

U.S. Customs and Border Protection



8 CFR PARTS 270, 274A, AND 280

U.S. CUSTOMS AND BORDER PROTECTION

19 CFR PART 4

COAST GUARD

33 CFR PART 27

TRANSPORTATION SECURITY ADMINISTRATION

49 CFR PART 1503

RIN 1601-AB11

**CIVIL MONETARY PENALTY ADJUSTMENTS FOR
INFLATION**

AGENCY: Department of Homeland Security (DHS).

ACTION: Final rule.

SUMMARY: In this final rule, DHS adjusts for inflation its civil monetary penalties for 2024, in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 and Executive Office of the President (EOP) Office of Management and Budget (OMB) guidance. DHS is also accounting for additional civil monetary penalties that the U.S. Coast Guard is statutorily authorized to collect. The new penalty amounts will be effective for penalties assessed after June 28, 2024 whose associated violations occurred after November 2, 2015.

DATES: This rule is effective on June 28, 2024.

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SUPPLEMENTARY INFORMATION:**Table of Contents**

I. Statutory and Regulatory Background

II. Overview of Final Rule

III. Adjustments by Component

A. Cybersecurity and Infrastructure Security Agency

B. U.S. Customs and Border Protection

C. U.S. Immigration and Customs Enforcement

D. U.S. Coast Guard

E. Transportation Security Administration

IV. Administrative Procedure Act

V. Regulatory Analyses

A. Executive Orders 12866 and 13563

B. Regulatory Flexibility Act

C. Unfunded Mandates Reform Act

D. Paperwork Reduction Act

VI. Signing Authority

I. Statutory and Regulatory Background

On November 2, 2015, the President signed into law the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Pub. L. 114–74 section 701 (Nov. 2, 2015)) (2015 Act).¹ The 2015 Act amended the Federal Civil Penalties Inflation Adjustment Act of 1990 (28 U.S.C. 2461 note) to further improve the effectiveness of civil monetary penalties and to maintain their deterrent effect. The 2015 Act required agencies to: (1) adjust the level of civil monetary penalties with an initial “catch-up” adjustment through issuance of an interim final rule (IFR) and (2) make subsequent annual adjustments

¹ The 2015 Act was part of the Bipartisan Budget Act of 2015, Public Law 114–74 (Nov. 2, 2015) (codified as amended at 28 U.S.C. 2461 note).

for inflation.² Through the “catch-up” adjustment, agencies were required to adjust the amounts of civil monetary penalties to more accurately reflect inflation rates.³

For the subsequent annual adjustments, the 2015 Act requires agencies to increase the penalty amounts by a cost-of-living adjustment.⁴ The 2015 Act directs OMB to provide guidance to agencies each year to assist agencies in making the annual adjustments.⁵ The 2015 Act requires agencies to make the annual adjustments no later than January 15 of each year and to publish the adjustments in the **Federal Register**.⁶

Pursuant to the 2015 Act, DHS undertook a review of the civil penalties that DHS and its components administer.⁷ On July 1, 2016, DHS published an IFR adjusting the maximum civil monetary penalties with an initial “catch-up” adjustment, as required by the 2015 Act.⁸ DHS calculated the adjusted penalties based upon nondiscretionary provisions in the 2015 Act and upon guidance that OMB issued to agencies on February 24, 2016.⁹ The adjusted penalties were effective for civil penalties assessed after August 1, 2016 (the effective date of the IFR), whose associated violations occurred after November 2, 2015 (the date of enactment of the 2015 Act).¹⁰ On January 27, 2017, DHS published a final rule making the annual adjustment for 2017.¹¹ On April 2, 2018, DHS made the 2018 annual inflation adjustment.¹² On April 5, 2019, DHS made the 2019 annual inflation adjustment.¹³ On June 17, 2020, DHS made the 2020 annual

² Public Law 114–74 section 701(b)(1)(D)(b)(1)–(2).

³ Public Law 114–74 section 701(b)(1)(D)(b)(1)(A)–(B).

⁴ Public Law 114–74 section 701(b)(1)(D)(b)(2).

⁵ Public Law 114–74 section 701(b)(2)(4)(a).

⁶ Public Law 114–74 section 701(b)(1)(A)(a).

⁷ The 2015 Act applies to all agency civil penalties except for any penalty (including any addition to tax and additional amount) under the Internal Revenue Code of 1986 (26 U.S.C. 1 *et seq.*) and the Tariff Act of 1930 (19 U.S.C. 1202 *et seq.*). See sec. 4(a)(1) of the 2015 Act. In the case of DHS, several civil penalties that are assessed by U.S. Customs and Border Protection (CBP) and the U.S. Coast Guard (USCG) fall under the Tariff Act of 1930, and therefore DHS did not adjust those civil penalties in this rulemaking.

⁸ 81 FR 42987 (July 1, 2016).

⁹ *Id.*; Office of Mgmt. & Budget, Exec. Office of The President, M–16–06, Implementation of the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015, Table A: 2016 Civil Monetary Penalty Catch-Up Adjustment Multiplier by Calendar Year, (Feb. 24, 2016) (<https://www.whitehouse.gov/omb/information-for-agencies/memoranda/memoranda-2016>).

¹⁰ 81 FR at 42987 (July 1, 2016).

¹¹ 82 FR 8571 (Jan. 27, 2017).

¹² 83 FR 13826 (Apr. 2, 2018).

¹³ 84 FR 13499 (Apr. 5, 2019).

inflation adjustment.¹⁴ On October 18, 2021, DHS made the 2021 annual inflation adjustment.¹⁵ On January 11, 2022, DHS made the 2022 annual inflation adjustment.¹⁶ On January 13, 2023, DHS made the 2023 annual inflation adjustment.¹⁷

II. Overview of the Final Rule

This final rule makes the 2024 annual inflation adjustments to civil monetary penalties pursuant to the 2015 Act and pursuant to guidance OMB issued to agencies on December 19, 2023.¹⁸ The penalty amounts in this final rule will be effective for penalties assessed after June 28, 2024 where the associated violation occurred after November 2, 2015. Consistent with OMB guidance, the 2015 Act does not retrospectively change previously assessed penalties that the agency is actively collecting or has collected.

We discuss civil penalties by DHS component in Section III below. For each component identified in Section III, below, we briefly describe the relevant civil penalty (or penalties), and we provide a table showing the increase in the penalties for 2024. In the table for each component, we show (1) the penalty name, (2) the penalty statutory and or regulatory citation, (3) the penalty amount as adjusted in the 2023 final rule, (4) the cost-of-living adjustment multiplier for 2024 that OMB provided in its December 19, 2023, guidance, and (5) the new 2024 adjusted penalty. The 2015 Act instructs agencies to round penalties to the nearest multiple of \$1.¹⁹ For a more complete discussion of the method used for calculating the initial “catch-up” inflation adjustments and a component-by-component breakdown to the nature of the civil penalties and relevant legal authorities, please see the IFR preamble at 81 FR 42987–43000.

Additionally, in Section III(D) discussing the civil penalties of the U.S. Coast Guard, DHS is accounting for additional civil monetary penalties that the U.S. Coast Guard is statutorily authorized to collect.

Finally, in issuing this final rule, it is DHS’s intention that the rule’s penalty provisions be considered severable from one another to

¹⁴ 85 FR 36469 (June 17, 2020).

¹⁵ 86 FR 57532 (Oct. 18, 2021).

¹⁶ 87 FR 1317 (Jan. 11, 2022).

¹⁷ 88 FR 2175 (Jan. 13, 2023).

¹⁸ Office of Mgmt. and Budget, Exec. Office of the President, M–24–07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

¹⁹ Public Law 114–74 section 701(b)(2)(A).

the greatest extent possible. For example, if a court of competent jurisdiction were to hold that a particular penalty amount could not be applied as adjusted for inflation to particular persons or in particular circumstances, DHS would intend for the court to leave the remainder of the rule in place with respect to all other penalties as adjusted for inflation and covered persons and circumstances.

III. Adjustments by Component

In the following sections, we briefly describe the civil penalties that DHS and its components, the Cybersecurity and Infrastructure Security Agency (CISA), the U.S. Customs and Border Protection (CBP), the U.S. Immigration and Customs Enforcement (ICE), the U.S. Coast Guard (USCG), and the Transportation Security Administration (TSA), assess. Other components not mentioned do not impose any civil monetary penalties for 2024. At the end of each section we include tables that list the individual adjustments for each penalty.

A. Cybersecurity and Infrastructure Security Agency

The Cybersecurity and Infrastructure Security Agency (CISA) administers the Chemical Facility Anti-Terrorism Standards (CFATS). CFATS is a program that regulates the security of chemical facilities that, in the discretion of the Secretary, present high levels of security risk. DHS established the CFATS program in 2007 pursuant to section 550 of the Department of Homeland Security Appropriations Act of 2007 (Pub. L. 109–295).²⁰ Pursuant to section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Pub. L. 113–254, as amended by Pub. L. 116–150; 6 U.S.C. 621 note), authorization had been granted for CFATS until July 27, 2023. Congress did not act to reauthorize the program in time and, as such, the authorization expired on July 28, 2023. Therefore, regulations written pursuant to CFATS authority are not currently active. While regulatory text for the CFATS regulation, including a civil penalty, is located in part 27 of title 6 of the Code of Federal Regulations (CFR), the text is inactive due to the lapse in authority. For that reason, we are not proposing any changes relating to adjustments to the maximum civil penalty amount that may be assessed pursuant to CFATS at this time.

²⁰ Section 550 has since been superseded by the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Public Law 113–254). The new legislation codified the statutory authority for the CFATS program within Title XXI of the Homeland Security Act of 2002, as amended. See 6 U.S.C. 621 *et seq.* Public Law 113–254 authorized the CFATS program from January 18, 2015, to January 17, 2019. Public Law 116–150 extends the CFATS program authorization to July 27, 2023.

B. U.S. Customs and Border Protection

The U.S. Customs and Border Protection (CBP) assesses civil monetary penalties under various titles of the United States Code (U.S.C.) and the CFR. These include penalties for certain violations of title 8 of the CFR regarding the Immigration and Nationality Act of 1952 (Pub. L. 82–414, as amended) (INA). The INA contains provisions that impose penalties on persons, including carriers and aliens, who violate specified provisions of the INA. The relevant penalty provisions appear in numerous sections of the INA; however, CBP has enumerated these penalties in regulation in one location—8 CFR 280.53. For a complete list of the INA sections for which penalties are assessed, in addition to a brief description of each violation, see the 2016 IFR preamble at 81 FR 42989–42990. For a complete list and brief description of the non-INA civil monetary penalties assessed by CBP subject to adjustment and a discussion of the history of the DHS and CBP adjustments to the non-INA penalties, see the 2019 annual inflation adjustment final rule preamble at 84 FR 13499, 13500 (April 5, 2019).

Below is a table showing the 2024 adjustment for the penalties that CBP administers.

TABLE 1—U.S. CUSTOMS AND BORDER PROTECTION CIVIL PENALTIES ADJUSTMENTS

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Penalties for non-compliance with arrival and departure manifest requirements for passengers, crewmembers, or occupants transported on commercial vessels or aircraft arriving to or departing from the United States.	8 U.S.C. 1221(g); 8 CFR 280.53(b)(1) (INA section 231(g)).	\$1,643	1.03241	\$1,696.
Penalties for non-compliance with landing requirements at designated ports of entry for aircraft transporting aliens.	8 U.S.C. 1224; 8 CFR 280.53(b)(2) (INA section 234).	\$4,465	1.03241	\$4,610.
Penalties for failure to depart voluntarily	8 U.S.C. 1229c(d); 8 CFR 280.53(b)(3) (INA section 240B(d)).	\$1,881–\$9,413	1.03241	\$1,942–\$9,718.
Penalties for violations of removal orders relating to aliens transported on vessels or aircraft under section 241(d) of the INA, or for costs associated with removal under section 241(e) of the INA.	8 U.S.C. 1253(c)(1)(A); 8 CFR 280.53(b)(4) (INA section 243(c)(1)(A)).	\$3,765	1.03241	\$3,887.
Penalties for failure to remove alien stowaways under section 241(d)(2) of the INA.	8 U.S.C. 1253(c)(1)(B); 8 CFR 280.53(b)(5) (INA section 243(c)(1)(B)).	\$9,413	1.03241	\$9,718.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Penalties for failure to report an illegal landing or desertion of alien crewmen, and for each alien not reported on arrival or departure manifest or lists required in accordance with section 251 of the INA.	8 U.S.C. 1281(d); 8 CFR 280.53(b)(6) (INA section 251(d)).	\$446 for each alien .	1.03241	\$460 for each alien.
Penalties for use of alien crewmen for longshore work in violation of section 251(d) of the INA.	8 U.S.C. 1281(d); 8 CFR 280.53(b)(6) (INA section 251(d)).	\$11,162	1.03241	\$11,524.
Penalties for failure to control, detain, or remove alien crewmen.	8 U.S.C. 1284(a); 8 CFR 280.53(b)(7) (INA section 254(a)).	\$1,116–\$6,696	1.03241	\$1,152–\$6,913.
Penalties for employment on passenger vessels of aliens afflicted with certain disabilities.	8 U.S.C. 1285; 8 CFR 280.53(b)(8) (INA section 255).	\$2,232	1.03241	\$2,304.
Penalties for discharge of alien crewmen	8 U.S.C. 1286; 8 CFR 280.53(b)(9) (INA section 256).	\$3,348–\$6,696	1.03241	\$3,457–\$6,913.
Penalties for bringing into the United States alien crewmen with intent to evade immigration laws.	8 U.S.C. 1287; 8 CFR 280.53(b)(10) (INA section 257).	\$22,324	1.03241	\$23,048.
Penalties for failure to prevent the unauthorized landing of aliens.	8 U.S.C. 1321(a); 8 CFR 280.53(b)(11) (INA section 271(a)).	\$6,696	1.03241	\$6,913.
Penalties for bringing to the United States aliens subject to denial of admission on a health-related ground.	8 U.S.C. 1322(a); 8 CFR 280.53(b)(12) (INA section 272(a)).	\$6,696	1.03241	\$6,913.
Penalties for bringing to the United States aliens without required documentation.	8 U.S.C. 1323(b); 8 CFR 280.53(b)(13) (INA section 273(b)).	\$6,696	1.03241	\$6,913.
Penalties for failure to depart	8 U.S.C. 1324d; 8 CFR 280.53(b)(14) (INA section 274D).	\$942	1.03241	\$973.
Penalties for improper entry	8 U.S.C. 1325(b); 8 CFR 280.53(b)(15) (INA section 275(b)).	\$94–\$472	1.03241	\$97–487.
Penalty for dealing in or using empty stamped imported liquor containers.	19 U.S.C. 469	\$625	1.03241	\$645.**
Penalty for employing a vessel in a trade without a required Certificate of Documentation.	19 U.S.C. 1706a 19 CFR 4.80(i).	\$1,566	1.03241	\$1,617.
Penalty for transporting passengers coastwise for hire by certain vessels (known as Bowaters vessels) that do not meet specified conditions.	46 U.S.C. 12118(f)(3)	\$625	1.03241	\$645.**

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Penalty for transporting passengers between coastwise points in the United States by a non-coastwise qualified vessel.	46 U.S.C. 55103(b); 19 CFR 4.80(b)(2).	\$941	1.03241	\$971.
Penalty for towing a vessel between coastwise points in the United States by a non-coastwise qualified vessel.	46 U.S.C. 55111(c); 19 CFR 4.92.	\$1,096–\$3,446 plus \$187 per ton.	1.03241	\$1,132–\$3,558 plus \$193 per ton.

* Office of Mgmt. and Budget, Exec. Office of the President, M–24–07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

** No applicable conforming edit to regulatory text.

C. U.S. Immigration and Customs Enforcement

U.S. Immigration and Customs Enforcement (ICE) assesses civil monetary penalties for certain employment-related violations arising from the INA. ICE’s civil penalties are located in title 8 of the CFR.

There are three different sections in the INA that impose civil monetary penalties for violations of the laws that relate to employment actions: sections 274A, 274B, and 274C. ICE has primary enforcement responsibilities for two of these civil penalty provisions (sections 274A and 274C), and the Department of Justice (DOJ) has enforcement responsibilities for one of these civil penalty provisions (section 274B). The INA, in sections 274A and 274C, provides for imposition of civil penalties for various specified unlawful acts pertaining to the employment eligibility verification process (Form I–9, Employment Eligibility Verification), the employment of unauthorized aliens, and document fraud.

Because both DHS and DOJ implement the three employment-related penalty sections in the INA, both Departments’ implementing regulations reflect the civil penalty amounts. For a complete description of the civil money penalties assessed and a discussion of DHS’s and DOJ’s efforts to update the penalties in years past, see the IFR preamble at 81 FR 42991. Below is a table showing the 2024 adjustment for the penalties that ICE administers.²¹

²¹ Table 3 also includes two civil penalties that are also listed as penalties administered by CBP. These are penalties for failure to depart voluntarily, INA section 240B(d), and failure to depart after a final order of removal, INA section 274D. Both CBP and ICE may administer these penalties, but as ICE is the DHS component primarily responsible for assessing and collecting them, they are also listed among the penalties ICE administers.

TABLE 2—U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT CIVIL PENALTIES ADJUSTMENTS

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Civil penalties for failure to depart voluntarily, INA section 240B(d).	8 U.S.C. 1229c(d); 8 CFR 280.53(b)(3).	\$1,881–\$9,413	1.03241	\$1,942–\$9,718.
Civil penalties for violation of INA sections 274C(a)(1)–(a)(4), penalty for first offense.	8 CFR 270.3(b)(1)(ii)(A)	\$557–\$4,465	1.03241	\$575–\$4,610.
Civil penalties for violation of INA sections 274C(a)(5)–(a)(6), penalty for first offense.	8 CFR 270.3(b)(1)(ii)(B)	\$472–\$3,765	1.03241	\$487–\$3,887.
Civil penalties for violation of INA sections 274C(a)(1)–(a)(4), penalty for subsequent offenses.	8 CFR 270.3(b)(1)(ii)(C)	\$4,465–\$11,162	1.03241	\$4,610–\$11,524.
Civil penalties for violation of INA sections 274C(a)(5)–(a)(6), penalty for subsequent offenses.	8 CFR 270.3(b)(1)(ii)(D)	\$3,765–\$9,413	1.03241	\$3,887–\$9,718.
Violation/prohibition of indemnity bonds	8 CFR 274a.8(b)	\$2,701	1.03241	\$2,789.
Civil penalties for knowingly hiring, recruiting, referral, or retention of unauthorized aliens—Penalty for first offense (per unauthorized alien).	8 CFR 274a.10(b)(1)(ii)(A)	\$676–\$5,404	1.03241	\$698–\$5,579.
Penalty for second offense (per unauthorized alien).	8 CFR 274a.10(b)(1)(ii)(B)	\$5,404–\$13,508 ...	1.03241	\$5,579–\$13,946.
Penalty for third or subsequent offense (per unauthorized alien).	8 CFR 274a.10(b)(1)(ii)(C)	\$8,106–\$27,018 ...	1.03241	\$8,369–\$27,894.
Civil penalties for I–9 paperwork violations	8 CFR 274a.10(b)(2)	\$272–\$2,701	1.03241	\$281–\$2,789.
Civil penalties for failure to depart, INA section 274D.	8 U.S.C. 1324d; 8 CFR 280.53(b)(14).	\$942	1.03241	\$973.

* Office of Mgmt. and Budget, Exec. Office of the President, M–24–07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

D. U.S. Coast Guard

The Coast Guard is authorized to assess nearly 150 penalties involving maritime safety and security and environmental stewardship that are critical to the continued success of Coast Guard missions. Various statutes in titles 14, 16, 19, 33, 42, 46, and 49 of the U.S.C. authorize these penalties. Titles 33 and 46 authorize the vast majority of these penalties as these statutes deal with navigation, navigable waters, and shipping. For a more detailed discussion of the civil monetary penalties assessed by the Coast Guard, see the 2016 IFR preamble at 81 FR 42992.

The Coast Guard has identified the penalties it administers, adjusted those penalties for inflation, and is listing those new penalties

in a table located in the CFR—specifically, Table 1 in 33 CFR 27.3. Table 1 in 33 CFR 27.3 identifies the statutes that provide the Coast Guard with civil monetary penalty authority and sets out the inflation-adjusted maximum penalty that the Coast Guard may impose pursuant to each statutory provision. Table 1 in 33 CFR 27.3 provides the current maximum penalty for violations that occurred after November 2, 2015. The applicable civil monetary penalty amounts for violations occurring on or before November 2, 2015, are set forth in previously published regulations amending 33 CFR part 27. To find the applicable penalty amount for a violation that occurred on or before November 2, 2015, look to the prior versions of the CFR that pertain to the date on which the violation occurred.

The Coast Guard has also identified updates to Table 1 in 33 CFR 27.3 to ensure it accurately reflects all civil monetary penalties that the Coast Guard is statutorily authorized to impose by statute. Table 3, below, lists the penalties that this rule adds or revises in Table 1 in 33 CFR 27.3 followed by a description of each. The added penalties are those that were either recently enacted or inadvertently excluded from Table 1 in 33 CFR 27.3 and from prior civil monetary penalty adjustment rulemakings but that are set and authorized for Coast Guard’s assessment by statute. They are now added to Table 1 in 33 CFR 27.3 to create a more complete list of Coast Guard civil monetary penalties and to align with the requirements of the 2015 Act. This rule also removes one penalty, specifically 46 U.S.C. 10104(b), from the existing Table 1 in 33 CFR 27.3 because Congress revised and replaced the penalties in 46 U.S.C. 10104 with those that now appear at 46 U.S.C. 10104(a)(2) and 46 U.S.C. 10104(d)(2).²²

TABLE 3—U.S. COAST GUARD CIVIL PENALTY ADDITIONS

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Master Key Control System	46 U.S.C. 3106(d)	\$1,000	1.03241	\$1,032.
Passenger Vessel Security and Safety; Daily Penalty & Maximum Penalty.	46 U.S.C. 3507(h)(1)(A)	Daily \$25,000/ Maximum \$50,000.	1.03241	Daily \$25,810/ Maximum \$51,621.
Passenger Vessel Security and Safety; Crewmembers Crime Scene Preservation Training; Maximum Penalty.	46 U.S.C. 3508(d)	\$50,000	1.03241	\$51,621.
Engine Cut-Off Switches; Violation of 4312(b), First Offense.	46 U.S.C. 4311(c) ..	\$100	1.03241	\$103.
Engine Cut-Off Switches; Violation of 4312(b), Second Offense.	46 U.S.C. 4311(c) ..	\$250	1.03241	\$258.

²² See Public Law 117–263 section 11609 (Dec. 23, 2022) (codified as amended at 46 U.S.C. 10104).

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Engine Cut-Off Switches; Violation of 4312(b), Subsequent to Second Offense.	46 U.S.C. 4311(c) ..	\$500	1.03241	\$516.
Employing Qualified Available U.S. Citizens or Residents.	46 U.S.C. 8106(f)(2)-(3)	Daily \$10,000/ Maximum \$100,000.	1.03241	Daily \$10,324/ Maximum \$103,241.
Requirement to Report Sexual Assault and Harassment; Mandatory Reporting by Responsible Entity of a Vessel.	46 U.S.C. 10104(a)(2)	\$50,000	1.03241	\$51,621.
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, violation of 10104(d)(1).	46 U.S.C. 10104(d)(2)	\$25,000	1.03241	\$25,810.
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, daily noncompliance penalty.	46 U.S.C. 10104(d)(2)	\$500	1.03241	\$516.
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Civil Penalty Maximum.	46 U.S.C. 10104(d)(2)	\$50,000	1.03241	\$51,621.
Vessel escort operations and towing assistance	46 U.S.C. 55112(d)	\$10,000	1.03241	\$10,324.
Regulation of Vessels in Territorial Waters of the United States.	46 U.S.C. 70052(c)	\$25,000	1.03241	\$25,810.

* Office of Mgmt. and Budget, Exec. Office of the President, M-24-07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

The James M. Inhofe National Defense Authorization Act for Fiscal Year 2023 (2023 NDAA) authorized a civil penalty of \$1,000 under 46 U.S.C. 3106(d) for violations of the required Master Key Control System.²³ That penalty became effective on December 23, 2022²⁴ and is included in the updates to Table 1 in 33 CFR 27.3. The civil monetary penalties for violations of passenger vessel security and safety requirements, authorized by 46 U.S.C. 3507(h)(1)(A), and violations of crewmembers’ crime scene preservation training requirements, authorized by 46 U.S.C. 3508(d), are also included. The penalty in section 3508(d) was previously authorized in 46 U.S.C. 3508(e) and was redesignated to paragraph 3508(d) by the John S. McCain National Defense Authorization Act for Fiscal Year 2018.²⁵ These civil

²³ See Public Law 117-263 section 3106 (Dec. 23, 2022).

²⁴ *Id.*

²⁵ See Public Law 115-232 section 3543 (Aug.13, 2018).

monetary penalties involving cruise vessel security and safety are in effect per statute and Coast Guard policy letters.²⁶

USCG also adds penalties for violating requirements for engine cutoff switches for first offense, second offense, and subsequent-to-second offense. These three penalties in 46 U.S.C. 4311(c) were codified by Section 8316 of the William M. (Mac) Thornberry National Defense Authorization Act for Fiscal Year 2021, (Pub. L. 116–283, January 1, 2021). In addition, the Coast Guard adds the existing civil penalty for Employing Qualified Available U.S. Citizens or Residents in 46 U.S.C. 8106(f). This penalty was originally authorized by Congress through Section 312 of the Coast Guard and Maritime Transportation Act of 2006 (Pub. L. 109–241, July 11, 2006).

Penalties for violations of a requirement of mandatory reporting of sexual assault and sexual harassment and violations for non-compliance with requirements to submit a company after-action summary, as codified at 46 U.S.C. 10104(a)(2) and 10104(d)(2), are also added to Table 1 in 33 CFR 27.3. An after-action summary summarizes the actions taken after an incident of sexual assault or sexual harassment. These penalties were added by the 2023 NDAA and became effective on December 23, 2022.²⁷ The Coast Guard also adds a civil penalty for violating vessel escort operations and towing requirements, authorized at 46 U.S.C. 55112(d) as well as a civil penalty for violations of anchorage and vessel movement during a national emergency authorized by 46 U.S.C. 70052(c) under subchapter VI Regulation of Vessels in the Territorial Waters of the United States, an important national security enforcement authority of the Coast Guard.

Table 4 below shows the 2024 adjustment for the remaining penalties that the Coast Guard administers that have previously already been included in Table 1 of 33 CFR 27.3.

TABLE 4—U.S. COAST GUARD CIVIL PENALTIES ADJUSTMENTS

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Saving Life and Property	14 U.S.C. 521(c)	\$12,551	1.03241	\$12,958.
Saving Life and Property; Intentional Interference with Broadcast.	14 U.S.C. 521(e)	1,288	1.03241	1,330.
Confidentiality of Medical Quality Assurance Records (first offense).	14 U.S.C. 936(i); 33 CFR 27.3.	6,304	1.03241	6,508.

²⁶ See CG–543 Policy Letter 11–09 (June 28, 2011) & CG–543 Policy Letter 11–10 (July 27, 2011).

²⁷ See Public Law 117–263 section 11609 (Dec. 23, 2022).

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Confidentiality of Medical Quality Assurance Records (subsequent offenses).	14 U.S.C. 936(i); 33 CFR 27.3.	42,032	1.03241	43,394.
Obstruction of Revenue Officers by Masters of Vessels.	19 U.S.C. 70; 33 CFR 27.3	9,399	1.03241	9,704.
Obstruction of Revenue Officers by Masters of Vessels-Minimum Penalty.	19 U.S.C. 70; 33 CFR 27.3	2,193	1.03241	2,264.
Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge.	19 U.S.C. 1581(d)	** 5,000	N/A	** 5,000.
Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge-Minimum Penalty.	19 U.S.C. 1581(d)	** 1,000	N/A	** 1,000.
Anchorage Ground/Harbor Regulations General	33 U.S.C. 471; 33 CFR 27.3	13,627	1.03241	14,069.
Anchorage Ground/Harbor Regulations St. Mary's river.	33 U.S.C. 474; 33 CFR 27.3	941	1.03241	971.
Bridges/Failure to Comply with Regulations	33 U.S.C. 495(b); 33 CFR 27.3.	34,401	1.03241	35,516.
Bridges/Drawbridges	33 U.S.C. 499(c); 33 CFR 27.3.	34,401	1.03241	35,516.
Bridges/Failure to Alter Bridge Obstructing Navigation.	33 U.S.C. 502(c); 33 CFR 27.3.	34,401	1.03241	35,516.
Bridges/Maintenance and Operation	33 U.S.C. 533(b); 33 CFR 27.3.	34,401	1.03241	35,516.
Bridge to Bridge Communication; Master, Person in Charge or Pilot.	33 U.S.C. 1208(a); 33 CFR 27.3.	2,506	1.03241	2,587.
Bridge to Bridge Communication; Vessel	33 U.S.C. 1208(b); 33 CFR 27.3.	2,506	1.03241	2,587.
Oil/Hazardous Substances: Discharges (Class I per violation).	33 U.S.C. 1321(b)(6)(B)(i); 33 CFR 27.3.	22,324	1.03241	23,048.
Oil/Hazardous Substances: Discharges (Class I total under paragraph).	33 U.S.C. 1321(b)(6)(B)(i); 33 CFR 27.3.	55,808	1.03241	57,617.
Oil/Hazardous Substances: Discharges (Class II per day of violation).	33 U.S.C. 1321(b)(6)(B)(ii); 33 CFR 27.3.	22,324	1.03241	23,048.
Oil/Hazardous Substances: Discharges (Class II total under paragraph).	33 U.S.C. 1321(b)(6)(B)(ii); 33 CFR 27.3.	279,036	1.03241	288,080.
Oil/Hazardous Substances: Discharges (per day of violation) Judicial Assessment.	33 U.S.C. 1321(b)(7)(A); 33 CFR 27.3.	55,808	1.03241	57,617.
Oil/Hazardous Substances: Discharges (per barrel of oil or unit discharged) Judicial Assessment.	33 U.S.C. 1321(b)(7)(A); 33 CFR 27.3.	2,233	1.03241	2,305.
Oil/Hazardous Substances: Failure to Carry Out Removal/Comply With Order (Judicial Assessment).	33 U.S.C. 1321(b)(7)(B); 33 CFR 27.3.	55,808	1.03241	57,617.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Oil/Hazardous Substances: Failure to Comply with Regulation Issued Under 1321(j) (Judicial Assessment).	33 U.S.C. 1321(b)(7)(C); 33 CFR 27.3.	55,808	1.03241	57,617.
Oil/Hazardous Substances: Discharges, Gross Negligence (per barrel of oil or unit discharged) Judicial Assessment.	33 U.S.C. 1321(b)(7)(D); 33 CFR 27.3.	6,696	1.03241	6,913.
Oil/Hazardous Substances: Discharges, Gross Negligence-Minimum Penalty (Judicial Assessment).	33 U.S.C. 1321(b)(7)(D); 33 CFR 27.3.	223,229	1.03241	230,464.
Marine Sanitation Devices; Operating	33 U.S.C. 1322(j); 33 CFR 27.3.	9,399	1.03241	9,704.
Marine Sanitation Devices; Sale or Manufacture.	33 U.S.C. 1322(j); 33 CFR 27.3.	25,059	1.03241	25,871.
International Navigation Rules; Operator	33 U.S.C. 1608(a); 33 CFR 27.3.	17,570	1.03241	18,139.
International Navigation Rules; Vessel	33 U.S.C. 1608(b); 33 CFR 27.3.	17,570	1.03241	18,139.
Pollution from Ships; General	33 U.S.C. 1908(b)(1); 33 CFR 27.3.	87,855	1.03241	90,702.
Pollution from Ships; False Statement	33 U.S.C. 1908(b)(2); 33 CFR 27.3.	17,570	1.03241	18,139.
Inland Navigation Rules; Operator	33 U.S.C. 2072(a); 33 CFR 27.3.	17,570	1.03241	18,139.
Inland Navigation Rules; Vessel	33 U.S.C. 2072(b); 33 CFR 27.3.	17,570	1.03241	18,139.
Shore Protection; General	33 U.S.C. 2609(a); 33 CFR 27.3.	61,982	1.03241	63,991.
Shore Protection; Operating Without Permit	33 U.S.C. 2609(b); 33 CFR 27.3.	24,793	1.03241	25,597.
Oil Pollution Liability and Compensation	33 U.S.C. 2716a(a); 33 CFR 27.3.	55,808	1.03241	57,617.
Clean Hulls	33 U.S.C. 3852(a)(1)(A); 33 CFR 27.3.	51,097	1.03241	52,753.
Clean Hulls-related to false statements	33 U.S.C. 3852(a)(1)(A); 33 CFR 27.3.	68,129	1.03241	70,337.
Clean Hulls-Recreational Vessel	33 U.S.C. 3852(c); 33 CFR 27.3.	6,813	1.03241	7,034.
Hazardous Substances, Releases, Liability, Compensation (Class I).	42 U.S.C. 9609(a); 33 CFR 27.3.	67,544	1.03241	69,733.
Hazardous Substances, Releases, Liability, Compensation (Class II).	42 U.S.C. 9609(b); 33 CFR 27.3.	67,544	1.03241	69,733.
Hazardous Substances, Releases, Liability, Compensation (Class II subsequent offense).	42 U.S.C. 9609(b); 33 CFR 27.3.	202,635	1.03241	209,202.
Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment).	42 U.S.C. 9609(c); 33 CFR 27.3.	67,544	1.03241	69,733.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment subsequent offense).	42 U.S.C. 9609(c); 33 CFR 27.3.	202,635	1.03241	209,202.
Safe Containers for International Cargo	46 U.S.C. 80509; 33 CFR 27.3.	7,383	1.03241	7,622.
Suspension of Passenger Service	46 U.S.C. 70305; 33 CFR 27.3.	73,837	1.03241	76,230.
Vessel Inspection or Examination Fees	46 U.S.C. 2110(e); 33 CFR 27.3.	11,162	1.03241	11,524.
Alcohol and Dangerous Drug Testing	46 U.S.C. 2115; 33 CFR 27.3.	9,086	1.03241	9,380.
Negligent Operations: Recreational Vessels	46 U.S.C. 2302(a); 33 CFR 27.3.	8,219	1.03241	8,485.
Negligent Operations: Other Vessels	46 U.S.C. 2302(a); 33 CFR 27.3.	41,093	1.03241	42,425.
Operating a Vessel While Under the Influence of Alcohol or a Dangerous Drug.	46 U.S.C. 2302(c)(1); 33 CFR 27.3.	9,086	1.03241	9,380.
Vessel Reporting Requirements: Owner, Charterer, Managing Operator, or Agent.	46 U.S.C. 2306(a)(4); 33 CFR 27.3.	14,149	1.03241	14,608.
Vessel Reporting Requirements: Master	46 U.S.C. 2306(b)(2); 33 CFR 27.3.	2,830	1.03241	2,922.
Immersion Suits	46 U.S.C. 3102(c)(1); 33 CFR 27.3.	14,149	1.03241	14,608.
Inspection Permit	46 U.S.C. 3302(i)(5); 33 CFR 27.3.	2,951	1.03241	3,047.
Vessel Inspection; General	46 U.S.C. 3318(a); 33 CFR 27.3.	14,149	1.03241	14,608.
Vessel Inspection; Nautical School Vessel	46 U.S.C. 3318(g); 33 CFR 27.3.	14,149	1.03241	14,608.
Vessel Inspection; Failure to Give Notice in accordance with (IAW) 3304(b).	46 U.S.C. 3318(h); 33 CFR 27.3.	2,830	1.03241	2,922.
Vessel Inspection; Failure to Give Notice IAW 3309(c).	46 U.S.C. 3318(i); 33 CFR 27.3.	2,830	1.03241	2,922.
Vessel Inspection; Vessel ≥1600 Gross Tons	46 U.S.C. 3318(j)(1); 33 CFR 27.3.	28,304	1.03241	29,221.
Vessel Inspection; Vessel <1600 Gross Tons (GT).	46 U.S.C. 3318(j)(1); 33 CFR 27.3.	5,661	1.03241	5,844.
Vessel Inspection; Failure to Comply with 3311(b).	46 U.S.C. 3318(k); 33 CFR 27.3.	28,304	1.03241	29,221.
Vessel Inspection; Violation of 3318(b)–3318(f)	46 U.S.C. 3318(l); 33 CFR 27.3.	14,149	1.03241	14,608.
List/count of Passengers	46 U.S.C. 3502(e); 33 CFR 27.3.	294	1.03241	304.
Notification to Passengers ...	46 U.S.C. 3504(c); 33 CFR 27.3.	29,505	1.03241	30,461.
Notification to Passengers; Sale of Tickets	46 U.S.C. 3504(c); 33 CFR 27.3.	1,474	1.03241	1,522.
Copies of Laws on Passenger Vessels; Master	46 U.S.C. 3506; 33 CFR 27.3.	590	1.03241	609.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Liquid Bulk/Dangerous Cargo	46 U.S.C. 3718(a)(1); 33 CFR 27.3.	73,764	1.03241	76,155.
Uninspected Vessels	46 U.S.C. 4106; 33 CFR 27.3.	12,397	1.03241	12,799.
Recreational Vessels (maximum for related series of violations).	46 U.S.C. 4311(b)(1); 33 CFR 27.3.	390,271	1.03241	402,920.
Recreational Vessels; Violation of 4307(a)	46 U.S.C. 4311(b)(1); 33 CFR 27.3.	7,805	1.03241	8,058.
Recreational vessels	46 U.S.C. 4311(d); 33 CFR 27.3.	2,951	1.03241	3,047.
Uninspected Commercial Fishing Industry Vessels.	46 U.S.C. 4507; 33 CFR 27.3.	12,397	1.03241	12,799.
Abandonment of Barges	46 U.S.C. 4703; 33 CFR 27.3.	2,100	1.03241	2,168.
Load Lines	46 U.S.C. 5116(a); 33 CFR 27.3.	13,508	1.03241	13,946.
Load Lines; Violation of 5112(a)	46 U.S.C. 5116(b); 33 CFR 27.3.	27,018	1.03241	27,894.
Load Lines; Violation of 5112(b)	46 U.S.C. 5116(c); 33 CFR 27.3.	13,508	1.03241	13,946.
Reporting Marine Casualties	46 U.S.C. 6103(a); 33 CFR 27.3.	47,061	1.03241	48,586.
Reporting Marine Casualties; Violation of 6104	46 U.S.C. 6103(b); 33 CFR 27.3.	12,397	1.03241	12,799.
Manning of Inspected Vessels; Failure to Report Deficiency in Vessel Completion.	46 U.S.C. 8101(e); 33 CFR 27.3.	2,233	1.03241	2,305.
Manning of Inspected Vessels	46 U.S.C. 8101(f); 33 CFR 27.3.	22,324	1.03241	23,048.
Manning of Inspected Vessels; Employing or Serving in Capacity not Licensed by USCG.	46 U.S.C. 8101(g); 33 CFR 27.3.	22,324	1.03241	23,048.
Manning of Inspected Vessels; Freight Vessel <100 GT, Small Passenger Vessel, or Sailing School Vessel.	46 U.S.C. 8101(h); 33 CFR 27.3.	2,951	1.03241	3,047.
Watchmen on Passenger Vessels	46 U.S.C. 8102(a)	2,951	1.03241	3,047.
Citizenship Requirements	46 U.S.C. 8103(f) ..	1,474	1.03241	1,522.
Watches on Vessels; Violation of 8104(a) or (b)	46 U.S.C. 8104(i) ..	22,324	1.03241	23,048.
Watches on Vessels; Violation of 8104(c), (d), (e), or (h).	46 U.S.C. 8104(j) ..	22,324	1.03241	23,048.
Staff Department on Vessels	46 U.S.C. 8302(e) ..	294	1.03241	304.
Officer's Competency Certificates	46 U.S.C. 8304(d)	294	1.03241	304.
Coastwise Pilotage; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge.	46 U.S.C. 8502(e) ..	22,324	1.03241	23,048.
Coastwise Pilotage; Individual	46 U.S.C. 8502(f) ..	22,324	1.03241	23,048.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Federal Pilots	46 U.S.C. 8503	70,752	1.03241	73,045.
Merchant Mariners Documents	46 U.S.C. 8701(d) .	1,474	1.03241	1,522.
Crew Requirements	46 U.S.C. 8702(e) ..	22,324	1.03241	23,048.
Small Vessel Manning	46 U.S.C. 8906	47,061	1.03241	48,586.
Pilotage: Great Lakes; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge.	46 U.S.C. 9308(a) .	22,324	1.03241	23,048.
Pilotage: Great Lakes; Individual	46 U.S.C. 9308(b) .	22,324	1.03241	23,048.
Pilotage: Great Lakes; Violation of 9303	46 U.S.C. 9308(c) ..	22,324	1.03241	23,048.
Pay Advances to Seamen	46 U.S.C. 10314(a)(2)	1,474	1.03241	1,522.
Pay Advances to Seamen; Remuneration for Employment.	46 U.S.C. 10314(b) .	1,474	1.03241	1,522.
Allotment to Seamen	46 U.S.C. 10315(c) .	1,474	1.03241	1,522.
Seamen Protection; General	46 U.S.C. 10321	10,226	1.03241	10,557.
Coastwise Voyages: Advances	46 U.S.C. 10505(a)(2)	10,226	1.03241	10,557.
Coastwise Voyages: Advances; Remuneration for Employment.	46 U.S.C. 10505(b)	10,226	1.03241	10,557.
Coastwise Voyages: Seamen Protection; General.	46 U.S.C. 10508(b)	10,226	1.03241	10,557.
Effects of Deceased Seamen	46 U.S.C. 10711	590	1.03241	609.
Complaints of Unfitness	46 U.S.C. 10902(a)(2)	1,474	1.03241	1,522.
Proceedings on Examination of Vessel	46 U.S.C. 10903(d)	294	1.03241	304.
Permission to Make Complaint	46 U.S.C. 10907(b)	1,474	1.03241	1,522.
Accommodations for Seamen	46 U.S.C. 11101(f)	1,474	1.03241	1,522.
Medicine Chests on Vessels	46 U.S.C. 11102(b)	1,474	1.03241	1,522.
Destitute Seamen	46 U.S.C. 11104(b)	294	1.03241	304.
Wages on Discharge	46 U.S.C. 11105(c)	1,474	1.03241	1,522.
Log Books; Master Failing to Maintain	46 U.S.C. 11303(a)	590	1.03241	609.
Log Books; Master Failing to Make Entry	46 U.S.C. 11303(b)	590	1.03241	609.
Log Books; Late Entry	46 U.S.C. 11303(c)	443	1.03241	457.
Carrying of Sheath Knives ..	46 U.S.C. 11506	148	1.03241	153.
Vessel Documentation	46 U.S.C. 12151(a)(1)	19,324	1.03241	19,950.
Documentation of Vessels—Related to Activities involving mobile offshore drilling units.	46 U.S.C. 12151 (a)(2)	32,208	1.03241	33,252.
Vessel Documentation; Fishery Endorsement	46 U.S.C. 12151(c)	147,675	1.03241	152,461.

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Numbering of Undocumented Vessels—Willful violation.	46 U.S.C. 12309(a)	14,754	1.03241	15,232.
Numbering of Undocumented Vessels	46 U.S.C. 12309(b)	2,951	1.03241	3,047.
Vessel Identification System	46 U.S.C. 12507(b)	24,793	1.03241	25,597.
Measurement of Vessels	46 U.S.C. 14701	54,038	1.03241	55,789.
Measurement; False Statements	46 U.S.C. 14702	54,038	1.03241	55,789.
Commercial Instruments and Maritime Liens	46 U.S.C. 31309	24,793	1.03241	25,597.
Commercial Instruments and Maritime Liens; Mortgagor.	46 U.S.C. 31330(a)(2)	24,793	1.03241	25,597.
Commercial Instruments and Maritime Liens; Violation of 31329.	46 U.S.C. 31330(b)(2)	61,982	1.03241	63,991.
Ports and Waterway Safety Regulations	46 U.S.C. 70036(a); 33 CFR 27.3.	111,031	1.03241	114,630.
Vessel Navigation: Regattas or Marine Parades; Unlicensed Person in Charge.	46 U.S.C. 70041(d)(1)(B); 33 CFR 27.3.	11,162	1.03241	11,524.
Vessel Navigation: Regattas or Marine Parades; Owner Onboard Vessel.	46 U.S.C. 70041(d)(1)(C); 33 CFR 27.3.	11,162	1.03241	11,524.
Vessel Navigation: Regattas or Marine Parades; Other Persons.	46 U.S.C. 70041(d)(1)(D); 33 CFR 27.3.	5,580	1.03241	5,761.
Port Security	46 U.S.C. 70119(a)	41,093	1.03241	42,425.
Port Security—Continuing Violations	46 U.S.C. 70119(b)	73,837	1.03241	76,230.
Maritime Drug Law Enforcement	46 U.S.C. 70506(c)	6,813	1.03241	7,034.
Hazardous Materials: Related to Vessels	49 U.S.C. 5123(a)(1)	96,624	1.03241	99,756.
Hazardous Materials: Related to Vessels—Penalty from Fatalities, Serious Injuries/Illness or substantial Damage to Property.	49 U.S.C. 5123(a)(2)	225,455	1.03241	232,762.
Hazardous Materials: Related to Vessels; Training.	49 U.S.C. 5123(a)(3)	582	1.03241	601.

* Office of Mgmt. and Budget, Exec. Office of the President, M-24-07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

** Enacted under the Tariff Act; exempt from inflation adjustments.

E. Transportation Security Administration

The Transportation Security Administration (TSA) is updating its civil penalties regulation in accordance with the 2015 Act. Pursuant to its statutory authority in 49 U.S.C. 46301(a)(1), (4), (5), (6), 49 U.S.C. 46301(d)(2), (8), and 49 U.S.C. 114(u), TSA may impose penalties for violations of statutes that TSA administers, including penalties for violations of implementing regulations or orders. Note that pursuant to division K, title I, sec. 1904(b)(1)(I), of Public Law

115–254, 132 Stat. 3186, 3545 (Oct. 5, 2018), the TSA Modernization Act—part of the FAA Reauthorization Act of 2018—the former 49 U.S.C. 114(v), which relates to penalties, was redesignated as 49 U.S.C. 114(u).

TSA assesses these penalties for a wide variety of aviation and surface security requirements, including violations of TSA’s requirements applicable to Transportation Worker Identification Credentials (TWIC),²⁸ as well as violations of requirements described in chapter 449 of title 49 of the U.S.C. These penalties can apply to a wide variety of situations, as described in the statutory and regulatory provisions, as well as in guidance that TSA publishes. Below is a table showing the 2024 adjustment for the penalties that TSA administers.

TABLE 5—TRANSPORTATION SECURITY ADMINISTRATION CIVIL PENALTIES ADJUSTMENTS

Penalty name	Citation	Penalty amount as adjusted in the 2023 FR	Multiplier *	New penalty as adjusted by this final rule
Violation of 49 U.S.C. ch. 449 (except secs. 44902, 44903(d), 44907(a)–(d)(1)(A), 44907(d)(1)(C)–(f), 44908, and 44909), or 49 U.S.C. 46302 or 46303, a regulation prescribed, or order issued thereunder by a person operating an aircraft for the transportation of passengers or property for compensation.	49 U.S.C. 46301(a)(1), (4), (5), (6); 49 U.S.C. 46301(d)(2), (8); 49 CFR 1503.401(c)(3).	\$40,272 (up to a total of \$644,343 per civil penalty action).	1.03241	\$41,577 (up to a total of \$665,226 per civil penalty action).
Violation of 49 U.S.C. ch. 449 (except secs. 44902, 44903(d), 44907(a)–(d)(1)(A), 44907(d)(1)(C)–(f), 44908, and 44909), or 49 U.S.C. 46302 or 46303, a regulation prescribed, or order issued thereunder by an individual (except an airman serving as an airman), any person not operating an aircraft for the transportation of passengers or property for compensation, or a small business concern.	49 U.S.C. 46301(a)(1), (4), (5); 49 U.S.C. 46301(d)(8); 49 CFR 1503.401(c).	\$16,108 (up to a total of \$80,544 for individuals or small businesses, \$644,343 for others).	1.03241	\$16,630 (up to a total of \$83,154 for individuals or small businesses, \$665,226 for others).
Violation of any other provision of title 49 U.S.C. or of 46 U.S.C. ch. 701, a regulation prescribed, or order issued thereunder.	49 U.S.C. 114(u); 49 CFR 1503.401(b).	\$13,785 (up to a total of \$68,928 total for individuals or small businesses, \$551,417 for others).	1.03241	\$14,232 (up to a total of \$71,162 total for individuals or small businesses, \$569,288 for others).

* Office of Mgmt. and Budget, Exec. Office of the President, M–24–07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2022) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

²⁸ See, e.g., 46 U.S.C. 70105, 49 U.S.C. 46302 and 46303, and 49 U.S.C. chapter 449.

IV. Administrative Procedure Act

The Administrative Procedure Act (“APA”) (5 U.S.C. 551 *et seq.*) require agencies, when conducting rulemaking, to provide advance public notice, seek public comment, and provide a thirty-day delayed effective date. An agency may issue a rule without first providing an opportunity for notice and comment if the agency makes a finding of good cause that that notice and comment procedures are impracticable, unnecessary, or contrary to the public interest. Notice and comment procedures are unnecessary, for example, if Congress requires non-discretionary action of an agency, leaving the agency without discretion to vary its action in response to the views or suggestions of public commenters.

With respect to the annual inflation adjustments, DHS finds that notice and comment procedures are not required. The 2015 Act had instructed agencies to make the required annual adjustments “notwithstanding section 553 of title 5 of the U.S.C.” (See 28 U.S.C. 2461 note). Furthermore, DHS has good cause to forgo notice and comment procedures because such procedures would be unnecessary due to DHS’s lack of discretion in updating the penalties. As required by the 2015 Act, DHS is updating the penalty amounts by applying the cost-of-living adjustment multiplier that OMB has provided to agencies. For the same reasons, DHS also finds that it has good cause to forgo a delayed effective date under section 553(d) of the APA.

With respect to the penalties that Coast Guard has added in this rulemaking, DHS finds that there is good cause to bypass notice and comment procedures. In this rule, the Coast Guard adds penalties to Table 1 in 33 CFR part 27. The penalties address master key control systems (46 U.S.C. 3106(d)), passenger vessel safety and security (46 U.S.C. 3507(h)(1)(A) and 46 U.S.C. 3508(d)), engine cut-off switches (46 U.S.C. 4311(c)), employing qualified available U.S. citizens or residents (46 U.S.C. 8106(f)(2)–(3)), the requirement to report sexual assault and harassment (46 U.S.C. 10104(a)(2) and 46 U.S.C. 10104(d)(2)), vessel escort operations and towing assistance (46 U.S.C. 55112(d)), and the regulation of vessels in the territorial waters of the United States (46 U.S.C. 70052(c). See Table 3, “U.S. Coast Guard Civil Penalty Additions,” above for more information on the penalties that the Coast Guard is adding to Table 1 in 33 CFR part 27. DHS finds that there is good cause to forgo notice and comment procedures for these additions because notice and comment procedures would be unnecessary. Notice and comment would not change either the initial maximum statutory penalties (set by their authorizing statutes) or the multiplier (set by OMB). The authorizing statutes for these penalties and the 2015 Act leave the Coast Guard

no discretion to consider any other alternatives for setting the penalties. For the reasons stated above, DHS also finds that good cause exists to forgo a 30-day delayed effective date under section 553(d) of the APA.

V. Regulatory Analyses

A. *Executive Orders 12866 and 13563*

Executive Orders 12866 (“Regulatory Planning and Review”), as amended by Executive Order 14094 (“Modernizing Regulatory Review”), and 13563 (“Improving Regulation and Regulatory Review”) direct agencies to assess the costs and benefits of available regulatory alternatives and, if regulation is necessary, to select regulatory approaches that maximize net benefits (including potential economic, environmental, public health and safety effects, distributive impacts, and equity). Executive Order 13563 emphasizes the importance of quantifying both costs and benefits, of reducing costs, of harmonizing rules, and of promoting flexibility.

OMB has not designated this final rule a “significant regulatory action” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094. Accordingly, OMB has not reviewed this rule. This final rule makes nondiscretionary adjustments to existing civil monetary penalties in accordance with the 2015 Act and OMB guidance.²⁹ DHS therefore did not consider alternatives and does not have the flexibility to alter the adjustments of the civil monetary penalty amounts as provided in this rule. To the extent this final rule increases civil monetary penalties, it would result in an increase in transfers from persons or entities assessed a civil monetary penalty to the government.

B. *Regulatory Flexibility Act*

The Regulatory Flexibility Act applies only to rules for which an agency publishes a notice of proposed rulemaking pursuant to 5 U.S.C. 553(b). See 5 U.S.C. 601–612. The Regulatory Flexibility Act does not apply to this final rule because a notice of proposed rulemaking was not required for the reasons stated above.

²⁹ Office of Mgmt. and Budget, Exec. Office of the President, M–24–07, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 19, 2023) (<https://www.whitehouse.gov/wp-content/uploads/2023/12/M-24-07-Implementation-of-Penalty-Inflation-Adjustments-for-2024.pdf>).

C. Unfunded Mandates Reform Act

The Unfunded Mandates Reform Act of 1995, 2 U.S.C. 1531–1538, requires Federal agencies to assess the effects of their discretionary regulatory actions. In particular, the Act addresses actions that may result in the expenditure by a State, local, or Tribal government, in the aggregate, or by the private sector of \$100,000,000 (adjusted for inflation) or more in any one year. This final rule will not result in such an expenditure.

D. Paperwork Reduction Act

The provisions of the Paperwork Reduction Act of 1995, 44 U.S.C. chapter 35, and its implementing regulations, 5 CFR part 1320, do not apply to this final rule, because this final rule does not trigger any new or revised recordkeeping or reporting.

VI. Signing Authorities

The amendments to 19 CFR part 4 in this document are issued in accordance with 19 CFR 0.2(a), which provides that the authority of the Secretary of the Treasury with respect to CBP regulations that are not related to customs revenue functions was transferred to the Secretary of Homeland Security pursuant to Section 403(l) of the Homeland Security Act of 2002. Accordingly, this final rule to amend such regulations may be signed by the Secretary of Homeland Security (or his or her delegate).

List of Subjects

8 CFR Part 270

Administrative practice and procedure, Aliens, Employment, Fraud, Penalties.

8 CFR Part 274a

Administrative practice and procedure, Aliens, Employment, Penalties, Reporting and recordkeeping requirements.

8 CFR Part 280

Administrative practice and procedure, Immigration, Penalties.

19 CFR Part 4

Exports, Freight, Harbors, Maritime carriers, Oil pollution, Reporting and recordkeeping requirements, Vessels.

33 CFR Part 27

Administrative practice and procedure, Penalties.

49 CFR Part 1503

Administrative practice and procedure, Investigations, Law enforcement, Penalties.

Amendments to the Regulations

Accordingly, for the reasons stated in the preamble, DHS is amending 8 CFR parts 270, 274a, and 280, 19 CFR part 4, 33 CFR part 27, and 49 CFR part 1503 as follows:

Title 8—Aliens and Nationality

PART 270—PENALTIES FOR DOCUMENT FRAUD

■ 1. The authority citation for part 270 continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, and 1324c; Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 104–134, 110 Stat. 1321 and Pub. L. 114–74, 129 Stat. 599.

■ 2. In § 270.3, revise paragraphs (b)(1)(ii)(A) through (D) to read as follows:

§ 270.3 Penalties.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(A) *First offense under section 274C(a)(1) through (a)(4).* Not less than \$275 and not exceeding \$2,200 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act before March 27, 2008; not less than \$375 and not exceeding \$3,200 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act on or after March 27, 2008, and on or before November 2, 2015; and not less than \$575 and not exceeding \$4,610 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act after November 2, 2015.

(B) *First offense under section 274C(a)(5) or (a)(6).* Not less than \$250 and not exceeding \$2,000 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (a)(6) of the Act before March 27, 2008; not less than \$275 and not exceeding \$2,200 for each fraudulent document or each proscribed activity described in

section 274C(a)(5) or (a)(6) of the Act on or after March 27, 2008, and on or before November 2, 2015; and not less than \$487 and not exceeding \$3,887 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (a)(6) of the Act after November 2, 2015.

(C) *Subsequent offenses under section 274C(a)(1) through (a)(4)*. Not less than \$2,200 and not more than \$5,500 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act before March 27, 2008; not less than \$3,200 and not exceeding \$6,500 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act occurring on or after March 27, 2008 and on or before November 2, 2015; and not less than \$4,610 and not more than \$11,524 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (a)(4) of the Act after November 2, 2015.

(D) *Subsequent offenses under section 274C(a)(5) or (a)(6)*. Not less than \$2,000 and not more than \$5,000 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (a)(6) of the Act before March 27, 2008; not less than \$2,200 and not exceeding \$5,500 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (a)(6) of the Act occurring on or after March 27, 2008, and on or before November 2, 2015; and not less than \$3,887 and not more than \$9,718 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (a)(6) of the Act after November 2, 2015.

* * * * *

PART 274a—CONTROL OF EMPLOYMENT OF ALIENS

■ 3. The authority citation for part 274a continues to read as follows:

Authority: 8 U.S.C. 1101, 1103, 1105a, 1324a; 48 U.S.C. 1806; 8 CFR part 2; Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 114–74, 129 Stat. 599.

■ 4. In § 274a.8, revise paragraph (b) to read as follows:

§ 274a.8 Prohibition of indemnity bonds.

* * * * *

(b) *Penalty*. Any person or other entity who requires any individual to post a bond or security as stated in this section shall, after notice and opportunity for an administrative hearing in accordance with section 274A(e)(3)(B) of the Act, be subject to a civil monetary penalty of \$1,000 for each violation before September 29, 1999, of \$1,100 for each violation occurring on or after September 29, 1999, but on or before November 2, 2015, and of \$2,789 for each violation occurring

after November 2, 2015, and to an administrative order requiring the return to the individual of any amounts received in violation of this section or, if the individual cannot be located, to the general fund of the Treasury.

■ 5. In § 274a.10, revise paragraphs (b)(1)(ii)(A) through (C) and paragraph (b)(2) introductory text to read as follows:

§ 274a.10 Penalties.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(A) First offense—not less than \$275 and not more than \$2,200 for each unauthorized alien with respect to whom the offense occurred before March 27, 2008; not less than \$375 and not exceeding \$3,200, for each unauthorized alien with respect to whom the offense occurred occurring on or after March 27, 2008, and on or before November 2, 2015; and not less than \$698 and not more than \$5,579 for each unauthorized alien with respect to whom the offense occurred occurring after November 2, 2015;

(B) Second offense—not less than \$2,200 and not more than \$5,500 for each unauthorized alien with respect to whom the second offense occurred before March 27, 2008; not less than \$3,200 and not more than \$6,500, for each unauthorized alien with respect to whom the second offense occurred on or after March 27, 2008, and on or before November 2, 2015; and not less than \$5,579 and not more than \$13,946 for each unauthorized alien with respect to whom the second offense occurred after November 2, 2015; or

(C) More than two offenses—not less than \$3,300 and not more than \$11,000 for each unauthorized alien with respect to whom the third or subsequent offense occurred before March 27, 2008; not less than \$4,300 and not exceeding \$16,000, for each unauthorized alien with respect to whom the third or subsequent offense occurred on or after March 27, 2008, and on or before November 2, 2015; and not less than \$8,369 and not more than \$27,894 for each unauthorized alien with respect to whom the third or subsequent offense occurred after November 2, 2015; and

* * * * *

(2) A respondent determined by the Service (if a respondent fails to request a hearing) or by an administrative law judge, to have failed to comply with the employment verification requirements as set forth in § 274a.2(b), shall be subject to a civil penalty in an amount of not less than \$100 and not more than \$1,000 for each individual with respect

to whom such violation occurred before September 29, 1999; not less than \$110 and not more than \$1,100 for each individual with respect to whom such violation occurred on or after September 29, 1999, and on or before November 2, 2015; and not less than \$281 and not more than \$2,789 for each individual with respect to whom such violation occurred after November 2, 2015. In determining the amount of the penalty, consideration shall be given to:

* * * * *

PART 280—IMPOSITION AND COLLECTION OF FINES

■ 6. The authority citation for part 280 continues to read as follows:

Authority: 8 U.S.C. 1103, 1221, 1223, 1227, 1229, 1253, 1281, 1283, 1284, 1285, 1286, 1322, 1323, 1330; 66 Stat. 173, 195, 197, 201, 203, 212, 219, 221–223, 226, 227, 230; Pub. L. 101–410, 104 Stat. 890, as amended by Pub. L. 114–74, 129 Stat. 599.

■ 7. In § 280.53, revise paragraphs (b)(1) through (15) to read as follows:

§ 280.53 Civil monetary penalties inflation adjustment.

* * * * *

(b) * * *

(1) Section 231(g) of the Act, penalties for non-compliance with arrival and departure manifest requirements for passengers, crewmembers, or occupants transported on commercial vessels or aircraft arriving to or departing from the United States: From \$1,643 to \$1,696.

(2) Section 234 of the Act, penalties for non-compliance with landing requirements at designated ports of entry for aircraft transporting aliens: From \$4,465 to \$4,610.

(3) Section 240B(d) of the Act, penalties for failure to depart voluntarily: From \$1,881 minimum/ \$9,413 maximum to \$1,942 minimum/ \$9,718 maximum.

(4) Section 243(c)(1)(A) of the Act, penalties for violations of removal orders relating to aliens transported on vessels or aircraft, under section 241(d) of the Act, or for costs associated with removal under section 241(e) of the Act: From \$3,765 to \$3,887.

(5) Penalties for failure to remove alien stowaways under section 241(d)(2) of the Act: From \$9,413 to \$9,718.

(6) Section 251(d) of the Act, penalties for failure to report an illegal landing or desertion of alien crewmen, and for each alien not reported on arrival or departure manifest or lists required in accordance with

section 251 of the Act: From \$446 to \$460; and penalties for use of alien crewmen for longshore work in violation of section 251(d) of the Act: From \$11,162 to \$11,524.

(7) Section 254(a) of the Act, penalties for failure to control, detain, or remove alien crewmen: From \$1,116 minimum/ \$6,696 maximum to \$1,152 minimum/ \$6,913 maximum.

(8) Section 255 of the Act, penalties for employment on passenger vessels of aliens afflicted with certain disabilities: From \$2,232 to \$2,304.

(9) Section 256 of the Act, penalties for discharge of alien crewmen: From \$3,348 minimum/\$6,696 maximum to \$3,457 minimum/\$6,913 maximum.

(10) Section 257 of the Act, penalties for bringing into the United States alien crewmen with intent to evade immigration laws: From \$22,324 maximum to \$23,048 maximum.

(11) Section 271(a) of the Act, penalties for failure to prevent the unauthorized landing of aliens: From \$6,696 to \$6,913.

(12) Section 272(a) of the Act, penalties for bringing to the United States aliens subject to denial of admission on a health-related ground: From \$6,696 to \$6,913.

(13) Section 273(b) of the Act, penalties for bringing to the United States aliens without required documentation: From \$6,696 to \$6,913.

(14) Section 274D of the Act, penalties for failure to depart: From \$942 maximum to \$973 maximum, for each day the alien is in violation.

(15) Section 275(b) of the Act, penalties for improper entry: From \$94 minimum/\$472 maximum to \$97 minimum/\$487 maximum, for each entry or attempted entry.

Title 19—Customs Duties

PART 4—VESSELS IN FOREIGN AND DOMESTIC TRADES

■ 8. The authority citation for part 4 continues to read in part as follows:

Authority: 5 U.S.C. 301; 19 U.S.C. 66, 1415, 1431, 1433, 1434, 1624, 2071 note; 46 U.S.C. 501, 60105.

* * * * *

Sections 4.80, 4.80a, and 4.80b also issued under 19 U.S.C. 1706a; 28 U.S.C. 2461 note; 46 U.S.C. 12112, 12117, 12118, 50501–55106, 55107, 55108, 55110, 55114, 55115, 55116, 55117, 55119, 56101, 55121, 56101, 57109; Pub. L. 108–7, Division B, Title II, § 211;

* * * * *

Section 4.92 also issued under 28 U.S.C. 2461 note; 46 U.S.C. 55111;

* * * * *

■ 9. In § 4.80, revise paragraphs (b)(2) and (i) to read as follows:

§ 4.80 Vessels entitled to engage in coastwise trade.

* * * * *

(b) * * *

(2) The penalty imposed for the unlawful transportation of passengers between coastwise points is \$300 for each passenger so transported and landed on or before November 2, 2015, and \$971 for each passenger so transported and landed after November 2, 2015 (46 U.S.C. 55103, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015).

* * * * *

(i) Any vessel, entitled to be documented and not so documented, employed in a trade for which a Certificate of Documentation is issued under the vessel documentation laws (see § 4.0(c)), other than a trade covered by a registry, is liable to a civil penalty of \$500 for each port at which it arrives without the proper Certificate of Documentation on or before November 2, 2015, and \$1,617 for each port at which it arrives without the proper Certificate of Documentation after November 2, 2015 (19 U.S.C. 1706a, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015). If such a vessel has on board any foreign merchandise (sea stores excepted), or any domestic taxable alcoholic beverages, on which the duty and taxes have not been paid or secured to be paid, the vessel and its cargo are subject to seizure and forfeiture.

■ 10. In § 4.92, revise the third sentence to read as follows:

§ 4.92 Towing.

* * * The penalties for violation of this section occurring after November 2, 2015, are a fine of from \$1,132 to \$3,558 against the owner or master of the towing vessel and a further penalty against the towing vessel of \$193 per ton of the towed vessel (46 U.S.C. 55111, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015).

Title 33—Navigation and Navigable Waters

PART 27—ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

■ 11. The authority citation for part 27 continues to read as follows:

Authority: Secs. 1–6, Pub. L. 101–410, 104 Stat. 890, as amended by Sec. 31001(s)(1), Pub. L. 104–134, 110 Stat. 1321 (28 U.S.C. 2461 note); Department of Homeland Security Delegation No. 0170.1, sec. 2 (106).

■ 12. In § 27.3, revise the third sentence of the introductory text and Table 1 to read as follows:

§ 27.3 Penalty adjustment table.

* * * The applicable civil penalty amounts listed in Table 1 to this section are applicable for penalty assessments issued after June 28, 2024, with respect to violations occurring after November 2, 2015. * *

TABLE 1 To § 27.3—CIVIL MONETARY PENALTY INFLATION ADJUSTMENTS

U.S. Code citation	Civil monetary penalty description	2024 Adjusted maximum penalty amount (\$)
14 U.S.C. 521(c)	Saving Life and Property	\$12,958
14 U.S.C. 521(e)	Saving Life and Property; Intentional Interference with Broadcast	1,330
14 U.S.C. 936(i)	Confidentiality of Medical Quality Assurance Records (first offense)	6,508
14 U.S.C. 936(i)	Confidentiality of Medical Quality Assurance Records (subsequent offenses)	43,394
19 U.S.C. 70	Obstruction of Revenue Officers by Masters of Vessels	9,704
19 U.S.C. 70	Obstruction of Revenue Officers by Masters of Vessels—Minimum Penalty	2,264
19 U.S.C. 1581(d) ...	Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge ¹	5,000
19 U.S.C. 1581(d) ...	Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge—Minimum Penalty ¹	1,000
33 U.S.C. 471	Anchorage Ground/Harbor Regulations General	14,069
33 U.S.C. 474	Anchorage Ground/Harbor Regulations St. Mary’s River	971
33 U.S.C. 495(b)	Bridges/Failure to Comply with Regulations	35,516
33 U.S.C. 499(c)	Bridges/Drawbridges	35,516
33 U.S.C. 502(c)	Bridges/Failure to Alter Bridge Obstructing Navigation	35,516
33 U.S.C. 533(b)	Bridges/Maintenance and Operation	35,516
33 U.S.C. 1208(a) ...	Bridge to Bridge Communication; Master, Person in Charge or Pilot	2,587
33 U.S.C. 1208(b) ...	Bridge to Bridge Communication; Vessel	2,587
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (Class I per violation)	23,048
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (Class I total under paragraph)	57,617

U.S. Code citation	Civil monetary penalty description	2024 Adjusted maximum penalty amount (\$)
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (Class II per day of violation)	23,048
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (Class II total under paragraph)	288,080
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per day of violation) Judicial Assessment	57,617
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per barrel of oil or unit discharged) Judicial Assessment.	2,305
33 U.S.C. 1321(b)(7)(B)	Oil/Hazardous Substances: Failure to Carry Out Removal/Comply With Order (Judicial Assessment).	57,617
33 U.S.C. 1321(b)(7)(C)	Oil/Hazardous Substances: Failure to Comply with Regulation Issued Under 1321(j) (Judicial Assessment).	57,617
33 U.S.C. 1321(b)(7)(D)	Oil/Hazardous Substances: Discharges, Gross Negligence (per barrel of oil or unit discharged) Judicial Assessment.	6,913
33 U.S.C. 1321(b)(7)(D)	Oil/Hazardous Substances: Discharges, Gross Negligence—Minimum Penalty (Judicial Assessment).	230,464
33 U.S.C. 1322(j) ...	Marine Sanitation Devices; Operating	9,704
33 U.S.C. 1322(j) ...	Marine Sanitation Devices; Sale or Manufacture	25,871
33 U.S.C. 1608(a) ...	International Navigation Rules; Operator	18,139
33 U.S.C. 1608(b) ...	International Navigation Rules; Vessel	18,139
33 U.S.C. 1908(b)(1)	Pollution from Ships; General	90,702
33 U.S.C. 1908(b)(2)	Pollution from Ships; False Statement	18,139
33 U.S.C. 2072(a) ...	Inland Navigation Rules; Operator	18,139
33 U.S.C. 2072(b) ...	Inland Navigation Rules; Vessel	18,139
33 U.S.C. 2609(a) ...	Shore Protection; General	63,991
33 U.S.C. 2609(b) ...	Shore Protection; Operating Without Permit	25,597
33 U.S.C. 2716a(a) ..	Oil Pollution Liability and Compensation	57,617
33 U.S.C. 3852(a)(1)(A)	Clean Hulls; Civil Enforcement	52,753
33 U.S.C. 3852(a)(1)(A)	Clean Hulls; related to false statements	70,337
33 U.S.C. 3852(c) ...	Clean Hulls; Recreational Vessels	7,034
42 U.S.C. 9609(a) ...	Hazardous Substances, Releases, Liability, Compensation (Class I) .	69,733
42 U.S.C. 9609(b) ...	Hazardous Substances, Releases, Liability, Compensation (Class II)	69,733
42 U.S.C. 9609(b) ...	Hazardous Substances, Releases, Liability, Compensation (Class II subsequent offense)	209,202
42 U.S.C. 9609(c) ...	Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment)	69,733
42 U.S.C. 9609(c) ...	Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment subsequent offense).	209,202
46 U.S.C. 80509(a) ..	Safe Containers for International Cargo	7,622
46 U.S.C. 70305(c) ..	Suspension of Passenger Service	76,230
46 U.S.C. 2110(e) ...	Vessel Inspection or Examination Fees	11,524
46 U.S.C. 2115	Alcohol and Dangerous Drug Testing	9,380
46 U.S.C. 2302(a) ...	Negligent Operations: Recreational Vessels	8,485
46 U.S.C. 2302(a) ...	Negligent Operations: Other Vessels	42,425
46 U.S.C. 2302(c)(1)	Operating a Vessel While Under the Influence of Alcohol or a Dangerous Drug	9,380

U.S. Code citation	Civil monetary penalty description	2024 Adjusted maximum penalty amount (\$)
46 U.S.C. 2306(a)(4)	Vessel Reporting Requirements: Owner, Charterer, Managing Operator, or Agent	14,608
46 U.S.C. 2306(b)(2)	Vessel Reporting Requirements: Master	2,922
46 U.S.C. 3102(c)(1)	Immersion Suits	14,608
46 U.S.C. 3106(d) ...	Master Key Control System	1,032
46 U.S.C. 3302(i)(5)	Inspection Permit	3,047
46 U.S.C. 3318(a) ...	Vessel Inspection; General	14,608
46 U.S.C. 3318(g)	Vessel Inspection; Nautical School Vessel	14,608
46 U.S.C. 3318(h) ...	Vessel Inspection; Failure to Give Notice in accordance with (IAW) 3304(b)	2,922
46 U.S.C. 3318(i) ...	Vessel Inspection; Failure to Give Notice IAW 3309(c)	2,922
46 U.S.C. 3318(j)(1)	Vessel Inspection; Vessel ≥1600 Gross Tons	29,221
46 U.S.C. 3318(j)(1)	Vessel Inspection; Vessel <1600 Gross Tons (GT)	5,844
46 U.S.C. 3318(k) ...	Vessel Inspection; Failure to Comply with 3311(b)	29,221
46 U.S.C. 3318(l) ...	Vessel Inspection; Violation of 3318(b)–3318(f)	14,608
46 U.S.C. 3502(e) ...	List/count of Passengers	304
46 U.S.C. 3504(c) ...	Notification to Passengers	30,461
46 U.S.C. 3504(c) ...	Notification to Passengers; Sale of Tickets	1,522
46 U.S.C. 3506	Copies of Laws on Passenger Vessels; Master	609
46 U.S.C. 3507(h)(1)(A)	Passenger Vessel Security and Safety; Daily Penalty & Maximum Penalty	25,810 Daily/ 51,621 Maximum
46 U.S.C. 3508(d) ...	Passenger Vessel Security and Safety; Crewmembers Crime Scene Preservation Training; Maximum Penalty.	51,621
46 U.S.C. 3718(a)(1)	Liquid Bulk/Dangerous Cargo	76,155
46 U.S.C. 4106	Uninspected Vessels	12,799
46 U.S.C. 4311(b)(1)	Recreational Vessels (maximum for related series of violations)	402,920
46 U.S.C. 4311(b)(1)	Recreational Vessels; Violation of 4307(a)	8,058
46 U.S.C. 4311(c) ...	Engine Cut-Off Switches; Violation of 4312(b), First Offense	103
46 U.S.C. 4311(c) ...	Engine Cut-Off Switches; Violation of 4312(b), Second Offense	258
46 U.S.C. 4311(c) ...	Engine Cut-Off Switches; Violation of 4312(b), Subsequent to Second Offense	516
46 U.S.C. 4311(d) ...	Recreational Vessels	3,047
46 U.S.C. 4507	Uninspected Commercial Fishing Industry Vessels	12,799
46 U.S.C. 4703	Abandonment of Barges	2,168
46 U.S.C. 5116(a) ...	Load Lines	13,946
46 U.S.C. 5116(b) ...	Load Lines; Violation of 5112(a)	27,894
46 U.S.C. 5116(c) ...	Load Lines; Violation of 5112(b)	13,946
46 U.S.C. 6103(a) ...	Reporting Marine Casualties	48,586
46 U.S.C. 6103(b) ...	Reporting Marine Casualties; Violation of 6104	12,799
46 U.S.C. 8101(e) ...	Manning of Inspected Vessels; Failure to Report Deficiency in Vessel Complement	2,305
46 U.S.C. 8101(f) ...	Manning of Inspected Vessels	23,048
46 U.S.C. 8101(g) ...	Manning of Inspected Vessels; Employing or Serving in Capacity not Licensed by U.S. Coast Guard (USCG).	23,048
46 U.S.C. 8101(h) ...	Manning of Inspected Vessels; Freight Vessel < 100 GT, Small Passenger Vessel, or Sailing School Vessel.	3,047

U.S. Code citation	Civil monetary penalty description	2024 Adjusted maximum penalty amount (\$)
46 U.S.C. 8102(a)	Watchmen on Passenger Vessels	3,047
46 U.S.C. 8103(f)	Citizenship Requirements	1,522
46 U.S.C. 8104(i)	Watches on Vessels; Violation of 8104(a) or (b)	23,048
46 U.S.C. 8104(j)	Watches on Vessels; Violation of 8104(c), (d), (e), or (h)	23,048
46 U.S.C. 8106(f)	Employing Qualified Available U.S. Citizens or Residents	10,324 Daily/ 103,241 Maximum
46 U.S.C. 8302(e)	Staff Department on Vessels	304
46 U.S.C. 8304(d) ...	Officer's Competency Certificates	304
46 U.S.C. 8502(e)	Coastwise Pilotage; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge.	23,048
46 U.S.C. 8502(f)	Coastwise Pilotage; Individual	23,048
46 U.S.C. 8503	Federal Pilots	73,045
46 U.S.C. 8701(d) ...	Merchant Mariners Documents	1,522
46 U.S.C. 8702(e)	Crew Requirements	23,048
46 U.S.C. 8906	Small Vessel Manning	48,586
46 U.S.C. 9308(a)	Pilotage: Great Lakes; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge.	23,048
46 U.S.C. 9308(b) ...	Pilotage: Great Lakes; Individual	23,048
46 U.S.C. 9308(c) ...	Pilotage: Great Lakes; Violation of 9303	23,048
46 U.S.C. 10104(a)(2)	Requirement to Report Sexual Assault and Harassment; Mandato- ry Reporting by Responsible Entity of a Vessel.	51,621
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, violation of 10104(d)(1).	25,810
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Daily Noncompliance Penalty.	516
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Civil Penalty Maximum.	51,621
46 U.S.C. 10314(a)(2)	Pay Advances to Seamen	1,522
46 U.S.C. 10314(b)	Pay Advances to Seamen; Remuneration for Employment	1,522
46 U.S.C. 10315(c)	Allotment to Seamen	1,522
46 U.S.C. 10321	Seamen Protection; General	10,557
46 U.S.C. 10505(a)(2)	Coastwise Voyages: Advances	10,557
46 U.S.C. 10505(b)	Coastwise Voyages: Advances; Remuneration for Employment	10,557
46 U.S.C. 10508(b)	Coastwise Voyages: Seamen Protection; General	10,557
46 U.S.C. 10711	Effects of Deceased Seamen	609
46 U.S.C. 10902(a)(2)	Complaints of Unfitness	1,522
46 U.S.C. 10903(d)	Proceedings on Examination of Vessel	304
46 U.S.C. 10907(b)	Permission to Make Complaint	1,522
46 U.S.C. 11101(f)	Accommodations for Seamen	1,522
46 U.S.C. 11102(b)	Medicine Chests on Vessels	1,522
46 U.S.C. 11104(b)	Destitute Seamen	304
46 U.S.C. 11105(c)	Wages on Discharge	1,522
46 U.S.C. 11303(a)	Log Books; Master Failing to Maintain	609
46 U.S.C. 11303(b)	Log Books; Master Failing to Make Entry	609

U.S. Code citation	Civil monetary penalty description	2024 Adjusted maximum penalty amount (\$)
46 U.S.C. 11303(c)	Log Books; Late Entry	457
46 U.S.C. 11506	Carrying of Sheath Knives	153
46 U.S.C. 12151(a)(1)	Vessel Documentation	19,950
46 U.S.C. 12151(a)(2)	Documentation of Vessels—Related to activities involving mobile offshore drilling units	33,252
46 U.S.C. 12151(c)	Vessel Documentation; Fishery Endorsement	152,461
46 U.S.C. 12309(a)	Numbering of Undocumented Vessels—Willful violation	15,232
46 U.S.C. 12309(b)	Numbering of Undocumented Vessels	3,047
46 U.S.C. 12507(b)	Vessel Identification System	25,597
46 U.S.C. 14701	Measurement of Vessels	55,789
46 U.S.C. 14702	Measurement; False Statements	55,789
46 U.S.C. 31309	Commercial Instruments and Maritime Liens	25,597
46 U.S.C. 31330(a)(2)	Commercial Instruments and Maritime Liens; Mortgagor	25,597
46 U.S.C. 31330(b)(2)	Commercial Instruments and Maritime Liens; Violation of 31329	63,991
46 U.S.C. 55112(d)	Vessel Escort Operations and Towing Assistance	10,324
46 U.S.C. 70052(c)	Regulation of Vessels in Territorial Waters of the United States	25,810
46 U.S.C. 70036(a)	Ports and Waterways Safety Regulations	114,630
46 U.S.C. 70041(d)(1)(B)	Vessel Navigation: Regattas or Marine Parades; Unlicensed Person in Charge	11,524
46 U.S.C. 70041(d)(1)(C)	Vessel Navigation: Regattas or Marine Parades; Owner Onboard Vessel	11,524
46 U.S.C. 70041(d)(1)(D)	Vessel Navigation: Regattas or Marine Parades; Other Persons	5,761
46 U.S.C. 70119(a)	Port Security	42,425
46 U.S.C. 70119(b)	Port Security—Continuing Violations	76,230
46 U.S.C. 70506	Maritime Drug Law Enforcement; Penalties	7,034
49 U.S.C. 5123(a)(1)	Hazardous Materials: Related to Vessels—Maximum Penalty	99,756
49 U.S.C. 5123(a)(2)	Hazardous Materials: Related to Vessels—Penalty from Fatalities, Serious Injuries/Illness or Substantial Damage to Property.	232,762
49 U.S.C. 5123(a)(3)	Hazardous Materials: Related to Vessels—Training	601

¹ Enacted under the Tariff Act of 1930 exempt from inflation adjustments.

Title 49—Transportation

PART 1503—INVESTIGATIVE AND ENFORCEMENT PROCEDURES

■ 13. The authority citation for part 1503 continues to read as follows:

Authority: 6 U.S.C. 1142; 18 U.S.C. 6002; 28 U.S.C. 2461 (note); 49 U.S.C. 114, 20109, 31105, 40113–40114, 40119, 44901–44907, 46101–46107, 46109–46110, 46301, 46305, 46311, 46313–46314; Pub. L. 104–134, as amended by Pub. L. 114–74.

■ 14. In § 1503.401, revise paragraphs (b)(1) and (2) and (c)(1), (2), and (3) to read as follows:

§ 1503.401 Maximum penalty amounts.

* * * * *

(b) * * *

(1) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$50,000 per civil penalty action, in the case of an individual or small business concern (“small business concern” as defined in section 3 of the Small Business Act (15 U.S.C. 632)). For violations that occurred after November 2, 2015, \$14,232 per violation, up to a total of \$71,162 per civil penalty action, in the case of an individual or small business concern; and

(2) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of any other person. For violations that occurred after November 2, 2015, \$14,232 per violation, up to a total of \$569,288 per civil penalty action, in the case of any other person.

(c) * * *

(1) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$50,000 per civil penalty action, in the case of an individual or small business concern (“small business concern” as defined in section 3 of the Small Business Act (15 U.S.C. 632)). For violations that occurred after November 2, 2015, \$16,630 per violation, up to a total of \$83,154 per civil penalty action, in the case of an individual (except an airman serving as an airman), or a small business concern.

(2) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of any other person (except an airman serving as an airman) not operating an aircraft for the transportation of passengers or property for compensation. For violations that occurred after November 2, 2015, \$16,630 per violation, up to a total of \$665,226 per civil penalty action, in the case of any other person (except an airman serving as an airman) not operating an aircraft for the transportation of passengers or property for compensation.

(3) For violations that occurred on or before November 2, 2015, \$25,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of a person operating an aircraft for the transportation of passengers or property for compensation (except an individual serving as an airman). For violations that occurred after November 2, 2015, \$41,577 per violation, up to a total of \$665,226 per civil penalty action, in the case of a person (except an individual

serving as an airman) operating an aircraft for the transportation of passengers or property for compensation.

JONATHAN E. MEYER,
General Counsel,
U.S. Department of Homeland Security.

**NOTICE OF ISSUANCE OF FINAL DETERMINATION
CONCERNING A DISPLAYPORT MALE TO FEMALE VIDEO
ADAPTER**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of final determination.

SUMMARY: This document provides notice that U.S. Customs and Border Protection (“CBP”) has issued a final determination concerning the country of origin of a “DisplayPort male to female adapter”. Based upon the facts presented, CBP has concluded that the country of origin of the adapter is Taiwan, where the printed circuit board assembly (“PCBA”) is manufactured.

DATES: The final determination was issued on June 27, 2024. A copy of the final determination is attached. Any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of this final determination no later than August 1, 2024.

FOR FURTHER INFORMATION CONTACT: Austen Walsh, Valuation and Special Programs Branch, Regulations and Rulings, Office of Trade, at (202) 325–0114.

SUPPLEMENTARY INFORMATION: Notice is hereby given that on June 27, 2024, CBP issued a final determination concerning the country of origin of a DisplayPort adapter for purposes of title III of the Trade Agreements Act of 1979. This final determination, Headquarters Ruling Letter (“HQ”) H331939, was issued at the request of Aegis Multimedia Inc., under procedures set forth at 19 CFR part 177, subpart B, which implements title III of the Trade Agreements Act of 1979, as amended (19 U.S.C. 2511–18). In the final determination, CBP has concluded that the country of origin of the DisplayPort adapter is Taiwan, where the PCBA is manufactured. The final determination also finds that the country of origin for marking purposes of the subject DisplayPort male to female adapter is Taiwan.

Section 177.29, CBP Regulations (19 CFR 177.29), provides that a notice of final determinations shall be published in the **Federal Register** within 60 days of the date the final determination is issued. Section 177.30, CBP Regulations (19 CFR 177.30), provides that any party-at-interest, as defined in 19 CFR 177.22(d), may seek judicial review of a final determination within 30 days of publication of such determination in the **Federal Register**.

ALICE A. KIPEL,
Executive Director,
Regulations and Rulings, Office of Trade.

HQ H331939

June 27, 2024

OT:RR:CTF:VS H331939 AMW

Category: Origin

SAMMY HSIEH
AEGIS MULTIMEDIA INC.
2F, No. 21, LN 48 GUANGMING ST.,
TUCHENG DIST.
NEW TAIPEI, 236, TAIWAN

Re: U.S. Government Procurement; Title III, Trade Agreements Act of 1979 (19 U.S.C. 2511); Subpart B, Part 177, CBP Regulations; Country of Origin of DisplayPort Male to Female Adapter

DEAR MR. HSIEH:

This is in response to your request, dated May 1, 2023, for a final determination concerning the country of origin of a video graphics array adapter pursuant to Title III of the Trade Agreements Act of 1979 (“TAA”), as amended (19 U.S.C. 2511 *et seq.*), and subpart B of Part 177, U.S. Customs and Border Protection (“CBP”) Regulations (19 CFR 177.21, *et seq.*). Your request, submitted as an electronic ruling request, was forwarded to this office from the National Commodity Specialist Division for response. Aegis Multimedia Inc. (“Aegis”) is a party-at-interest within the meaning of 19 CFR 177.22(d)(1) and 177.23(a) and is therefore entitled to request this final determination.

FACTS

Aegis imports a “DisplayPort male to female adapter”, which is an eight-inch-long video converter. The adapter is used to connect a desktop or laptop computer with a video graphics array (“VGA”) compliant monitor or television, converting signals transmitted between the computer and the monitor. You state that the adapter has one DisplayPort male connector (source signal input), one printed circuit board assembly attached to a VGA female connector (PCBA/signal output), and one eight-inch-long cable.

The adapter manufacturing process consists of two phases: (1) printed circuit board assembly (“PCBA”) production in Taiwan, and (2) final assembly in China.

Phase One—PCBA Production (Taiwan)

The PCBA is manufactured using surface mount technology (“SMT”) in which various components are affixed to a Taiwanese-origin circuit board:

1. Solder paste is applied to a bare circuit board. The stainless-steel foil of the bare circuit board is laser cut to form openings in the board for the size and location of each surface mount component at which point solder paste is applied.

2. A high-speed chip mounter is used to place smaller and lighter components (*e.g.*, small resistors, capacitors, and inductors) onto the circuit board.

3. A slow-speed chip mounter is used to place larger and heavier components (*e.g.*, ball grid array (“BGA”) chip, flash, and connectors) onto the circuit board.

4. The unfinished circuit board is placed in a reflow oven, which melts the previously applied solder paste to form a non-metallic compound between the above-mentioned parts and the bare circuit board.

5. The PCBA is placed in an automated optical inspection (“AOI”) device to be scanned to catastrophic failure and quality defects.

6. The PCBA is combined with the VGA female connector and soldered together by hand. After the PCBA and VGA connector are completed, the devices are placed in a plastic tray for packaging and shipment to Aegis’s China facility.

Phase Two—Final Assembly (China)

The Chinese-origin components are assembled with the Taiwanese-origin PCBA/VGA female connector assembly at the manufacturer’s plant. The final assembly occurs over the following 13 stages:

1. Flash programming software is downloaded onto the PCBA;
2. Eight-inch cable is prepared and checked for quantity of cables;
3. Visual inspection of eight-inch cable is conducted;
4. Wire insulation is stripped using a stripping machine; the wire is cut to proper length for use as a connector cable; and, the wire’s copper conductor is placed in tin stove to cover surface with tin;
5. Top and bottom sides of the PCBA are soldered to the wiring;
6. Initial PCBA function testing and visual inspection of video quality is conducted;
7. A metal shell for the VGA female adapter is assembled and the PCBA is fitted into this shell;
8. The VGA female adapter’s metal shell is placed into a molding machine and a polyvinyl chloride (“PVC”) “strain relief” component is applied to the base of the metal casing;
9. Acrylonitrile butadiene styrene (“ABS”) bottom and top shells are assembled for the DisplayPort male connector, placed over the metal shell, and punched to stamp the complete shell together;
10. Final PCBA function testing is conducted;
11. Visual inspection of video quality is conducted;
12. An ABS shell for the VGA female connector is placed over the metal shell assembled in step 7 and stamped together; and
13. The completed adapters are packaged in a zip bag and carton for shipment.

You state that the PCBA is used to convert the DisplayPort++ signal into a VGA signal, which allows a VGA monitor to use the DisplayPort signal transmitted from a desktop or laptop via the adapter. The PCBA also contains a “flash” software program, which you state will detect whether the DisplayPort++ signal is acceptable. If the signal is acceptable, the software will notify the chipset that it can convert the DisplayPort++ signal to a VGA signal.

ISSUES

What is the country of origin of the DisplayPort male to female adapter for purposes of U.S. Government procurement?

What is the proper country of origin marking of the imported DisplayPort male to female adapter?

LAW AND ANALYSIS

Government Procurement

CBP issues country of origin advisory rulings and final determinations as to whether an article is or would be a product of a designated country or instrumentality for the purposes of granting waivers of certain “Buy American” restrictions in U.S. law or practice for products offered for sale to the U.S. Government, pursuant to subpart B of Part 177, 19 CFR 177.21– 177.31, which implements Title III of the TAA, as amended (19 U.S.C. 2511– 2518).

CBP’s authority to issue advisory rulings and final determinations is set forth in 19 U.S.C. 2515(b)(1), which states:

For the purposes of this subchapter, the Secretary of the Treasury shall provide for the prompt issuance of advisory rulings and final determinations on whether, under section 2518(4)(B) of this title, *an article is or would be a product of a foreign country or instrumentality designated pursuant to section 2511(b) of this title.*

Emphasis added.

The Secretary of the Treasury’s authority mentioned above, along with other customs revenue functions, are delegated to CBP in the Appendix to 19 CFR part 0—Treasury Department Order No. 100–16, 68 FR 28, 322 (May 23, 2003).

The rule of origin set forth under 19 U.S.C. 2518(4)(B) states:

An article is a product of a country or instrumentality only if (i) it is wholly the growth, product, or manufacture of that country or instrumentality, or (ii) in the case of an article which consists in whole or in part of materials from another country or instrumentality, it has been substantially transformed into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was so transformed.

See also 19 CFR 177.22(a).

In rendering advisory rulings and final determinations for purposes of U.S. Government procurement, CBP applies the provisions of subpart B of Part 177 consistent with the Federal Procurement Regulation (“FAR”). *See* 19 CFR 177.21. In this regard, CBP recognizes that the FAR restricts the U.S. Government’s purchase of products to U.S.-made or designated country end products for acquisitions subject to the TAA. *See* 48 CFR 25.403(c)(1).

The FAR, 48 CFR 25.003, defines “designated country end product” as:

a WTO GPA [World Trade Organization Government Procurement Agreement] country end product, an FTA [Free Trade Agreement] country end product, a least developed country end product, or a Caribbean Basin country end product.

Section 25.003 defines “WTO GPA country end product” as an article that:

(1) Is wholly the growth, product, or manufacture of a WTO GPA country;
or

(2) In the case of an article that consists in whole or in part of materials from another country, has been substantially transformed in a WTO GPA country into a new and different article of commerce with a name, character, or use distinct from that of the article or articles from which it was transformed. The term refers to a product offered for purchase under a supply contract, but for purposes of calculating the value of the end product includes

services (except transportation services) incidental to the article, provided that the value of those incidental services does not exceed that of the article itself.

As previously noted, the adapter is assembled in China with a Taiwanese-origin PCBA. Taiwan is a TAA-designated country, and China is not.

In order to determine whether a substantial transformation occurs, CBP considers the totality of the circumstances and makes such determinations on a case-by-case basis. The country of origin of the item's components, extent of the processing that occurs within a country, and whether such processing renders a product with a new name, character, and use are primary considerations in such cases. Additionally, CBP considers factors such as the resources expended on product design and development, the extent and nature of post-assembly inspection and testing procedures, and worker skill required during the actual manufacturing process when determining whether a substantial transformation has occurred. No one factor is determinative.

Assembly operations that are minimal or simple, as opposed to complex or meaningful, will generally not result in a substantial transformation. Factors which may be relevant in this evaluation include the nature of the operation (including the number of components assembled), the number of different operations involved, and whether a significant period of time, skill, detail, and quality control are necessary for the assembly operation. See C.S.D. 80-111, C.S.D. 85-25, C.S.D. 89-110, C.S.D. 89-118, C.S.D. 90-51, and C.S.D. 90-97. If the manufacturing or combining process is a minor one, which leaves the identity of the article intact, a substantial transformation has not occurred. See *Uniroyal, Inc. v. United States*, 3 CIT 220, 542 F. Supp. 1026 (1982), *aff'd*, 702 F.2d 1022 (Fed. Cir. 1983) (imported shoe uppers added to an outer sole in the United States were the "very essence of the finished shoe" and the character of the product remained unchanged and did not undergo substantial transformation in the United States).

In C.S.D. 85-25, 19 Cust. Bull. 544 (1985), CBP held that for purposes of the Generalized System of Preferences ("GSP"), the assembly of a large number of fabricated components onto a printed circuit board in a process involving a considerable amount of time and skill resulted in a substantial transformation. In that case, in excess of 50 discrete fabricated components (such as resistors, capacitors, diodes, integrated circuits, sockets, and connectors) were assembled onto a Printed Circuit Board ("PCB"). CBP determined that the assembly of the PCBA involved a very large number of components and a significant number of different operations, required a relatively significant period of time, skill, attention to detail, and quality control.

As CBP considers the totality of circumstances in its substantial transformation analysis, considerations such as the origin of a PCBA may be taken into account together with the nature of the overall assembly operations. Indeed, in several matters, CBP has determined that the PCBA provides the character of the subject devices and, accordingly, the country of origin is that in which the PCBA is manufactured. For example, in Headquarters Ruling Letter ("HQ") H331515, dated December 6, 2023, CBP determined that the use of SMT to create a PCBA in Mexico with the assembly of a Chinese light-emitting diode ("LED") strip resulted in a substantial transformation. And in HQ H304124, dated November 19, 2019, CBP determined the country of origin of a cardiac monitoring strip to be Finland, the country of origin of the device's PCBA, because the PCBA again provided the functionality and

essence of the monitoring strips. *See also*, HQ H322417, dated February 23, 2022 (finding the PCBA imparts the character of a smart watch).

Based on the information submitted, we find that the various components are substantially transformed when assembled into the PCBA in Taiwan. Similar to the decisions above, a variety of electronic components are added to the raw PCB via SMT in Taiwan to create the subject PCBAs. This includes the main chipset, which enables the subject device to convert the DisplayPort++ signal into a VGA signal. Of particular importance, we also note that it is the PCBA that enables the device to function as a connector, and, therefore, it imparts the character of the subject device. Furthermore, we note that the processing in China, which consists of wire cutting, stamping, fitting, and visual inspection, is not sufficiently complex and meaningful to result in a substantial transformation. Instead, as described above, the components added in China consist of casing and wires used to facilitate the functions performed by the PCBA. Based on the information provided, we conclude that the country of origin of the adapter is Taiwan, where the PCBA is manufactured. Accordingly, we find that the subject DisplayPort male to female adapter would be the product of a foreign country or instrumentality designated pursuant to 19 U.S.C. 2511(b)(1).

Country of Origin Marking

Section 304 of the Tariff Act of 1930, as amended (19 U.S.C. 1304), provides that unless excepted, every article of foreign origin imported into the United States shall be marked in a conspicuous place as legibly, indelibly, and permanently as the nature of the article (or its container) will permit, in such a manner as to indicate to the ultimate purchaser in the United States, the English name of the country of origin of the article. The Congressional intent in enacting 19 U.S.C. 1304 was “that the *ultimate purchaser* should be able to know by an inspection of the marking on the imported goods the country of which the goods is the product. The evident purpose is to mark the goods so that at the time of purchase the *ultimate purchaser* may, by knowing where the goods were produced, be able to buy or refuse to buy them, if such marking should influence his will.” *United States v. Friedlander & Co.*, 27 C.C.P.A. 297 at 302; C.A.D. 104 (1940) (emphases added).

Part 134 of CBP’s Regulations (19 CFR part 134), implements the country of origin marking requirements and exceptions of 19 U.S.C. 1304. Section 134.1(b), CBP Regulations (19 CFR 134.1(b)), defines “country of origin” as:

[T]he country of manufacture, production, or growth of any article of foreign origin entering the United States. Further work or material added to an article in another country must effect a substantial transformation in order to render such other country the “country of origin” within the meaning of this part....

As outlined above, courts have held that a substantial transformation occurs when an article emerges from a process with a new name, character or use different from that possessed by the article prior to processing. *E.g.*, *Energizer Battery, Inc. v. United States*, 190 F. Supp. 3d 1308 (Court Int’l Trade 2016); *United States v. Gibson-Thomsen Co., Inc.*, 27 CCPA 267, C.A.D. 98 (1940); *National Hand Tool Corp. v. United States*, 16 CIT 308 (1992), *aff’d*, 989 F.2d 1201 (Fed. Cir. 1993); *Anheuser Busch Brewing Association v. United States*, 207 U.S. 556 (1908) and *Uniroyal Inc. v. United States*, 542 F. Supp. 1026 (Court Int’l Trade 1982).

Based on the information and analysis provided above, the imported PCBA components undergo a substantial transformation when manufactured into the subject PCBA in Taiwan. In contrast, the PCBA does not undergo a change in name, character, and use during the final assembly process occurring in China, which is comparatively simple in nature. As a result, the country of origin for marking purposes of the subject DisplayPort male to female adapter is Taiwan, where the PCBA is manufactured.

HOLDING

Based on the facts and analysis set forth above, the DisplayPort male to female adapter, comprised of a Taiwan-origin PCBA, would be the product of a foreign country or instrumentality designated pursuant to 19 U.S.C. 2511(b). In addition, the country of origin for marking purposes of the adapter is Taiwan.

Notice of this final determination will be given in the **Federal Register**, as required by 19 CFR 177.29. Any party-at-interest other than the party which requested this final determination may request, pursuant to 19 CFR 177.31, that CBP reexamine the matter anew and issue a new final determination. Pursuant to 19 CFR 177.30, any party-at-interest may, within 30 days of publication of the **Federal Register** Notice referenced above, seek judicial review of this final determination before the U.S. Court of International Trade.

Sincerely,

ALICE A. KIPPEL,
Executive Director
Regulations and Rulings Office of Trade.

19 CFR PART 177**REVOCAION OF NINE RULING LETTERS AND
REVOCAION OF TREATMENT RELATING TO THE
TARIFF CLASSIFICATION OF WIRELESS HEADPHONE
SETS FROM CHINA, MEXICO, AND AN UNDISCLOSED
COUNTRY OF ORIGIN**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of revocation of nine ruling letters, and of revocation of treatment relating to the tariff classification of wireless headphone sets from China, Mexico and an undisclosed country of origin.

SUMMARY: Pursuant to section 625(c), Tariff Act of 1930 (19 U.S.C. § 1625(c)), as amended by section 623 of title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act (Pub. L. 103–182, 107 Stat. 2057), this notice advises interested parties that U.S. Customs and Border Protection (CBP) is revoking nine ruling letters concerning tariff classification of wireless headphone sets from China, Mexico and an undisclosed country of origin under the Harmonized Tariff Schedule of the United States (HTSUS). Similarly, CBP is revoking any treatment previously accorded by CBP to substantially identical transactions. Notice of the proposed action was published in the *Customs Bulletin*, Vol. 58, No. 16, on April 24, 2024. One comment was received in response to that notice.

EFFECTIVE DATE: This action is effective for merchandise entered or withdrawn from warehouse for consumption on or after September 17, 2024.

FOR FURTHER INFORMATION CONTACT: Dwayne Rawlings, Electronics, Machinery, Automotive and International Nomenclature Branch, Regulations and Rulings, Office of Trade, at dwayne.rawlings@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:**BACKGROUND**

Current customs law includes two key concepts: informed compliance and shared responsibility. Accordingly, the law imposes an obligation on CBP to provide the public with information concerning the trade community's responsibilities and rights under the customs and related laws. In addition, both the public and CBP share responsibility in carrying out import requirements. For example, under section

484 of the Tariff Act of 1930, as amended (19 U.S.C. § 1484), the importer of record is responsible for using reasonable care to enter, classify and value imported merchandise, and to provide any other information necessary to enable CBP to properly assess duties, collect accurate statistics, and determine whether any other applicable legal requirement is met.

Pursuant to 19 U.S.C. § 1625(c)(1), a notice was published in the *Customs Bulletin*, Vol. 58, No. 16, on April 24, 2024, proposing to revoke nine ruling letters pertaining to the tariff classification of wireless headphone sets from China, Mexico and an undisclosed country of origin. Any party who has received an interpretive ruling or decision (i.e., a ruling letter, internal advice memorandum or decision, or protest review decision) on the merchandise subject to this notice should have advised CBP during the comment period.

Similarly, pursuant to 19 U.S.C. § 1625(c)(2), CBP is revoking any treatment previously accorded by CBP to substantially identical transactions. Any person involved in substantially identical transactions should have advised CBP during the comment period. An importer's failure to advise CBP of substantially identical transactions or of a specific ruling not identified in this notice may raise issues of reasonable care on the part of the importer or its agents for importations of merchandise subsequent to the effective date of this notice.

In NY N012174, NY N012171, NY N022197, NY N022195, NY N022204, NY N170023, NY N220756, NY N240329 and NY N269695, CBP classified wireless headphone sets in heading 8517, HTSUS, specifically in subheading 8517.62.00, HTSUS, which provides for "Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network): Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus." CBP has reviewed those ruling letters and has determined the ruling letters to be in error. It is now CBP's position that the wireless headphone sets are properly classified in heading 8518, HTSUS, specifically in subheading 8518.30.20, HTSUS, which provides for "Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers; audio-frequency electric amplifiers; electric sound amplifier sets; parts thereof: Headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers: Other."

Pursuant to 19 U.S.C. § 1625(c)(1), CBP is revoking NY N012174, NY N012171, NY N022197, NY N022195, NY N022204, NY N170023, NY N220756, NY N240329 and NY N269695, and revoking or modifying any other ruling not specifically identified to reflect the analysis contained in Headquarters Ruling Letter (“HQ”) H317791, set forth as an attachment to this notice. Additionally, pursuant to 19 U.S.C. § 1625(c)(2), CBP is revoking any treatment previously accorded by CBP to substantially identical transactions.

In accordance with 19 U.S.C. § 1625(c), this ruling will become effective 60 days after publication in the *Customs Bulletin*.

GREGORY CONNOR
for

YULIYA A. GULIS,
Director

Commercial and Trade Facilitation Division

Attachment

HQ H317791

July 1, 2024

OT:RR:CTF:TCM H317791 DSR

CATEGORY: Classification

TARIFF NO.: 8518.30.20

MR. TROY D. CRAGO
IMPORT SPECIALIST
ATICO INTERNATIONAL USA, INC.
501 SOUTH ANDREWS AVENUE
FORT LAUDERDALE, FL 33301

WILLIAM VIRIYA NETRAMAI
GLOBAL TRADE COMPLIANCE
BEATS ELECTRONICS LLC
1601 CLOVERFIELD BLVD., SUITE 5000N
SANTA MONICA, CA 90404

ELISABETH FORREST
PLANTRONICS
345 ENCINAL STREET
SANTA CRUZ, CA 95060

MS. ANTOINETTE MCKNIGHT
AMERICAN SHIPPING COMPANY, INCORPORATED
250 MOONACHIE RD., 5TH FLOOR
MOONACHIE, NJ 07074

MR. ERIC S. C. WANG
DYNASTY CUSTOMS BROKER, INC.
DYNASTY U.S.A. GROUP
1409 SAN MATEO AVENUE
SOUTH SAN FRANCISCO, CA 94080

MR. STEVE BONAR
GLOBAL CUSTOMS COMPLIANCE MANAGER
PLANTRONICS INC.
345 ENCINAL STREET
SANTA CRUZ, CA 95060

RE: Tariff classification of Bluetooth enabled wireless headphone sets from China, Mexico and an undisclosed country of origin; Revocation of NY N012174 (June 12, 2007), NY N012171 (June 12, 2007), NY N022197 (February 19, 2008), NY N022195 (February 20, 2008), NY N022204 (February 20, 2008), NY N170023 (July 8, 2011), NY N220756 (June 28, 2012), NY N240329 (April 22, 2013), and NY N269695 (October 30, 2015)

DEAR MSSES. MCKNIGHT AND FORREST, AND MESSRS. BANAR, WANG, NETRAMAI, AND CRAGO,

This letter is in reference to the tariff classification of retail sets containing certain wireless headphones. We have identified nine published rulings that need to be reconsidered so that we do not have in force rulings that may be inconsistent with our current views.

Each of the rulings classified the subject merchandise in subheading 8517.62.00, Harmonized Tariff Schedule of the United States (HTSUS), which provides for “Other apparatus for transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network): Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus.” After reviewing the rulings, CBP has determined that the classifications of the subject articles are incorrect and CBP is therefore revoking them for the reasons set forth herein.

Pursuant to section 625(c)(1), Tariff Act of 1930 (19 U.S.C. § 1625(c)(1)), as amended by section 623 of Title VI (Customs Modernization) of the North American Free Trade Agreement Implementation Act, Pub. L. No. 103–182, 107 Stat. 2057, 2186 (1993), notice of the proposed action was published on April 24, 2024, in Volume 58, Number 16, of the Customs Bulletin. One comment, addressed herein, was received in response to this notice.

FACTS:

The subject of NY N269695 is described as follows:

The item concerned is referred to as the Blackwire C720. It is described as a versatile Unified Communications (UC) headset. This device is a telecommunication type headset with two speakers (one for each ear) and a microphone within a wraparound style mouthpiece. It also incorporates a Bluetooth transceiver and a USB port.

The Bluetooth transceiver enables the Blackwire C720 headset to wirelessly connect to mobile phones and tablets while the USB port allows it to alternatively connect, via a USB cable, to a personal computer (PC). This headset uses smart sensor technology that automatically answers a call when the user puts on the headset. The inline controls with Bluetooth functionality are used to answer mobile calls and PC calls, control volume, and mute volume. Inline indicator lights and voice prompts alert the user to connection status, mute, and volume status. Lights on the ear pad let colleagues know when the user is on a call.

The subjects of NY N220756 are described as follows:

The merchandise subject to this ruling is five Bluetooth headsets. They are identified within your ruling letter as Model Numbers XP500, PX5, Delta, XP300, and XP400. Your letter states that the headsets are primarily designed for gaming purposes for utilization with such electronic games as the Sony PlayStation 3 and the Microsoft Xbox 360. Within your submission you also state that the headsets can also transmit radio frequency (RF) not only from a game console, but also to the game console enabling the user to speak with others within a local or wide area network. Additionally, these headsets can communicate with any other device capable of receiving RF signals using Bluetooth technology, such as phones, computers, and other consumer electronic devices. As such, although they are designed for gaming purposes, it is not solely or principally used with a gaming system. Samples of each of the five Bluetooth headsets were furnished for classification purposes and are being returned to you as per your request.

Each of the headsets has a transceiver microchip which provides 2-way communication that allows the user to communicate with other online video game players. The headsets receive and transmit RF signals from and to a video game console. The headsets receive an RF signal and convert it to sound waves for a player to hear. When a player speaks, the sound waves are converted to RF signals and sent back to the video game console, enabling all players on the PlayStation network to hear the audio and to speak to one another. The headsets utilize Bluetooth, which is an open wireless protocol for exchanging data over short distances using radio waves, which enables the headsets to communicate wirelessly with other devices that they are “paired” up with, such as a cell phone and other Bluetooth devices. The XP500, PX5, and Delta headsets use wireless CD-quality game sound via digital 2.404–2.475 GHz RF that communicates with a transmitter that is included in each headset. The XP300 and XP400 use wireless CD-quality game sound via digital 5.160–5.280 GHz RF that communicates with a transmitter that is included with each headset.

The subjects of NY N170023 are described as follows:

... Model EX-01 is referred to as a Bluetooth headset. Model EX-02s is referred to as a next generation Bluetooth headset. Both models contain a transceiver microchip which provides two-way communication. They receive and transmit using a 2.4 GHz radio frequency (RF) signal from and to a video game console. The headsets receive an RF signal and convert it to sound waves for a player to hear. When a player speaks, the sound waves are converted to RF signals and sent back to the video game console, enabling all players on a PlayStation network to hear the audio and to speak to one another. Although your submission states that the Gioteck Bluetooth headsets are designed for home video game consoles, such as PS3, XBOX360, they are not exclusively for use with a gaming console. There is nothing about these products that prevent them from being used with other devices, such as a cellular telephone for 2-way communication, so long as the headsets are “paired” with the other devices.

Model EX-01 is a Bluetooth headset. It is an over-the-ear earphone (speaker) combined in the same housing with a microphone and radio reception/transmission apparatus (transceiver microchip), enabling the headset to communicate wirelessly with other apparatus. It contains an ear hook, an LED feedback indicator, buttons for volume increase/decrease and power/mute, and a rechargeable Lithium-ion polymer battery. It is imported with two spare over-the-ear hooks and a USB cable to recharge the battery. The headset utilizes Bluetooth (an open wireless protocol for exchanging data over short distances using radio waves), which enables the headset to communicate wirelessly with other devices that it is “paired” up with.

Model EX-02s is a next generation Bluetooth headset is an over-the-ear earphone (speaker) combined in the same housing with a microphone and radio reception/transmission apparatus (transceiver microchip), enabling the headset to communicate wirelessly with other apparatus. It contains an ear hook, an LED feedback indicator, buttons for volume increase/decrease and power/mute, and a rechargeable Lithium-ion polymer battery. It is imported with a spare over-the-ear hook and a USB cable to

recharge the battery. The headset utilizes Bluetooth (an open wireless protocol for exchanging data over short distances using radio waves), which enables the headset to communicate wirelessly with other devices that it is “paired” up with.

The subject of NY N022197 is described as follows:

The merchandise is identified in your letter as a Slim Size Bluetooth Wireless headset, which weighs only 9 grams, has Bluetooth V2.0 + EDR (Enhanced Data Rate). The Bluetooth Wireless headset is identified within your letter as Item # A015DA00070. It is built with a transceiver microchip that receives and transmits using radio frequency (RF) signals with a cellular phone within a 30 feet operating range. The cellular phone transmits a Bluetooth signal to the headset. The headset receives the RF signals and converts the signal to sound waves for the user to hear. When the user speaks into the headset the sound waves are converted to a signal and sent back to the corresponding cellular phone. Among its many features are 6 hours of talk time, 100 hours standby time, easy switching between headset and hands free, volume control, support voice dial, and last number redial. An alternating current (AC) adapter for recharging the battery and three different size earpieces are included with the headset.

The subject of NY N012174 is described as follows:

The merchandise subject to this ruling is a CS70N wireless headset system. The CS70N is Plantronic’s new office headset system, which allows the user to wear it over the ear. It incorporates a noise canceling microphone for clarity and clear speech in noisy environments. This wireless headset system is put up for retail sale as a product comprised of a base unit that connects to a lined telephone, a wireless headset that transmits and receive radio frequency at 1.9 GHz, a power cord for the base unit, ear-tips of different sizes for the user’s comfort, and a handset lifter.

The base unit plugs into the headset jack on the telephone to receive and transmit sound waves into a modulated current to feedback to the telephone. Once the modulated current is received by the base unit, it encrypts the current and sends it to the wireless headset via a radio frequency at 1.9 GHz. Once the headset receives the signal from the base unit, it decodes the transmission and regenerates the signal into voice. When the user speaks into the headset the process is reversed. The voice from the user is encrypted and is transmitted back to the base unit. The base unit then decodes the signal and converts it to a modulated current, which is then sent to the telephone. The CS70N features a control button to answer/end/make calls and a volume control including mute. The base unit can fully recharge the headset.

The subject of NY N012171 is described as follows:

The merchandise subject to this ruling is a Discovery 655 Bluetooth headset. The Discovery 655 is Plantronic’s mobile headset which allows the user to wear it over the ear. It incorporates digital signal processing (DSP), the latest audio technology for enhanced sound for clear conversations. The Discovery 655 is put up for retail sale as a product comprised of a Bluetooth wireless headset that transmits and receives with a cellular phone, a AAA battery charger, an AC charger, a mini-USB to USB

charging cable used for charging by a computer, ear-tips of different sizes for the user's comfort, and an ear stabilizer for secure positioning on the ear.

The Bluetooth headset is built with a transceiver microchip which receives and transmits using radio frequency (RF) signals, 2.4 GHz ISM, with a cellular phone within 33 feet. The cellular phone transmits a Bluetooth signal to the headset. The headset receives the RF, converts the signal to sound waves for the user to hear. When the user speaks into the headset the sound waves are converted to a signal and sent back to the corresponding cellular phone. The Discovery 655 features a control button to answer/end/make calls and volume control including mute. The headset can utilize voice dialing when the cellular phone has enabled the voice dialing.

The subject of NY N022195 is described as follows:

This Bluetooth wireless stereo headphone features Bluetooth V2.0 + EDR (Enhanced Data Rate), support profiles of hands-free headset A2DP & AVRCP, a LI-ION rechargeable battery, which provides 12 hours of talk time, 10 hours of music time, and 260 hours of standby time, and has an operating range up to 30 feet. It has a built-in microphone, volume control with up/down/mute modes, a music control that enables the user to play music backward and forward, supports voice dial, last number redial, an LED for line-in-use & battery level check indication, and auto-switching between listening to music and making phone calls. A foldable headband and USB charger is included.

The subject of NY N022204 is described as follows:

The Bluetooth wireless stereo headphone features Bluetooth V2.0 + EDR (Enhanced Data Rate), supports HS, HF, A2DP, & QVRCPP profile, 8 hours of talk time, 170 hours of standby time, and has an operating range up to 30 feet. It has a music control that enables the user to play music backward and forward, supports voice dial, and last number redial. An AC adapter and detachable earpiece are included.

The subject of NY N240329 is described as follows:

The merchandise in question is referred to as the "Beats Wireless Over Ear Headphone" set (Model # 810-00012-00) The retail package includes a pair of Beats wireless headphones, a USB charging cable, a remote microphone cable, an audio cable, an audio plug adapter, and a uniquely shaped fitted case. The ear cups are cushioned, and one ear cup incorporates a microphone, a power/answer/hang-up button, a power LED indicator, a play/pause button, back and next buttons, and volume control buttons. There is a jack located at the base of this ear cup for the audio or microphone cable. The other ear cup incorporates a mini-USB jack at the base which is used to charge the item. It is retail packaged upon importation.

The headphones incorporate the "BlueCore5 Multimedia Bluetooth Chip." This chip allows for wireless two-way communication between the headset and any Bluetooth enabled device. The user can access Bluetooth enabled cellular telephones for wireless two-way communications and wirelessly receive streaming audio from an iPod, iPhone, iPad, laptop, or

any other Bluetooth enabled device. The buttons on the ear cup let you manage the volume, skip tracks, and answer telephone calls with a single touch.

ISSUE:

Whether the headphone sets are classified under heading 8517, HTSUS, which provides for, in pertinent part, apparatus for the reception, conversion and transmission or regeneration of voice, images or other data, or under heading 8518, HTSUS, which provides for, in pertinent part, headphones and earphones, whether or not combined with a microphone.

LAW AND ANALYSIS:

Classification under the HTSUS is determined in accordance with the General Rules of Interpretation (GRIs). GRI 1 provides that the classification of goods shall be determined according to the terms of the headings of the tariff schedule and any relative section or chapter notes. If the goods cannot be classified solely based on GRI 1, and if the headings and legal notes do not otherwise require, the remaining GRIs 2 through 6 may then be applied in order.¹

The HTSUS provisions under consideration in this ruling are as follows:

8517 Telephone sets, including telephones for cellular networks or for other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528; parts thereof:

* * *

8518 Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers; audio-frequency electric amplifiers; electric sound amplifier sets; parts thereof:

In addition, in interpreting the HTSUS, the Explanatory Notes (“ENs”) of the Harmonized Commodity Description and Coding System may be utilized. The ENs, although not dispositive or legally binding, provide a commentary on the scope of each heading, and are generally indicative of the proper interpretation of the HTSUS. Likewise, decisions in the Compendium of Classification Opinions should be treated in the same manner as the ENs. *See* T.D. 89–80, 54 Fed. Reg. 35127 (August 23, 1989).

The EN to heading 85.17 states, in pertinent part, the following:

This heading covers apparatus for the transmission or reception of speech or other sounds, images or other data between two points by variation of an electric current or optical wave flowing in a wired network or by electromagnetic waves in a wireless network. The signal may be analogue

¹ At the time of importation, all the components contained in the packages of the subject articles are packaged together for retail sale and can be classifiable as sets per GRI 3(b). As such, the products are classifiable in the heading that provides for the component which imparts the essential character of the set, which would be the headphones.

or digital. The networks, which may be interconnected, include telephony, telegraphy, radio-telephony, radio-telegraphy, local and wide area networks.

...

(II) OTHER APPARATUS FOR TRANSMISSION OR RECEPTION OF VOICE, IMAGES OR OTHER DATA, INCLUDING APPARATUS FOR COMMUNICATION IN A WIRED OR WIRELESS NETWORK (SUCH AS A LOCAL OR WIDE AREA NETWORK)

...

(F) Transmitting and receiving apparatus for radio-telephony and radio-telegraphy.

This group includes:

(1) Fixed apparatus for radio-telephony and radio-telegraphy (transmitters, receivers and transmitter-receivers)....

Classification Opinion 8517.62/20 describes the following:

Wireless headset with an AC charger and two ear-hooks of different sizes (headset dimensions : 41.5 mm (L) x 18.9 mm (W) x 25.9 mm (H); weight : 8 grams), consisting of a single (monaural) over-the-ear earphone combined in the same housing with a microphone, a radio transceiver, a rechargeable lithium polymer battery, a power input, a LED (light emitting diode) indicator light and controls.

The radio transceiver utilizes an open wireless technology standard (wireless protocol for exchanging data within a Personal Area Network (PAN) using short length radio waves over short distances (up to 10 meters)) with Enhanced Data Rate (EDR) technology, which enables the headset to communicate wirelessly with fixed and mobile devices, such as a mobile telephone for cellular networks.

The indicator light provides information on transmission/reception status and state of the battery charge. The power input is designed to accept a 5-pin, B-type plug, permitting recharging from a charger, a USB port on an automatic data processing machine or a motor vehicle accessory plug charger. The controls are used for powering the apparatus on and off, voice dialing, answering and ending incoming calls, rejecting calls, placing calls on hold, call waiting, redial of the last number, if supported by the apparatus with which it is “paired” (transmitting to and receiving from).

The product is put up in a set for retail sale in a box with a quick start manual.

Application of GIRs 1 (Note 3 to Section XVI), 3 (b) and 6.

Adoption : 2011



The EN to heading 85.18 provides, in pertinent part, the following:

This heading covers microphones, loudspeakers, headphones, earphones and audio-frequency electric amplifiers of all kinds presented separately, regardless of the particular purpose for which such apparatus may be designed (e.g., telephone microphones, headphones and earphones, and radio receiver loudspeakers).

The heading also covers electric sound amplifier sets.

...

(C) HEADPHONES AND EARPHONES, WHETHER OR NOT COMBINED WITH A MICROPHONE, AND SETS CONSISTING OF A MICROPHONE AND ONE OR MORE LOUDSPEAKERS

Headphones and earphones are electroacoustic receivers used to produce low-intensity sound signals. Like loudspeakers, described above, they transform an electrical effect into an acoustic effect; the means used are the same in both cases, the only difference being in the powers involved.

The heading covers headphones and earphones, whether or not combined with a microphone, for telephony or telegraphy; headsets consisting of a special throat microphone and permanently-fixed earphones (used, for example, in aviation); line telephone handsets which are combined microphone/speaker sets for telephony and which are generally used by telephone operators; headphones and earphones for plugging into radio or television receivers, sound reproducing apparatus or automatic data processing machines....

We find that the instant headphones are composite machines described in Note 3 to Section XVI, HTSUS, and therefore classified as consisting only of the component that performs their principal function. Specifically, Note 3 states the following:

Unless the context otherwise requires, composite machines consisting of two or more machines fitted together to form a whole and other machines designed for the purpose of performing two or more complementary or alternative functions are to be classified as if consisting only of that component or as being that machine which performs the principal function.

The General ENs to Section XVI, provide, in relevant part, as follows:

(VI) MULTI-FUNCTION MACHINES AND COMPOSITE MACHINES

(Section Note 3)

In general, multi-function machines are classified according to the principal function of the machine.

...

Composite machines consisting of two or more machines or appliances of different kinds, fitted together to form a whole, consecutively or simultaneously performing separate functions which are generally complementary and are described in different headings of Section XVI, are also classified according to the principal function of the composite machine.

...

For the purposes of the above provisions, machines of different kinds are taken to be fitted together to form a whole when incorporated one in the other or mounted one on the other, or mounted on a common base or frame or in a common housing.

Here, each of the subject headphones incorporate a Bluetooth transceiver that allows for wireless two-way communication between the headphones and other Bluetooth-enabled devices. For instance, the headphones' users can access Bluetooth-enabled cellular telephones for wireless two-way communications or also wirelessly receive streaming audio from another Bluetooth-enabled device. Also, in the cases of the Beats headphones of NY N240329 and the Blackwire C720 of NY N269695, a user can choose to connect the devices directly to an audio source via an audio cable, or USB connection, respectively. Each device under consideration also possesses buttons that allow a user to manage functions such as incoming audio volume, audio track control and answering telephone calls.

Similar to the ENs, T.D. 89-80, *supra*, indicates that a classification opinion in the Compendium of Classification Opinions constitutes the official interpretation of the Harmonized System. Although generally indicative of the proper interpretation of the various provisions in the HS, classification opinions are not legally binding on the contracting parties. They should be consulted for guidance but should not be treated as dispositive.

In this case, we have consulted Classification Opinion 8517.62/20, but find that is not dispositive. In applying the legal text of Note 3 to Section XVI, we note that the transmission and reception functions of the Bluetooth transceivers in the subject headphones are not indicative of a principal function based on the reception or transmission of voice, images, or other data. Rather, in the case of the subject headphones, the wireless connectivity facilitated by the Bluetooth transceivers is analogous to the connectivity found in wired headphones. *See* NY N302512, dated February 9, 2019 (where CBP classified wired headphones with similar control functionality under heading 8518, HTSUS). In other words, the transmission and reception functions inherent to the subject devices are intermediate steps or ancillary features that complement the devices' ultimate principal function, which is to convert incoming and outgoing signals into sound – that is, to function as headphones combined with microphones. Therefore, we find that the subject headphone sets of NY N012174, NY N012171, NY N022197, NY N022195, NY N022204,

NY N170023, NY N220756, NY N240329 and NY N269695 are properly classified as headphones of heading 8518, HTSUS.²

Finally, with regard to the comment submitted in response to the notice of proposed action, we note that the commenter supports the revocation of the subject rulings but also proposes that the analysis contained in this action be applied to the product considered in HQ H251033 (July 31, 2014), and that HQ H251033 be revoked as well. In that ruling, CBP considered the classification of a retail set consisting of, in relevant part, a wireless stereo headset containing a pair of full-size earphones combined in the same housing with a microphone and a radio transceiver microchip mounted on a printed circuit board. In addition, the set contains a USB dongle transceiver that is to be connected to a Playstation®3 videogame console or other automatic data processing (ADP) machine. The headset transceiver utilizes a wireless connection with the USB dongle transceiver to transmit voice and audio content between a videogame console (or ADP machine) and the headset, thereby allowing a user to listen to audio content from the videogame console or ADP machine and communicate with fellow gamers via the headset's incorporated microphone. While the merchandise at issue in HQ H250133 bears similarities with the merchandise at issue in this ruling, we conclude that the facts of that case differ enough such that HQ H251033 should be addressed under separate cover. As such, we are declining to revoke HQ H251033 in this action.

HOLDING:

By application of GRIs 1 (Note 3 to Section XVI), 3(b) and 6, the subject headphone sets are classified in heading 8518, HTSUS, specifically in subheading 8518.30.20, HTSUS, which provides for "Microphones and stands therefor; loudspeakers, whether or not mounted in their enclosures; headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers; audio-frequency electric amplifiers; electric sound amplifier sets; parts thereof: Headphones and earphones, whether or not combined with a microphone, and sets consisting of a microphone and one or more loudspeakers: Other." The column one, general rate of duty is free.

Duty rates are provided for your convenience and are subject to change. The text of the most recent HTSUS and the accompanying duty rates are provided on the internet at www.usitc.gov/tata/hts/.

² Presidential Proclamation 8097, 72 Fed. Reg. 453, Volume 72, No. 2 (January 4, 2007), amended heading 8517, HTSUS (and other headings), to reflect changes recommended by the World Customs Organization. Current subheading 8517.62.00 was added to the HTSUS to cover "Telephone sets, including telephones for cellular networks or for other wireless networks; other apparatus for the transmission or reception of voice, images or other data, including apparatus for communication in a wired or wireless network (such as a local or wide area network), other than transmission or reception apparatus of heading 8443, 8525, 8527 or 8528; parts thereof: Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus: " Prior to that amendment, heading 8517 covered "Electrical apparatus for line telephony or line telegraphy, including line telephone sets with cordless handsets and telecommunication apparatus for carrier-current line systems or for digital line systems; videophones; parts thereof." The proclaimed changes became effective for goods entered or withdrawn from warehouse for consumption on or after February 3, 2007. In light of the above, this revocation covers only relevant heading 8517 rulings issued *after* the effective date of the amendment, as those before are revoked by operation of law.

EFFECT ON OTHER RULINGS:

NY N012174, NY N012171, NY N022197, NY N022195, NY N022204, NY N170023, NY N220756, NY N240329 and NY N269695 are revoked in accordance with this decision. In accordance with 19 U.S.C. §1625(c), this ruling will become effective 60 days after publication in the Customs Bulletin.

Sincerely,

GREGORY CONNOR

for

YULIYA A. GULIS,

Director

Commercial and Trade Facilitation Division

**QUARTERLY IRS INTEREST RATES USED IN
CALCULATING INTEREST ON OVERDUE ACCOUNTS AND
REFUNDS OF CUSTOMS DUTIES**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: General notice.

SUMMARY: This notice advises the public that the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties will remain the same from the previous quarter. For the calendar quarter beginning July 1, 2024, the interest rates for underpayments will be 8 percent for both corporations and non-corporations. The interest rate for overpayments will be 8 percent for non-corporations and 7 percent for corporations. This notice is published for the convenience of the importing public and U.S. Customs and Border Protection personnel.

DATES: The rates announced in this notice are applicable as of July 1, 2024.

FOR FURTHER INFORMATION CONTACT: Bruce Ingalls, Revenue Division, Collection Refunds & Analysis Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 298-1107.

SUPPLEMENTARY INFORMATION:

Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 provides different interest rates applicable to overpayments: one for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2024-11, the IRS determined the rates of interest for the calendar quarter beginning July 1, 2024, and ending on September 30, 2024. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (5%) plus three

percentage points (3%) for a total of eight percent (8%) for both corporations and non-corporations. For overpayments made by non-corporations, the rate is the Federal short-term rate (5%) plus three percentage points (3%) for a total of eight percent (8%). For corporate overpayments, the rate is the Federal short-term rate (5%) plus two percentage points (2%) for a total of seven percent (7%). These interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties remain the same from the previous quarter. These interest rates are subject to change for the calendar quarter beginning October 1, 2024, and ending on December 31, 2024.

For the convenience of the importing public and U.S. Customs and Border Protection personnel, the following list of IRS interest rates used, covering the period from July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate overpay-ments (eff. 1-1-99) (percent)
070174	063075	6	6	.....
070175	013176	9	9	.....
020176	013178	7	7	.....
020178	013180	6	6	.....
020180	013182	12	12	.....
020182	123182	20	20	.....
010183	063083	16	16	.....
070183	123184	11	11	.....
010185	063085	13	13	.....
070185	123185	11	11	.....
010186	063086	10	10	.....
070186	123186	9	9	.....
010187	093087	9	8	.....
100187	123187	10	9	.....
010188	033188	11	10	.....
040188	093088	10	9	.....
100188	033189	11	10	.....
040189	093089	12	11	.....
100189	033191	11	10	.....
040191	123191	10	9	.....
010192	033192	9	8	.....
040192	093092	8	7	.....
100192	063094	7	6	.....

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate overpayments (eff. 1-1-99) (percent)
070194	093094	8	7	.....
100194	033195	9	8	.....
040195	063095	10	9	.....
070195	033196	9	8	.....
040196	063096	8	7	.....
070196	033198	9	8	.....
040198	123198	8	7	.....
010199	033199	7	7	6
040199	033100	8	8	7
040100	033101	9	9	8
040101	063001	8	8	7
070101	123101	7	7	6
010102	123102	6	6	5
010103	093003	5	5	4
100103	033104	4	4	3
040104	063004	5	5	4
070104	093004	4	4	3
100104	033105	5	5	4
040105	093005	6	6	5
100105	063006	7	7	6
070106	123107	8	8	7
010108	033108	7	7	6
040108	063008	6	6	5
070108	093008	5	5	4
100108	123108	6	6	5
010109	033109	5	5	4
040109	123110	4	4	3
010111	033111	3	3	2
040111	093011	4	4	3
100111	033116	3	3	2
040116	033118	4	4	3
040118	123118	5	5	4
010119	063019	6	6	5
070119	063020	5	5	4
070120	033122	3	3	2
040122	063022	4	4	3
070122	093022	5	5	4
100122	123122	6	6	5
010123	093023	7	7	6

Beginning date	Ending date	Under-payments (percent)	Over-payments (percent)	Corporate overpayments (eff. 1-1-99) (percent)
100123	093024	8	8	7

CRINLEY S. HOOVER,
Acting Chief Financial Officer,
U.S. Customs and Border Protection.

**ACCREDITATION AND APPROVAL OF AMSPEC, LLC
(BELLE CHASSE, LA) AS A COMMERCIAL GAUGER AND
LABORATORY**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec, LLC (Belle Chasse, LA) as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec, LLC (Belle Chasse, LA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 11, 2023.

DATES: AmSpec, LLC (Belle Chasse, LA) was approved and accredited as a commercial gauger and laboratory as of May 11, 2023. The next inspection date will be scheduled for May 2026.

FOR FURTHER INFORMATION CONTACT: Dr. Eugene Bondoc, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1501–A North, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that AmSpec, LLC, 9221 Highway 13, Belle Chasse, LA 70037, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13 as of May 11, 2023.

AmSpec, LLC (Belle Chasse, LA) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

AmSpec, LLC (Belle Chasse, LA) is accredited for the following laboratory analysis procedures and methods for petroleum and cer-

tain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-02	D 1298	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27-04	D 95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11.....	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27-14	D 2622	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-48	D 405	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27-53	D 2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27-58	D 5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services
Directorate.

ACCREDITATION AND APPROVAL OF AMSPEC, LLC (ST. JAMES, LA) AS A COMMERCIAL GAUGER AND LABORATORY

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of AmSpec, LLC (St. James, LA) as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec, LLC (St. James, LA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 10, 2023.

DATES: AmSpec, LLC (St. James, LA) was approved and accredited as a commercial gauger and laboratory as of May 10, 2023. The next inspection date will be scheduled for May 2026.

FOR FURTHER INFORMATION CONTACT: Dr. Eugene Bondoc, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1501–A North, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that AmSpec, LLC, 5525 Highway 18, St. James, LA 70086, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13 as of May 10, 2023.

AmSpec, LLC (St. James, LA) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
1	Vocabulary.
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculations.
17	Maritime Measurement.

AmSpec, LLC (St. James, LA) is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-03	D 4006	Standard Test Method for Water in Crude Oil by Distillation.
27-06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy Dispersive X-ray Fluorescence Spectrometry.
27-46	D 5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
N/A.....	D 4007	Standard Test Method For Water and Sediment in Crude Oil by the Centrifuge Method (Laboratory Procedure).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344-1060. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labsscientific/commercial-gaugers-andlaboratories>.

JAMES D. SWEET,
*Laboratory Director,
Houston, Laboratories and Scientific Services
Directorate.*

ACCREDITATION AND APPROVAL OF CAMIN CARGO CONTROL, INC. (PASADENA, TX) AS A COMMERCIAL GAUGER AND LABORATORY

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc. (Pasadena, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc. (Pasadena, TX), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of July 26, 2023.

DATES: Camin Cargo Control, Inc. (Pasadena, TX) was approved and accredited as a commercial gauger and laboratory as of July 26, 2023. The next triennial inspection date will be scheduled for July 2026.

FOR FURTHER INFORMATION CONTACT: Robert P. Munivez, Laboratories and Scientific Services, U.S. Customs and Border Protection, 4150 Interwood South Parkway, Houston, TX 77032, tel. 281-560-2900.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 1001 Shaw Avenue, Pasadena, TX 77506, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Camin Cargo Control, Inc. (Pasadena, TX) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculation of Petroleum Quantities.
17	Maritime Measurement.

Camin Cargo Control, Inc. (Pasadena, TX), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-03	D4006	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-08	D86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-14	D2622	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-48	D4052	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-50	D93	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27-57	D7039	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-58	D5191	Standard Test Method for Vapor Pressure of Petroleum Products and Liquid Fuels (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (281) 560-2900. The inquiry may also be sent to CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services.

**ACCREDITATION AND APPROVAL OF INTERTEK USA,
INC. (DEER PARK, TX) AS A COMMERCIAL GAUGER AND
LABORATORY**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Intertek USA, Inc. (Deer Park, TX) as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Deer Park, TX), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of April 18, 2023.

DATES: Intertek USA, Inc. (Deer Park, TX) was approved and accredited as a commercial gauger and laboratory as of April 18, 2023. The next inspection date will be scheduled for April 2026.

FOR FURTHER INFORMATION CONTACT: Dr. Eugene Bondoc, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1501–A North, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Intertek USA, Inc., 1114 Seaco Avenue, Deer Park, TX 77536, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13 as of April 18, 2023.

Intertek USA, Inc. (Deer Park, TX) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
1	Vocabulary.
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.
17	Maritime Measurement.

Intertek USA, Inc. (Deer Park, TX) is accredited for the following laboratory analysis procedures and methods for petroleum and cer-

tain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D 287.....	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27-02	D 1298.....	Standard Test Method for Density, Relative Density (Specific Gravity), or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27-03	D 4006.....	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D 95.....	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D 4928.....	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D 473.....	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07	D 4807.....	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-08	D 86.....	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-13	D 4294.....	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-46	D 5002.....	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
27-48	D 4052.....	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27-54	D 1796.....	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge Method.

Anyone wishing to employ this entity by the U.S. Customs and Border or approved to perform may be directed to conduct laboratory analyses and Protection to conduct the specific test or to the U.S. Customs and Border gauger services should request and gauger service requested. Alternatively, Protection by calling (202) 344-1060. receive written assurances from the inquiries regarding the specific test or The inquiry may also be sent to entity that it is accredited or approved gauger service this entity is accredited *CBPGaugersLabs* @cbp.dhs.gov. reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services
Directorate.

**ACCREDITATION AND APPROVAL OF INTERTEK USA,
INC. (FREEPORT, TX) AS A COMMERCIAL GAUGER**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of approval of Intertek USA, Inc. (Freeport, TX) as a commercial gauger.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Intertek USA, Inc. (Freeport, TX), has been approved to gauge petroleum and certain petroleum products for customs purposes for the next three years as of April 20, 2023.

DATES: Intertek USA, Inc. (Freeport, TX) was approved as a commercial gauger as of April 20, 2023. The next inspection date will be scheduled for April 2026.

FOR FURTHER INFORMATION CONTACT: Dr. Eugene Bondoc, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW, Suite 1501–A North, Washington, DC 20229, tel. 202–344–1060.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.13, that Intertek USA, Inc., 214 North Gulf Blvd., Freeport, TX 77541, has been approved to gauge petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.13 as of April 20, 2023.

Intertek USA, Inc. (Freeport, TX) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculations.
17	Maritime Measurement.

Anyone wishing to employ this entity to conduct gauger services should request and receive written assurances from the entity that it is approved by the U.S. Customs and Border Protection to conduct the gauger service requested. Alternatively, inquiries regarding the

gauger service this entity is approved to perform may be directed to the U.S. Customs and Border Protection by calling (202) 344–1060. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>*.

JAMES D. SWEET,
*Laboratory Director,
Houston, Laboratories and Scientific Services
Directorate.*

ACCREDITATION AND APPROVAL OF CAMIN CARGO CONTROL, INC. (GONZALES, LA) AS A COMMERCIAL GAUGER AND LABORATORY

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc. (Gonzales, LA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc. (Gonzales, LA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of May 24, 2023.

DATES: Camin Cargo Control, Inc. (Gonzales, LA) was approved and accredited as a commercial gauger and laboratory as of May 24, 2023. The next triennial inspection date will be scheduled for May 2026.

FOR FURTHER INFORMATION CONTACT: Robert P. Munivez, Laboratories and Scientific Services, U.S. Customs and Border Protection, 4150 Interwood South Parkway, Houston, TX 77032, tel. 281-560-2900.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 2137 South Philippe Avenue, Gonzales, LA 70737, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Camin Cargo Control, Inc. (Gonzales, LA) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculation of Petroleum Quantities.
17	Maritime Measurement.

Camin Cargo Control, Inc. (Gonzales, LA), is accredited for the following laboratory analysis procedures and methods for petroleum

and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-03	D4006.....	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95.....	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D4928.....	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D473.....	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-08	D86.....	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11.....	D445.....	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-14	D2622.....	Standard Test Method for Sulfur in Petroleum Products by Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-46	D5002.....	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
27-48	D4052.....	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-50	D93.....	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27-53	D2709.....	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27-58	D5191.....	Standard Test Method for Vapor Pressure of Petroleum Products and Liquid Fuels (Mini Method).
N/A.....	D5453.....	Standard Test Method for Determination of Total Sulfur in Light Hydrocarbons, Spark Ignition Engine Fuel, Diesel Engine Fuel, and Engine Oil by Ultraviolet Fluorescence.
N/A.....	D6377.....	Standard Test Method for Determination of Vapor Pressure of Crude Oil: VPCR _x (Expansion Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (281) 560-2900. The inquiry may also be sent to

CBPGaugersLabs@cbp.dhs.gov. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>*.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services.

ACCREDITATION AND APPROVAL OF CAMIN CARGO CONTROL, INC. (LA MARQUE, TX) AS A COMMERCIAL GAUGER AND LABORATORY

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Camin Cargo Control, Inc. (La Marque, TX), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Camin Cargo Control, Inc. (La Marque, TX), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of September 7, 2023.

DATES: Camin Cargo Control, Inc. (La Marque, TX) was approved and accredited as a commercial gauger and laboratory as of September 7, 2023. The next triennial inspection date will be scheduled for September 2026.

FOR FURTHER INFORMATION CONTACT: Robert P. Munivez, Laboratories and Scientific Services, U.S. Customs and Border Protection, 4150 Interwood South Parkway, Houston, TX 77032, tel. 281-560-2900.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Camin Cargo Control, Inc., 201 Texas Avenue, La Marque, TX 77568, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Camin Cargo Control, Inc. (La Marque, TX) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
11	Physical Properties Data.
12	Calculation of Petroleum Quantities.
17	Maritime Measurement.

Camin Cargo Control, Inc. (La Marque, TX), is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D287.....	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27-02	D1298.....	Standard Test Method for Density, Relative Density, or API Gravity of Crude Petroleum and Liquid Petroleum Products by Hydrometer Method.
27-03	D4006.....	Standard Test Method for Water in Crude Oil by Distillation.
27-04	D95.....	Standard Test Method for Water in Petroleum Products and Bituminous Materials by Distillation.
27-05	D4928.....	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D473.....	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07	D4807.....	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-08	D86.....	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-11.....	D445.....	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-13	D4294.....	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-48	D4052.....	Standard Test Method for Density, Relative Density, and API Gravity of Liquids by Digital Density Meter.
27-50	D93.....	Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester.
27-53	D2709.....	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.
27-57	D7039.....	Standard Test Method for Sulfur in Gasoline and Diesel Fuel by Monochromatic Wavelength Dispersive X-Ray Fluorescence Spectrometry.
27-58	D5191.....	Standard Test Method for Vapor Pressure of Petroleum Products and Liquid Fuels (Mini Method).

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test

or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (281) 560-2900. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>*.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services.

**ACCREDITATION AND APPROVAL OF BUREAU VERITAS
COMMODITIES AND TRADE, INC. (TORRANCE, CA) AS A
COMMERCIAL GAUGER AND LABORATORY**

AGENCY: U.S. Customs and Border Protection, Department of Homeland Security.

ACTION: Notice of accreditation and approval of Bureau Veritas Commodities and Trade, Inc. (Torrance, CA), as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Bureau Veritas Commodities and Trade, Inc. (Torrance, CA), has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes for the next three years as of October 26, 2023.

DATES: Bureau Veritas Commodities and Trade, Inc. (Torrance, CA) was approved and accredited as a commercial gauger and laboratory as of October 26, 2023. The next triennial inspection date will be scheduled for October 2026.

FOR FURTHER INFORMATION CONTACT: Mrs. Allison Blair, Laboratories and Scientific Services, U.S. Customs and Border Protection, 4150 Interwood South Parkway, Houston, TX 77032, tel. 281-560-2900.

SUPPLEMENTARY INFORMATION: Notice is hereby given pursuant to 19 CFR 151.12 and 19 CFR 151.13, that Bureau Veritas Commodities and Trade, Inc, 22934 Lockness Ave., Torrance, California 90501, has been approved to gauge petroleum and certain petroleum products and accredited to test petroleum and certain petroleum products for customs purposes, in accordance with the provisions of 19 CFR 151.12 and 19 CFR 151.13.

Bureau Veritas Commodities and Trade, Inc. (Torrance, CA) is approved for the following gauging procedures for petroleum and certain petroleum products from the American Petroleum Institute (API):

API chapters	Title
3	Tank Gauging.
7	Temperature Determination.
8	Sampling.
12	Calculations.

API chapters	Title
17	Maritime Measurement.

Bureau Veritas Commodities and Trade, Inc. (Torrance, CA) is accredited for the following laboratory analysis procedures and methods for petroleum and certain petroleum products set forth by the U.S. Customs and Border Protection Laboratory Methods (CBPL) and American Society for Testing and Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D 287	Standard Test Method for API Gravity of Crude Petroleum and Petroleum Products (Hydrometer Method).
27-05	D 4928	Standard Test Method for Water in Crude Oils by Coulometric Karl Fischer Titration.
27-06	D 473	Standard Test Method for Sediment in Crude Oils and Fuel Oils by the Extraction Method.
27-07	D 4807	Standard Test Method for Sediment in Crude Oil by Membrane Filtration.
27-08	D 86	Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure.
27-10	D 323	Standard Test Method for Vapor Pressure of Petroleum Products (Reid Method).
27-11.....	D 445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids (and Calculation of Dynamic Viscosity).
27-13	D 4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-46	D 5002	Standard Test Method for Density, Relative Density, and API Gravity of Crude Oils by Digital Density Analyzer.
27-48	D 4052	Standard Test Method for Density and Relative Density of Liquids by Digital Density Meter.
27-58	D 5191	Standard Test Method For Vapor Pressure of Petroleum Products (Mini Method).
N/A.....	D 6730	Standard Test Method for Determination of Individual Components in Spark Ignition Engine Fuels by 100-Metre Capillary (with Precolumn) High-Resolution Gas Chromatography.

Anyone wishing to employ this entity to conduct laboratory analyses and gauger services should request and receive written assurances from the entity that it is accredited or approved by the U.S. Customs and Border Protection to conduct the specific test or gauger service requested. Alternatively, inquiries regarding the specific test

or gauger service this entity is accredited or approved to perform may be directed to the U.S. Customs and Border Protection by calling (281) 560-2900. The inquiry may also be sent to *CBPGaugersLabs@cbp.dhs.gov*. Please reference the website listed below for a complete listing of CBP approved gaugers and accredited laboratories. *<http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>*.

JAMES D. SWEET,
Laboratory Director,
Houston, Laboratories and Scientific Services.

AGENCY INFORMATION COLLECTION ACTIVITIES:

Extension; Declaration of Person Who Performed Repairs or Alterations

AGENCY: U.S. Customs and Border Protection (CBP), Department of Homeland Security.

ACTION: 60-Day notice and request for comments.

SUMMARY: The Department of Homeland Security, U.S. Customs and Border Protection (CBP) will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (PRA). The information collection is published in the **Federal Register** to obtain comments from the public and affected agencies.

DATES: Comments are encouraged and must be submitted (no later than August 30, 2024) to be assured of consideration.

ADDRESSES: Written comments and/or suggestions regarding the item(s) contained in this notice must include the OMB Control Number 1651-0048 in the subject line and the agency name. Please submit written comments and/or suggestions in English. Please use the following method to submit comments: *Email*. Submit comments to: *CBP_PRA@cbp.dhs.gov*.

FOR FURTHER INFORMATION CONTACT: Requests for additional PRA information should be directed to Seth Renkema, Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection, Office of Trade, Regulations and Rulings, 90 K Street NE, 10th Floor, Washington, DC 20229-1177, Telephone number 202-325-0056 or via email *CBP_PRA@cbp.dhs.gov*. Please note that the contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs should contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP website at <https://www.cbp.gov/>.

SUPPLEMENTARY INFORMATION: CBP invites the general public and other Federal agencies to comment on the proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501, *et seq.*). This process is conducted in accordance with 5 CFR 1320.8. Written comments and suggestions from the public and affected agencies should address one or more of the following four points: (1) whether the proposed collection of information is necessary for the

proper performance of the functions of the agency, including whether the information will have practical utility; (2) the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used; (3) suggestions to enhance the quality, utility, and clarity of the information to be collected; and (4) suggestions to minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, *e.g.*, permitting electronic submission of responses. The comments that are submitted will be summarized and included in the request for approval. All comments will become a matter of public record.

Overview of This Information Collection

Title: Declaration of Person Who Performed Repairs or Alterations.

OMB Number: 1651-0048.

Form Number: N/A.

Current Actions: This submission will be made to extend the expiration date without a change to this information collection.

Type of Review: Extension (without change).

Affected Public: Businesses.

Abstract: The "Declaration of Person Who Performed Repairs or Alterations," as required by 19 CFR 10.8, is used in connection with the entry of articles entered under subheadings 9802.00.40 and 9802.00.50, Harmonized Tariff Schedule of the United States (HTSUS¹). Articles entered under these HTSUS provisions are articles that were in the United States and exported temporarily for repairs or alterations, and then returned to the United States. Upon their return, duty is only assessed on the value of the repairs performed abroad and not on the full value of the article. The declaration under 19 CFR 10.8(a) includes information such as a description of the article and the repairs or alterations; the value of the article and the repairs or alterations; and a declaration by the owner, importer, consignee, or agent having knowledge of the pertinent facts. The information in this declaration is used by CBP to determine the value of the repairs or alterations, and to assess duty only on the value of those repairs or alterations.

These requirements apply to the trade community who are familiar with CBP regulations and the tariff schedules and are required by law to provide this declaration.

¹ <https://hts.usitc.gov/current>.

Type of Information Collection: Declaration for Repairs or Alterations.

Estimated Number of Respondents: 10,236.

Estimated Number of Annual Responses per Respondent: 2.

Estimated Number of Total Annual Responses: 20,472.

Estimated Time per Response: 30 minutes.

Estimated Total Annual Burden Hours: 10,236.

Dated: June 25, 2024.

SETH D. RENKEMA,
*Branch Chief, Economic Impact Analysis
Branch,
U.S. Customs and Border Protection.*

Index

Customs Bulletin and Decisions
Vol. 58, No. 28, July 17, 2024

U.S. Customs and Border Protection

General Notices

	<i>Page</i>
Civil Monetary Penalty Adjustments for Inflation	1
Notice of Issuance of Final Determination Concerning a DisplayPort Male to Female Video Adapter	36
Revocation of Nine Ruling Letters and Revocation of Treatment Relating to the Tariff Classification of Wireless Headphone Sets from China, Mexico, and an Undisclosed Country of Origin	44
Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds of Customs Duties	58
Accreditation and Approval of AmSpec, LLC (Belle Chasse, LA) as a Commercial Gauger and Laboratory	62
Accreditation and Approval of AmSpec, LLC (St. James, LA) as a Commercial Gauger and Laboratory	64
Accreditation and Approval of Camin Cargo Control, Inc. (Pasadena, TX) as a Commercial Gauger and Laboratory	66
Accreditation and Approval of Intertek USA, Inc. (Deer Park, TX) as a Commercial Gauger and Laboratory	68
Accreditation and Approval of Intertek USA, Inc. (Freeport, TX) as a Commercial Gauger	70
Accreditation and Approval of Camin Cargo Control, Inc. (Gonzales, LA) as a Commercial Gauger and Laboratory	72
Accreditation and Approval of Camin Cargo Control, Inc. (La Marque, TX) as a Commercial Gauger and Laboratory	75
Accreditation and Approval of Bureau Veritas Commodities and Trade, Inc. (Torrance, CA) as a Commercial Gauger and Laboratory	78
Agency Information Collection Activities: Extension; Declaration of Person Who Performed Repairs or Alterations	81

