

**Commercial Customs Operations Advisory  
Committee (COAC)  
Intelligent Enforcement Subcommittee**

Bond Working Group  
Background Paper  
June 4, 2021



The COAC Bond Working Group has been active since 2008 and consists of a wide variety of trade stakeholders including sureties/surety agents, customs brokers, importers, customs attorneys, and ABI vendors which represent different surety and trade association interests. Government participation from U.S. Customs & Border Protection (CBP) includes the Office of Trade (OT), Office of Finance (OF), and Office of Field Operations (OFO) as well as members from the Department of Commerce.

In 2015, CBP introduced the eBond Pilot in ACE allowing Customs Bonds to be processed electronically in seconds saving anywhere from 5 to 30 days to file paper bonds in the past. The U.S. Customs Bond model is the gold standard for allowing imported cargo to move seamlessly from origin to destination and in-bond throughout the United States. Today, there are over 250,000 active continuous bonds on file with CBP guaranteeing over \$29 billion in exposure and close to 500,000 Single Transaction Bonds (STBs) filed annually guaranteeing billions in additional exposure as well.

Unfortunately, there are thousands of Customs Bonds that are not fully operational as eBonds in ACE or do not have matching logic that ensures an adequate bond is on file for each required transaction jeopardizing the revenue to CBP if a bond is not on file to secure a transaction. This includes Activity Code 16 Importer Security Filing (ISF) Single Transaction Bonds, the Department of Transportation (DOT) Bond, Activity Code 12 International Trade Commission (ITC) Bond, and IPR Bonds. An eBond ensures there are no defects in the preparation and execution of the bond. Matching the bond to the proper transaction is an essential step to protect the revenue due to CBP, provide national visibility to CBP, and support compliance with laws and regulations through the assessment of liquidated damages and/or penalties for lost revenue.

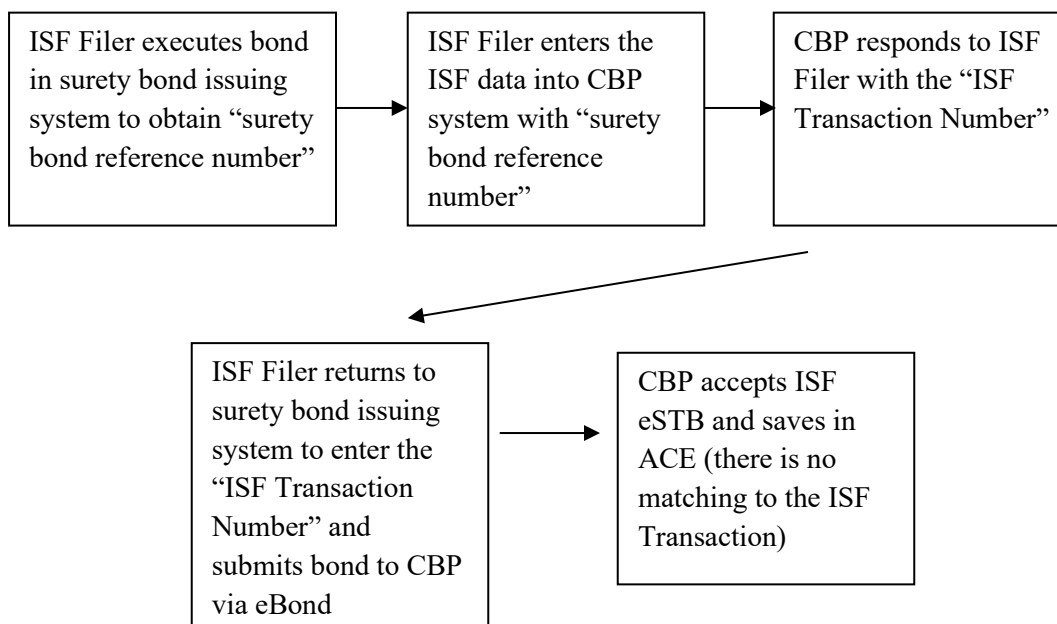
To complete the excellent results of the eBond module in ACE, the COAC Bond Working Group put forth several recommendations. This Background Paper provides detailed information on how these bonds can be incorporated into the ACE eBond Module, which warrants further discussion with the trade once CBP secures funding and resources to do so.

# Background Paper

## Activity Code 16 – Importer Security Filing (ISF) Single Transaction Bonds

In today's eBond environment, an Activity Code 16 Single Transaction Bond (eSTB) is required for ISF transactions if the party required to file an ISF does not have an active continuous bond (either Activity Code 1, 2, 3, 4 or 16). Due to the nature of the transaction, the process is cumbersome and CBP is not assured the ISF eSTB has been filed. The below recommendation would ease the burden of filing eSTBs for ISF and ensure CBP is protecting the revenue with ACE business rules.

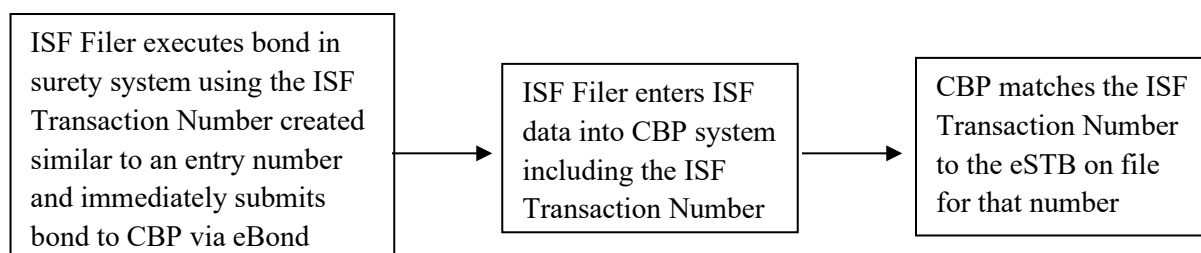
### Current Process for filing ISF eSTBs



### Proposed Process for filing ISF eSTBs Similar to Entry Match

The trade would like ISF eSTBs to operate the same way eSTBs do for Activity Code Bonds. Currently, customs brokers create their own unique "entry number" that contains their assigned filer code through their ABI system. The ISF Filer would create the unique ISF Transaction Number in the same fashion with their Filer Code or SCAC Code for identification.

**ISF Match Criteria:** 1) Importer Identification Number, 2) Surety Code, 3) ISF Transaction Number, 4) Activity Code (16), and 5) Bond Type 9. **Note:** When a 'matched' ISF is updated or cancelled/deleted, or when it gets matched to a bill of lading and/or vessel departure message gets updated, a Bond Status-type message of that event/action should go to the bond surety including appropriate information regarding the ISF like we receive in the monthly reports, and eventually through Real Time ASI once built into eBond.

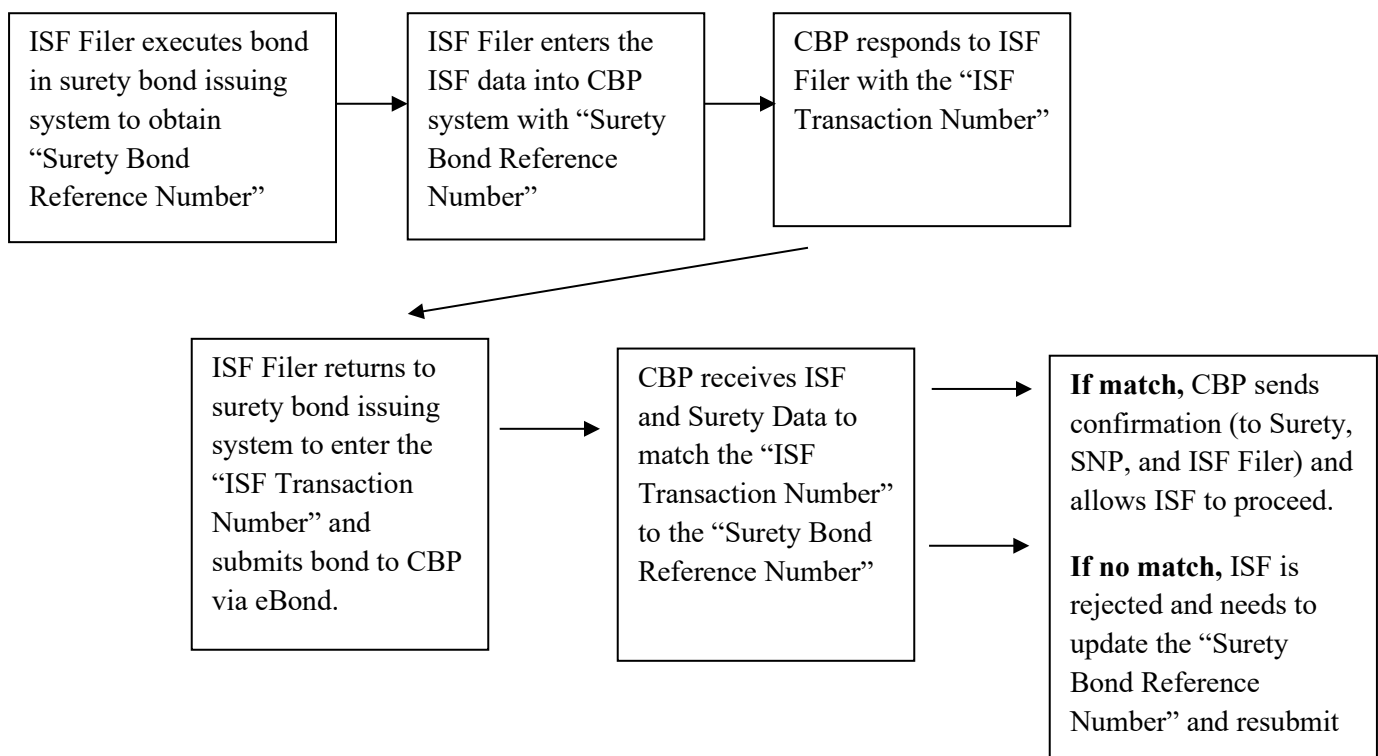


## Short Term Solution - Proposed Process to have ISF Bond Match in ACE

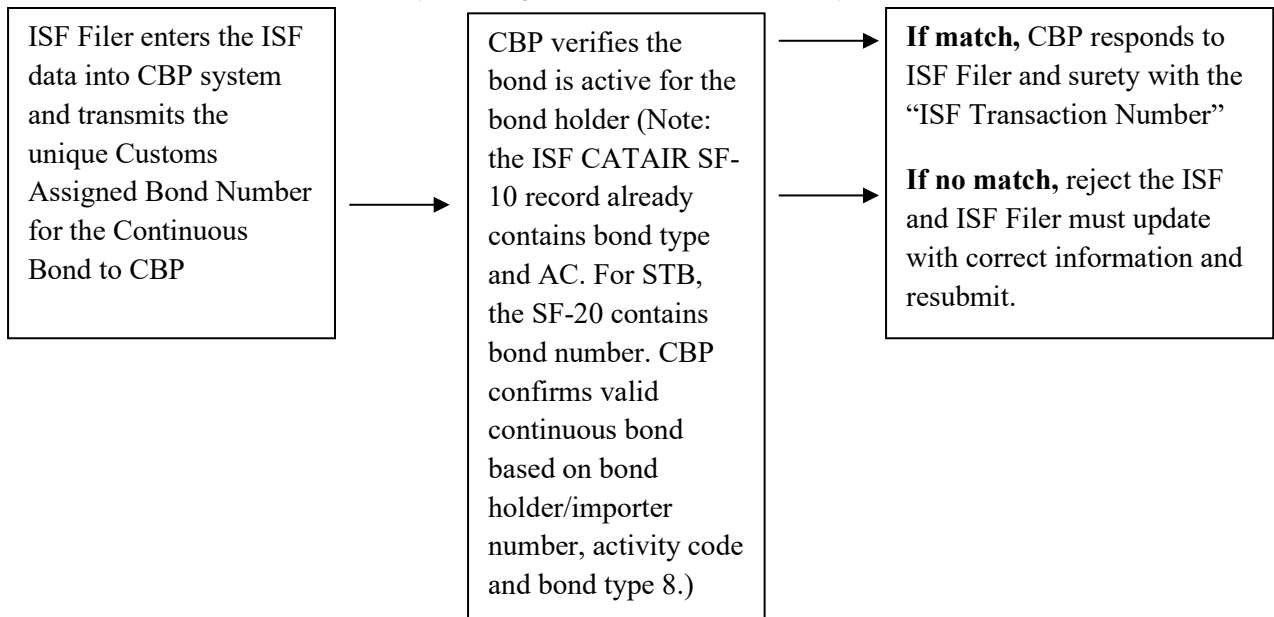
Although this would not eliminate the two-step process in place, CBP can still achieve business rule functionality by matching the ISF Transaction Number with the Surety Bond Reference Number for Activity Code 16 Singles (eISF Bond) and ISF Transaction Number to the Customs Assigned Bond Number for Continuous Bonds.

**ISF Match Criteria:** 1) Importer Identification Number, 2) Surety Code, 3) ISF Transaction Number, 4) Activity Code (16), and 5) Bond Type 9. **Note:** When a 'matched' ISF is updated or cancelled/deleted, or when it gets matched to a bill of lading and/or vessel departure message gets updated, a Bond Status-type message of that event/action should go to the bond surety including appropriate information regarding the ISF like we get in the monthly reports, and eventually through Real Time ASI once built into eBond.

### Single Transaction Bond Match



### Continuous Bond Match (Activity Code 1, 2, 3, 4 or 16)



**ISF Match Criteria:** 1) Importer Identification Number 2) Surety Code 3) CBP Customs Assigned Bond Number. **Note:** When a 'matched' ISF is updated or cancelled/deleted, or when it gets matched to a bill of lading and/or vessel departure message gets updated, a Bond Status-type message of that event/action should go to the bond surety including appropriate information regarding the ISF like we get in the monthly reports, and eventually through Real Time ASI once built into eBond.

### CBP 5106 Rejections and Processing

Currently, sureties receive rejects for the Activity Code 16 ISF STB because there is no CBP 5106 form on file in ACE. There should be a validation of the 5106 when an ISF Filer first processes an ISF. Unfortunately, sureties are not permitted to file a new 5106 or update its information via their eBond systems because CBP has informally determined the presentation of the 5106 through an EDI transmission is customs business. The Bond Working Group made recommendation 10285 which states: "COAC recommends that CBP provide sureties with the ability to add and maintain current names and addresses of importers, which are often verified through the underwriting process."

The COAC Bond Working Group continues to believe that sureties provide an efficient means to file and maintain a 5106 in connection with a bonded transaction. Because eBond already makes it clear that only sureties may file the bond with Customs, and because a 5106 record is required to be on file prior to any bond being accepted, we believe that it only makes sense for surety to be able to perform this largely administrative function which is critical to the trade. We ask that CBP reconsider the prior recommendation made to assist with rejections and continue to ensure proper validations are in place within ACE.

## **Department of Transportation (DOT) Bonds**

The National Highway Traffic Safety Administration, Department of Transportation requires that any vehicle being imported into the United States meet motor vehicle safety and bumper standards within 120 days. A registered importer (RI) must submit a package to the Department of Transportation prior to the vehicle importation.

Prior to the importation, the RI will need to determine if the vehicle has an eligibility number, and if it does not, the vehicle must go through a petition process. The RI must also determine if the vehicle is on the hi-theft vehicle list, and if so, a list of necessary parts must be provided. If the RI is not the importer on record, a signed contract is required.

### **DOT Conformance Surety Bond Requirements:**

The surety bond must be in the amount of 150% of the vehicle value (based on the transaction value, which is the price paid to the seller of the vehicle). If the vehicle value is less than the transaction value, the vehicle may be seized by the Department.

The surety bond guarantees the following:

- 1) The nonconforming vehicle will meet the federal motor vehicle safety and bumper standards after it has had the necessary work done.
- 2) It ensures that the vehicle is not released to any person until either a bond release letter is received from NHTSA or that the vehicle is held for at least 30 days after the conformity package has been sent to NHTSA.
- 3) That the RI will keep custody of the vehicle if NHTSA has given written notice to inspect the vehicle for reasons such as they believe the certification to be false or it contains a misrepresentation.
- 4) If necessary, the RI will redeliver the vehicle to NHTSA or Customs for export for violations.
- 5) The imported vehicle should be brought to safety and bumper standards within 120 days of entry.

### **Related Links:**

#### **Registered Importer Procedures and Requirements**

#### **HS-474 Bond to Ensure Conformance with Motor Vehicle Safety and Bumper Standards | NHTSA**

## Department of Transportation (DOT) Bonds



U.S. Department of Transportation  
National Highway Traffic Safety  
Administration



OMB No. 2127-0002  
Exp. 09-30-2022

National Highway Traffic Safety Administration  
Import and Certification Division  
Phone: 202-366-6291  
Fax: 202-493-0073

Email: [importcertification@dot.gov](mailto:importcertification@dot.gov)  
Website: <https://www.importing.gov>

PL100-562, 15 USC  
1307, and 1916.5

### Bond to Ensure Conformance With Federal Motor Vehicle Safety and Bumper Standards Section 591.5(f)

(To redeliver vehicle, to produce documents, to perform conditions of release, such as to bring vehicle into conformance with all applicable Federal Motor Vehicle Safety and Bumper Standards)

Know All Men by These Presents That \_\_\_\_\_

*Name of principal; if a corporation the State of Incorporation*

of \_\_\_\_\_, as principal

*Street address or post office box number, City, State, ZIP Code*

and \_\_\_\_\_ of \_\_\_\_\_

*Name, State of Incorporation, if any*

*Address*

and \_\_\_\_\_ of \_\_\_\_\_

*Name, State of Incorporation, if any*

*Address*

as sureties, are held and firmly bound unto the UNITED STATES OF AMERICA in the sum of \_\_\_\_\_ dollars (\$ \_\_\_\_\_), which represents 150% of the entered value of the following described motor vehicle as determined by the U.S. Customs and Border Protection (CBP):

*Model year, make, series, engine, and chassis number*

for the payment of which we bind ourselves, our heirs, executors, administrators, successors, and assigns (jointly and severally), firmly by these presents

WITNESS our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_

WHEREAS, motor vehicles may be entered under the provisions of section 108, National Traffic and Motor Vehicle Safety Act of 1966, as amended; and section 106 of the Motor Vehicle Information and Cost Savings Act;

WHEREAS, pursuant to 49 CFR Part 591, a regulation promulgated under the provisions of section 108, National Traffic and Motor Vehicle Safety Act of 1966, as amended, the above-bounden principal desires to import permanently the motor vehicle described above, which is a motor vehicle that was not originally manufactured to conform with the Federal motor vehicle safety standards, and bumper standards;

WHEREAS, pursuant to 49 CFR Part 592, a regulation promulgated under the provisions of section 108, National Traffic and Motor Vehicle Safety Act of 1966, as amended, the above-bounden principal has been granted the status of Registered Importer of motor vehicles not originally manufactured to conform with the Federal motor vehicle safety standards (or, if not Registered Importer, has a contract with a Registered Importer covering the motor vehicle described above);

WHEREAS, pursuant to 49 CFR 593, a regulation promulgated under the provisions of section, 108, National Traffic and Motor Vehicle Safety Act of 1966, as amended, the Administrator of the National Highway Traffic Safety Administration as determined that the motor vehicle described above is eligible for importation into the United States; and

WHEREAS, the motor vehicle described above has been imported at the port \_\_\_\_\_

for consumption on entry No. \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_\_\_



**NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH THAT-**

(1) The above-bounden principal (the "principal", in consideration of the permanent admission into the United States of the motor vehicle described above (the "vehicle"), voluntarily undertakes and agrees to have such vehicle brought into conformity with all applicable Federal motor vehicle safety and bumper standards within 120 days after such importation, as specified by the Administrator of the National Highway Traffic Safety Administration (the "Administrator");

(2) The principal shall then file, or if not a Registered Importer shall then cause the Registered Importer of the Vehicle to file, with the Administrator, a certificate that the vehicle complies with each Federal Motor Vehicle Safety Standard in effect the year that the vehicle was manufactured and which applies in such year to the vehicle, and that the vehicle complies with the Federal bumper standard (if applicable);

(3) The principal, if a Registered Importer, shall not release custody of the vehicle to any person for license or registration for use on public roads, streets, or highways, or license or register the vehicle from the date of entry until 30 calendar days after it has certified compliance of the vehicle to the Administrator, unless the Administrator notifies the principal before 30 days that (s)he has accepted such certification and the vehicle and bond may be released, except that no such release shall be permitted, before or after the 30th calendar day, if the principal has received written notice from the Administrator that an inspection of such vehicle will be required, or that there is reason to believe that such certification is false or contains a misrepresentation;

(4) And if the principal has received written notice from the Administrator that an inspection is required, the principal shall cause the vehicle to be available for inspection; and the vehicle and bond shall be promptly released after completion of an inspection showing no failure to comply. However, if the inspection shows a failure to comply, the vehicle and bond shall not be released until such time as the failure to comply ceases to exist;

(5) And if the principal has received written notice from the Administrator that there is reason to believe that the certificate is false or contains a misrepresentation, the vehicle or bond shall not be released until the Administrator is satisfied with the certification and any modification thereof;

(6) And if the principal has received written notice from the Administrator that the vehicle has been found not to comply with all applicable Federal Motor Vehicle Safety and Bumper Standards, and written demand that the vehicle be abandoned to the United States, or delivered to the Secretary of Department of Homeland Security for the export (at no cost to the United States), the principal shall abandon the vehicle to the United States, or shall deliver the vehicle, or cause the vehicle to be delivered to, the custody of the Customs and Border Protection's Port Director of the port of entry listed above, or any other port of entry, and shall execute all documents necessary for exportation of the vehicle from the United States, at no cost to the United States; or in default of abandonment or redelivery after proper notice by the Administrator to the principal, the principal shall pay to the administrator the amount of this obligation;

Then this obligation shall be void; otherwise it shall remain in full force and effect.

Signed, sealed, and delivered in the presence of

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
(Principal) (SEAL)

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
(Surety) (SEAL)



**CERTIFICATE AS TO CORPORATE PRINCIPAL**

I, \_\_\_\_\_, certify that I am the \_\_\_\_\_  
of the corporation named as principal in the within bond; that \_\_\_\_\_, who signed the bond on behalf  
of the principal, was then \_\_\_\_\_ of said corporation; that I know his/her  
signature, and his/her signature thereto is genuine; and that said bond was duly signed, sealed and attested for and in behalf  
of said corporation by authority of its governing body.

\_\_\_\_\_(CORPORATE SEAL)

*(To be used when a power of attorney has been filed with NHTSA, and may be executed by secretary, assistant secretary, or other officer.)*

**PAPER REDUCTION ACT STATEMENT:** A Federal agency may not conduct or sponsor, and a person is not required to respond to, nor shall a person be subject to a penalty for failure to comply with, a collection of information subject to the requirements of the Paperwork Reduction Act unless that collection of information displays a current valid OMB Control Number. The OMB Control Number for this information collection is 2127-0002. The information collected on this form is necessary to obtain registration with NHTSA as an importer of motor vehicles that are not originally manufactured to comply with all applicable Federal Motor Vehicle Safety Standards. The information is used to verify the applicant's eligibility to obtain such registration. We estimate that it will take approximately 10 hours to compile and assemble the information needed to complete the application. The information collected is necessary to obtain a benefit under 49 U.S.C. § 30141 (c) and 49 CFR 592.5(a). Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden to: Information Collection Clearance Officer, National Highway Traffic Safety Administration, 1200 New Jersey Avenue SE, Room W45-205, Washington, DC 20590.

## Activity Code 12 – ITC Bonds

Under Section 337 of the Tariff Act of 1930 (19 USC § 1337), unfair methods of competition and unfair practices in the importation or sale of articles, the effect or tendency of which is to destroy, substantially injure, or prevent the establishment of an efficiently and economically operated U.S. industry, or to restrain or monopolize trade and commerce in the United States, are unlawful. Additionally, Section 337 declares unlawful the importation into the United States of articles which infringe a U.S. patent, registered trademark, copyright, or mask work.

Subsequent to an investigation of an alleged violation under Section 337, where the U.S. International Trade Commission (ITC) determines that Section 337 has been violated, the Commission may issue orders directing the Secretary of the Treasury to exclude the subject goods from entry into the United States. Under Section 337 of the Tariff Act of 1930, as amended, unfair methods of competition and unfair practices in the importation or sale of articles, the effect or tendency of which is to destroy, substantially injure, or prevent the establishment of an efficiently and economically operated U.S. industry, or to restrain or monopolize trade and commerce in the United States, are unlawful.

Exclusion Orders issued by the ITC are sent to the President for review. During the 60-day review period, if the order is not disapproved by the President or if the President affirmatively approves the order during this period, the order becomes final. CBP enforces Exclusion Orders both prior and subsequent to their becoming final. In cases involving importations which occur within the 60-day Presidential review period, the otherwise excludable articles may be entered under a single transaction bond containing the bond conditions set forth in 19 CFR § 113 Appendix B in an amount determined by the ITC. After the Presidential review period, where the Exclusion Order becomes final, the bond conditions no longer apply, and the goods are subject to exclusion.

Regulatory language already exists in [19 CFR § 113.74](#) and the CBP 301 Bond Form already lists the ITC Activity Code 12 on the form. In order to add this bond type to the eBond process, CBP only needs to add the following data elements:

- 1) ITC Case Number
- 2) Complainant Name
- 3) Complainant Importer of Record (IOR) or IRS Number
- 4) Description of Excluded Merchandise
- 5) Manufacturer's Name

The other data elements such as bond amount, entry number, principal IOR (the respondent) already exist in the current eBond environment and eBond CATAIR.

### **Related Links:**

[https://www.cbp.gov/sites/default/files/documents/2310-006a\\_3.pdf](https://www.cbp.gov/sites/default/files/documents/2310-006a_3.pdf)

## **Intellectual Property Rights (IPR) Bond**

U.S. Customs and Border Protection (CBP) established a new continuous bond option for Intellectual Property Rights (IPR) sample bonds. Under CBP regulations, CBP provides samples to trademark, trade name and copyright owners (collectively known as "rights owners") of certain merchandise suspected of bearing infringing trademarks, trade names, or copyrights or imports seized for such violations.

To obtain such a sample, rights owners must provide the bond specified in CBP's regulations to hold CBP and the importer or owner of the article harmless from any loss resulting from providing the sample to the rights owners. Under the prior practice, CBP has required single transaction bonds for the IPR sample bonds. Rights owners may now provide either a continuous or single transaction IPR sample bond to obtain IPR samples from CBP.

A continuous IPR Bond has the advantage of covering multiple IPR sample transactions, across all ports of entry with a single bond, while allowing CBP to centrally track and administer these bonds. CBP has established this new process in line with CBP's trade strategy in order to facilitate trade. The continuous IPR Bonds are intended to simplify the process for CBP to provide IPR samples to rights owners and reduce the overall administrative burden for CBP and rights holders involved with single transaction IPR sample bonds.

Because the IPR Bond does not require any additional data elements and the CBP 301 bond Form already lists the IPR activity code 15, only minimal programming effort is required to complete this in the ACE eBond module. However, insertion of regulatory language in 19CFR113 would be required.

## IPR Bond Form

### CONTINUOUS BOND TO INDEMNIFY THE UNITED STATES FOR FURNISHING TRADEMARK/TRADE NAME/COPYRIGHT SAMPLES

KNOW ALL MEN BY THESE PRESENTS, THAT \_\_\_\_\_  
\_\_\_\_\_ of \_\_\_\_\_  
(Trademark or copyright owner's importer name and number), as principal(s), and  
\_\_\_\_\_ of \_\_\_\_\_ (surety name and code) and  
\_\_\_\_\_ of \_\_\_\_\_ (co-surety name and code, if applicable) as  
sureties, are held and firmly bound unto the UNITED STATES OF AMERICA in the  
sum of dollars (\$ \_\_\_\_\_), for the payment of which we bind ourselves, our heirs,  
executors, administrators, successors, and assigns, jointly and severally, firmly by these  
presents.

WITNESS our hands and seals this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

WHEREAS if the principal(s) is provided samples of articles to assist in the  
determination as to whether such articles infringe upon a trademark(s), trade name(s), or  
copyright(s) owned by the principal or for other use in pursuit of a related private civil  
remedy for infringement;

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH,  
THAT----

- (1) The principal(s) and surety(s) jointly and severally agree to hold the United States, its officers and employees, and the importer or owner of an imported article alleged to infringe upon a trademark, trade name, or copyright owned by the principal, harmless from any loss or damage resulting from the furnishing of a sample by U.S. Customs & Border Protection to the principal;
- (2) And the principal(s) agrees to return the samples provided to it to the United States upon demand or at the conclusion of the examination or testing or a civil remedy for infringement;
- (3) And the principal(s) agrees that in the event that a sample is damaged, destroyed, or lost while in the principal's possession, the principal shall pay liquidated damages in an amount equal to 120 percent of the CIF value of that damaged, destroyed, or lost sample merchandise or \$100.00, which ever is greater;
- (4) And in addition to any liquidated damages set forth in subparagraph (3), the principal(s) shall pay any duty, internal revenue tax, or other tax accruing to the United States on the merchandise, together with any other cost, charge, penalty, and expense caused by the principal's failure to comply with the conditions of this obligation;

This bond is effective \_\_\_\_\_, 20\_\_\_\_, and remains in force for one year beginning with the effective date and for each succeeding annual period, or until terminated. This bond constitutes a separate bond for each period in the amount listed above for liabilities that accrue in each period. The intention to terminate this bond must be conveyed within the period and manner prescribed in 19 CFR Part 113.27.

This bond covers the activities of all the parties specifically listed below:

Importer Name	Importer Number
_____	_____
_____	_____
_____	_____
_____	_____

List all trade names or unincorporated divisions that will be permitted to obligate this bond in the name of the principal(s)' name and include the CBP identification number applicable to the trade name or unincorporated division.

CBP identification (importer) number division name	Trade name/ unincorporated
---	----------------------------

Total number of trade names and unincorporated divisions listed: \_\_\_\_\_  
Principal and surety agree that any charge against this bond under any of the listed names is as though it was made by the principal(s)

The principal(s) and surety(s) agree that they are bound to the same extent as if they executed a separate bond covering each condition. If the surety fails to appoint an agent under Title 6, United States Code, Section 7, surety consents to service on the Clerk of any United States District Court or the U.S. Court of International Trade, where suit is brought on this bond. That clerk is to send notice of the service to the surety at: \_\_\_\_\_.

Signed, sealed, and delivered in the presence of -----

\_\_\_\_\_  
applicable) (Name) (Address) (Witness for Principal)(If

\_\_\_\_\_  
applicable) (Name) (Address) (Witness for Surety)(If

\_\_\_\_\_

(Name)	(Address)
--------	-----------

(Name)	(Address)	(Co- Principal)(If applicable)
--------	-----------	--------------------------------

[SEAL]	(Name)	(Address)	(Surety)
--------	--------	-----------	----------

(Name)	(Address)
--------	-----------

(Name)	(Address)	(Co- Surety)(If applicable)
--------	-----------	-----------------------------

I, \_\_\_\_\_, certify that I am the \* \_\_\_\_\_ of the corporation named as principal(s) in the within bond; that \_\_\_\_\_, who signed the said bond on behalf of the principal, was then \_\_\_\_\_, of said corporation; that I know his signature, and his signature thereto is genuine, and that said bond was duly signed, sealed, and attested for and in behalf of said corporation by authority to its governing body.

\_\_\_\_\_[CORPORATE SEAL]

*(To be used when no power of attorney has been filed with the port director of U.S. Customs & Border Protection.)*

- May be executed by the secretary, assistant secretary, or other officer of the corporation.



# CBP 301 Bond Form



## DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection

OMB APPROVAL NO. 1551-0050  
EXPIRATION DATE 08/30/2020

### CUSTOMS BOND

19 CFR Part 113

CBP  
USE  
ONLY

BOND NUMBER (Assigned by CBP)

Broker Filer Code: \_\_\_\_\_

Surety Reference Number: \_\_\_\_\_

In order to secure payment of any duty, tax or charge and compliance with law or regulation as a result of activity covered by any condition referenced below, we, the below name principal(s) and surety(ies), bind ourselves to the United States in the amount or amounts, as set forth below.

Execution Date

#### SECTION I – Select Single Transaction OR Continuous Bond (not both) and fill in the applicable blank spaces.

<input type="checkbox"/> <b>SINGLE TRANSACTION BOND</b>	Identification of transaction secured by this bond (e.g., entry number, seizure number, etc.)	Transaction Date	Port Code
<input type="checkbox"/> <b>CONTINUOUS BOND</b>	Effective Date	This bond remains in force for one year beginning with the effective date and for each succeeding annual period, or until terminated. This bond constitutes a separate bond for each period in the amounts listed below for liabilities that accrue in each period. The intention to terminate this bond must be conveyed within the period and manner prescribed in the CBP Regulations.	

#### SECTION II – This bond includes the following agreements. Check one box only. (Except 3a may be checked independently or with 3.)

Activity Code	Activity Name and CBP Regulations in which conditions codified	Limit of Liability	Activity Code	Activity Name and CBP Regulations in which conditions codified	Limit of Liability
<input type="checkbox"/> 1	Importer or broker .....§113.62		<input type="checkbox"/> 8	Detention of Copyrighted Material ..... §113.70 -Single Transaction Only-	
<input type="checkbox"/> 1a	Drawback Payments Refunds .....§113.65		<input type="checkbox"/> 9	Neutrality .....§113.71 -Single Transaction Only-	
<input type="checkbox"/> 2	Custodian of Bonded Merchandise §113.63 (Includes bonded carriers, freight forwarders, cartmen and lightermen, all classes of warehouse, container station operators) -Continuous Bond Only-		<input type="checkbox"/> 10	Court Costs for Condemned Goods .....§113.72 -Single Transaction Only-	
<input type="checkbox"/> 3	International Carrier.....§113.64		<input type="checkbox"/> 11	Airport Security Bond.....Part 113 App A	
<input type="checkbox"/> 3a	Instruments of International Traffic... §113.66 -Continuous Bond Only-		<input type="checkbox"/> 12	International Trade Commission (ITC) Exclusion Bond.....Part 113 App B	
<input type="checkbox"/> 4	Foreign Trade Zone.....§113.73 -Continuous Bond Only-		<input type="checkbox"/> 14	In-Bond Export Consolidation Bond	
<input type="checkbox"/> 5	Public Gauger..... §113.67		<input type="checkbox"/> 15	Intellectual Property Rights (IPR)	
<input type="checkbox"/> 6	Wool & Fur Products ..... §113.68 Labeling Acts Importation -Single Transaction Only-		<input type="checkbox"/> 16	Importer Security Filing (ISF) .....Part 113 App D	
<input type="checkbox"/> 7	Bill of Lading.....§113.69 -Single Transaction Only-		<input type="checkbox"/> 17	Marine Terminal Operator -Continuous Bond Only-	

#### PRINCIPAL

Name and Physical Address (including legal description and state of incorporation)	By checking the box you agree that you have a seal in accordance with 19 CFR 113.25		AFFIX SEAL or Check Box
	CBP Identification Number:		<input type="checkbox"/> Check Box
	Signature		
Principal and surety agree that any charge against the bond under any of the listed names is as though it was made by the principal(s). Principal and surety agree that they are bound to the same extent as if they executed a separate bond covering each set of conditions incorporated by reference to the CBP regulations into this bond. If the surety fails to appoint an agent under Title 31, United States Code, Section 9306, surety consents to service on the Clerk of any United States District Court or the U.S. Court of International Trade, where suit is brought on this bond. That clerk is to send notice of the service to the surety at: ▶			Mailing Address Requested by the Surety

#### SURETY

Name and Physical Address (including legal description and state of incorporation)	Surety Number	Agent ID Number	<input type="checkbox"/> Check Box
	Signature		



Broker Filer Code: Surety Reference Number:

Principal Name: CBP Identification Number:

AFFIX SEAL  
or  
Check Box

By checking the box you agree that you have a seal in accordance with 19 CFR 113.25

**CO-PRINCIPAL**

Name and Physical Address (including legal description and state of incorporation)	CBP Identification Number:	[ ] Check Box
	Signature	

**SECTION III** – List below the complete name of all trade names or unincorporated divisions that will be permitted to obligate this bond in the principal's name including their CBP Identification Number(s).

<b>CBP Identification Number</b>	<b>Name</b>	<b>CBP Identification Number</b>	<b>Name</b>
		Total Number of Importer Names listed in Section III:	

### CO-SURETY

Name and Physical Address (Including legal description and state of incorporation)	Surety Number	Agent ID Number	
	Signature		
			<input type="checkbox"/> Check Box

**CUSTOMS BOND  
INSTRUCTIONS FOR COMPLETION**

All fields are required unless otherwise stated in these instructions.

**PAGE 1 CBP FORM 301**

**Broker Filer Code:** Provide a number that identifies the filer of the bond, whether a Customs broker or surety agent or other party authorized to file the bond.

**Surety Reference Number:** A 9-digit self-generated surety reference number that a surety may opt to submit to CBP instead of a social security number to be used as a bond control number.

**Execution Date:** Provide the date that the last required signature of the surety or the bond principal is affixed to the bond.

- Continuous Bonds: Must be the same date or earlier than the effective date
- Single Transaction Bonds: Must be the same date or earlier than the transaction date

**SECTION I**

**NOTE:** The Single Transaction Bond or the Continuous Bond box must be checked as appropriate, but not both.

- Single Transaction Bond: Check box next to Single Transaction Bond and line out Continuous Bond (lining out is optional). Check only if the bond will cover a single transaction.
- Continuous Bond: Check box next to Continuous Bond and line out Single Transaction Bond (lining out is optional).

**Identification of transaction secured by this bond (e.g., entry number, seizure number, etc.):** For a Single Transaction only. Do not complete this box if you are filing a Continuous Bond. If this Single Transaction Bond covers Activity Code 1 or 1a, provide an entry number. If this Single Transaction Bond covers Activity Code 10, provide a seizure number. If this Single Transaction Bond covers Activity Code 16, provide unique ISF transaction number. If the Single Transaction Bond covers Activity Codes 1 and 16 (a unified filing), provide an entry number and a unique ISF transaction number. For any other activity code for which a Single Transaction Bond is allowed, you may provide an identifying number.

**Transaction Date:** If this is a single transaction bond, provide the date the transaction occurs, if known.

- Single Transaction Bond: Required field
  - Activity Code 1, 1a, 3, 5, 6, 7, 8, 9, 10
    - If known, enter date of transaction
    - If not known, transaction due date would be the execution date
  - Activity Code 16
    - Enter date of ISF transmission
- Continuous Bond: Not applicable, leave blank

**Port Code:** Provide the 4-digit code of the Port where the single transaction is to occur. Leave blank for continuous bonds.

**Effective Date:** For a continuous bond only. Provide the date that transactions under the continuous bond may begin to be accepted by CBP.

- The effective date must be the same or after the execution date

## SECTION II

**Activity Code:** Check the appropriate Activity Code. Only one (1) box may be checked, except 3a may be checked independently or with 3. Filers may opt to line out all unused activity codes.

For Airport Security Bonds, check continuous and Activity Code 11.

NOTE: Do not check boxes 12, 14, 15, or 17. Until further notice, this Form will not be used for those Activity Codes. Separate bonds must be filed. For Activity Code 12, see Appendix B to Part 113 of the CBP Regulations (19 CFR Part 113). For Activity Code 17, see the Notice of Specific Instruction, Customs Bulletin and Decisions, Vol. 40, No. 52, December 20, 2008, at page 7 for the terms and conditions of the Marine Terminal Operator Bond. For Activity Codes 14 and 15, see the Port Director at the port in which the bond is to be filed.

- **Limit of Liability:** Provide a number indicating the amount of the bond next to the activity code checked. The amount must be in whole dollars (always round up if there are cents for a Single Transaction Bond).
- Enter "N/A" in all other Limit of Liability areas next to the lined out activity codes. (This is optional)

### PRINCIPAL

**Name and Physical Address (including legal description and state of incorporation):** Provide the full name and legal description (i.e. corporation, partnership, individual, etc.) of the bond principal, a physical address (not a P.O. Box), and the state of incorporation, if applicable.

For Continuous Bonds: If a limited partnership, provide a copy of the partnership agreement. If a general partnership, provide the names and addresses of the partners on the bond form (e.g., A general partnership comprised of <name>, <name>, etc.)

**CBP Identification Number:** Provide the CBP identification number filed pursuant to 19 CFR 24.5. When the Internal Revenue Service (IRS) Employer Identification Number (EIN) is used, the two-digit suffix code must be included and an eleven-digit number must be provided.

**Signature:** Provide the signature of a party authorized to bind the principal to the bond contract. The name and title (or Attorney in Fact) of the party signing the bond must be typed in this box also. If Attorney in Fact is signing the bond, the Company Name of the Attorney in Fact must be typed in this box.

**SEAL:** Principal must determine if a seal is required under the law of the state in which the bond is executed. A checked box indicates a seal is affixed or submitted electronically to CBP as per 19 CFR 113.25. An unchecked box is an acknowledgment that no seal is required.

**Mailing Address Requested by the Surety:** Provide a mailing address where the surety may receive notice of service.

### SURETY

**Name and Physical Address (including legal description and state of incorporation):** If applicable provide the full surety name as it is set forth in the Treasury Listing of Approved Sureties published in the Federal Register by the Department of the Treasury (Treasury Department Circular 570), and a physical address. If an individual surety, provide name and legal description of the surety, and a physical address.

**Surety Number:** Provide the 3-digit identification code assigned by CBP to a surety company.

**Agent ID Number:** Provide an identification number as identified by the surety granting such power of attorney. If an individual, a social security number may be provided, but a CBP-assigned number may also be used.

**Signature:** Provide the signature of a party authorized to bind the surety to the bond contract. The name and title (or Attorney in Fact) of the party signing the bond must be typed in this box also.

**SEAL:** Surety must determine if a seal is required under the law of the state in which the bond is executed. A checked box indicates a seal is affixed or submitted electronically to CBP as per 19 CFR 113.25. An unchecked box is an acknowledgment that no seal is required.



## PAGE 2 CBP FORM 301

If there is no substantive information on page 2 of the CBP 301 form, it need not be filed with CBP (Single Transaction or Continuous Bonds). Substantive information is limited to Co-Principal, Section III Divisions/Users, and Co-Surety. If page 2 is required, the four header data items (Broker Filer Code, Surety Reference Number, Principal Name, and CBP Identification Number) must be provided and identical to those fields on page 1.

### CO-PRINCIPAL

Follow the same instructions as for the principal.

### SECTION III

List the complete name of all trade names or unincorporated divisions that will be permitted to obligate the bond in the principal's name including their CBP identification numbers: Provide the complete name for each entity listed (e.g., ABC Company DBA 123 Company.) If the identification number is based upon an EIN, the number must match the base number (the first nine digits of a principal's identification number on the bond).

Total Number of Importer Names Listed in Section III: Provide total number of entities listed. If none, enter a 0 (zero). Do not include the main principal or any co-principals in the total number of Section III users.

### CO-SURETY

Follow the same instructions as for the surety.

### OTHER INSTRUCTIONS

If a bond has more than two (2) co-principals, a CBP Form 301A must be used. Note that co-principals cannot be added by rider. The bond must be terminated and replaced to add (or delete) a co-principal.

For bond conditions, refer to Part 113, Subpart G, CBP regulations and the Appendices to that Part.

Paperwork Reduction Act Notice: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0050. The estimated time to complete this application is 15 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of International Trade, Regulations and Rulings, 799 9<sup>th</sup> Street, NW., Washington, DC 20229.

Privacy Act Statement: The following notice is given pursuant to section 7(b) of the Privacy Act of 1974 (5 U.S.C. 552a). Furnishing the information of this form, including the Social Security number, is mandatory. The primary use of the Social Security Number is to verify, in the CBP Automated System, at the time an agent submits a CBP bond for approval that the individual was granted a Corporate Surety Power of Attorney by the surety company. Section 7 of the Act of July 30, 1947, chapter 390, 61 Stat. 646, authorizes the collection of this information.