



U.S. Customs and
Border Protection

**Attorney-Advisor (GS-0905-11/14)
Regulations and Rulings Directorate, Office of Trade
U.S. Customs and Border Protection
Duty Station: Washington D.C.
2024 Job Announcement**

The Regulations and Rulings Directorate, Office of Trade, U.S. Customs and Border Protection (CBP), a component of the Department of Homeland Security (DHS), is seeking recent or soon-to-be law school graduates, as well as practicing lawyers and student interns, to join its Washington, DC staff, which is responsible for administering the customs and international trade laws, and for drafting CBP regulations. The Directorate employs approximately 130 attorney-advisors, split between three divisions and fourteen branches, who provide expertise in various areas of the customs and international trade laws, as discussed further below.

Candidates (3Ls, recent graduates and practicing lawyers) with an interest in international trade law, administrative law, and intellectual property law, especially patent law, are encouraged to apply for full time positions. No previous experience is required. Candidates must be U.S. citizens and if not currently admitted to practice must become a member of the bar of a state or the District of Columbia. Relocation expenses will not be paid.

Starting salary begins at grade 11 of the General Schedule (GS) pay scale for the Washington DC locality pay area, available at www.opm.gov. We hire up to the GS-14 level, depending on one's level of experience; however, most entry level hiring is at the GS-11 level. This excepted service position provides excellent health and life insurance benefits, Thrift Savings Plan (retirement), flexible work schedules (to include telework), and generous sick leave and vacation days.

Interested persons should submit, via email, their resume, a cover letter and a copy of their law school transcript to the attention of the Hiring Coordinator, Regulations and Rulings, at rrhiring@cbp.dhs.gov. An unofficial copy of the transcript is acceptable. There is no deadline for the receipt of submissions.

With more than 60,000 employees, CBP is the unified border agency within DHS charged with the management, control and protection of the nation's borders at and between official ports of entry. CBP is charged with keeping terrorists and terrorist weapons out of the country while facilitating lawful international travel and trade and enforcing hundreds of U.S. laws.

Further, CBP is responsible for making sure that cross border trade complies with U.S. trade laws and promotes fair, secure, and safe competition. CBP works to enable legitimate trade, contribute to American economic prosperity, and protect against risks to public health and safety. CBP administers U.S. trade laws that:

- Facilitate efficient trade for U.S. businesses and consumers;
- Protect consumers from unsafe products and materials;
- Protect U.S. businesses from unfair trade practices;
- Generate the second largest revenue stream for the U.S. government.

The Office of Trade leads the trade mission on behalf of CBP by managing national programs that facilitate trillions of dollars of trade and translate the regulations of 49 partner government agencies into enforceable trade guidance, while facilitating compliance.

The Regulations and Rulings Directorate, Office of Trade, is responsible, through the issuance of regulations and rulings, for the overall legal development and implementation of national programs, policies, and procedures relative to the trade compliance and trade facilitation missions of CBP. The office provides guidance to members of the international trade community to facilitate compliance with the customs and international trade laws. We also provide legal policy and technical support to other offices within CBP, DHS, Congress, other government agencies and international organizations concerning the application of the customs laws, regulations, and procedures. The office also develops all regulations for the agency and handles all appeals of initial Freedom of Information Act decisions. The Directorate's legal policy responsibilities are divided among three divisions.

The **Commercial and Trade Facilitation (CTF) Division** consists of five branches (the Entry Process and Duty Refunds Branch, the Valuation and Special Programs Branch, the Food, Textiles and Marking Branch, the Electronics, Machinery, Automotive and International Nomenclature Branch and the Chemicals, Petroleum, Metals and Miscellaneous Classification Branch), and is responsible for issuing administrative rulings and decisions governing tariff classification, country of origin and country of origin marking, preference eligibility under free trade agreements, duty drawback and duty deferral program eligibility, customs valuation, entry procedures and bonds. It also reviews protests on matters pertaining to these areas and plays a major role in informing the public of its responsibilities through informed compliance. The CTF division furnishes legal technical expertise to the Office of the United States Trade

Representative (USTR) in negotiations of free trade agreements and provides litigation support to the CBP's Office of Chief Counsel. Division attorneys further provide policy advice and technical legal guidance to CBP officials in the field. In addition, attorneys in the division serve as the subject matter experts when regulatory changes are made in the above subject areas; they also comment on proposed legislation relating to the above subject areas. The CTF Division represents the United States in international forums, including at Harmonized System Committee (HSC) and the Review Sub-Committee (RSC) at the World Customs Organization (WCO), the Technical Committee on Rules of Origin (TCRO), WCO, and the World Trade Organization's Technical Committee on Customs Valuation (TCCV), which meets under the auspices of the WCO.

The **Border Security and Trade Compliance (BSTC) Division** consists of five branches. The Penalties and Seizures Branch issues initial and supplemental administrative legal decisions in response to petitions filed in high value and complex cases involving the remission of seizures and forfeitures, mitigation of civil penalties, and cancellation of claims for liquidated damages. The Branch also provides policy guidance to CBP field offices, provides litigation support, and coordinates the approvals of offers in compromise and settlements with the Office of Chief Counsel and U.S. Attorneys' Offices. In addition, the Branch regularly provides training to CBP officials and represents CBP at legal conferences and seminars dealing with penalties-related issues. The Commercial Violations Branch is responsible for conducting administrative reviews of initial agency determinations as to allegations of evasion of antidumping and countervailing duty orders under the Enforce and Protect Act (EAPA) as well as adjudicate original and supplemental petitions for relief in commercial fraud, gross negligence, and negligence cases and prior disclosures for violations of 19 U.S.C. 1592. The Intellectual Property Enforcement (IPE) Branch is the central authority for all legal policy matters relative to CBP's border enforcement of trademarks and copyrights. In this regard, it manages CBP's trademark and copyright recordation process, provides training to field officials, issues advice on whether imported merchandise is subject to detention and/or seizure, and renders advice in connection with administrative appeals lodged by persons challenging CBP's enforcement actions. The Exclusion Order Enforcement (EOE) Branch administers and enforces exclusion orders issued by the U.S. International Trade Commission (ITC), the majority of which are patent-based. Among other things, the EOE Branch provides training and advice to field officials and adjudicates pursuant to *inter partes* proceedings the admissibility of new and redesigned articles potentially subject to ITC exclusion orders. The Cargo Security, Carriers and Restricted Merchandise Branch issues rulings and legal policy guidance on the administration of the navigation laws, such as managing Jones Act waiver requests. In addition, the Branch is responsible for issuing rulings and other decisions relative to forced labor and restricted merchandise and cultural property issues.

The **Regulations and Disclosure Law (RDL) Division** includes four legal branches. The Border Security Regulations Branch drafts regulations and Federal Register notices concerning the prevention of terrorists and terrorist weapons from entering the United States, including regulations on cargo security, passenger processing and screening, immigration, transportation security, and penalties relating to border security regulations,

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in addition to regulations concerning agency structure. The Trade and Commercial Regulations Branch drafts regulations and Federal Register notices concerning the commercial requirements for importing merchandise into the United States, such as entry filing, assessment and collection of duties, tariff classification, customs valuation, eligibility for preferential trade programs, marking, import quotas or trade bans, customs user fees, and copyright and trademark enforcement, in addition to regulations concerning financial and accounting procedures, the disclosure of agency information and customs brokers. The FOIA Appeals and Policy Branch issues directives and final decisions of appeals on access to information under the Freedom of Information Act (FOIA) and provides training to CBP and other government personnel. The Disclosure Law and Judicial Actions Branch issues final decisions of appeals on access to information under FOIA and assists the Office of Chief Counsel in FOIA litigation.