

**U.S. CUSTOMS AND BORDER PROTECTION**  
**Department of Homeland Security**  
 PETROLEUM, NATURAL GAS, & MINERALS CENTER OF EXCELLENCE AND EXPERTISE

**PUBLIC INFORMATION NOTICE**

<b>DATE:</b> April 1, 2015	<b>NUMBER:</b> PNGM-15-003	<b>FOR FURTHER INFORMATION:</b> <a href="mailto:CEE-Petroleum@cbp.dhs.gov">CEE-Petroleum@cbp.dhs.gov</a>
<b>SUBJECT:</b> Initiation of Post-Release Processing by the Petroleum, Natural Gas, & Minerals Center of Excellence and Expertise – HTSUS 26, 27, 3826		

**BACKGROUND:**

The Petroleum, Natural Gas and Minerals Center of Excellence and Expertise (CEE) initiated operations in September 2012, handling post-release functions for those importers who voluntarily applied to participate in the CEE via the Federal Register Notice (FRN) test process.

On January 20, 2015, CSMS issuance [#15-000040](#) advised the trade community that three CEEs (Petroleum, Natural Gas and Minerals; Electronics; and the Pharmaceuticals, Health & Chemicals CEEs) will further expand operations and assume trade authority for post-release trade processes for their respective industry tariff lines for certain Ports of Entry.

The Petroleum CEE initiated CSMS issuances [#15-000061](#), [15-000059](#) and [15-000050](#), advising that the Center would assume authority for processing post-release trade documentation involving HTSUS Chapters 26 and 27 and Heading 3826 at all Area/Service Ports in the Seattle, El Paso, Los Angeles, San Francisco, San Diego, and Tucson Field Office areas on January 28, 2015. These CSMS issuances identified all team codes that would be utilized by the Center.

**CURRENT STATUS:**

On April 6, 2015, the Petroleum CEE will assume trade authority for **post-release documentation** involving HTSUS Chapters 26 and 27 and HTSUS Heading 3826 filed at the **Area/Service Ports** listed on the table below. The team numbers listed on this table will designate those entry summaries and corresponding post-release work that will be handled by Petroleum CEE employees.

Area/Service Port	Field Office	Team Number
Detroit (3801)	Detroit	056
Port Huron (3802)	Detroit	
Romulus (DTW) (3807)	Detroit	

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Area/Service Port	Field Office	Team Number
Chicago (3901, 3902, 3908, 3909)	Chicago	056
Minneapolis (3501)	Chicago	
St. Louis (4503)	Chicago	
Cleveland (4101)	Chicago	
Columbus (4103)	Chicago	
Brownsville (2301)	Laredo	
Pharr (2305)	Laredo	
Laredo (2304)	Laredo	
Houston Service Port (5309)	Houston	
Dallas (5501)	Houston	

Entry summary filing procedures and document submission processes will remain the same for brokers and importers. CBP will consolidate post-release processing to provide an increased level of uniformity and certainty.

An appropriate level of trade staff at these Service Port locations will be transitioned to the CEE to support Center operations. The Center Director will have full authority for trade decisions for the respective industry tariff lines. Guidance regarding the execution of the Delegation Order can be found on CBP.gov or via the following link:

<http://www.cbp.gov/sites/default/files/documents/DO%20With%20External%20Guidance.pdf>

#### **ADDITIONAL INFORMATION:**


The Centers of Excellence and Expertise transform the way CBP approaches trade operations and works with the international trade community. The Centers represent CBP's expanded focus on "Trade in the 21<sup>st</sup> Century" by aligning with modern business practices, focusing on industry-specific issues, and by providing tailored support to unique trading environments. The Centers were established to increase uniformity of practices across ports of entry, facilitate the timely resolution of trade compliance issues nationwide, and further strengthen critical agency knowledge on key industry practices. Additional information can be found at [Centers of Excellence and Expertise Information | U.S. Customs and Border Protection](#).

Questions and concerns regarding the expansion of the Petroleum CEE can be directed to the CEE's email address at [CEE-PETROLEUM@cbp.dhs.gov](mailto:CEE-PETROLEUM@cbp.dhs.gov), or by calling the following toll-free number: 1-866-295-7624, option 06.



Lynn Fallik  
Center Director

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<p align="center">U.S. DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection</p> <p align="center"><b>DELEGATION ORDER</b></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**

### **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 rollout of the Electronics Center; the Pharmaceutical, Health & Chemicals Center; and the Petroleum, Natural Gas, and Minerals Center. The Delegation Order does not remove any authority from the Port Directors but serves to share 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 will be implemented for the following three Center Directors in a phased approach:

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

These Centers will transition trade work from the ports of entry, as defined by the regulatory citations in this document, within their respective industry sector in phases. Prior to executing a particular phase, CBP will provide extensive messaging on CBP.gov, as well as notifications through automated systems, to the trade community on the extent of the impending phase.

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 (POE) staff and/or Center personnel on behalf of CBP.

### **Document Submissions from the Trade**

In instances where a regulation requires documentation or information to be submitted to a Port Director, the filer/importer may continue to file such documentation at, or transmit such information to, the POEs. Alternatively, the documentation or information may be submitted to the appropriate Center Director. This includes instances when CBP has requested the documentation or information and when the filer/importer initiates the submission without a specific request by CBP.

### **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. 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, appraisalment, and the sampling of merchandise.
- Processing of liquidations, protests, petitions, recordkeeping, and financial and accounting matters.

Attachment

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BLAINE, WA	SEATTLE	036
GREAT FALLS, MT	SEATTLE	036
PEMBINA, ND	SEATTLE	036
SEATTLE, WA	SEATTLE	036
EL PASO, TX	EL PASO	046
LOS ANGELES/LAX	LOS ANGELES	046
LOS ANGELES/LONG BEACH, CA	LOS ANGELES	046
ANCHORAGE, AK	SAN FRANCISCO	046
DENVER, CO	SAN FRANCISCO	046
PORTLAND, OR	SAN FRANCISCO	046
HONOLULU, HI	SAN FRANCISCO	046
SAN FRANCISCO, CA	SAN FRANCISCO	046
OTAY MESA	SAN DIEGO	046
SAN DIEGO, CA	SAN DIEGO	046
SAN YSIDRO	SAN DIEGO	046
NOGALES, AZ	TUCSON	046
PHOENIX, AZ	TUCSON	046
SAN LUIS, AZ	TUCSON	046
TUCSON, AZ	TUCSON	046

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