

U.S. Customs and Border Protection



DEPARTMENT OF THE TREASURY

19 CFR PART 165

CBP DEC. NO. 16-11

RIN 1515-AE10

INVESTIGATION OF CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTIES; CORRECTION

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

ACTION: Interim final rule; correction.

SUMMARY: U.S. Customs and Border Protection (CBP) published an interim final rule on August 22, 2016, in the **Federal Register**, concerning investigation of claims of evasion of antidumping and countervailing duties. In accordance with section 421 of the Trade Facilitation and Trade Enforcement Act of 2015, the rule amended the U.S. Customs and Border Protection regulations to set forth procedures for CBP to investigate claims of evasion of antidumping and countervailing duty orders. That document inadvertently omitted a comma in the definition of “evade or evasion.” This document corrects the text in that definition.

DATES: This correction is effective September 8, 2016.

FOR FURTHER INFORMATION CONTACT: Robert Altneu, Chief, Trade and Commercial Regulations Branch, Regulations and Rulings, Office of Trade, at robert.f.altneu@cbp.dhs.gov.

SUPPLEMENTARY INFORMATION:

On August 22, 2016, U.S. Customs and Border Protection (CBP) published in the **Federal Register** (81 FR 56477) an Interim Final Rule (CBP Dec. 16-11) document, entitled “Investigation of Claims of Evasion of Antidumping and Countervailing Duties.” As published, the interim final regulation contains an error in the text of the definition of “evade or evasion” in § 165.1. The definition should be the same as the statutory definition found in section 421 of the Trade

Facilitation and Trade Enforcement Act of 2015 (19 U.S.C. 1517(a)(5)), but a comma was inadvertently omitted.

The effective date for the interim final rule (CBP Dec. 16–11), published August 22, 2016 (81 FR 56477), remains August 22, 2016. Written comments must be submitted on or before October 21, 2016.

List of Subjects in 19 CFR Part 165

Administrative practice and procedure, Business and industry, Customs duties and inspection.

For reasons stated in the preamble, 19 CFR part 165 is amended by making the following correcting amendment:

PART 165—INVESTIGATION OF CLAIMS OF EVASION OF ANTIDUMPING AND COUNTERVAILING DUTIES

■ 1. The authority citation for part 165 continues to read as follows:

Authority: 19 U.S.C. 66, 1481, 1484, 1508, 1517 (as added by Pub. L. 114–125, 130 Stat. 122,155 (19 U.S.C. 4301 note)), 1623, 1624, 1671, 1673.

§ 165.1 [Amended]

■ 2. In § 165.1, in the definition of “Evade or evasion”, remove the phrase “or any omission that is material and that results in any cash deposit” and add in its place the phrase “or any omission that is material, and that results in any cash deposit”.

Dated: September 2, 2016.

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[Published in the Federal Register, September 8, 2016 (81 FR 62004)]

8 CFR PARTS 236, 238, 239, 240, 241, AND 287**CBP DEC. 16-14****TECHNICAL CORRECTIONS RELATING TO ISSUANCE OF NOTICES TO APPEAR, WARRANTS OF REMOVAL, EXERCISE OF POWER BY IMMIGRATION OFFICERS, AND STANDARDS FOR ENFORCEMENT ACTIVITIES**

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

ACTION: Final rule; technical amendment.

SUMMARY: The Department of Homeland Security (DHS) is amending its regulations to update various provisions that list specific immigration officials who are authorized to perform various immigration functions, including the issuance of notices to appear, warrants of removal, and arrest warrants. The lists are outdated and do not reflect the current DHS organizational structure. DHS is updating the lists with the specific officials who are currently authorized to perform these various functions. DHS is also making some technical corrections to update nomenclature and outdated references in the affected provisions.

DATES: Effective September 9, 2016.

FOR FURTHER INFORMATION CONTACT: Border Patrol Aspects: Cipriano Encinia, U.S. Border Patrol, *Cipriano.Encinia@cbp.dhs.gov*; Field Operations Aspects: James Ryan Hutton, Office of Field Operations, *James.Hutton@cbp.dhs.gov*; Air and Marine Aspects: Daniel Jordan, Air and Marine Operations, *daniel.a.jordan@cbp.dhs.gov*.

SUPPLEMENTARY INFORMATION:**I. Background**

The Department of Homeland Security (DHS) was established on January 24, 2003, pursuant to the Homeland Security Act of 2002 (HSA), Public Law 107-296, 116 Stat. 2135, codified at 6 U.S.C. 101, *et seq.*

Section 441 of the HSA transferred from the Commissioner of Immigration and Naturalization Service to DHS all border security functions, personnel, assets, and liabilities. *See* 6 U.S.C. 251. Pursuant to section 1502 of the HSA, on November 25, 2002, the President submitted to Congress a reorganization plan. *See* 6 U.S.C. 542. On January 30, 2003, the President submitted a modified reorganization plan, which provided that the Customs Service, now, U.S. Customs

and Border Protection (CBP), would contain, among other things, the resources and missions relating to borders and ports of entry of the Customs Service and the Immigration and Naturalization Service. This modified reorganization plan also provided that the Bureau of Border Security, now, the U.S. Immigration and Customs Enforcement (ICE), would contain, among other things, the detention and removal program, the intelligence program, and the investigations program of the Immigration and Naturalization Service.

Additionally, section 451 of the HSA established the Bureau of Citizenship and Immigration Services, now, the U.S. Citizenship and Immigration Services (USCIS), and transferred to it from the Commissioner of the former Immigration and Naturalization Service all adjudications and benefit programs. *See* 6 U.S.C. 271.

Under sections 1101 and 1102 of the HSA, the Department of Justice, Executive Office for Immigration Review (EOIR) retained its functions relating to the immigration and naturalization of aliens. *See* 6 U.S.C. 521.

On June 13, 2003 and November 4, 2005, DHS published two final rules in the **Federal Register** (68 FR 35273 and 70 FR 67087) to conform the text of title 8, Code of Federal Regulations (CFR) parts 236, 239, 241, and 287 to the organizational structures established by the HSA and reorganization plans. Subsequently, the DHS organizational structure has evolved, and this rule revises various sections in these parts to reflect DHS's current structure. The organizational structure described in 8 CFR parts 238, 240, 241, and 287 predates the creation of DHS, and this rule updates various sections in these parts. In addition, DHS is making some technical corrections to update nomenclature and outdated references in the affected provisions. We summarize below the provisions in title 8 CFR that we are updating.

A. Apprehension, Custody, and Detention

Title 8, CFR part 236, subpart A (8 CFR part 236, subpart A) describes the procedures for apprehending, detaining, and removing aliens under the Immigration and Nationality Act. Specifically, 8 CFR 236.1 refers to lists of immigration officials in § 287.5(e)(2) and (e)(3) of the chapter who are authorized to issue a warrant of arrest or to serve a warrant of arrest and lists officials authorized to make custody decisions.

B. Expedited Removal Proceedings

Title 8, CFR part 238 (8 CFR part 238) describes the procedures for expedited removal of aggravated felons under the Immigration and Nationality Act. Specifically, 8 CFR 238.1 defines a “deciding Service officer” and “issuing Service officer”. It also refers to a list of immi-

gration officials in § 239.1 of the chapter who are authorized to issue notices to appear and refers to a list of immigration officials in § 287.5(e)(2) of the chapter who are authorized to issue warrants of arrest.

C. Notice To Appear

Title 8, CFR part 239 (8 CFR part 239) describes the procedures for the initiation of removal proceedings under the Immigration and Nationality Act. Specifically, 8 CFR 239.1 provides that any immigration officer, or supervisor thereof, performing an inspection of an arriving alien at a port-of-entry may issue a notice to appear to such alien, and lists the additional officers who are authorized to issue notices to appear

D. Voluntary Departure—Authority of the Service

Title 8, CFR part 240, subpart C (8 CFR part 240, subpart C) describes procedures and conditions regarding the granting of voluntary departures from the United States. Specifically, 8 CFR 240.25 lists the officers who are authorized to permit aliens to depart voluntarily.

E. Warrant of Removal

Title 8, CFR part 241, subpart A (8 CFR part 241, subpart A) describes immigration post-hearing detention and removal procedures. Specifically, 8 CFR 241.2 lists the immigration officials who are authorized to issue warrants of removal.

F. Exercise of Power by Immigration Officers

Title 8, CFR part 287 (8 CFR part 287) describes the powers and duties of field officers. Specifically, 8 CFR 287.5 addresses the power and duties of immigration officers, including the power to interrogate and administer oaths, patrol the border, arrest, conduct searches, execute and issue warrants, and carry firearms, and lists the officials who are authorized to perform these functions. Also, 8 CFR 287.8 describes the standards for enforcement activities conducted by immigration officers.

G. Regulatory Amendment

The lists of immigration officials in 8 CFR 236.1, 238.1, 239.1, 240.25, 241.2, 287.5, and 287.8 have not been updated to reflect the current organizational structure of DHS. As such, these regulations include position titles that no longer exist in the DHS organization and do not include position titles that were established after the creation of DHS. Therefore, it is necessary to amend these regula-

tions to authorize the appropriate officials within DHS to perform the listed functions and to remove outdated references to former position titles. To accurately reflect the current DHS organizational structure, this final rule amends 8 CFR 236.1, 238.1, 239.1, 240.25, 241.2, 287.5, and 287.8 by removing the outdated list of personnel authorized to perform various immigration functions, such as issuing notices to appear, warrants of removal, and arrest warrants and by adding language that authorizes the appropriate DHS officials to perform these functions.

DHS is also making several additional technical corrections to update outdated references in these sections. Specifically, DHS is updating 8 CFR 236.1 and 238.1 to replace several outdated references to sections in 8 CFR part 3 with sections in 8 CFR part 1003. As provided in 8 CFR 3.0, the regulations of the Executive Office for Immigration Review (EOIR) relating to the adjudication of immigration matters before immigration judges and the Board of Immigration Appeals are now located in 8 CFR chapter V, part 1003, rather than in part 3. In a final rule published in the **Federal Register** on February 28, 2003 (68 FR 9824), the Department of Justice moved the provisions to reflect the division of authority between DHS and EOIR after the enactment of the HSA. DHS is also removing the obsolete references to the title “Commissioner” and “Assistant Secretary for ICE” and replacing them with the current title “Assistant Secretary/Director of ICE” in 8 CFR 236.1, 287.5, and 287.8. These changes will reflect the current DHS structure.

II. Statutory and Regulatory Requirements

A. *Inapplicability of Public Notice and Delayed Effective Date Requirements*

Under the Administrative Procedure Act (5 U.S.C. 553(b)), rulemakings generally require prior notice and comment, subject to specified exceptions. As provided in 5 U.S.C. 553(b)(A) and (B), this procedure does not apply to rules of agency organization, procedure, practice; or when the agency for good cause finds that notice and comment are impracticable, unnecessary, or contrary to the public interest. This final rule amends the regulations to reflect the correct position titles for those officials who are authorized to issue notices to appear, warrants of removal, arrest warrants, and to perform various additional immigration functions and makes some technical corrections to update nomenclature and outdated references in the affected provisions. DHS finds that this is a rule of agency organization, procedure, or practice, which is not subject to notice and comment rulemaking. DHS also finds that good cause exists to issue the rule

without prior notice and comment and that this procedure is not necessary because the rule has no substantive impact, is technical in nature, and it relates to management, organization, procedure, and practice. For the same reasons, pursuant to 5 U.S.C. 553(d)(3), a delayed effective date is not required.

B. The Regulatory Flexibility Act and Executive Orders 12866 and 13563

Because no notice of proposed rulemaking is required, the provisions of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) do not apply. This amendment does not meet the criteria for a “significant regulatory action” as specified in Executive Order 12866, as supplemented by Executive Order 13563.

List of Subjects

8 CFR Parts 236, 239, and 241

Administrative practice and procedure, Aliens, Immigration.

8 CFR Parts 238 and 240

Administrative practice and procedure, Aliens.

8 CFR Part 287

Immigration, Law enforcement officers.

Amendments to Regulations

For the reasons set forth above, parts 236, 238, 239, 240, 241, and 287 of title 8 of the Code of Federal Regulations (8 CFR parts 236, 238, 239, 240, 241, and 287) are amended as set forth below.

PART 236—APPREHENSION AND DETENTION OF INADMISSIBLE AND DEPORTABLE ALIENS; REMOVAL OF ALIENS; REMOVAL OF ALIENS ORDERED REMOVED

■ 1. The authority citation for part 236 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a; 8 U.S.C. 1103, 1182, 1224, 1225, 1226, 1227, 1231, 1362; 18 U.S.C. 4002, 4013(c)(4); 8 CFR part 2.

§ 236.1 [Amended]

■ 2. Amend § 236.1 as follows:

■ a. In paragraph (c)(7), remove the word “Commissioner” and add in its place “Assistant Secretary/Director of ICE”;

- b. In paragraph (c)(10), remove the reference to “§ 3.19” and add in its place “§ 1003.19”;
- c. In paragraph (c)(11), remove the reference to “§ 3.19(h)” and add in its place “§ 1003.19(h)”;
- d. In paragraph (d)(1), remove the reference to “§ 3.19” and add in its place “§ 1003.19”;
- e. In paragraph (d)(3)(i), remove the reference to “§ 3.38” and add in its place “§ 1003.38”;
- f. In paragraph (d)(4), remove the reference to “§ 3.19(i)” and add in its place “§ 1003.19(i)”.
- g. In paragraph (f), remove the reference to “§ 3.19(g)” and add in its place “§ 1003.19(g)”.

PART 238—EXPEDITED REMOVAL OF AGGRAVATED FELONS

- 3. The authority citation for part 238 continues to read as follows:

Authority: 8 U.S.C. 1228; 8 CFR part 2.

§ 238.1 [Amended]

- 4. In § 238.1 amend paragraph (b)(1)(iii) by removing the reference to “§ 3.41” and adding in its place “§ 1003.41”.

PART 239—GENERAL PROVISIONS

- 5. The authority citation for part 239 continues to read as follows:

Authority: 8 U.S.C. 1103, 1221, 1229; Homeland Security Act of 2002, Public Law 107–296; 8 CFR part 2.

- 6. Amend § 239.1 by revising paragraphs (a)(1) through (a)(41) and adding paragraphs (a)(42) through (a)(46). The revisions and additions read as follows:

§ 239.1 Notice to appear.

(a) * * *

- (1) District directors (except foreign);
- (2) Deputy district directors (except foreign);
- (3) Chief patrol agents;
- (4) Deputy chief patrol agents;

- (5) Division chiefs;
- (6) Assistant chief patrol agents;
- (7) Patrol agents in charge;
- (8) Deputy patrol agents in charge;
- (9) Border patrol watch commanders;
- (10) Special operations supervisors;
- (11) Supervisory border patrol agents;
- (12) Directors of air operations;
- (13) Directors of marine operations;
- (14) Supervisory air and marine interdiction agents;
- (15) Service center directors;
- (16) Deputy service center directors;
- (17) Assistant service center directors for examinations;
- (18) Supervisory immigration services officers;
- (19) Supervisory immigration officers;
- (20) Supervisory asylum officers;
- (21) Officers in charge (except foreign);
- (22) Assistant officers in charge (except foreign);
- (23) Special agents in charge;
- (24) Deputy special agents in charge;
- (25) Associate special agents in charge;
- (26) Assistant special agents in charge;
- (27) Resident agents in charge;
- (28) Supervisory special agents;
- (29) Directors of investigations;
- (30) District directors for interior enforcement;
- (31) Deputy or assistant district directors for interior enforcement;
- (32) Director of enforcement and removal operations;
- (33) Field office directors;
- (34) Deputy field office directors;
- (35) Supervisory deportation officers;
- (36) Supervisory detention and deportation officers;
- (37) Directors or officers in charge of detention facilities;
- (38) Directors of field operations;
- (39) Assistant directors of field operations;
- (40) Port directors;
- (41) Assistant port directors;
- (42) Field operations watch commanders;
- (43) Field operations chiefs;
- (44) Unit Chief, Law Enforcement Support Center;
- (45) Section Chief, Law Enforcement Support Center; or

(46) Other duly authorized officers or employees of the Department of Homeland Security or of the United States who are delegated the authority as provided by 8 CFR 2.1 to issue notices to appear, and who have successfully completed any required immigration law enforcement training.

* * * * *

PART 240—GENERAL PROVISIONS

■ 7. The authority citation for part 240 continues to read as follows:

Authority: 8 U.S.C. 1103, 1182, 1186a, 1224, 1225, 1226, 1227, 1251, 1252 note, 1252a, 1252b, 1362; secs. 202 and 203, Pub. L. 105–100 (111 Stat. 2160, 2193); sec. 902, Pub. L. 105–277 (112 Stat. 2681); 8 CFR part 2.

§ 240.25 [Amended]

■ 8. Amend § 240.25 paragraph (a) by removing the words “Deputy Executive Associate Commissioner for Detention and Removal” and adding in their place “Deputy Executive Associate Director for Enforcement and Removal Operations”.

PART 241—APPREHENSION AND DETENTION OF ALIENS ORDERED REMOVED

■ 9. The authority citation for part 241 continues to read as follows:

Authority: 5 U.S.C. 301, 552, 552a; 8 U.S.C. 1103, 1182, 1223, 1224, 1225, 1226, 1227, 1228, 1231, 1251, 1253, 1255, 1330, 1362; 18 U.S.C. 4002, 4013(c)(4); Pub. L. 107–296, 116 Stat. 2135 (6 U.S.C. 101, *et seq.*); 8 CFR part 2.

■ 10. Amend § 241.2:

■ a. By revising paragraph (a)(1); and

■ b. In paragraph (a)(2), by removing the reference to “(xxv)” and adding in its place “(xxxi)”.

The revision reads as follows:

§ 241.2 Warrant of removal.

(a) *Issuance of a warrant of removal*— (1) *In general.* A Form I–205, Warrant of Removal, based on the final administrative removal order in the alien’s case will be issued by any of the following immigration officials:

- (i) Director, Enforcement and Removal Operations;
- (ii) Deputy Assistant Director, Field Operations;
- (iii) Field Office Directors;
- (iv) Deputy Field Office Directors;
- (v) Assistant Field Office Directors;
- (vi) Officers in Charge;
- (vii) Special Agents in Charge;
- (viii) Deputy Special Agents in Charge;
- (ix) Associate Special Agents in Charge;
- (x) Assistant Special Agents in Charge;
- (xi) Group Supervisors;
- (xii) Resident Agents in Charge;
- (xiii) District Field Officers;
- (xiv) Chief Patrol Agents;
- (xv) Deputy Chief Patrol Agents;
- (xvi) Division Chiefs;
- (xvii) Assistant Chief Patrol Agents;
- (xviii) Patrol Agents in Charge;
- (xix) Deputy Patrol Agents in Charge;
- (xx) Watch Commanders, Border Patrol;
- (xxi) Director of Air Operations;
- (xxii) Director of Marine Operations;
- (xxiii) Supervisory Air and Marine Interdiction Agents;
- (xxiv) Unit Chief, Law Enforcement Support Center;
- (xxv) Section Chief, Law Enforcement Support Center;
- (xxvi) Port Directors;
- (xxvii) Assistant Port Directors;
- (xxviii) Directors, Field Operations;
- (xxix) Assistant Directors, Field Operations;
- (xxx) Watch Commanders, Field Operations;
- (xxxi) Chiefs, Field Operations; and
- (xxxii) Other duly authorized officers or employees of the Department of Homeland Security or the United States who are delegated the authority as provided in 8 CFR 2.1 to issue Warrants of Removal, and who have successfully completed any required immigration law enforcement training.

* * * * *

PART 287—GENERAL PROVISIONS

■ 11. The authority citation for part 287 continues to read as follows:

Authority: 8 U.S.C. 1103, 1182, 1225, 1226, 1251, 1252, 1357; Homeland Security Act of 2002, Pub. L. 107–296 (6 U.S.C. 1, *et seq.*); 8 CFR part 2.

- 12. Amend § 287.5 by:
 - a. Revising paragraphs (b)(1) through (6);
 - b. Revising paragraphs (c)(1)(i) through (viii);
 - c. Revising paragraphs (c)(2)(i) through (viii);
 - d. Revising paragraphs (c)(3)(i) through (vii);
 - e. Revising paragraphs (c)(4)(ii)(A) through (G);
 - f. Revising paragraph (c)(4)(iii);
 - g. Revising paragraphs (c)(5)(ii)(A) through (G);
 - h. Revising paragraphs (d)(1) through (8);
 - i. Revising paragraphs (e)(1)(i) through (vi);
 - j. Adding paragraphs (e)(1)(vii) through (viii),
 - k. Revising paragraphs (e)(2)(i) through (l);
 - l. Adding paragraphs (e)(2)(li) through (liii);
 - m. Revising paragraphs (e)(3)(i) through (viii);
 - n. Revising paragraphs (e)(4)(i) through (vi);
 - o. Adding paragraphs (e)(4)(vii) through (viii); and
 - p. Revising paragraphs (f)(1) through (8).

The revisions and additions read as follows:

§ 287.5 Exercise of power by immigration officers.

* * * * *

(b) * * *

- (1) Border patrol agents;
- (2) Air and marine agents;
- (3) Special agents;
- (4) CBP officers;

(5) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(6) Immigration officers who need the authority to patrol the border under section 287(a)(3) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP, or the Assistant Secretary/Director of ICE.

(c) * * *

(1) * * *

(i) Border patrol agents;

(ii) Air and marine agents;

(iii) Special agents;

(iv) Deportation officers;

(v) CBP officers;

(vi) Immigration enforcement agents;

(vii) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(viii) Immigration officers who need the authority to arrest aliens under section 287(a)(2) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP, the Assistant Secretary/Director of ICE, or the Director of the USCIS.

(2) * * *

(i) Border patrol agents;

(ii) Air and marine agents;

(iii) Special agents;

(iv) Deportation officers;

(v) CBP officers;

(vi) Immigration enforcement agents;

(vii) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(viii) Immigration officers who need the authority to arrest persons under section 287(a)(4) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP, the Assistant Secretary/Director of ICE, or the Director of the USCIS.

(3) * * *

(i) Border patrol agents;

(ii) Air and marine agents;

(iii) Special agents;

(iv) Deportation officers;
 (v) CBP officers;
 (vi) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(vii) Immigration officers who need the authority to arrest persons under section 287(a)(5)(A) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP, or the Assistant Secretary/Director of ICE.

(4) * * *

(ii) * * *

- (A) Border patrol agents;
- (B) Air and marine agents;
- (C) Special agents;
- (D) Deportation officers;
- (E) CBP officers;

(F) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(G) Immigration officers who need the authority to arrest persons under section 287(a)(5)(B) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

(iii) Notwithstanding the authorization and designation set forth in paragraph (c)(4)(ii) of this section, no immigration officer is authorized to make an arrest for any felony under the authority of section 287(a)(5)(B) of the Act until such time as he or she has been certified as successfully completing a training course encompassing such arrests and the standards for enforcement activities are defined in 8 CFR 287.8. Such certification will be valid for the duration of the immigration officer's continuous employment, unless it is suspended or revoked by the Commissioner of CBP or the Assistant Secretary/Director of ICE, or their respective designees, for just cause.

(5) * * *

(ii) * * *

- (A) Border patrol agents;
- (B) Air and marine agents;
- (C) Special agents;
- (D) Deportation officers;
- (E) CBP officers;

(F) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(G) Immigration officers who need the authority to arrest persons under section 274(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

* * * * *

(d) * * *

- (1) Border patrol agents;
- (2) Air and marine agents;
- (3) Special agents;
- (4) Deportation officers;
- (5) CBP officers;
- (6) Immigration enforcement agents;

(7) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(8) Immigration officers who need the authority to conduct searches under section 287(c) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP, the Assistant Secretary/Director of ICE, or the Director of USCIS.

(e) * * *

(1) * * *

- (i) Border patrol agents;
- (ii) Air and marine agents;
- (iii) CBP officers;
- (iv) Special agents;
- (v) Deportation officers;
- (vi) Immigration enforcement agents;

(vii) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(viii) Immigration officers who need the authority to execute search warrants under section 287(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

(2) * * *

- (i) District directors (except foreign);
- (ii) Deputy district directors (except foreign);

- (iii) Assistant district directors for investigations;
- (iv) Deputy assistant district directors for investigations;
- (v) Assistant district directors for deportation;
- (vi) Deputy assistant district directors for deportation;
- (vii) Assistant district directors for examinations;
- (viii) Deputy assistant district directors for examinations;
- (ix) Officers in charge (except foreign);
- (x) Assistant officers in charge (except foreign);
- (xi) Chief patrol agents;
- (xii) Deputy chief patrol agents;
- (xiii) Division chiefs;
- (xiv) Assistant chief patrol agents;
- (xv) Patrol agents in charge;
- (xvi) Deputy patrol agents in charge;
- (xvii) Border Patrol watch commanders;
- (xviii) Special operations supervisors;
- (xix) Supervisory border patrol agents;
- (xx) Directors of air operations;
- (xxi) Directors of marine operations;
- (xxii) Supervisory air and marine interdiction agents;
- (xxiii) Executive Associate Director of Homeland Security Investigations;
- (xxiv) Institutional Hearing Program directors;
- (xxv) Director, Field Operations;
- (xxvi) Assistant Director, Field Operations;
- (xxvii) Port directors;
- (xxviii) Assistant port directors;
- (xxix) Field operations watch commanders;
- (xxx) Field operations chiefs;
- (xxxi) Supervisory deportation officers;
- (xxxii) Supervisory detention and deportation officers;
- (xxxiii) Group Supervisors;
- (xxxiv) Director, Office of Detention and Removal Operations;
- (xxxv) Special Agents in Charge;
- (xxxvi) Deputy Special Agents in Charge;
- (xxxvii) Associate Special Agents in Charge;
- (xxxviii) Assistant Special Agents in Charge;
- (xxxix) Field Office Directors;
- (xl) Deputy Field Office Directors;
- (xli) District Field Officers;
- (xlii) Supervisory immigration services officers;
- (xliii) Supervisory immigration officers;
- (xliv) Supervisory asylum officers;

- (xlv) Supervisory special agents;
- (xlvi) Director of investigations;
- (xlvii) Directors or officers in charge of detention facilities;
- (xlviii) Directors of field operations;
- (xlix) Deputy or assistant directors of field operations;
- (l) Unit Chief, Law Enforcement Support Center;
- (li) Section Chief, Law Enforcement Support Center;
- (lii) Immigration Enforcement Agents; or
- (liii) Other duly authorized officers or employees of the Department of Homeland Security or the United States who are delegated the authority as provided in 8 CFR 2.1 to issue warrants of arrest, and who have successfully completed any required immigration law enforcement training.

(3) * * *

- (i) Border patrol agents;
- (ii) Air and marine agents;
- (iii) Special agents;
- (iv) Deportation officers;
- (v) Detention enforcement officers or immigration enforcement agents (warrants of arrest for administrative immigration violations only);

(vi) CBP officers;

(vii) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(viii) Immigration officers who need the authority to execute arrest warrants for immigration violations under section 287(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

(4) * * *

- (i) Border patrol agents;
- (ii) Air and marine agents;
- (iii) CBP officers
- (iv) Special agents;
- (v) Deportation officers;
- (vi) Immigration enforcement agents;
- (vii) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(viii) Immigration officers who need the authority to execute warrants of arrest for non-immigration violations under section 287(a) of the Act in order to effectively accomplish their individual missions

and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

(f) * * *

(1) Border patrol agents;

(2) Air and marine agents;

(3) Special agents;

(4) Deportation officers;

(5) Detention enforcement officers or immigration enforcement agents;

(6) CBP officers;

(7) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(8) Immigration officers who need the authority to carry firearms under section 287(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

■ **13. Amend § 287.8 by:**

■ a. Revising paragraphs (a)(1)(iv)(A) through (H);

■ b. Revising paragraphs (a)(2)(iii)(A) through (H);

■ c. Revising paragraph (c)(1);

■ d. Revising paragraphs (e)(2)(i) through (iii); and

■ e. Adding paragraphs (e)(2)(iv) through (v).

The revisions and additions read as follows:

§ 287.8 Standards for enforcement activities.

* * * * *

(a) * * *

(1) * * *

(iv) * * *

(A) Border patrol agents;

(B) Air and marine agents;

(C) Special agents;

(D) Deportation officers;

(E) Detention enforcement officers or immigration enforcement agents;

(F) CBP officers;

(G) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(H) Immigration officers who need the authority to use non-deadly force under section 287(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

(2) * * *

(iii) * * *

(A) Border patrol agents;

(B) Air and marine agents;

(C) Special agents

(D) Deportation officers;

(E) Detention enforcement officers or immigration enforcement agents;

(F) CBP officers;

(G) Supervisory and managerial personnel who are responsible for supervising the activities of those officers listed above; and

(H) Immigration officers who need the authority to use deadly force under section 287(a) of the Act in order to effectively accomplish their individual missions and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

* * * * *

(c) *Conduct of arrests*—(1) *Authority*. Only designated immigration officers are authorized to make an arrest. The list of designated immigration officers may vary depending on the type of arrest as listed in § 287.5(c)(1) through (c)(5).

* * * * *

(e) * * *

(2) * * *

(i) Border patrol agents;

(ii) Air and marine agents;

(iii) CBP officers;

(iv) Supervisory personnel who are responsible for supervising the activities of those officers listed in this paragraph; and

(v) Immigration officers who need the authority to initiate a vehicular pursuit in order to effectively accomplish their individual mission and who are designated, individually or as a class, by the Commissioner of CBP or the Assistant Secretary/Director of ICE.

* * * * *

Dated: August 30, 2016.

JEH CHARLES JOHNSON,
Secretary.

[Published in the Federal Register, September 9, 2016 (81 FR 62353)]



ACCREDITATION AND APPROVAL OF SAYBOLT LP AS A COMMERCIAL GAUGER AND LABORATORY

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

ACTION: Notice of accreditation and approval of Saybolt LP as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP 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 March 16, 2016.

DATES: The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on March 16, 2016. The next triennial inspection date will be scheduled for March 2019.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, 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 Saybolt LP, 1123 Highway 43, Saraland, AL 36571, 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. Saybolt LP 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.

Saybolt LP 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 and American Society for Testing and Protection Laboratory Methods (CBPL) Materials (ASTM):

CBPL No.	ASTM	Title
27-01	D287	Standard Test Method for API Gravity of crude Petroleum and Petroleum Products.
27-02	D1298	Standard Test Method for Density, Relative Density (Specific Gravity), 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.
27-08	D86	Standard Test Method for Distillation of Petroleum Products.
27-11.....	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
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 and Relative Density of Liquids by Digital Density Meter.
27-50	D93	Standard Test Methods for Flash-Point by Pensky-Martens Closed Cup Tester.
27-58	D5191	Standard Test Method For Vapor Pressure of Petroleum Products.

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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: September 12, 2016.

IRA S. REESE,
Executive Director,
Laboratories and Scientific Services
Directorate.

[Published in the Federal Register, September 16, 2016 (81 FR 63782)]



ACCREDITATION AND APPROVAL OF SAYBOLT LP AS A COMMERCIAL GAUGER AND LABORATORY

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

ACTION: Notice of accreditation and approval of Saybolt LP as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that Saybolt LP 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 June 14, 2016.

DATES: The accreditation and approval of Saybolt LP as commercial gauger and laboratory became effective on June 14, 2016. The next triennial inspection date will be scheduled for June 2019.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, 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 Saybolt LP, 2610 Federal Highway, Ft. Lauderdale, FL 33316, 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. Saybolt LP 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.
9	Density Determinations.
12	Calculations.

Saybolt LP 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
27-06	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.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-53	D2709	Standard Test Method for Water and Sediment in Middle Distillate Fuels by Centrifuge.

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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. *http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories*.

Dated: September 12, 2016.

IRA S. REESE,
*Executive Director,
Laboratories and Scientific Services
Directorate.*

[Published in the Federal Register, September 16, 2016 (81 FR 63780)]



ACCREDITATION AND APPROVAL OF AMSPEC SERVICES, LLC, 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 Services, LLC, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec Services, LLC, 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 6, 2016.

DATES: The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on April 6, 2016. The next triennial inspection date will be scheduled for April 2019.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, 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 Services, LLC, 2310 Hwy 69N, Nederland, TX 77627, 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. AmSpec Services, LLC is ap-

proved 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 Services, LLC 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.
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.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.

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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: September 12, 2016.

IRA S. REESE,
Executive Director,
Laboratories and Scientific Services
Directorate.

[Published in the Federal Register, September 16, 2016 (81 FR 63783)]

**ACCREDITATION AND APPROVAL OF AMSPEC SERVICES,
LLC, 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 Services, LLC, as a commercial gauger and laboratory.

SUMMARY: Notice is hereby given, pursuant to CBP regulations, that AmSpec Services, LLC, 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 February 17, 2016.

DATES: The accreditation and approval of AmSpec Services, LLC, as commercial gauger and laboratory became effective on February 17, 2016. The next triennial inspection date will be scheduled for February 2019.

FOR FURTHER INFORMATION CONTACT: Approved Gauger and Accredited Laboratories Manager, Laboratories and Scientific Services Directorate, U.S. Customs and Border Protection, 1300 Pennsylvania Avenue NW., Suite 1500N, 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 Services, LLC, 1203 East Highway 30, 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. AmSpec Services, LLC 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.
12	Calculations.
17	Maritime Measurement.

AmSpec Services, LLC 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.
27-03	D4006	Standard Test Method for Water in Crude Oil 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.
27-11	D445	Standard Test Method for Kinematic Viscosity of Transparent and Opaque Liquids.
27-13	D4294	Standard Test Method for Sulfur in Petroleum and Petroleum Products by Energy-Dispersive X-ray Fluorescence Spectrometry.
27-54	D1796	Standard Test Method for Water and Sediment in Fuel Oils by the Centrifuge 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 Web site listed below for a complete listing of CBP approved gaugers and accredited laboratories. <http://www.cbp.gov/about/labs-scientific/commercial-gaugers-and-laboratories>.

Dated: September 12, 2016.

IRA S. REESE,
Executive Director,
Laboratories and Scientific Services
Directorate.

[Published in the Federal Register, September 16, 2016 (81 FR 63782)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

African Growth and Opportunity Act Certificate of Origin

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

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security 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: African Growth and Opportunity Act Certificate of Origin (AGOA). CBP is proposing that this information collection be extended with a change to the burden hours. There is no change to the information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before October 17, 2016 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to oir_submission@omb.eop.gov or faxed to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Regulations and Rulings, Office of Trade, 90 K Street, NE., 10th Floor, Washington, DC 20229-1177, or via email (CBP_PRA@cbp.dhs.gov). Please note contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP

programs please contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP Web site at <https://www.cbp.gov/>. For additional help: <https://help.cbp.gov/app/home/search/1>.

SUPPLEMENTARY INFORMATION:

This proposed information collection was previously published in the **Federal Register** (81 FR 28096) on May 9, 2016, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/ startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: African Growth and Opportunity Act Certificate of Origin.

OMB Number: 1651-0082.

Form Number: None.

Abstract: The African Growth and Opportunity Act (AGOA) was adopted by the United States with the enactment of the Trade and Development Act of 2000 (PL.106-200). The objectives of AGOA are (1) to provide for extension of duty-free treatment under the Generalized System of Preferences (GSP) to import sensitive articles normally excluded from GSP duty treatment, and (2) to provide for the entry of specific textile and apparel articles free of duty and free of any quantitative limits from the countries of sub-Saharan Africa.

For preferential treatment under AGOA, the exporter is required to prepare a certificate of origin and provide it to the importer. The certificate of origin includes information such as contact information for the importer, exporter and producer; the basis for which preferential treatment is claimed; and a description of the imported merchandise. The importers are required to have the certificate in their possession at the time of the claim, and to provide it to Customs and

Border Protection (CBP) upon request. The collection of this information is provided for in 19 CFR 10.214, 10.215, and 10.216.

Instructions for complying with this regulation are posted on CBP.gov Web site at: <http://www.cbp.gov/trade/priority-issues>.

Current Actions: CBP proposes to extend the expiration date of this information collection without change to the estimated burden hours or the information collected.

Type of Review: Extension (with change to burden hours).

Affected Public: Businesses.

Estimated Number of Respondents: 12.

Estimated Number of Annual Responses per Respondent: 2.

Estimated Number of Total Annual Responses: 24.

Estimated Time per Response: 20 minutes.

Estimated Total Annual Burden Hours: 8.16.

Dated: September 13, 2016.

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

[Published in the Federal Register, September 16, 2016 (81 FR 63781)]

AGENCY INFORMATION COLLECTION ACTIVITIES:

Application to Pay Off or Discharge an Alien Crewman

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

ACTION: 30-Day notice and request for comments; Extension of an existing collection of information.

SUMMARY: U.S. Customs and Border Protection (CBP) of the Department of Homeland Security 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: Application to Pay Off or Discharge an Alien Crewman (Form I-408). CBP is proposing that this information collection be extended with no change to the burden hours or to the information collected. This document is published to obtain comments from the public and affected agencies.

DATES: Written comments should be received on or before October 20, 2016 to be assured of consideration.

ADDRESSES: Interested persons are invited to submit written comments on this proposed information collection to the Office of Information and Regulatory Affairs, Office of Management and Budget. Comments should be addressed to the OMB Desk Officer for Customs and Border Protection, Department of Homeland Security, and sent via electronic mail to *oira_submission@omb.eop.gov* or faxed to (202) 395-5806.

FOR FURTHER INFORMATION CONTACT: Requests for additional information should be directed to Paperwork Reduction Act Officer, U.S. Customs and Border Protection, Regulations and Rulings, Office of Trade, 90 K Street NE., 10th Floor, Washington, DC 20229-1177, or via email (*CBP_PRA@cbp.dhs.gov*). Please note contact information provided here is solely for questions regarding this notice. Individuals seeking information about other CBP programs please contact the CBP National Customer Service Center at 877-227-5511, (TTY) 1-800-877-8339, or CBP Web site at <https://www.cbp.gov/>. For additional help: <https://help.cbp.gov/app/home/search/1>.

SUPPLEMENTARY INFORMATION:

This proposed information collection was previously published in the **Federal Register** (81 FR 33542) on May 26, 2016, allowing for a 60-day comment period. This notice allows for an additional 30 days for public comments. This process is conducted in accordance with 5 CFR 1320.10. CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3507). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden, including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs to respondents or record keepers from the collection of information (total capital/ startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for OMB approval. All comments will become a matter of public record. In this document, CBP is soliciting comments concerning the following information collection:

Title: Application to Pay Off or Discharge an Alien Crewman.

OMB Number: 1651-0106.

Form Number: I-408.

Abstract: CBP Form I-408, Application to Pay Off or Discharge an Alien Crewman, is used as an application by the owner, agent, consignee, charterer, master, or commanding officer of any vessel or aircraft arriving in the United States to obtain permission from the Secretary of the Department of Homeland Security to pay off or discharge an alien crewman. This form is submitted to the CBP officer having jurisdiction over the area in which the vessel or aircraft is located at the time of application. CBP Form I-408 is authorized by Section 256 of the Immigration and Nationality Act (8 U.S.C. 1286) and provided for 8 CFR 252.1(h). This form is accessible at: <https://www.cbp.gov/newsroom/publications/forms>.

Current Actions: CBP proposes to extend the expiration date of this information collection with no change to the burden hours or to the information collected.

Type of Review: Extension (without change).

Affected Public: Businesses.

Estimated Number of Respondents: 85,000.

Estimated Time per Respondent: 25 minutes.

Estimated Total Annual Burden Hours: 35,360.

Dated: September 14, 2016.

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

[Published in the Federal Register, September 20, 2016 (81 FR 64472)]