

entry for aircraft transporting aliens: From \$2,200 to \$3,200.

(3) Section 240B(d) of the Act, Penalties for failure to depart voluntarily: From \$1,000 minimum/\$5,000 maximum to \$1,100 minimum/\$5,500 maximum.

(4) Section 243(c)(1) of the Act, Penalties for violations of removal orders relating to aliens transported on vessels or aircraft, under section 241(d) of the Act, or for costs associated with removal under section 241(e) of the Act, from \$2,000 to \$2,200; and penalties for failure to remove alien stowaways under section 241(d)(2), from \$5,000 to \$5,500.

(5) Section 251(d) of the Act, Penalties for failure to report an illegal landing or desertion of alien crewmen, and for each alien not reported on arrival or departure manifest and lists in accordance with section 251 of the Act: From \$220 to \$320; and penalties for use of alien crewmen for longshore work in violation of section 251(d) of the Act: From \$5,500 to \$7,500.

(6) Section 254(a) of the Act, Penalties for failure to control alien crewmen: From \$550 minimum/\$3,300 maximum to \$750 minimum/\$4,300 maximum.

(7) Section 255 of the Act, Penalties for employment on passenger vessels of aliens afflicted with certain disabilities: Remains at \$1,100.

(8) Section 256 of the Act, Penalties for discharge of alien crewmen: From \$1,500 minimum/\$3,300 maximum to \$1,500 minimum/\$4,300 maximum.

(9) Section 257 of the Act, Penalties for bringing into the United States alien crewmen with intent to evade immigration laws: From \$11,000 maximum to \$16,000 maximum.

(10) Section 271(a) of the Act, Penalties for failure to prevent the unauthorized landing of aliens: From \$3,300 to \$4,300.

(11) Section 272(a) of the Act, Penalties for bringing to the United States aliens subject to denial of admission on a health-related ground: From \$3,300 to \$4,300.

(12) Section 273(b) of the Act, Penalties for bringing to the United States aliens without required documentation: From \$3,300 to \$4,300.

(13) Section 274D of the Act, Penalties for failure to depart: From \$500

to \$550, for each day the alien is in violation.

(14) Section 275(b) of the Act, Penalties for improper entry: From \$50 minimum/\$250 maximum to \$55 minimum/\$275 maximum, for each entry or attempted entry.

[76 FR 74629, Dec. 1, 2011]

PART 286—IMMIGRATION USER FEE

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AUTHORITY: 8 U.S.C. 1101, 1103, 1356; Title VII of Public Law 110-229; 8 CFR part 2.

SOURCE: 53 FR 5757, Feb. 26, 1988, unless otherwise noted.

§ 286.1 Definitions.

The following definitions apply to the following terms in this part:

(a) The term *adjacent islands* means Anguilla, Antigua, Aruba, Bahamas, Barbados, Barbuda, Bermuda, Bonaire, British Virgin Islands, Cayman Islands, Cuba, Curacao, Dominica, the Dominican Republic, Grenada, Guadeloupe, Haiti, Jamaica, Marie-Galante, Martinique, Miquelon, Montserrat, Saba, Saint Barthélemy, Saint Christopher, Saint Eustatius, Saint Kitts-Nevis, Saint Lucia, Saint Maarten, Saint Martin, Saint Pierre, Saint Vincent and Grenadines, Trinidad and Tobago, Turks and Caicos Islands, and other British, French and Netherlands territory or possessions bordering on the Caribbean Sea.

(b) The term *collector* means an air or sea carrier, travel agent, tour wholesaler, or other entity which collects, but may or may not be required to remit, fees pursuant to this part.

(c) The term *commercial aircraft* means any civilian aircraft being used

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to transport persons or property for compensation or hire.

(d) The term *commercial vessel* means any civilian vessel being used to transport persons or property for compensation or hire.

(e) The term *Assistant Commissioner, Office of Financial Management* means the Office of the Assistant Commissioner, Financial Management, Immigration and Naturalization Service, Room 6307, 425 I Street NW., Washington, DC 20536.

(f) The term *fee* means the immigration user fee.

(g) The term *port of entry* means a port or place designated by the Commissioner at which a person may apply for admission into the United States.

(h) The term *remitter* means an air or sea carrier, travel agent, tour wholesaler, or other entity which collects, including receipt of fees collected by collectors which are not required to remit fees, and remits fees pursuant to this part.

(i) *Territories or possessions of the United States* means American Samoa, Baker Island, Howland Island, Jarvis Island, Johnston Atoll, Kingman Reef, Midway, Swains Island, Palmyra Island, and Wake Island.

(j) The term *document for transportation* means any document accepted by a carrier in return for transportation.

(k) *United States*, when used in a geographical sense, means the continental United States, Alaska, Hawaii, Puerto Rico, Guam, the Virgin Islands of the United States, and the Commonwealth of the Northern Mariana Islands.

[53 FR 5757, Feb. 26, 1988, as amended at 59 FR 49349, Sept. 28, 1994; 63 FR 51272, Sept. 25, 1998; 74 FR 55740, Oct. 28, 2009]

§ 286.2 Fee for arrival of passengers aboard commercial aircraft or commercial vessels.

(a) A fee, in the amount prescribed in section 286(d) of the Act, per individual is charged and collected by the Commissioner for the immigration inspection of each passenger aboard a commercial aircraft or commercial vessel, arriving at a port-of-entry in the United States, or for the preinspection of a passenger in a place outside the United States prior to such arrival, except as provided in § 286.3.

(b) A fee, in the amount prescribed in section 286(e)(3) of the Act, per individual, is charged and collected by the Commissioner for the immigration inspection at a port-of-entry in the United States, or for the preinspection in a place outside the United States of each commercial vessel passenger whose journey originated in the United States, Canada, Mexico, territories or possessions of the United States, or adjacent islands, except as provided in § 286.3. All tickets or documents for transportation on voyages that are booked on or after February 27, 2003, will be subject to this immigration user fee.

(c) Each commercial aircraft and vessel carrier or ticket-selling agent whose monthly collections in any month exceed \$50,000 shall submit a summary statement showing the amount of user fees collected that month. The summary statement is due on the last business day of the following month. This information shall be forwarded to the Immigration and Naturalization Service, Chief, Analysis and Formulation Branch, 425 I Street, NW., Room 6307, Washington, DC 20536. For the months of December, March, June, and August, the quarterly remittance and statement required by § 286.5 will serve as the monthly report for those months. Therefore, a monthly report is required for all other months in which monthly collections exceed \$50,000.

[59 FR 49348, Sept. 28, 1994, as amended at 63 FR 51272, Sept. 25, 1998; 67 FR 15334, Apr. 1, 2002; 68 FR 4092, Jan. 28, 2003]

§ 286.3 Exceptions.

The fees set forth in §§ 286.2(a) and 286.2(b) shall not be charged or collected from passengers who fall within any one of the following categories:

(a) Persons arriving at designated ports-of-entry by the following vessels, when operating on a regular schedule: Great Lakes international ferries or Great Lakes vessels on the Great Lakes and connecting waterways;

(b) Persons directly connected with the operation, navigation, or business of the commercial aircraft or commercial vessel including working crew, deadheading crew, U.S. Federal Aviation Administration inspectors, sky