



January 2020 - Info Expeditior

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2020 CBFANC board of directors and officers

New CBFANC President **Evey Hwang** presided over the annual State of the Port dinner on January 28, 2020. Standing with Evey (center) at the podium are CBFANC board members **Raymond Hong, Michael Baekboel, Peter Gong, Sandra Alvares** and new CBFANC Board Chairman **Chris Ramos**.

- [SAVE THE DATE FOR WESCCON 2020](#)
- [CBFANC Social Media](#)

WEBINAR, February 18th: ADD - CVD

Anti-dumping & Countervailing duties, a new **CBFANC webinar** presented by Susan K. Ross, of MSK.



Registration details will be forthcoming from the CBFANC Educational Committee for this informative webinar, which will cover the following topics:

General Overview of ADD & CVD;
 ADD CVD Petitions, Filings and Chronology of Events;
 ADD CVD Issues from a CBP standpoint;
 Reimbursement Statements;
 Bond Sufficiency/the "Collateral Curse;"
 How ADD/CVD Complicates the Importer/Broker/Surety Equation;
 Resources - ADD/CVD Comprehensive Lists;
 Q&A!



CBFANC board and officers for 2020 are also shown in the photo below taken at the Holiday Party in December.

SAVE THE DATE FOR WESCCON 2020

WESCCON 2020
Oct 1 - 4, 2020
Loews Coronado Bay Resort,
Coronado,, CA

Eduardo Acosta



Join PCC President Eduardo (Lalo) Acosta in San Diego/Coronado, CA, for WESCCON 2020. Improve your business and your career with workshops, panels, roundtable discussions and town hall meetings on important issues facing our industry. Registration details will be published in early 2020! SAVE THE DATE!



Pictured above: **Peter Gong**, Great Way Trading; **SW Lee**, SW Logistics; **Felicia Addison**, CBFANC 1st VP, IFS Worldwide, ; **Chris Ramos**, CBFANC Chairman, KSI Corp; **Jack Hubbard**, CBFANC Senior Advisor, TLR (Emeritus); **Chris Garcez**, CBFANC Treasurer and Acting Secretary, TLR; **Evey Hwang**, CBFANC President, AG Customs Brokerage; **Chris Kammer**, CBFANC 2 VP, Access Supply Chain Service; **Michael Baekboel**, Flexport LLC.

CBFANC Social Media

Please connect with us!

Twitter - [@cbfanc](https://twitter.com/cbfanc)

LinkedIn - [CBFANC](https://www.linkedin.com/company/cbfanc)

Facebook - [CBFANC](https://www.facebook.com/cbfanc)

Events Around the Bay

- [P.A.E.I](https://www.paei.org) - Professional Association of Exporters and Importers
- www.paei.org.
- [OWIT NC](https://www.owitnc.org) - Organization of Women in International

Many thanks to former CBFANC President Chris Ramos

[Trade Check website for updates](#)

- [Monterey Bay International Trade Association \(MBITA\)](#) - Monterey Bay International Trade Association
[Check Website for updates](#)
- [Norcal W.T.C.](#) - The Northern California World Trade Center
[Check Website for updates](#)
- [PTA](#) - Pacific Transportation Association
[Check Website for updates](#)

Thank you, Chris Ramos!!



On behalf of the CBFANC board or directors, officers, and general membership, we wish to offer our sincere thanks and gratitude to **Chris Ramos** for his service as CBFANC President during 2018 and 2019.



Chris became CBFANC President during a challenging time, and his leadership, calm hand at the wheel, professionalism and good humor enabled the successes of CBFANC to continue. We couldn't have done it without you, Chris, and we will always appreciate your work on behalf of the greater good. THANK YOU!!

Report from new CBFANC President Evey Hwang



Happy 2020! I want to thank all who joined us for our annual State of Port dinner. We hope everyone enjoyed the evening and made some new connections.

CBP Area Port Director gave us updates on Port progress, some stats, and good humoredly answered questions on e-commerce and other processes. Of particular note he provided clarity on the recent Headquarters decision on denying blanket immediate delivery procedures ahead of the 7.5% rate reduction (China Tariff List 4A) which are going into effect on February 14th 12:01 a.m. With the USTR notice stating the entry date rather than date of importation, concerns arose regarding possible congestion at air cargo facilities and ocean container terminals. We also greatly appreciated Mr. DiNucci's calm assurances on CBP's readiness to act effectively under CDC guidance as the Coronavirus situation unfolds.



Above, **Port Director Richard DiNucci** speaks at the 2020 CBFANC State of the Port dinner.

John McLaurin of Pacific Merchant Shipping Association gave concise insight on the Port of Oakland's success at maintaining stable container volumes while other West Coast Ports have

seen volumes decrease significantly. He also gave us an update on the ballpark proposal (Howard Terminal), emphasizing the serious threat that the development will pose to the future of the Port of Oakland. Mr. McLaurin advised that everyone needs to get involved in the effort to protect the port--read press reports, attend port commission and City council meetings, etc. Politicians believe that silence = acceptance. Therefore, we cannot afford to sit idly by and just let things unfold without our taking action.

On January 29th, the PMSA, with strong support by Women in Logistics, had their annual State of Port Luncheon. The featured speaker was Danny Wan, the new Executive Director for Port of Oakland. His remarks to attendees were framed in a slide presentation, "Everyone's Port". Unfortunately, Mr. Wan left little doubt about his "assigned task" from Oakland Mayor Libby Schaaf and the Oakland As (who sponsored a table)--his message must help get everyone happy about a new MLB waterfront ballpark in the middle of a maritime port! One thing is for sure: We're going to have another busy year fighting the potentially disastrous development proposals at the Port!

[Evey's article continues, click here for more](#)

2020 NCBFAA Slate of Officers

NCBFAA Nominating Committee Announces 2020 Officer Slate

The NCBFAA Nominating Committee, in accordance with NCBFAA by-laws, has recently completed the 2020 Officers Slate for vote at the upcoming Annual Conference to be held in Las Vegas, NV from April 19 – 23:

President: Janet Fields, John S. James Co, Savannah, CA;
Vice President: Jose Gonzalez, JD Gonzales LCB, Laredo, TX;
Treasurer: Scott Larson, MOL Logistics USA Inc., Elk Grove Village, IL;
Secretary: Victoria Lane, Coppersmith Global Logistics, Portland, OR.

Editor's Note: **Victoria Lane, candidate for secretary and pictured below**, has long been involved with the Pacific Coast Council. She has served as a member of its board of directors, as well as its President and Board Chair. Victoria also served multiple times as the General Chair for WESCCON. Victoria will be a great addition to the leadership of NCBFAA and she will be an effective voice for the interests

of brokers and forwarders in our area.



Customs has Authority to Suspend AD/CVD Entry Liquidation Even Where Scope is Unclear

Steven W. Baker



Customs has Authority to Suspend AD/CVD Entry Liquidation Even Where Scope is Unclear

The U. S. Court of Appeals for the Federal Circuit (CAFC) somewhat surprisingly found that U. S. Customs and Border Protection (CBP) has the authority to suspend liquidation of entries suspected of being covered by antidumping and countervailing duty Orders even where the scope of the Orders is ambiguous. The unanimous (one judge not

participating) *en banc* 12 judge panel, issued January 7, 2020, reversed prior decisions of the Court of International Trade and a previous 3 judge panel (a 2-1 decision) of the CAFC itself in *Sunpreme, Inc. v. United States*, No. 2018-1116, *et seq.*

The previous decisions had found that because the Commerce Department is the only agency empowered to determine the Scope of an AD or CVD order, if the Scope was challenged through a Scope request to Commerce, CBP was precluded from suspending liquidation and collecting AD and CVD amounts on entries filed prior to initiation of the Scope request. If the Scope determination found the products to be covered by an Order, duties could only be collected on entries filed from the date of the request forward.

[Steven's article continues, click here for more](#)

2020 PCC Mission to DC

Chris Kammer, CBFANC Legislative Committee Chair



28th Annual PCC Mission to DC

Saturday February 22, 2020 through Tuesday February 25, 2020

For any freight forwarder or customs broker member of one of the 5 local associations of the PCC - Any independent licensed customs broker or freight forwarder, or employee of a company which is a member of a local association, is eligible to attend the Mission.

We would like to invite all to attend the very important Annual PCC Mission to DC this spring – details are attached. In addition, we are extremely pleased to announce we will

again be offering a stipend to 4 of our members, on a first come first served basis, to help cover the cost of their trip.

The qualifications & requirements are listed below:

1. Professional members who work and reside within Northern California
2. Stipend specifically to be used for airfare, hotel room, and Mission registration, up to \$2300.00
3. Mandatory attendance at all meetings & presentations.
4. Detailed written report of Mission.

Please email info@cbfanc.org if you are interested.

Regards,
Chris Kammer
CBFANC Legislative Committee Chairman

Additional information is available at the following link to the PCC website:

<https://www.pacificcoastcouncil.org/mission-to-dc>

Executive Order for rule making includes focus on Broker Responsibilities

FROM THE WHITE HOUSE:



Executive Order Calls for Rulemaking on Importer of Record Status, Broker Responsibilities

President Donald Trump issued an [executive order](#) on Jan. 31 that mandates CBP work toward new criteria for obtaining importer of record numbers, and new consequences for

customs brokers that help importers evade those criteria. The order directs the Department of Homeland Security to "issue a notice of proposed rulemaking to establish criteria importers must meet in order to obtain an importer of record number," and says one of those criteria must be that CBP debarment or suspension for reasons related to trade renders an importer ineligible.

The executive order also says CBP must require that customs brokers report any attempts by importers that are ineligible to get an importer of record number "to re-establish business activity requiring an importer of record number through a different name or address associated with the debarred or suspended person." It directs CBP to punish customs brokers that help ineligible importers by limiting their participation in trusted trader programs or even revoke their broker licenses. White House Adviser Peter Navarro, said during a Jan. 31 conference call with reporters that e-commerce platforms are "ripping people off." Navarro told reporters on a conference call that e-commerce platforms like Amazon and Walmart.com should "voluntarily assume more responsibility for the poisons they are purveying," and said if they don't, DHS "will take this on."

Photos from the 2020 State of the Port dinner

The audience as it starts to assemble in the dining room.



CBFANC Board Chairman **Chris Ramos** introduces **Evey Hwang**, new CBFANC President.



LACBFFA President **Karen Quintana** (center), talks with Port Director **Richard DiNucci** (right), and Assistant Port Director **Steve Baxter** (left).



Networking continued long after the conclusion of the program.



Sec 301 tariff reductions on certain products of China

USTR

Below is the text of the official message issued by the USTR:

OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE

Notice of Modification of Section 301 Action: China's Acts, Policies, and Practices Related to Technology Transfer, Intellectual Property, and Innovation

AGENCY: Office of the United States Trade Representative.

ACTION: Notice of modification of action.

SUMMARY: In accordance with the direction of the President, the U.S. Trade Representative has determined to modify the action being taken in this Section 301 investigation by reducing the rate of additional duty on certain products of China from 15 percent to 7.5 percent.

DATES: Applicable as of 12:01 am Eastern Standard Time on February 14, 2020, the rate of additional duty will be 7.5 percent for products covered by Annex A of the August 20, 2019 notice (84 FR 43304).

FOR FURTHER INFORMATION CONTACT: For questions about this notice, contact Assistant General Counsels Philip Butler or Susie Park, or Director of Industrial Goods Justin Hoffmann at (202) 395-5725. For questions on customs classification or implementation of additional duties, contact traderemedym@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

A. Prior Determinations in the Investigation

For background on the proceedings in this investigation, please see the prior notices issued in this investigation, including 82 FR 40213 (August 24, 2017), 83 FR 14906 (April 6, 2018), 83 FR 28710 (June 20, 2018), 83 FR 33608 (July 17, 2018), 83 FR 38760 (August 7, 2018), and 83 FR 40823 (August 16, 2018), 83 FR 47974 (September 21, 2018), 83 FR 49153 (September 28, 2018), 84 FR 20459 (May 9, 2019), 84 FR 43304 (August 20, 2019), 84 FR 45821 (August 30, 2019), and 84 FR 69447 (December 18, 2019).

On August 20, 2019, the U.S. Trade Representative, at the direction of the President, determined to modify the action being taken in the investigation by imposing an additional 10 percent *ad valorem* duty on products of China with an annual aggregate trade value of approximately \$300 billion. See 84 FR 43304 (August 20, 2019) (the August 20 notice). The tariff subheadings subject to the 10 percent additional duties were separated into two lists with different effective dates. The list in Annex A had an effective date of September 1, 2019. The list in Annex C had an effective date of December 15, 2019. Subsequently, at the direction of the President, the U.S. Trade Representative determined to increase the rate of the additional duty applicable to the tariff subheadings covered by the action announced in the August 20 notice from 10 percent to 15 percent.

See 84 FR 45821 (August 30, 2019).

On December 18, 2019, at the direction of the President, the U.S. Trade Representative determined to suspend indefinitely the imposition of the additional 15 percent *ad valorem* duty on products covered by Annex C of the August 20 notice. See 84 FR 69447 (December 18, 2019).

[USTR notice continues, click here for more](#)

CBFANC CHB Broker Exam Prep Course started January 4, 2020



Keith Hwang, Instructor
CHB January 2020 Broker Exam Prep Course

Classes Start: Jan 4, 2020 -

The in-person classes are taking place at 139 Mitchell Avenue, South San Francisco and will include updated technology to facilitate preparation for the computerized CHB Exam. Instructor Keith Hwang reports that a good group of potential brokers have enrolled in the class.

CBP Announces New 2020 CHB Exam dates

Please use the below link to the notice in the Federal Register announcing the new dates of **April 1st and October 8th** for the 2020 CHB exams.

<https://www.govinfo.gov/content/pkg/FR-2019-12-27/pdf/2019-27956.pdf>

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