

<p align="center">U.S. DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection</p> <p align="center">DELEGATION ORDER</p> <p align="center">CUSTOMS DIRECTIVE</p>	<p>ORDER NUMBER 14-004</p>
<p>SUBJECT</p> <p>Delegation of Authorities to Center Directors</p>	<p>ISSUE DATE September 11, 2014</p>
<p>DELEGATED BY</p> <p>Commissioner</p>	<p>EFFECTIVE DATE September 11, 2014</p>
<p>SOURCE OF AUTHORITY BEING DELEGATED</p> <p>Homeland Security Act of 2002 (Public Law 107-296), Treasury Order 100-16 (May 23, 2003), DHS Delegation No. 7010.3 (May 11, 2006), and all applicable statutes and regulations granting authority to the Commissioner, U.S. Customs and Border Protection.</p>	<p>DELEGATED TO</p> <p>Directors, Centers of Excellence and Expertise or any CBP official acting in that capacity</p> <p>SUPERSEDED ORDER(S) (ORDER NUMBER(S) AND DATES(S) ONLY)</p> <p>None</p>
<p>DELEGATION</p> <p>By virtue of the authority vested in me as the Commissioner of U.S. Customs and Border Protection, and to the extent permitted by law, I hereby delegate to the Directors, Centers of Excellence and Expertise (Center Directors), currently the Assistant Director of Field Operations, Trade (ADFO) in the Office of Field Operations, all functions, authorities, rights, privileges, powers, and duties vested in Port Directors by law, regulation, or otherwise.</p> <p>These functions, authorities, rights, privileges, powers, and duties may be exercised concurrently by Port Directors and Center Directors.</p> <p></p> <p>Commissioner U.S. Customs and Border Protection</p>	

**Delegation Order
Guidance for Trade Community
March 2016**

Executive Summary

Delegation Order, Number 14-004, effective on September 11, 2014 (“Delegation Order”), delegates all authorities provided by law, regulation (e.g., in Title 19, Code of Federal Regulations) or otherwise that are vested in Port Directors to the Directors, Centers of Excellence & Expertise (Center Directors). The Delegation Order facilitates the Office of Field Operations’ transition of trade processes to the Electronics Center; the Pharmaceutical, Health & Chemicals Center; the Petroleum, Natural Gas, and Minerals Center; the Apparel, Footwear & Textiles Center; the Agriculture and Prepared Products Center; the Automotive and Aerospace Center; the Base Metals Center; the Consumer Products and Mass Merchandising Center; the Industrial and Manufacturing Materials Center; and the Machinery Center. The Delegation Order does not remove any authority from the Port Directors, but serves to share their authority with Center Directors.

This notification serves to provide clarity on the specific authorities that, by policy, Center Directors will exercise under the Delegation Order as implemented by this guidance. Port Directors and Center Directors will communicate and collaborate to issue informed and consistent determinations and decisions effectively. With certain exceptions, identified below, any reference to the Port Director in those aspects of the regulations enumerated in the “Regulatory References” section of this guidance should be read to grant the Center Director concurrent authority.

Status

As of January 28, 2015, the Delegation Order has been implemented for the following Center Directors:

- Electronics Center Director;
- Pharmaceutical, Health & Chemicals Center Director; and
- Petroleum, Natural Gas & Minerals Center Director.

As of December 16, 2015, the Delegation Order has been implemented for the following Center Director:

- Apparel, Footwear & Textiles Center Director.

As of March 23, 2016, the Delegation Order will be implemented for the following Center Directors:

- Agriculture and Prepared Products Center Director;
- Automotive and Aerospace Center Director;
- Base Metals Center Director;
- Consumer Products and Mass Merchandising Center Director;
- Industrial and Manufacturing Materials Center Director; and
- Machinery Center Director.

These Centers assume the trade work from the Ports of Entry, as defined by the regulatory citations in this document, within their respective industry sector.

The Delegation Order grants concurrent trade authority to the Port Director and Center Director. By policy, CBP has limited the authorities that Center Directors will have responsibility to exercise at this time. In particular, Center Directors will have responsibility for exercising the authorities and functions identified in the “Regulatory References” section at the end of this document. In other areas, such as release of cargo, the responsibility will remain exclusively with the Port Directors. As the responsibility for exercising certain post-release processing within the Center’s industry is transitioned from the Port Director to the Center Director, CBP will provide advanced external notification on CBP.gov and through automated systems.

Examples of Excepted Authorities

Until further notice, Port Directors will retain singular authority over those matters pertaining to the control, movement, examination, and release of cargo. While a Port Director may consult a Center Director regarding these matters, Center Directors will not issue decisions or determinations.

Additionally, Port Directors will retain responsibility for matters related to Drawback.

Finally, the Port Director will also retain responsibility for exercising authority over all matters related to Fines, Penalties and Forfeitures (FP&F). All notices to the trade regarding these cases (including CBPF 5955A, pre-penalty/penalty notices, and seizure notices) are issued under the authority of the FP&F Officer.

Examples of Joint Authorities

Port Directors and Center Directors will both have the authority to demand redelivery of cargo when necessary to ensure safety and security, and to protect the revenue. Both Port Directors and Center Directors will have the authority to take samples of merchandise as needed.

Port Directors and Center Directors have the authority to demand single transaction bonds when necessary to ensure safety and security, and to protect the revenue. Revenue collections can be accepted by Port of Entry staff and/or Center personnel on behalf of CBP.

Document Submissions from the Trade

In instances where a regulation requires that certain documentation, information, or filings be submitted to a Port Director, the filer/importer may continue making such submissions to the Ports of Entry in accordance with the regulations. Alternatively, the filer/importer may provide such submissions directly to its assigned Center Director, who will process and route the submission accordingly. This includes instances when CBP has requested the documentation or information from the filer/importer, as well as instances when the filer/importer initiates the submission without a specific request by CBP. For example, a protest may still be filed with the port director whose decision is being protested pursuant to 19 CFR 174.12(d), or a protest may be filed with the appropriate Center.

Regulatory References

Effective January 28, 2015, and until further notice, the authority for all trade functions and activities may be exercised, with certain exceptions outlined above, by the Center Directors for the Electronics; Pharmaceuticals, Health & Chemicals; and Petroleum, Natural Gas & Minerals Centers. Effective December 16, 2015, and until further notice, the authority for all trade functions and activities may be exercised, with certain exceptions outlined above, by the Center Director for the Apparel, Footwear & Textiles Center. Effective March 23, 2016, and until further notice, the authority for all trade functions and activities may be exercised, with certain exceptions outlined above, by the Center Directors for the Agriculture and Prepared Products Center; the Automotive and Aerospace Center; the Base Metals Center; the Consumer Products and Mass Merchandising Center; the Industrial and Manufacturing Materials Center; and the Machinery Center. Such trade functions and activities include, but are not limited to, decisions and determinations in the following areas:

- Entry/Entry Summary processing such as: articles conditionally free or subject to a reduced rate, DCMAO, American Goods Returned, Permanent Exhibition Entries, special classes of merchandise, importations temporarily free of duty, quota, informal entries, trade fair entries, warehouse entries and withdrawals, FTZ entry summaries, and other special entry procedures.
- Decisions and activities regarding packing, stamping, country of origin marking, rules of origin, trademarks, copyrights, bonds, classification, appraisement, and the sampling of merchandise.
- Processing of liquidations, protests, petitions, recordkeeping, and financial and accounting matters.