



## U.S. Customs and Border Protection

Port of Philadelphia  
200 Chestnut Street  
Philadelphia, PA 19106

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**U.S. Customs and Border Protection  
Pipeline #2018-005  
December 1, 2017**

**SUBJECT: Brokers User Fee 2018**

This notice is to advise all Customs Brokers that the annual user fee assessed for each permit held by an individual, partnership, association or corporate broker is due by January 26, 2018. Section 13031 of the Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272) established that the annual user fee will be assessed for each Customs Broker Permit held by an individual, partnership, association or corporation. The fee is set forth in Title 19 of the Code of Federal Regulations in Section 111.96(c), (19 CFR 111.96(c)). In the case of a national permit, the fee is payable at the port through which the broker's license and national permit were issued.

The Customs and Border Protection Regulations provide that the fee is payable each calendar year in each broker port where a broker has a permit to do business by the date published in the Federal Register annually. A copy of this year's Federal Register Announcement is attached for your reference.

The permit holder should submit \$138.00 for the 2018 permit fee year if tendered prior to close of business on December 29, 2017. Thereafter, the 2018 fee will be adjusted and the permit fee will increase to \$141.70 and may be submitted until close of business on January 26, 2018. The fee adjustment is required by the Fixing America's Surface Transportation Act (FAST Act) and CBP regulations.

Each broker that holds a permit and is conducting business as an entity must pay this fee, whether as an individual (sole proprietor), partnership, association or corporation. It is not required from individuals who do not hold permits, for example, a licensed individual who is an officer or employee of a brokerage firm that conducts Customs business under its own permit. Any broker failing to pay the fee by close of business on January 26, 2018 will receive written notification of failure to pay. This written notification will constitute revocation of the permit.

Fees for the Area Port of Philadelphia should be sent to:

U.S. Customs and Border Protection  
200 Chestnut Street  
Philadelphia, PA 19106  
Attn: Cynthia Bradley

If you have any questions please contact; Bernadette Howe, [bernadette.r.howe@cbp.dhs.gov](mailto:bernadette.r.howe@cbp.dhs.gov) or  
Cynthia Bradley, [cynthia.m.bradley@cbp.dhs.gov](mailto:cynthia.m.bradley@cbp.dhs.gov)



Bernadette Howe  
Chief, Entry Branch  
U.S. Customs and Border Protection  
Philadelphia, PA

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:** Harbor Maintenance Fee.  
**OMB Number:** 1651-0055.  
**Form Number:** CBP Forms 349 and 350.

**Current Actions:** CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to Forms 349 and 350.

**Type of Review:** Extension (without change).

**Abstract:** The Harbor Maintenance Fee (HMF) and Trust Fund is used for the operation and maintenance of certain U.S. channels and harbors by the Army Corps of Engineers. U.S. Customs and Border Protection (CBP) is required to collect the HMF from importers, domestic shippers, and passenger vessel operators using federal navigation projects. Commercial cargo loaded on or unloaded from a commercial vessel is subject to a port use fee of 0.125 percent of its value if the loading or unloading occurs at a port that has been designated by the Army Corps of Engineers. The HMF also applies to the total ticket value of embarking and disembarking passengers and on cargo admissions into a Foreign Trade Zone (FTZ).

CBP Form 349, *Harbor Maintenance Fee Quarterly Summary Report*, and CBP Form 350, *Harbor Maintenance Fee Amended Quarterly Summary Report* are completed by domestic shippers, foreign trade zone applicants, and passenger vessel operators and submitted with payment to CBP.

CBP uses the information collected on CBP Forms 349 and 350 to verify that the fee collected is timely and accurately submitted. These forms are authorized by the Water Resources Development Act of 1986 (26 U.S.C. 4461, *et seq.*) and provided for by 19 CFR 24.24, which also includes the list of designated ports. CBP Forms 349 and 350 are accessible at <http://www.cbp.gov/newsroom/publications/forms> or they may be completed and filed electronically at [www.pay.gov](http://www.pay.gov).  
**Affected Public:** Businesses.

**CBP Form 349**

**Estimated Number of Respondents:** 560.

**Estimated Number of Total Annual Responses:** 2,240.

**Estimated Time per Response:** 30 minutes.

**Estimated Total Annual Burden Hours:** 1,120.

**CBP Form 350**

**Estimated Number of Respondents:** 15.

**Estimated Number of Total Annual Responses:** 60.

**Estimated Time per Response:** 30 minutes.

**Estimated Total Annual Burden Hours:** 30.

**Recordkeeping**

**Estimated Number of Respondents:** 575.

**Estimated Number of Total Annual Responses:** 575.

**Estimated Time per Response:** 10 minutes.

**Estimated Total Annual Burden Hours:** 96.

Dated: November 20, 2017.

**Seth Runkema,**  
*Branch Chief, Economic Impact Analysis Branch, U.S. Customs and Border Protection.*  
 [FR Doc. 2017-25380 Filed 11-22-17; 8:45 am]  
**BILLING CODE 9111-14-P**

**DEPARTMENT OF HOMELAND SECURITY**

**U.S. Customs and Border Protection**

**Customs Brokers User Fee Payment for 2018**

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

**ACTION:** General notice.

**SUMMARY:** This document provides notice to customs brokers that the annual user fee that is assessed for each permit held by a broker, whether it may be an individual, partnership, association, or corporation, is due by January 26, 2018. Pursuant to fee adjustments required by the Fixing America's Surface Transportation Act (FAST Act) and CBP regulations, the annual user fee for calendar year 2018 will be \$141.70.

**DATES:** Payment of the 2018 Customs Broker User Fee is due by January 26, 2018.

**FOR FURTHER INFORMATION CONTACT:** Julia Peterson, Broker Management Branch, Office of Trade, (202) 863-6601.

**SUPPLEMENTARY INFORMATION:** Pursuant to section 111.96 of title 19 of the Code of Federal Regulations (19 CFR 111.96(c)), U.S. Customs and

Border Protection (CBP) assesses an annual user fee for each customs broker district and national permit held by an individual, partnership, association, or corporation. CBP regulations provide that this fee is payable for each calendar year in each broker district where the broker was issued a permit to do business by the due date. See 19 CFR 24.22(h) and (i)(9). Broker districts are defined in the General Notice entitled, "Geographic Boundaries of Customs Brokerage, Cartage and Lighterage Districts," published in the *Federal Register* on March 15, 2000 (65 FR 14011), and corrected, with minor changes, on March 23, 2000 (65 FR 15686) and on April 6, 2000 (65 FR 18151).

On December 4, 2015, the Fixing America's Surface Transportation Act (FAST Act, Pub. L. 114-94) was signed into law. Section 32201 of the FAST Act amended section 13031 of the Consolidated Omnibus Budget Reconciliation Act (COBRA) of 1985 (19 U.S.C. 58c) by requiring certain customs COBRA user fees and corresponding limitations to be adjusted by the Secretary of the Treasury (Secretary) to reflect certain increases in inflation.

On November 1, 2017, CBP published a final rule, CBP Dec. 17-16 (82 FR 50523), which amended sections 24.22 and 24.23 of title 19 of the Code of Federal Regulations (19 CFR 24.22 and 24.23) to implement the requirements of the FAST Act. Specifically, CBP created a new paragraph (k) in section 24.22 (19 CFR 24.22(k)) that sets forth the methodology to determine the change in inflation as well as the factor by which the fees and limitations will be adjusted, if necessary. The customs broker user fee is set forth in Appendix A of part 24. (19 CFR 24.22 Appendix A). On November 1, 2017, CBP also published a *Federal Register* notice, CBP Dec. 17-17, which among other things, announced that the annual broker permit user fee will increase to \$141.70 for calendar year 2018. See 82 FR 50659.

As required by 19 CFR 111.96, CBP must provide notice in the *Federal Register* no later than 60 days before the date that the payment is due for each broker permit. This document notifies customs brokers that for calendar year 2018, the due date for payment of the user fee is January 26, 2018.

Dated: November 20, 2017.

**Brenda B. Smith,**  
*Executive Assistant Commissioner, Office of Trade.*

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