

## Proposed Amendments to Specific Instructions – Form 1

Specific Instructions - Form 1 are amended as follows:

### Form 1

This form of summons is to be used only in those actions described in 28 U.S.C. § 1581(a).

The summons must be filed together with a \$175 filing fee, a completed Information Statement (Form 5), and a completed Disclosure of Corporate Affiliation and Financial Interest (Form 13).

The summons form (copies of which may be obtained from the office of the clerk) consists of three pages. The first page is to be completed with the required information pertaining to the denied protest. The second page is to be completed with the required information pertaining to the administrative decision contested in the action. The third page is to be completed with a schedule of protests, listed in numerical order, when more than one denied protest is included in the action.

**On page one, practitioners should list the CBP Center assigned to the protest(s), as indicated in the Automated Commercial Environment (ACE) protest record(s). If the Center is unknown, practitioners may list the appropriate port(s) of entry only. This information helps the court facilitate the transmittal of the summons to the correct Center(s) or port(s) of entry. In most instances, only one Center will be assigned to the protests listed on the Summons, as they cover the same merchandise and importer. However, should the protests be assigned to more than one Center, all appropriate Centers should be listed. The Centers are currently as follows: Pharmaceuticals, Health & Chemicals; Agriculture & Prepared Products; Automotive & Aerospace; Apparel, Footwear & Textiles; Base Metals; Petroleum, Natural Gas & Minerals; Electronics; Consumer Products & Mass Merchandising; Industrial & Manufacturing Materials; and Machinery.**

~~When the action includes protests denied at one port of entry, the original and four copies of the summons must be filed. When the action includes protests denied at more than one port of entry, an additional copy of the summons must be filed at the same time for the protests denied at each such additional port of entry.~~

(As amended July 23, 1993, eff. July 23, 1993; Nov. 29, 2005, eff. Jan. 1, 2006; Mar. 19, 2013, eff. May 1, 2013; \_\_\_\_\_, 2021, eff. \_\_\_\_\_, 2021.)

**Advisory Committee Note**

To accompany the amendments to Form 1, the Specific Instructions to Form 1 are amended to provide additional guidance to practitioners on identifying the appropriate Center and indicating that if no Center is identified, the summons will be transmitted to the port(s).