district director may be made or taken only by the Port Directors in Calexico and Tecate:

A. § 142.4—Determination for waiver of surety or cash deposit at time of entry.

- B. § 142.13—Special authority to require that entry summary documentation and estimated duties be deposited prior to release of the merchandise.
- C. § 142.15—Assessment of liquidated damages for failure to file timely entry summary. In addition, such decisions may also be made by any port director in the districts of New Orleans and Mobile.
- D. § 142.17a—Authority to permit one consolidated entry summary by a broker for multiple consignees.
- E. § 142.21—Discretion to release certain merchandise under a special permit for ID in accordance with 19 U.S.C. § 1448.
- F. § 142.27—Authority to make demand for liquidated damages where the documentation requirements of this part are not met.
- 16. Part 143—Special Entry Procedures— § 143.11—In addition to the district directors, only the Port Directors in Calexico and Tecate may approve certain merchandise for appraisement entry without the commissioner's approval.
- 17. Part 146—Foreign Trade Zones—The following decisions and/or actions required by Part 146 of the Customs Regulations to be made or taken by the district director are not delegated under this order:
- A. Throughout this part—Exercise the approval required of the district director.
- B. § 146.2—Be in charge of a foreign trade zone as the representative of the FTZ Board.
- C. § 146.6—Receive and act upon a request to activate a zone or a zone site.
- D. § 146.7—Approve or disapprove zone changes.
- E. § 146.81—Assess fines for violation of the FTZ laws and regulations by a grantee, officer, agent, operator, or employee of the zone.
- F. § 146.82—Suspend for cause the activated status of a zone or zone site of a lesser privilege granted to the zone or zone site under the regulations.
- G. § 146.83—Recommend to the FTZ Board that the privilege of establishing, operating, and maintaining a zone or subzone be revoked for willful and repeated violations of the Act.
- 18. Part 151—Examination, Sampling, and Testing of Merchandise—Note that authority to approve certain non-emergency operations still requires the written approval of Commissioner of Customs as well as that of the port director.
- 19. Part 152—Classification and Appraisement of Merchandise—§§ 152.103, 152.105, 152.105, and 152.106—Authority to make valuation decisions is not delegated by this order.
- 20. Part 158—Relief from Duties on Merchandise Lost, Damaged, Abandoned, or Exported—In addition to the district directors, allowances for lost, damaged, abandoned, or exported merchandise required to be shown to the satisfaction of and approved by the district director may also be shown to the satisfaction of only the Port Director in Calexico.
- 21. Part 159—Liquidation of Duties—In addition to the district directors, the

- following decisions and/or actions required by Part 159 of the Customs Regulations to be made or taken by the district director may be made or taken only by the Port Director in Calexico:
- A. § 159.12—Authority to extend the one year statutory period for liquidation of an entry.
- B. § 159.44—Where it appears that articles may be subject to the special duties provided for in 15 U.S.C. § 73 (regarding restraint of trade) the specified port director shall report the matter to the Commissioner of Customs and await instructions.
- C. § 159.58—Suspend liquidation on merchandise which may be subject to antidumping or countervailing duties.
- 22. Part 161—General Enforcement Provisions—§ 161.16—In addition to the district directors, any port director in the district of San Diego and the Special Agent in Charge, New Orleans are the only parties who may make a recommendation on an informant's 19 U.S.C. § 1619 claim to Headquarters.
- 23. Part 162—Recordkeeping, Inspection, Search and Seizure—Except as noted, the following decisions and/or actions required by Part 162 of the Customs Regulations to be made or taken by the district director, are not delegated under this order:
- A. § 162.1d—Issuance of a summons for examination of records and witnesses.
- B. § 162.44—Only the port directors in the district of San Diego and the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile are authorized to accept a written offer to pay the appraised domestic value of property seized and to release the property to the owner. 19 U.S.C. § 1614.
- C. § 162.47—The port directors in the district of San Diego and the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile may, upon satisfactory proof of financial inability, waive the bond requirement for any person claiming an interest in seized property.
- D. § 162.74—Authority to make determinations with regard to "prior disclosure" cases.
- 24. Part 171—Fines, Penalties, and Forfeitures—In addition to the district directors, the following decisions and/or actions required by Part 171 of the Customs Regulations to be made or taken by the district director may be made or taken only by the officers noted below:
- A. § 171.21—Mitigation or remission of fines, penalties, and forfeitures up to the designated limits of this section may be made by any port director in the District of San Diego or by the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile.
- B. § 171.22—The "special classes of cases" specified in this section may be acted upon by any port director in the District of San Diego and by the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile.
- § 171.33—Note that in section 2 to this delegation order, decisions on supplemental petitions under this section for matters arising in the District of San Diego will be made by the Fines, Penalties, and Forfeitures Regional Coordinator for the Southwest

- Region. Decisions on supplemental petitions under this section for matters arising in the South Central Region will be made by the Fines, Penalties, and Forfeitures Regional Coordinator for the Southeast Region.
- 25. Part 172—Liquidated Damages—In addition to the district directors, the following decisions and/or actions required by Part 171 of the Customs Regulations to be made or taken by the district director may be made or taken only by the officers noted below:
- A. § 172.21—Cancellation of a claim for liquidated damages incurred when the claim is \$100,000, or less may be done by any port director in the District of San Diego and by the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile.
- § 172.22—The additional "special cases" specified in this section which may be acted upon by the district director may be acted upon by any port director in the District of San Diego and by the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile.
- C. § 172.31—Cancellation of a claim for liquidated damages, when it is definitely determined that the act or omission forming the basis for the claim did not occur, may be performed by any port director in the District of San Diego and by the Fines, Penalties, and Forfeitures Officers in New Orleans and Mobile.
- § 172.33—Note that in section 2 to this delegation order, decisions on supplemental petitions under this section for matters arising in the District of San Diego will be made by the Fines, Penalties, and Forfeitures Regional Coordinator for the Southwest Region. Decisions on supplemental petitions under this section for matters arising in the South Central Region will be made by the Fines, Penalties, and Forfeitures Regional Coordinator for the Southeast Region.
- 26. Part 174—Protests—In addition to the district directors, the following decisions and/or actions required by Part 174 of the Customs Regulations to be made or taken by the district director may be made or taken only by the Port Directors in Calexico and Tecate:
- A. § 174.11—"Matters subject to protest" include decisions of the Port Directors in Calexico and Tecate. Protests may continue to be filed with any port director.
- B. § 174.22—Review of accelerated protests.
- Note: Under § 174.24, one of the criteria for "further review" of a protest is an inconsistent decision in any district with respect to the same or substantially similar merchandise. That criteria is extended to an inconsistent decision by the Port Directors in Calexico and Tecate as though those individuals were district directors.
- 27. Part 176—Proceedings in the Court of International Trade—§ 176.1—Notice of the protest is served upon the district or port director making the decision protested.
- 28. Part 191—Drawback—In addition to the district directors, the following decisions and/or actions required by Part 191 of the Customs Regulations to be made or taken by the district director may be made or taken only by the Port Directors in Calexico and Tecate: