

## HR 3646

Foreign Manufacturers Legal Accountability Act of 2011

**Congress:** 112 (2011–2013, Ended)

**Chamber:** House

**Policy Area:** Law

**Introduced:** Dec 13, 2011

**Current Status:** Referred to the Subcommittee on Nutrition and Horticulture .

**Latest Action:** Referred to the Subcommittee on Nutrition and Horticulture . (Jan 17, 2012)

**Official Text:** <https://www.congress.gov/bill/112th-congress/house-bill/3646>

### Sponsor

---

**Name:** Rep. Sutton, Betty [D-OH-13]

**Party:** Democratic • **State:** OH • **Chamber:** House

## Cosponsors (28 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Andrews, Robert E. [D-NJ-1]	D · NJ		Dec 13, 2011
Rep. Conyers, John, Jr. [D-MI-14]	D · MI		Dec 13, 2011
Rep. Courtney, Joe [D-CT-2]	D · CT		Dec 13, 2011
Rep. Critz, Mark S. [D-PA-12]	D · PA		Dec 13, 2011
Rep. Green, Gene [D-TX-29]	D · TX		Dec 13, 2011
Rep. Hastings, Alcee L. [D-FL-23]	D · FL		Dec 13, 2011
Rep. Holden, Tim [D-PA-17]	D · PA		Dec 13, 2011
Rep. Israel, Steve [D-NY-2]	D · NY		Dec 13, 2011
Rep. Johnson, Henry C. "Hank," Jr. [D-GA-4]	D · GA		Dec 13, 2011
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Dec 13, 2011
Rep. Kaptur, Marcy [D-OH-9]	D · OH		Dec 13, 2011
Rep. Lipinski, Daniel [D-IL-3]	D · IL		Dec 13, 2011
Rep. Lofgren, Zoe [D-CA-16]	D · CA		Dec 13, 2011
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Dec 13, 2011
Rep. Murphy, Christopher [D-CT-5]	D · CT		Dec 13, 2011
Rep. Peters, Gary C. [D-MI-9]	D · MI		Dec 13, 2011
Rep. Ryan, Tim [D-OH-17]	D · OH		Dec 13, 2011
Rep. Sánchez, Linda T. [D-CA-39]	D · CA		Dec 13, 2011
Rep. Sarbanes, John P. [D-MD-3]	D · MD		Dec 13, 2011
Rep. Schakowsky, Janice D. [D-IL-9]	D · IL		Dec 13, 2011
Rep. Stark, Fortney Pete [D-CA-13]	D · CA		Dec 13, 2011
Rep. Turner, Michael R. [R-OH-3]	R · OH		Dec 13, 2011
Rep. Yarmuth, John A. [D-KY-3]	D · KY		Dec 13, 2011
Rep. Braley, Bruce L. [D-IA-1]	D · IA		Jan 18, 2012
Rep. Baldwin, Tammy [D-WI-2]	D · WI		Feb 15, 2012
Rep. Ellison, Keith [D-MN-5]	D · MN		Feb 29, 2012
Rep. Grijalva, Raúl M. [D-AZ-7]	D · AZ		Mar 7, 2012
Rep. Tierney, John F. [D-MA-6]	D · MA		Jul 30, 2012

## Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Referred to	Jan 17, 2012
Energy and Commerce Committee	House	Referred to	Dec 16, 2011
Ways and Means Committee	House	Referred to	Dec 22, 2011

## Subjects & Policy Tags

### Policy Area:

Law

## Related Bills

Bill	Relationship	Last Action
112 S 1946	Related bill	Dec 5, 2011: Read twice and referred to the Committee on Finance.

Foreign Manufacturers Legal Accountability Act of 2011 - Directs the Food and Drug Administration (FDA) (with respect to drugs, devices, cosmetics, and biological products), the Consumer Product Safety Commission (CPSC) (with respect to consumer products), the Environmental Protection Agency (EPA) (with respect to chemical substances, new chemical substances, and pesticides), and the National Highway Traffic Safety Administration (NHTSA) (with respect to a motor vehicle or motor vehicle products) to require foreign manufacturers and producers of such products (or components used to manufacture them), in excess of a minimum value, quantity, and frequency of importation, to register an agent in the United States who is authorized to accept service of process on their behalf for the purpose of any state or federal regulatory proceeding or civil action in state or federal court.

Deems a foreign manufacturer or producer of products covered under this Act that registers an agent to consent to the personal jurisdiction of the state or federal courts of the state in which the agent is located for the purpose of any judicial proceeding.

Requires any person who imports into the United States a covered product manufactured or produced outside the United States to make to the U.S. Customs and Border Protection (CBP) a declaration that, to the best of the person's knowledge, with respect to the importation of each covered product, the foreign manufacturer or producer of the product has registered an agent in the United States. Subjects to certain penalties an importer who fails to provide this or files a false declaration.

Requires foreign manufacturers or producers of a covered product to report within five business days to the head of the applicable agency their determination to conduct a safety recall or other safety campaign of a covered product that is identical or substantially similar to a covered product offered for sale in the United States.

Requires the Secretary of Agriculture and the Commissioner of Food and Drugs to study jointly the feasibility and advisability of requiring foreign producers of food distributed in commerce to register an agent in the United States who is authorized to accept service of process on behalf of such producers for the purpose of any state or federal regulatory proceeding or civil action in state or federal court.

Requires the head of an applicable agency similarly to study the feasibility of methods requiring foreign manufacturers or producers of component parts of covered products distributed in U.S. commerce to register agents in the United States for purposes of such service of process.

Requires the Comptroller General to study methods to enforce judgments of any state or federal regulatory proceeding or civil action in state or federal court against Chinese manufacturers that exported defective drywall to the United States during 2004-2007.

## **Actions Timeline**

---

- **Jan 17, 2012:** Referred to the Subcommittee on Nutrition and Horticulture .
- **Dec 22, 2011:** Referred to the Subcommittee on Trade.
- **Dec 16, 2011:** Referred to the Subcommittee on Commerce, Manufacturing, and Trade.
- **Dec 13, 2011:** Introduced in House
- **Dec 13, 2011:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Ways and Means, and Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.