

111TH CONGRESS  
2D SESSION

# S. 3741

To provide U.S. Customs and Border Protection with authority to more aggressively enforce trade laws relating to textile or apparel articles, and for other purposes.

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## IN THE SENATE OF THE UNITED STATES

AUGUST 5, 2010

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 U.S. Customs and Border Protection with authority to more aggressively enforce trade laws relating to textile or 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 AND TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the  
5 “Textile Enforcement and Security Act of 2010”.

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

Sec. 1. Short title and table of contents.

Sec. 2. Textile or apparel article defined.

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

- Sec. 101. Findings.
- Sec. 102. Seizure and forfeiture of certain textile or apparel articles and use of amounts from fines, penalties, and forfeitures.
- Sec. 103. Increase in certain TAPP positions and Import Specialist positions and biennial review of staff levels.
- Sec. 104. Implementation report.
- Sec. 105. Definitions.

TITLE II—AMENDMENTS TO THE TARIFF ACT OF 1930

- Sec. 201. Additional requirements for importation of textile or apparel articles.
- Sec. 202. Definition of person for penalties for fraud, gross negligence, and negligence relating to import documentation.
- Sec. 203. Special provisions regarding certain violations relating to import documentation.
- Sec. 204. Electronic preference verification system for origin of textile or apparel articles under CAFTA, NAFTA, and other free trade agreements.
- Sec. 205. Nonresident importer declaration program for textile or apparel articles.

TITLE III—MISCELLANEOUS PROVISIONS

- Sec. 301. Establishment of Office of Textile and Apparel Trade Enforcement within the Department of Justice.

**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.

11 (D) 3921.90.2550.

12 (E) 4202.12.40–80.

13 (F) 4202.22.40–80.

- 1 (G) 4202.32.40–95.
- 2 (H) 4202.92.05.
- 3 (I) 4202.92.15–30.
- 4 (J) 4202.92.60–90.
- 5 (K) 6405.20.60.
- 6 (L) 6406.10.77.
- 7 (M) 6406.10.90.
- 8 (N) 6406.99.15.
- 9 (O) 6501.
- 10 (P) 6502.
- 11 (Q) 6504.
- 12 (R) 6505.90.
- 13 (S) 6601.10–99.
- 14 (T) 7019.19.15.
- 15 (U) 7019.19.28.
- 16 (V) 7019.40–59.
- 17 (W) 8708.21.
- 18 (X) 8804.
- 19 (Y) 9113.90.40.
- 20 (Z) 9404.90.
- 21 (AA) 9612.10.9010.

22 (b) HTS DEFINED.—In subsection (a), the term  
23 “HTS” means the Harmonized Tariff Schedule of the  
24 United States.

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

4 **SEC. 101. FINDINGS.**

5 The Congress finds the following:

6 (1) The Textile and Apparel Policy and Pro-  
7 grams division of the Office of International Trade  
8 within U.S. Customs and Border Protection (in this  
9 title referred to as the “TAPP”) has, with respect  
10 to textile or apparel articles, the authority to direct  
11 the implementation and enforcement of free trade  
12 agreements, multilateral agreements, bilateral textile  
13 agreements, preference programs, and all other  
14 trade legislation affecting textiles and apparel arti-  
15 cles.

16 (2) The primary focus of the TAPP is to ensure  
17 the effective implementation of all trade enforcement  
18 activities involving textile or apparel articles, includ-  
19 ing preventing origin fraud, preventing circumven-  
20 tion of the requirements to obtain preferential trade  
21 treatment under free trade agreements and trade  
22 preference programs in order to avoid quotas or du-  
23 ties, providing for the collection of appropriate du-  
24 ties, and providing for the correct valuation of arti-  
25 cles.

1           (3) The TAPP headquarters office is currently  
2           below its optimal staffing levels and the TAPP 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.  
6           These positions should be designated as not only pol-  
7           icy positions, but enforcement positions as well.

8           (4) The TAPP should implement special oper-  
9           ations, Textile Product Verification Teams (in this  
10          title referred to as “TPVTs”), and other actions  
11          under U.S. Customs and Border Protection author-  
12          ity to ensure enforcement of trade laws relating to  
13          imports of textile or apparel articles in a timely  
14          manner as concerns arise, specifically as they relate  
15          to enforcement of the North American Free Trade  
16          Agreement, the Dominican Republic-Central Amer-  
17          ica-United States Free Trade Agreement, and all  
18          other free trade agreements and preference pro-  
19          grams, in order to prevent transshipments and ori-  
20          gin fraud.

21          (5) U.S. Customs and Border Protection should  
22          ensure that seizures, detentions, special operations,  
23          and TPVTs remain the primary focus of its textile  
24          or apparel articles enforcement efforts.

1 **SEC. 102. SEIZURE AND FORFEITURE OF CERTAIN TEXTILE**  
2 **OR APPAREL ARTICLES AND USE OF**  
3 **AMOUNTS FROM FINES, PENALTIES, AND**  
4 **FORFEITURES.**

5 (a) SEIZURE AND FORFEITURE.—The following pen-  
6 alties shall apply with respect to an importation of a tex-  
7 tile or apparel article:

8 (1) In the case of importation for which a trade  
9 preference has been claimed and with respect to  
10 which the textile or apparel article has been either  
11 misdescribed on entry as to country of origin or for  
12 which the importer of record does not verify actual  
13 country of origin, for purposes of avoiding a duty or  
14 other obligation to the United States Government,  
15 the textile or apparel article shall be subject to sei-  
16 zure and forfeiture consistent with United States  
17 customs laws.

18 (2) In the case of importation by an importer  
19 of record who provides false information with respect  
20 to the physical address of the importer or who does  
21 not meet the requirements of section 484(a)(2)(B)  
22 of the Tariff Act of 1930 (19 U.S.C. 1484  
23 (a)(2)(B)), the textile or apparel article shall be sub-  
24 ject to seizure and forfeiture consistent with United  
25 States customs laws.

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 Security  
5 or the Secretary of the Treasury—

6 (A) shall use amounts from fines, pen-  
7 alties, and forfeitures of property for violations  
8 of any law regarding the import of textile or ap-  
9 parel articles enforced by the Secretary of  
10 Homeland Security to pay for expenses directly  
11 related to investigations of, and civil or criminal  
12 enforcement proceedings on, violations of any  
13 law regarding the import of textile or apparel  
14 articles, including any necessary expenses for  
15 equipment, training, travel, witnesses, and con-  
16 tracting services directly related to such inves-  
17 tigations or proceedings; and

18 (B) may use amounts from fines, penalties,  
19 and forfeitures of property for violations of any  
20 law regarding the import of textile or apparel  
21 articles enforced by the Secretary of Homeland  
22 Security to pay for a reward of not less than 20  
23 percent of the amount of the fine, penalty, or  
24 forfeiture of property collected or \$20,000,  
25 whichever is the lesser amount, to any person

1           who furnishes information that leads to an ar-  
2           rest, conviction, civil penalty assessment, or for-  
3           feiture of property for any violation of any law  
4           regarding the import of textile or apparel arti-  
5           cles enforced by the Secretary.

6           (2) LIABILITY FOR STORAGE AND DISPOSAL  
7           COSTS.—Any person found in an administrative or  
8           judicial proceeding to have violated a law regarding  
9           the import of textile or apparel articles enforced by  
10          the Secretary of Homeland Security or the Secretary  
11          of the Treasury shall be liable for the cost incurred  
12          in the storage and disposal of any textile or apparel  
13          articles seized in connection with the violation.

14          (3) RULE OF CONSTRUCTION.—Amounts from  
15          fines, penalties, and forfeitures of property for viola-  
16          tions of any law regarding the importation of textile  
17          or apparel articles enforced by the Secretary of  
18          Homeland Security or the Secretary of the Treasury  
19          to pay for expenses described in paragraph (1)(A) or  
20          a reward described in paragraph (1)(B) are in addi-  
21          tion to amounts otherwise available for such pur-  
22          poses.



1 **SEC. 103. INCREASE IN CERTAIN TAPP POSITIONS AND IM-**  
 2 **PORT SPECIALIST POSITIONS AND BIENNIAL**  
 3 **REVIEW OF STAFF LEVELS.**

4 (a) INCREASE IN CERTAIN TAPP POSITIONS.—As  
 5 soon as practicable after the date of the enactment of this  
 6 Act, the Commissioner shall ensure that—

7 (1) the Textile Operations Branch (or any suc-  
 8 cessor or related Branch) of the TAPP shall consist  
 9 of, at a minimum, one Branch Chief and seven Op-  
 10 erations Staff, of which not less than one Operations  
 11 Staff shall be assigned to each of the CAFTA–DR  
 12 countries and not less than one Operations Staff  
 13 shall be assigned to the People’s Republic of China  
 14 for purposes of Customs services and textile or ap-  
 15 parel preference verification;

16 (2) the Textile/Apparel Policy Branch (or any  
 17 successor or related Branch) of the TAPP shall con-  
 18 sist of, at a minimum, one Branch Chief and three  
 19 Operations Staff and two textile trade analysts; and

20 (3) the Quota Branch (or any successor or re-  
 21 lated Branch) of the TAPP shall consist of, at a  
 22 minimum, one Branch Chief and four Operations  
 23 Staff.

24 (b) INCREASE IN CERTAIN IMPORT SPECIALIST POSI-  
 25 TIONS.—As soon as practicable after the date of the enact-  
 26 ment of this Act, the Commissioner shall allocate, to the

1 15 largest (by value of entries) United States ports of  
 2 entry for textile or apparel articles, Import Specialists that  
 3 are trained in fraud relating to imports of textile or ap-  
 4 parel articles so that the level of Import Specialist posi-  
 5 tions is not less than 150 percent of the level of Import  
 6 Specialist positions (as of the date of the enactment of  
 7 this Act) at such ports of entry.

8 (c) BIENNIAL REVIEW OF STAFF LEVELS.—Not  
 9 later than two years after the date of the enactment of  
 10 this Act, and every two years thereafter, the Commissioner  
 11 shall review the TAPP staff levels and determine whether  
 12 there is need for additional staff to carry out the duties  
 13 of the TAPP.

14 (d) CAFTA–DR COUNTRY DEFINED.—In this sec-  
 15 tion, the term “CAFTA–DR country” has the meaning  
 16 given the term in section 3(2) of the Dominican Republic-  
 17 Central America–United States Free Trade Agreement  
 18 Implementation Act (19 U.S.C. 4002(2)).

19 **SEC. 104. IMPLEMENTATION REPORT.**

20 Not later than one year after the date of the enact-  
 21 ment of this Act, the Commissioner shall transmit to Con-  
 22 gress a report on the implementation of this title.

23 **SEC. 105. DEFINITIONS.**

24 For purposes of this title:

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

4           (2) ENTER; ENTRY.—The terms “enter” and  
5           “entry” refer to the entry, or withdrawal from ware-  
6           house for consumption, in the customs territory of  
7           the United States.

8           (3) IMPORTER OF RECORD.—The term “im-  
9           porter of record” has the meaning given the term in  
10          section 484 of the Tariff Act of 1930 (19 U.S.C.  
11          1484).

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

14                (A) implemented to address specific in-  
15                stances of transactions that do not comply with  
16                United States trade laws with respect to textile  
17                or apparel articles;

18                (B) used to address any import violations  
19                involving textile or apparel articles, including  
20                fraud, quota requirements, revenue collection,  
21                trade preferences or requirements under free  
22                trade agreements, product safety, anti-dumping  
23                and countervailing duties, or intellectual prop-  
24                erty rights; or

1 (C) initiated to address a singular instance  
 2 or a pattern of high-risk behavior, involving a  
 3 particular commodity or other trade issue, in-  
 4 cluding valuation, origin fraud, or trade pref-  
 5 erence violation, on the part of a country, im-  
 6 porter, or manufacturer.

7 (5) TAPP.—The term “TAPP” means the Tex-  
 8 tile and Apparel Policy and Programs division of the  
 9 Office of International Trade within U.S. Customs  
 10 and Border Protection.

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

## 13 **TITLE II—AMENDMENTS TO THE** 14 **TARIFF ACT OF 1930**

### 15 **SEC. 201. ADDITIONAL REQUIREMENTS FOR IMPORTATION** 16 **OF TEXTILE OR APPAREL ARTICLES.**

17 (a) AFFIDAVIT REQUIREMENT.—Section 484(a) of  
 18 the Tariff Act of 1930 (19 U.S.C. 1484(a)) is amended  
 19 by adding at the end the following:

20 “(3) AFFIDAVIT REQUIREMENT.—

21 “(A) IN GENERAL.—The documentation or  
 22 information required under paragraph (1) with  
 23 respect to imported textile or apparel articles  
 24 shall include an affidavit with respect to each

1 importation of such merchandise that includes  
2 the information described in subparagraph (B).

3 “(B) REQUIRED INFORMATION.—The in-  
4 formation described in this paragraph is the fol-  
5 lowing:

6 “(i) The physical address of the man-  
7 ufacturer.

8 “(ii) The contact person’s name and  
9 complete contact information.

10 “(iii) A description of the articles,  
11 such as fiber content, yarn content, fabric  
12 type.

13 “(iv) The purchase order or invoice  
14 number issued for the sale with quantities  
15 included.

16 “(v) The date of sale or shipment of  
17 the articles.

18 “(vi) If available, the container num-  
19 ber and bill of lading number for the arti-  
20 cles delivered to the customer.

21 “(C) FORM.—The affidavit required under  
22 this paragraph may be submitted to U.S. Cus-  
23 toms and Border Protection in electronic form.

24 “(D) DEFINITION.—In this paragraph, the  
25 term ‘textile or apparel article’ has the meaning

1           given the term in section 2 of the Textile En-  
2           forcement and Security Act of 2010.”.

3           (b) BONDING REQUIREMENT.—Section 623(b) of the  
4   Tariff Act of 1930 (19 U.S.C. 1623(b)) is amended by  
5   adding at the end the following:

6           “(5) In the case of importation of textile or ap-  
7   parel articles, the Secretary of the Treasury shall by  
8   regulation or specific instruction require, or author-  
9   ize Customs officers to require, the amount of the  
10   bond to include amounts equal to any duties, fees,  
11   and penalties estimated to be payable on such arti-  
12   cles. For purposes of this paragraph, amounts equal  
13   to any penalties estimated to be payable on such ar-  
14   ticles shall be based on a risk assessment of the im-  
15   porter. In this paragraph, the term ‘textile or ap-  
16   parel article’ has the meaning given the term in sec-  
17   tion 2 of the Textile Enforcement and Security Act  
18   of 2010.”.

19          (c) EFFECTIVE DATE.—The amendments made by  
20   subsections (a) and (b) shall apply with respect to articles  
21   entered, or withdrawn from warehouse for consumption,  
22   on or after the date that is 180 days after the date of  
23   the enactment of this Act.

1 **SEC. 202. DEFINITION OF PERSON FOR PENALTIES FOR**  
2 **FRAUD, GROSS NEGLIGENCE, AND NEG-**  
3 **LIGENCE RELATING TO IMPORT DOCU-**  
4 **MENTATION.**

5 (a) IN GENERAL.—Section 592(a)(1) of the Tariff  
6 Act of 1930 (19 U.S.C. 1592(a)(1)) is amended in the  
7 matter preceding subparagraph (A) by striking “no per-  
8 son” and inserting “no producer, manufacturer, supplier,  
9 seller, importer, exporter, or other person”.

10 (b) CONFORMING AMENDMENT.—Section 592A(a)(1)  
11 of the Tariff Act of 1930 (19 U.S.C. 1592a(a)(1)) is  
12 amended by inserting “importer,” after “exporter,”.

13 **SEC. 203. SPECIAL PROVISIONS REGARDING CERTAIN VIO-**  
14 **LATIONS RELATING TO IMPORT DOCUMENTA-**  
15 **TION.**

16 (a) PUBLICATION OF NAMES OF CERTAIN VIOLA-  
17 TIONS.—Section 592A(a)(1) of the Tariff Act of 1930 (19  
18 U.S.C. 1592a(a)(1)), as amended by this Act, is further  
19 amended in the matter preceding subparagraph (A) by  
20 striking “is authorized to” and inserting “shall”.

21 (b) LIST OF HIGH-RISK COUNTRIES.—Section  
22 592A(b)(1) of the Tariff Act of 1930 (19 U.S.C.  
23 1592a(b)(1)) is amended in the first sentence—

24 (1) by striking “is authorized to” and inserting  
25 “shall”; and

1           (2) by inserting after “quotas” the following:  
2           “or duties”.

3   **SEC. 204. ELECTRONIC PREFERENCE VERIFICATION SYS-**  
4                   **TEM FOR ORIGIN OF TEXTILE OR APPAREL**  
5                   **ARTICLES UNDER CAFTA, NAFTA, AND OTHER**  
6                   **FREE TRADE AGREEMENTS.**

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

20           (b) IMPLEMENTATION.—The President shall seek to  
21 enter into consultations and agreements as appropriate  
22 with the government of each foreign country that is party  
23 to any agreement described in subsection (a) for purposes  
24 of implementing the system established under subsection  
25 (a).



1       (c) CONFIDENTIALITY.—The system established  
 2 under subsection (a) shall ensure that proprietary infor-  
 3 mation, such as information about supply chain partici-  
 4 pants, are coded so that only U.S. Customs and Border  
 5 Protection and the Office of Textiles and Apparel per-  
 6 sonnel can access such information.

7       (d) SENSE OF CONGRESS.—It is the sense of Con-  
 8 gress that the President should seek to make the integra-  
 9 tion of the system established under subsection (a) in fu-  
 10 ture free trade agreements a priority in negotiations for  
 11 such agreements.

12 **SEC. 205. NONRESIDENT IMPORTER DECLARATION PRO-**  
 13 **GRAM FOR TEXTILE OR APPAREL ARTICLES.**

14       (a) ESTABLISHMENT OF PROGRAM.—The President  
 15 shall establish and maintain a nonresident importer dec-  
 16 laration program with respect to the importation of textile  
 17 or apparel articles. The program shall require nonresident  
 18 importers of textile or apparel articles to provide the infor-  
 19 mation required under subsection (b) and declare the in-  
 20 formation required under subsection (c), and require that  
 21 such information accompany the entry summary docu-  
 22 mentation for such textile or apparel articles.

23       (b) INFORMATION REQUIRED.—The President shall  
 24 require the following information to be submitted by any

1 nonresident importer seeking to import textile or apparel  
2 articles:

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

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

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

22 (c) DECLARATIONS REQUIRED.—Pursuant to proce-  
23 dures prescribed by the President, any nonresident im-  
24 porter seeking to import textile or apparel articles shall  
25 declare the following:

1           (1) The nonresident importer has secured a  
2       bond in connection with the importation of the tex-  
3       tile or apparel articles as required by section  
4       623(b)(5) of the Tariff Act of 1930 (as added by  
5       section 201(b) of this Act).

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

9       (d) PENALTIES.—

10           (1) IN GENERAL.—It shall be unlawful for any  
11       person to import into the United States textile or  
12       apparel articles in knowing violation of this section.

13           (2) CIVIL PENALTIES.—Any person who vio-  
14       lates paragraph (1) shall be liable for a civil penalty  
15       of not more than \$50,000 for each such violation.

16           (3) OTHER PENALTIES.—In addition to the  
17       penalties provided for in paragraph (2), any viola-  
18       tion of this section that violates any other customs  
19       law of the United States shall be subject to any ap-  
20       plicable civil and criminal penalty, including seizure  
21       and forfeiture, that may be imposed under such cus-  
22       toms law or title 18, United States Code, with re-  
23       spect to the importation of textile or apparel articles.

24       (e) NONRESIDENT IMPORTER DEFINED.—In this  
25       section, the term “nonresident importer” means—

1           (1) an individual that is not a citizen of the  
 2           United States or an alien lawfully admitted for per-  
 3           manent residence in the United States; or

4           (2) a partnership, corporation, or other com-  
 5           mercial entity that is not organized under the laws  
 6           of a jurisdiction within the customs territory of the  
 7           United States (as such term is defined in General  
 8           Note 2 of the Harmonized Tariff Schedule of the  
 9           United States) or in the Virgin Islands of the United  
 10          States.

## 11           **TITLE III—MISCELLANEOUS** 12           **PROVISIONS**

### 13   **SEC. 301. ESTABLISHMENT OF OFFICE OF TEXTILE AND AP-** 14                           **PAREL TRADE ENFORCEMENT WITHIN THE** 15                           **DEPARTMENT OF JUSTICE.**

16          (a) **ESTABLISHMENT.**—The Attorney General shall  
 17          establish within the Department of Justice the Office of  
 18          Textile and Apparel Trade Enforcement.

19          (b) **TIMING.**—The Attorney General shall establish  
 20          the Office by not later than the end of the 180-day period  
 21          beginning on the date of the enactment of this Act.

22          (c) **STAFF.**—The Office shall have a director, at least  
 23          three attorneys, and such other staff as may be necessary.

1       (d) FUNCTIONS.—The Office shall be responsible for  
2 carrying out all functions of the Department of Justice  
3 relating to relevant enforcement cases.

4       (e) VENUE.—Notwithstanding the provisions of chap-  
5 ter 87 of title 28, United States Code, relating to venue,  
6 a relevant enforcement case may be prosecuted only in the  
7 United States District Court for the Middle District of  
8 North Carolina.

9       (f) RELEVANT ENFORCEMENT CASES.—In this sec-  
10 tion, a case is a “relevant enforcement case” if the case—

11               (1) is referred to the Department of Justice by  
12 the Department of Homeland Security; and

13               (2) relates to the enforcement of laws with re-  
14 spect to the importation of textile or apparel articles.

○