

October 23, 2007

MEMORANDUM FOR: DIRECTORS, FIELD OPERATIONS
ASSISTANT DIRECTORS, TRADE, FIELD
OPERATIONS

FROM: Executive Director, Trade Policy and Programs
Office of International Trade

SUBJECT: Post Entry Amendment Test Modification

PLEASE PASS THIS INFORMATION TO PORT DIRECTORS, ASSISTANT PORT DIRECTORS (TRADE), IMPORT SPECIALISTS, ENTRY SPECIALISTS, CBP OFFICERS, IMPORTERS, BROKERS, CARRIERS, AND ANY OTHER INTERESTED PARTIES.

The Office of International Trade (OT) issued a Federal Register general notice on August 21, 2007 announcing a modification to the post entry amendment (PEA) processing test. There are three changes to the PEA test program; the elimination of the supplemental information letter (SIL), a new requirement that all PEAs must be submitted 20 working days before the scheduled liquidation date, and the extension of the test program for another year.

Effective September 20, 2007, the PEA program replaced the SIL procedure as the sole means of amending entry summaries prior to liquidation. The elimination of the SIL procedure is in accordance with the general notice document published in the Federal Register on November 28, 2000.

A PEA will be submitted as either an individual amendment letter (also known as a single PEA) upon discovery of an error or on a quarterly tracking report. The type of PEA, single or quarterly, will depend on the type of error corrected.

Single PEAs

Effective immediately, all single PEAs must be filed at least 20 working days prior to the scheduled liquidation date of the entry summary. Single PEAs submitted after the 20th day will be rejected and returned to the filer. CBP port personnel will annotate “untimely submission” on the PEA coversheet (attached) before the PEA is returned to the filer.

Two changes have been made to the PEA coversheet; the “non-revenue SIL” box has been removed and a “liquidation date” box added. The filer will now be

required to provide the scheduled liquidation date in this box. Only one entry summary may be submitted with each PEA coversheet.

All other aspects of the PEA process remain the same as outlined in the memorandum, "Submission Changes for Supplemental Changes for Supplemental Information Letters and Post Entry Amendments," dated July 1, 2003. Informal entry summaries still cannot be processed under this program, nor can entry deletion and cancellation requests be submitted as a PEA.

Quarterly Tracking Report

Quarterly reporting will only be submitted for non-revenue PEAs or PEAs with a bill or refund resulting in under \$20 and a value below \$10,000. The quarterly tracking report will be submitted on a spreadsheet and will contain the same elements that are on the post summary adjustment coversheet, with an additional element indicating in which quarter the error was discovered. The report must be submitted fifteen calendar days from the last day of the quarter.

Technical Correction to be Published in Federal Register

The Office of International Trade will initiate a revision of the PEA test, through a Federal Register notice, to eliminate the provision stating that PEAs that are submitted timely but are not unset or processed by the scheduled liquidation date may be treated as protests under 19 U.S.C. 1514. CBP may reliquidate the entry under 19 U.S.C. 1501 within 90 days of the original liquidation but the submissions at issue are not to be treated as protests.

If you should have any questions or concerns regarding this memorandum, please contact Ms. Jennifer Dolan, Entry and Drawback Management, at (202) 863-6538 or via e-mail at Jennifer.Dolan@dhs.gov.

Janet LaBuda (Acting) for
Brenda B. Smith

Attachment

cc: OFO Trade Operations Division