 years of import history into the United States of

1 textile or apparel articles. For purposes of this para-  
2 graph, a new importer that merges with or is pur-  
3 chased by another importer, or is otherwise altered,  
4 shall be considered to remain a new importer until  
5 such time as such new importer presents proof to  
6 the Commissioner of such merger, purchase, or other  
7 alteration for a determination regarding whether  
8 such new importer may be treated as an importer.

9 (11) CAFTA-DR COUNTRY.—The term  
10 “CAFTA-DR country” has the meaning given such  
11 term in section 3(2) of the Dominican Republic-Cen-  
12 tral America-United States-Free Trade Agreement  
13 Implementation Act (19 U.S.C. 4002(2); Public Law  
14 109–53).

15 **SEC. 4. FINDINGS.**

16 Congress finds the following:

17 (1) The fraudulent or illegal imports of textile  
18 and apparel articles into the United States results in  
19 significant revenue loss to the Department of the  
20 Treasury.

21 (2) The Textile and Apparel Policy and Pro-  
22 grams division of the Office of International Trade  
23 within U.S. Customs and Border Protection or any  
24 subsequent division has, with respect to textile or  
25 apparel articles, the primary responsibility to ensure

1 the proper enforcement of all trade laws, rules, and  
2 regulations affecting textile and apparel articles.

3 (3) The TAPP has the authority to direct the  
4 implementation and enforcement of free trade agree-  
5 ments, multilateral agreements, bilateral textile  
6 agreements, trade preference programs, and all  
7 other trade laws affecting textiles and apparel arti-  
8 cles.

9 (4) The primary focus of the TAPP is to ensure  
10 the effective implementation of all trade enforcement  
11 activities involving textile or apparel articles with its  
12 principle focus to prevent circumvention of the re-  
13 quirements to obtain preferential trade treatment  
14 under free trade agreements and trade preference  
15 programs in order to avoid quotas or duties.

16 **SEC. 5. SENSE OF CONGRESS.**

17 It is the sense of Congress that—

18 (1) U.S. Customs and Border Protection and  
19 the TAPP should be involved in supporting the ne-  
20 gotiation of enforcement provisions of trade pref-  
21 erence programs and free trade agreements affecting  
22 textiles and apparel articles;

23 (2) the TAPP should conduct outreach to other  
24 Federal departments and agencies involved in overall  
25 trade policy, such as Department of Commerce and

1 the Office of the United States Trade Representa-  
2 tive;

3 (3) the TAPP should be involved in the develop-  
4 ment of policies and procedures that provide guid-  
5 ance to the port of entry of the textile and apparel  
6 articles, including training of TAPP officials;

7 (4) the TAPP headquarters office is currently  
8 below its optimal staffing levels and the TAPP per-  
9 sonnel efforts should be targeted at retaining senior  
10 staff and hiring new qualified personnel so that the  
11 division is brought up to optimal staffing levels, and  
12 these positions should be designated as not only pol-  
13 icy positions, but enforcement positions as well;

14 (5) the TAPP should implement special oper-  
15 ations, Textile Product Verification Teams, and  
16 other actions under U.S. Customs and Border Pro-  
17 tection authority to ensure enforcement of trade  
18 laws relating to imports of textile or apparel articles  
19 in a timely manner as concerns arise, particularly as  
20 such concerns relate to enforcement of the North  
21 American Free Trade Agreement, the Dominican  
22 Republic-Central America-United States Free Trade  
23 Agreement, and all other free trade agreements and  
24 trade preference programs, in order to prevent  
25 transshipments and origin fraud;



1           (6) the TAPP officials should coordinate and  
2 collaborate with foreign government counterparts to  
3 ensure effective enforcement of textile and apparel  
4 articles; and

5           (7) U.S. Customs and Border Protection should  
6 ensure that seizures, detentions, special operations,  
7 and TPVTs remain the primary focus of its enforce-  
8 ment efforts relating to textile and apparel articles.

9 **TITLE I—ADDITIONAL AUTHORI-**  
10 **TIES FOR U.S. CUSTOMS AND**  
11 **BORDER PROTECTION**

12 **SEC. 101. SEIZURE AND FORFEITURE OF CERTAIN TEXTILE**  
13 **OR APPAREL ARTICLES AND USE OF**  
14 **AMOUNTS FROM FINES, PENALTIES, AND**  
15 **FORFEITURES.**

16 (a) SEIZURE AND FORFEITURE.—

17           (1) IN GENERAL.—The following penalties shall  
18 apply with respect to an importation of a textile or  
19 apparel article:

20           (A) In the case of importation for which a  
21 trade preference has been claimed and with re-  
22 spect to which the textile or apparel article has  
23 been either misdescribed on entry as to country  
24 of origin or for which the importer does not  
25 verify actual country of origin, for purposes of

1           avoiding a duty or other obligation to the  
2           United States Government, including any mer-  
3           chandise accompanied by documentation which  
4           indicates a false or fraudulent country of origin  
5           or source of textile or apparel articles, and any  
6           merchandise accompanied by a counterfeit visa,  
7           license, permit, bill of lading, or similar docu-  
8           mentation that is subsequently used by the im-  
9           porter for entry of textile or apparel articles,  
10          the textile or apparel article shall be subject to  
11          seizure and forfeiture in accordance with  
12          United States trade laws and title 18, United  
13          States Code.

14                 (B) In the case of importation by an im-  
15          porter who provides false information with re-  
16          spect to the physical address of the importer or  
17          who does not meet the requirements of section  
18          484(a)(2)(B) of the Tariff Act of 1930 (19  
19          U.S.C. 1484 (a)(2)(B)), the textile or apparel  
20          article shall be subject to seizure and forfeiture  
21          in accordance with United States trade laws  
22          and title 18, United States Code.

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

1 (b) USE OF AMOUNTS FROM FINES, PENALTIES,  
2 AND FORFEITURES.—

3 (1) IN GENERAL.—Notwithstanding any other  
4 provision of law, the Secretary of Homeland Secu-  
5 rity, the Commissioner, or the Secretary of the  
6 Treasury—

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

13 (i) expenses directly related to inves-  
14 tigation of, and civil or criminal enforce-  
15 ment proceedings on, violations of any law  
16 regarding the import of textile or apparel  
17 articles, including any necessary expenses  
18 for equipment, training, travel, witnesses,  
19 and contracting services directly related to  
20 such investigations or proceedings; and

21 (ii) expenses related to training and  
22 education for applicable revenue positions,  
23 including import specialists, international  
24 trade specialists, and auditors who partici-  
25 pate in the enforcement of the export or

1 import of textile or apparel articles  
2 through United States trade laws; and

3 (B) may use amounts from fines, penalties,  
4 and forfeitures of property for violations of any  
5 law regarding the import of textile or apparel  
6 articles enforced by the Secretary of Homeland  
7 Security, the Commissioner, or the Secretary of  
8 the Treasury to pay for a reward of not less  
9 than 20 percent of the amount of the fine, pen-  
10 alty, or forfeiture of property collected or  
11 \$20,000, whichever is the lesser amount, to any  
12 person who furnishes information that leads to  
13 an arrest, conviction, civil penalty assessment,  
14 or forfeiture of property for any violation of any  
15 law regarding the import of textile or apparel  
16 articles enforced by the Secretary of Homeland  
17 Security, the Commissioner, or the Secretary of  
18 the Treasury.

19 (2) RULE OF CONSTRUCTION.—Amounts col-  
20 lected from fines, penalties, and forfeitures of prop-  
21 erty for violations of any law regarding the import  
22 of textile or apparel articles enforced by the Sec-  
23 retary of Homeland Security, the Commissioner, or  
24 the Secretary of the Treasury to pay for expenses  
25 described in paragraph (1)(A) or a reward described

1 in paragraph (1)(B) are in addition to amounts oth-  
2 erwise available for such purposes.

3 **SEC. 102. INCREASE IN CERTAIN TAPP POSITIONS AND IM-**  
4 **PORT SPECIALIST POSITIONS AND BIENNIAL**  
5 **REVIEW OF STAFF LEVELS.**

6 (a) INCREASE IN CERTAIN TAPP POSITIONS.—Not  
7 later than 180 days of the date of the enactment of this  
8 Act, the Commissioner shall ensure that—

9 (1) the Textile Operations Branch (or any suc-  
10 cessor or related Branch) of the TAPP shall consist  
11 of, at a minimum, one Branch Chief and six Oper-  
12 ations Staff, of whom three Operations Staff shall  
13 be assigned to one of the CAFTA-DR countries for  
14 purposes of assisting U.S. Customs and Border Pro-  
15 tection with verification of textile and apparel pref-  
16 erences claimed under the Dominican Republic-Cen-  
17 tral America-United States Free Trade Agreement;

18 (2) the Textile/Apparel Policy & Programs Divi-  
19 sion (or any successor or related Branch) of the  
20 TAPP shall consist of, at a minimum, one Branch  
21 Chief and three Operations Staff and two textile  
22 trade analysts; and

23 (3) the Quota Branch (or any successor or re-  
24 lated Branch) of the TAPP shall consist of, at a

1 minimum, one Branch Chief and four Operations  
2 Staff.

3 (b) INCREASE IN TEXTILE AND APPAREL TRAINED  
4 IMPORT SPECIALISTS.—As soon as practicable after the  
5 date of the enactment of this Act, the Commissioner shall  
6 certify, with respect to the 15 largest (by value of entries)  
7 United States ports of entry for textile or apparel articles,  
8 that Import Specialists who are assigned to such ports of  
9 entry are trained in fraud, trade preference verification,  
10 undervaluation, or other issues relating to imports of tex-  
11 tile or apparel articles so that the number of such trained  
12 Import Specialist positions is not less than 150 percent  
13 of the number of trained Import Specialist positions in  
14 existence as of the date of the enactment of this Act.

15 (c) INCREASE IN DEDICATED TEXTILE AND AP-  
16 PAREL IMPORT SPECIALISTS.—As soon as practicable  
17 after the date of the enactment of this Act, the Commis-  
18 sioner shall increase dedicated textile and import special-  
19 ists by 25 percent at the 15 largest (by value of entries)  
20 United States ports of entry for textile or apparel articles  
21 over the number of such specialists in existence as of the  
22 date of the enactment of this Act.

23 (d) BIENNIAL REVIEW OF STAFF LEVELS.—Not  
24 later than one year after the date of the enactment of this  
25 Act and every two years thereafter, the Commissioner

1 shall submit to the Committee on Ways and Means and  
2 the Committee on Homeland Security of the House of  
3 Representatives, the Committee on Finance and the Com-  
4 mittee on Homeland Security and Governmental Affairs  
5 of the Senate, and the co-chairs of the Congressional Tex-  
6 tile Caucus a report on the staffing levels specified in this  
7 section, including a determination of whether or not there  
8 is need for additional staff to carry out the duties of the  
9 TAPP.

10 **TITLE II—AMENDMENTS TO THE**  
11 **TARIFF ACT OF 1930**

12 **SEC. 201. SPECIAL PROVISIONS REGARDING CERTAIN VIO-**  
13 **LATIONS RELATING TO IMPORT DOCUMENTA-**  
14 **TION.**

15 (a) PUBLICATION OF NAMES OF CERTAIN VIOLA-  
16 TORS.—Section 592A(a)(1) of the Tariff Act of 1930 (19  
17 U.S.C. 1592a(a)(1)) is amended—

18 (1) in the matter preceding subparagraph (A),  
19 by striking “is authorized to” and inserting “shall”;  
20 and

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

1 (b) LIST OF HIGH-RISK COUNTRIES.—Section  
2 592A(b)(1) of the Tariff Act of 1930 (1592(a)(b)(1)) is  
3 amended, in the first sentence—

4 (1) by striking “is authorized to” and inserting  
5 “shall”; and

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

8 **SEC. 202. ELECTRONIC PREFERENCE VERIFICATION SYS-**  
9 **TEM FOR ORIGIN OF TEXTILE OR APPAREL**  
10 **ARTICLES UNDER CAFTA-DR, NAFTA, AND**  
11 **OTHER FREE TRADE AGREEMENTS.**

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

24 (b) IMPLEMENTATION.—The President shall seek to  
25 enter into consultations and agreements, as appropriate,



1 with the government of each foreign country that is a  
2 party to an agreement referred to in subsection (a) for  
3 purposes of implementing the electronic verification sys-  
4 tem established under such subsection.

5 (c) CONFIDENTIALITY.—The electronic verification  
6 system established under subsection (a) shall ensure that  
7 proprietary information, such as information about supply  
8 chain participants, are coded so that only U.S. Customs  
9 and Border Protection and Office of Textiles and Apparel  
10 personnel can access such information.

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

16 **SEC. 203. ESTABLISHMENT OF TEXTILE AND APPAREL NEW**  
17 **IMPORTER PROGRAM.**

18 (a) IN GENERAL.—Not later than 180 days after the  
19 date of the enactment of this Act, the Commissioner shall  
20 establish a new importer program that directs U.S. Cus-  
21 toms and Border Protection to adjust bond amounts for  
22 new importers of textile and apparel goods based on the  
23 level of risk assessed by U.S. Customs and Border Protec-  
24 tion for protection of revenue of the Federal Government.

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

5 (1) develops risk assessment guidelines for new  
6 importers of textile and apparel imports;

7 (2) adjusts bond amounts for new importers in  
8 accordance with the risk assessment guidelines de-  
9 veloped under paragraph (1);

10 (3) maintains a centralized database of new im-  
11 porters; and

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

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

18 “(5) In the case of importation of textile or ap-  
19 parel articles, by regulation or specific instruction  
20 require, or authorize U.S. Customs and Border Pro-  
21 tection officers to require, the amount of the bond  
22 to include amounts equal to any duties, fees, or pen-  
23 alties estimated to be payable on such articles. For  
24 purposes of this paragraph, amounts equal to any  
25 penalties estimated to be payable on such articles

1 shall be based on a risk assessment of the new im-  
2 porter carried out in accordance with section 203 of  
3 the Textile Security and Enforcement Act of 2011.  
4 Any person who violates this paragraph shall be lia-  
5 ble for a civil penalty of \$50,000 for each such viola-  
6 tion.”.

7 (d) OTHER PENALTIES.—In addition to the penalties  
8 specified in paragraph (5) of section 623(b) of the Tariff  
9 Act of 1930 (19 U.S.C. 1623(b)), as added by subsection  
10 (c) of this section, for a violation of such paragraph, any  
11 person who violates any other customs law of the United  
12 States with respect to the importation of textile or apparel  
13 articles shall be subject to any applicable civil or criminal  
14 penalty, including seizure and forfeiture that may be im-  
15 posed under such customs law, including section 592 of  
16 the Tariff Act of 1930 (19 U.S.C. 1592).

17 **SEC. 204. NONRESIDENT IMPORTER DECLARATION PRO-**  
18 **GRAM FOR TEXTILE OR APPAREL ARTICLES.**

19 (a) ESTABLISHMENT OF PROGRAM.—Not later than  
20 180 days after the date of the enactment of this Act, the  
21 Commissioner shall establish and maintain a nonresident  
22 importer declaration program with respect to the importa-  
23 tion of textile or apparel articles. The program shall re-  
24 quire nonresident importers of textile or apparel articles  
25 to provide the information required under subsection (b)

1 and declare the information required under subsection (c),  
2 and require that such information accompany the entry  
3 summary documentation for such textile or apparel arti-  
4 cles.

5 (b) INFORMATION REQUIRED.—The Commissioner  
6 shall require the following information to be submitted by  
7 any nonresident importer seeking to import textile or ap-  
8 parel articles:

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

14 (2) A certification that the resident agent de-  
15 scribed in paragraph (1) has assets in the United  
16 States in sufficient amounts for the purpose of en-  
17 suring the payment of any additional loss of revenue  
18 not covered by any surety bond or for any civil pen-  
19 alties levied by the Federal Government in connec-  
20 tion with the importation of the textile or apparel  
21 articles.

22 (3) A copy of the commercial invoice accom-  
23 panying the shipment of the textile or apparel arti-  
24 cles, including the name, address, and contact infor-  
25 mation for each person in the transaction, such as

1 the trading house, the freight forwarder, and the ul-  
2 timate purchaser of the goods.

3 (c) DECLARATIONS REQUIRED.—Pursuant to proce-  
4 dures prescribed by the Commissioner, any nonresident  
5 importer seeking to import textile or apparel articles shall  
6 declare the following:

7 (1) The nonresident importer has secured a  
8 bond in connection with the importation of the tex-  
9 tile or apparel articles as required by paragraph (5)  
10 of section 623(b) of the Tariff Act of 1930 (19  
11 U.S.C. 1623(b)) (as added by section 203(c) of this  
12 Act).

13 (2) The nonresident importer has established a  
14 power of attorney in connection with the importation  
15 of the textile or apparel articles.

16 (d) AUTHORITY.—A resident agent under this section  
17 shall accept service of process on behalf of the nonresident  
18 importer of such agent for the purpose of duties, penalties,  
19 or other fines issued by the Secretary of Homeland Secu-  
20 rity or the Commissioner if the Secretary or the Commis-  
21 sioner is unable to collect duties, penalties, or other fines  
22 from such nonresident importer.

23 (e) PENALTIES.—

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

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

7           (3) OTHER PENALTIES.—In addition to the  
8 penalties specified in paragraph (2), any violation of  
9 this section that violates any other customs or trade  
10 law of the United States shall be subject to any ap-  
11 plicable civil and criminal penalty, including seizure  
12 and forfeiture, that may be imposed under such cus-  
13 toms or trade law or title 18, United States Code,  
14 with respect to the importation of textile or apparel  
15 articles.

16 **TITLE III—ESTABLISHMENT OF**  
17 **TEXTILE AND APPAREL MAN-**  
18 **UFACTURING AND SUPPLIER**  
19 **REGISTRY**

20 **SEC. 301. ESTABLISHMENT OF TEXTILE AND APPAREL MAN-**  
21 **UFACTURING AND SUPPLIER REGISTRY.**

22           Not later than 180 days after the date of enactment  
23 of this Act, the President, acting through the Commis-  
24 sioner and in coordination with the head of the Office of  
25 Textiles and Apparel of the Department of Commerce,

1 shall establish an electronic Textile and Apparel Manufac-  
2 turing Supplier Registry pilot program to serve as a cen-  
3 tralized database of United States producers and manu-  
4 facturers of thread, yarn, fabric, and apparel that supply  
5 products to companies in the United States, countries that  
6 are parties to the North American Free Trade Agreement,  
7 the Central American Free Trade Agreement, and other  
8 free trade or preference regions in the Western Hemi-  
9 sphere.

10       **TITLE IV—IMPLEMENTATION**  
11                               **REPORT**

12       **SEC. 401. IMPLEMENTATION REPORT.**

13           Not later than one year after the date of the enact-  
14 ment of this Act, the Commissioner shall submit to the  
15 Committee on Ways and Means and the Committee on  
16 Homeland Security of the House of Representatives, the  
17 Committee on Finance and the Committee on Homeland  
18 Security and Governmental Affairs of the Senate, and the  
19 co-chairs of the Congressional Textile Caucus a report on  
20 the implementation of this Act.

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