



DEPARTMENT OF HOMELAND SECURITY

8 CFR Parts 270, 274a, and 280

U.S. Customs and Border Protection

19 CFR Part 4

Coast Guard

33 CFR Part 27

Transportation Security Administration

49 CFR Part 1503

RIN 1601-AB16

Civil Monetary Penalty Adjustments for Inflation

AGENCY: Department of Homeland Security (DHS).

ACTION: Final rule.

SUMMARY: In this final rule, DHS adjusts for inflation its civil monetary penalties for 2025, in accordance with the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 and Executive Office of the President (EOP) Office of Management and Budget (OMB) guidance. The new penalty amounts will be effective for penalties assessed after [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER], whose associated violations occurred after November 2, 2015.

DATES: This rule is effective on [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER].

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I. Statutory and Regulatory Background

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

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

(IFR) and (2) make subsequent annual adjustments for inflation.² Through the “catch-up” adjustment, agencies were required to adjust the amounts of civil monetary penalties to more accurately reflect inflation rates.³

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

Pursuant to the 2015 Act, DHS undertook a review of the civil penalties that DHS and its components administer.⁷ On July 1, 2016, DHS published an IFR adjusting the maximum civil monetary penalties with an initial “catch-up” adjustment, as required by the 2015 Act.⁸ DHS calculated the adjusted penalties based upon nondiscretionary provisions in the 2015 Act and upon guidance that OMB issued to agencies on February 24, 2016.⁹ The adjusted penalties were effective for civil penalties assessed after August 1, 2016 (the effective date of the IFR), whose associated violations occurred after November 2, 2015 (the date of enactment of the 2015 Act).¹⁰ In 2017 and in every year since, DHS published a final rule making the annual inflation adjustment.¹¹

² Pub. L. 114-74 sec. 701(b)(1)(D)(b)(1)-(2).

³ Pub. L. 114-74 sec. 701(b)(1)(D)(b)(1)(A)-(B).

⁴ Pub. L. 114-74 sec. 701(b)(1)(D)(b)(2).

⁵ Pub. L. 114-74 sec. 701(b)(2)(4)(a).

⁶ Pub. L. 114-74 sec. 701(b)(1)(A)(a).

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

⁸ 81 FR 42987 (July 1, 2016).

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

¹⁰ 81 FR at 42987 (July 1, 2016).

¹¹ 82 FR 8571 (Jan. 27, 2017); 83 FR 13826 (Apr. 2, 2018); 84 FR 13499 (Apr. 5, 2019); 85 FR 36469 (June 17, 2020); 86 FR 57532 (Oct. 18, 2021); 87 FR 1317 (Jan. 11, 2022); 88 FR 2175 (Jan. 13, 2023); 89 FR 53849 (June 28, 2024).

II. Overview of the Final Rule

This final rule makes the 2025 annual inflation adjustments to civil monetary penalties pursuant to the 2015 Act and pursuant to guidance OMB issued to agencies on December 17, 2024.¹² The penalty amounts in this final rule will be effective for penalties assessed after [INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER] where the associated violation occurred after November 2, 2015. Consistent with OMB guidance, the 2015 Act does not retrospectively change previously assessed penalties that the agency is actively collecting or has collected.

We discuss civil penalties by DHS component in Section III below. For each component identified in Section III, below, we briefly describe the relevant civil penalty (or penalties), and we provide a table showing the increase in the penalties for 2025. In the table for each component, we show (1) the penalty name, (2) the penalty statutory and or regulatory citation, (3) the penalty amount as adjusted in the 2024 final rule, (4) the cost-of-living adjustment multiplier for 2025 that OMB provided in its December 17, 2024, guidance, and (5) the new 2025 adjusted penalty. The 2015 Act instructs agencies to round penalties to the nearest multiple of \$1.¹³ For a more complete discussion of the method used for calculating the initial “catch-up” inflation adjustments and a component-by-component breakdown to the nature of the civil penalties and relevant legal authorities, please see the IFR preamble at 81 FR 42987-43000.

Finally, in issuing this final rule, it is DHS’s intention that the rule’s penalty provisions be considered severable from one another to the greatest extent possible. For example, if a court of competent jurisdiction were to hold that a particular penalty amount could not be applied as adjusted for inflation to particular persons or in particular circumstances, DHS would intend for

¹² Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

¹³ Pub. L. 114-74 sec. 701(b)(2)(A).

the court to leave the remainder of the rule in place with respect to all other penalties as adjusted for inflation and covered persons and circumstances.

III. Adjustments by Component

In the following sections, we briefly describe the civil penalties that DHS and its components, the Cybersecurity and Infrastructure Security Agency (CISA), the U.S. Customs and Border Protection (CBP), the U.S. Immigration and Customs Enforcement (ICE), the U.S. Coast Guard (USCG), and the Transportation Security Administration (TSA), assess. Other components not mentioned do not impose any civil monetary penalties for 2025. At the end of each section, we include tables that list the individual adjustments for each penalty.

A. Cybersecurity and Infrastructure Security Agency

The Cybersecurity and Infrastructure Security Agency (CISA) administers the Chemical Facility Anti-Terrorism Standards (CFATS). CFATS is a program that regulates the security of chemical facilities that, in the discretion of the Secretary, present high levels of security risk. DHS established the CFATS program in 2007 pursuant to section 550 of the Department of Homeland Security Appropriations Act of 2007 (Pub. L. 109–295).¹⁴ Pursuant to section 5 of the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Pub. L. 113–254, as amended by Pub. L. 116-150; 6 U.S.C. 621 note), authorization had been granted for CFATS until July 27, 2023. Congress did not act to reauthorize the program in time and, as such, the authorization expired on July 28, 2023. Therefore, regulations written pursuant to CFATS authority are not currently active. While regulatory text for the CFATS regulation, including a civil penalty, is located in part 27 of title 6 of the Code of Federal Regulations (CFR), the text is inactive due to the lapse in authority. For that reason, we are not adjusting the maximum civil penalty amount that CISA may assess at this time.

¹⁴ Section 550 has since been superseded by the Protecting and Securing Chemical Facilities from Terrorist Attacks Act of 2014 (Pub. L. 113-254). The new legislation codified the statutory authority for the CFATS program within Title XXI of the Homeland Security Act of 2002, as amended. See 6 U.S.C. 621 *et seq.* Pub. L. 113-254 authorized the CFATS program from January 18, 2015, to January 17, 2019. Pub. L. 116-150 extends the CFATS program authorization to July 27, 2023.

B. U.S. Customs and Border Protection

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

Table 1 shows the 2025 adjustment for the penalties that CBP administers.

Table 1 – U.S. Customs and Border Protection Civil Penalties Adjustments

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Penalties for non-compliance with arrival and departure manifest requirements for passengers, crewmembers, or occupants transported on commercial vessels or aircraft arriving to or departing from the United States	8 U.S.C. 1221(g) 8 CFR 280.53(b)(1) (INA section 231(g))	\$1,696	1.02598	\$1,740
Penalties for non-compliance with landing requirements at designated ports of entry for aircraft transporting aliens	8 U.S.C. 1224 8 CFR 280.53(b)(2) (INA section 234)	\$4,610	1.02598	\$4,730

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Penalties for failure to depart voluntarily	8 U.S.C. 1229c(d) 8 CFR 280.53(b)(3) (INA section 240B(d))	\$1,942-\$9,718	1.02598	\$1,992-\$9,970
Penalties for violations of removal orders relating to aliens transported on vessels or aircraft under section 241(d) of the INA, or for costs associated with removal under section 241(e) of the INA	8 U.S.C. 1253(c)(1)(A) 8 CFR 280.53(b)(4) (INA section 243(c)(1)(A))	\$3,887	1.02598	\$3,988
Penalties for failure to remove alien stowaways under section 241(d)(2) of the INA	8 U.S.C. 1253(c)(1)(B) 8 CFR 280.53(b)(5) (INA section 243(c)(1)(B))	\$9,718	1.02598	\$9,970
Penalties for failure to report an illegal landing or desertion of alien crewmen, and for each alien not reported on arrival or departure manifest or lists required in accordance with section 251 of the INA	8 U.S.C. 1281(d) 8 CFR 280.53(b)(6) (INA section 251(d))	\$460 for each alien	1.02598	\$472 for each alien
Penalties for use of alien crewmen for longshore work in violation of section 251(d) of the INA	8 U.S.C. 1281(d) 8 CFR 280.53(b)(6) (INA section 251(d))	\$11,524	1.02598	\$11,823
Penalties for failure to control, detain, or remove alien crewmen	8 U.S.C. 1284(a) 8 CFR 280.53(b)(7) (INA section 254(a))	\$1,152-\$6,913	1.02598	\$1,182-\$7,093
Penalties for employment on passenger vessels of aliens afflicted with certain disabilities	8 U.S.C. 1285 8 CFR 280.53(b)(8) (INA section 255)	\$2,304	1.02598	\$2,364
Penalties for discharge of alien crewmen	8 U.S.C. 1286 8 CFR 280.53(b)(9) (INA section 256)	\$3,457-\$6,913	1.02598	\$3,547-\$7,093

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Penalties for bringing into the United States alien crewmen with intent to evade immigration laws	8 U.S.C. 1287 8 CFR 280.53(b)(10) (INA section 257)	\$23,048	1.02598	\$23,647
Penalties for failure to prevent the unauthorized landing of aliens	8 U.S.C. 1321(a) 8 CFR 280.53(b)(11) (INA section 271(a))	\$6,913	1.02598	\$7,093
Penalties for bringing to the United States aliens subject to denial of admission on a health-related ground	8 U.S.C. 1322(a) 8 CFR 280.53(b)(12) (INA section 272(a))	\$6,913	1.02598	\$7,093
Penalties for bringing to the United States aliens without required documentation	8 U.S.C. 1323(b) 8 CFR 280.53(b)(13) (INA section 273(b))	\$6,913	1.02598	\$7,093
Penalties for failure to depart	8 U.S.C. 1324d 8 CFR 280.53(b)(14) (INA section 274D)	\$973	1.02598	\$998
Penalties for improper entry	8 U.S.C. 1325(b) 8 CFR 280.53(b)(15) (INA section 275(b))	\$97-\$487	1.02598	\$100-\$500
Penalty for dealing in or using empty stamped imported liquor containers	19 U.S.C. 469	\$645	1.02598	\$662**
Penalty for employing a vessel in a trade without a required Certificate of Documentation	19 U.S.C. 1706a 19 CFR 4.80(i)	\$1,617	1.02598	\$1,659
Penalty for transporting passengers coastwise for hire by certain vessels (known as Bowaters vessels) that do not meet specified conditions	46 U.S.C. 12118(f)(3)	\$645	1.02598	\$662**
Penalty for transporting passengers between coastwise points in the United States by a non-coastwise qualified vessel	46 U.S.C. 55103(b) 19 CFR 4.80(b)(2)	\$971	1.02598	\$996

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Penalty for towing a vessel between coastwise points in the United States by a non-coastwise qualified vessel	46 U.S.C. 55111(c) 19 CFR 4.92	\$1,132-\$3,558 plus \$193 per ton	1.02598	\$1,161-\$3,650 plus \$198 per ton

* Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

** No applicable conforming edit to regulatory text.

C. U.S. Immigration and Customs Enforcement

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

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

Because both DHS and DOJ implement the three employment-related penalty sections in the INA, both Departments’ implementing regulations reflect the civil penalty amounts. For a complete description of the civil money penalties assessed and a discussion of DHS’s and DOJ’s efforts to update the penalties in years past, see the IFR preamble at 81 FR 42991. Table 2 shows the 2025 adjustment for the penalties that ICE administers.¹⁵

¹⁵ Table 3 also includes two civil penalties that are also listed as penalties administered by CBP. These are penalties for failure to depart voluntarily, INA section 240B(d), and failure to depart after a final order of removal, INA

Table 2 – U.S. Immigration and Customs Enforcement Civil Penalties Adjustments

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Civil penalties for failure to depart voluntarily, INA section 240B(d)	8 U.S.C. 1229c(d) 8 CFR 280.53(b)(3)	\$1,942-\$9,718	1.02598	\$1,992-\$9,970
Civil penalties for violation of INA sections 274C(a)(1)-(a)(4), penalty for first offense	8 CFR 270.3(b)(1)(ii)(A)	\$575-\$4,610	1.02598	\$590-\$4,730
Civil penalties for violation of INA sections 274C(a)(5)-(a)(6), penalty for first offense	8 CFR 270.3(b)(1)(ii)(B)	\$487-\$3,887	1.02598	\$500-\$3,988
Civil penalties for violation of INA sections 274C(a)(1)-(a)(4), penalty for subsequent offenses	8 CFR 270.3(b)(1)(ii)(C)	\$4,610-\$11,524	1.02598	\$4,730-\$11,823
Civil penalties for violation of INA sections 274C(a)(5)-(a)(6), penalty for subsequent offenses	8 CFR 270.3(b)(1)(ii)(D)	\$3,887-\$9,718	1.02598	\$3,988-\$9,970
Violation/prohibition of indemnity bonds	8 CFR 274a.8(b)	\$2,789	1.02598	\$2,861
Civil penalties for knowingly hiring, recruiting, referral, or retention of unauthorized aliens - Penalty for first offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(A)	\$698-\$5,579	1.02598	\$716-\$5,724
Penalty for second offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(B)	\$5,579-\$13,946	1.02598	\$5,724-\$14,308
Penalty for third or subsequent offense (per unauthorized alien)	8 CFR 274a.10(b)(1)(ii)(C)	\$8,369-\$27,894	1.02598	\$8,586-\$28,619

section 274D. Both CBP and ICE may administer these penalties, but as ICE is the DHS component primarily responsible for assessing and collecting them, they are also listed among the penalties ICE administers.

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Civil penalties for I-9 paperwork violations	8 CFR 274a.10(b)(2)	\$281-\$2,789	1.02598	\$288-\$2,861
Civil penalties for failure to depart, INA section 274D	8 U.S.C. 1324d 8 CFR 280.53(b)(14)	\$973	1.02598	\$998

* Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

D. U.S. Coast Guard

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

The Coast Guard has identified the penalties it administers and adjusted those penalties for inflation in a table located in the CFR – specifically, Table 1 in 33 CFR 27.3. Table 1 in 33 CFR 27.3 identifies the statutes that provide the Coast Guard with civil monetary penalty authority and sets out the inflation-adjusted maximum penalty that the Coast Guard may impose pursuant to each statutory provision. Table 1 in 33 CFR 27.3 provides the current maximum penalty for violations that occurred after November 2, 2015. The applicable civil monetary penalty amounts for violations occurring on or before November 2, 2015, are set forth in previously published regulations amending 33 CFR part 27. To find the applicable penalty amount for a violation that occurred on or before November 2, 2015, look to the prior versions of the CFR that pertain to the date on which the violation occurred. Table 3 below shows the 2025 adjustment for the penalties that the Coast Guard administers.

Table 3 – U.S. Coast Guard Civil Penalties Adjustments

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Saving Life and Property	14 U.S.C. 521(c)	\$12,958	1.02598	\$13,295
Saving Life and Property; Intentional Interference with Broadcast	14 U.S.C. 521(e)	\$1,330	1.02598	\$1,365
Confidentiality of Medical Quality Assurance Records (first offense)	14 U.S.C. 936(i); 33 CFR 27.3	\$6,508	1.02598	\$6,677
Confidentiality of Medical Quality Assurance Records (subsequent offenses)	14 U.S.C. 936(i); 33 CFR 27.3	\$43,394	1.02598	\$44,521
Obstruction of Revenue Officers by Masters of Vessels	19 U.S.C. 70; 33 CFR 27.3	\$9,704	1.02598	\$9,956
Obstruction of Revenue Officers by Masters of Vessels-Minimum Penalty	19 U.S.C. 70; 33 CFR 27.3	\$2,264	1.02598	\$2,323
Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge	19 U.S.C. 1581(d)	\$5,000**	N/A	\$5,000**
Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge-Minimum Penalty	19 U.S.C. 1581(d)	\$1,000**	N/A	\$1,000**
Anchorage Ground/Harbor Regulations General	33 U.S.C. 471; 33 CFR 27.3	\$14,069	1.02598	\$14,435
Anchorage Ground/Harbor Regulations St. Mary's River	33 U.S.C. 474; 33 CFR 27.3	\$971	1.02598	\$996

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Bridges/Failure to Comply with Regulations	33 U.S.C. 495(b); 33 CFR 27.3	\$35,516	1.02598	\$36,439
Bridges/Drawbridges	33 U.S.C. 499(c); 33 CFR 27.3	\$35,516	1.02598	\$36,439
Bridges/Failure to Alter Bridge Obstructing Navigation	33 U.S.C. 502(c); 33 CFR 27.3	\$35,516	1.02598	\$36,439
Bridges/Maintenance and Operation	33 U.S.C. 533(b); 33 CFR 27.3	\$35,516	1.02598	\$36,439
Bridge to Bridge Communication; Master, Person in Charge or Pilot	33 U.S.C. 1208(a); 33 CFR 27.3	\$2,587	1.02598	\$2,654
Bridge to Bridge Communication; Vessel	33 U.S.C. 1208(b); 33 CFR 27.3	\$2,587	1.02598	\$2,654
Oil/Hazardous Substances: Discharges (Class I per violation)	33 U.S.C. 1321(b)(6)(B)(i); 33 CFR 27.3	\$23,048	1.02598	\$23,647
Oil/Hazardous Substances: Discharges (Class I total under paragraph)	33 U.S.C. 1321(b)(6)(B)(i); 33 CFR 27.3	\$57,617	1.02598	\$59,114
Oil/Hazardous Substances: Discharges (Class II per day of violation)	33 U.S.C. 1321(b)(6)(B)(ii); 33 CFR 27.3	\$23,048	1.02598	\$23,647
Oil/Hazardous Substances: Discharges (Class II total under paragraph)	33 U.S.C. 1321(b)(6)(B)(ii); 33 CFR 27.3	\$288,080	1.02598	\$295,564
Oil/Hazardous Substances: Discharges (per day of violation) Judicial Assessment	33 U.S.C. 1321(b)(7)(A); 33 CFR 27.3	\$57,617	1.02598	\$59,114

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Oil/Hazardous Substances: Discharges (per barrel of oil or unit discharged) Judicial Assessment	33 U.S.C. 1321(b)(7)(A); 33 CFR 27.3	\$2,305	1.02598	\$2,365
Oil/Hazardous Substances: Failure to Carry Out Removal/Comply With Order (Judicial Assessment)	33 U.S.C. 1321(b)(7)(B); 33 CFR 27.3	\$57,617	1.02598	\$59,114
Oil/Hazardous Substances: Failure to Comply with Regulation Issued Under 1321(j) (Judicial Assessment)	33 U.S.C. 1321(b)(7)(C); 33 CFR 27.3	\$57,617	1.02598	\$59,114
Oil/Hazardous Substances: Discharges, Gross Negligence (per barrel of oil or unit discharged) Judicial Assessment	33 U.S.C. 1321(b)(7)(D); 33 CFR 27.3	\$6,913	1.02598	\$7,093
Oil/Hazardous Substances: Discharges, Gross Negligence-Minimum Penalty (Judicial Assessment)	33 U.S.C. 1321(b)(7)(D); 33 CFR 27.3	\$230,464	1.02598	\$236,451
Marine Sanitation Devices; Operating	33 U.S.C. 1322(j); 33 CFR 27.3	\$9,704	1.02598	\$9,956
Marine Sanitation Devices; Sale or Manufacture	33 U.S.C. 1322(j); 33 CFR 27.3	\$25,871	1.02598	\$26,543
International Navigation Rules; Operator	33 U.S.C. 1608(a); 33 CFR 27.3	\$18,139	1.02598	\$18,610
International Navigation Rules; Vessel	33 U.S.C. 1608(b); 33 CFR 27.3	\$18,139	1.02598	\$18,610
Pollution from Ships; General	33 U.S.C. 1908(b)(1); 33 CFR 27.3	\$90,702	1.02598	\$93,058

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Pollution from Ships; False Statement	33 U.S.C. 1908(b)(2); 33 CFR 27.3	\$18,139	1.02598	\$18,610
Inland Navigation Rules; Operator	33 U.S.C. 2072(a); 33 CFR 27.3	\$18,139	1.02598	\$18,610
Inland Navigation Rules; Vessel	33 U.S.C. 2072(b); 33 CFR 27.3	\$18,139	1.02598	\$18,610
Shore Protection; General	33 U.S.C. 2609(a); 33 CFR 27.3	\$63,991	1.02598	\$65,653
Shore Protection; Operating Without Permit	33 U.S.C. 2609(b); 33 CFR 27.3	\$25,597	1.02598	\$26,262
Oil Pollution Liability and Compensation	33 U.S.C. 2716a(a); 33 CFR 27.3	\$57,617	1.02598	\$59,114
Clean Hulls; Civil Enforcement	33 U.S.C. 3852(a)(1)(A); 33 CFR 27.3	\$52,753	1.02598	\$54,124
Clean Hulls-related to false statements	33 U.S.C. 3852(a)(1)(A); 33 CFR 27.3	\$70,337	1.02598	\$72,164
Clean Hulls-Recreational Vessel	33 U.S.C. 3852(c); 33 CFR 27.3	\$7,034	1.02598	\$7,217
Hazardous Substances, Releases, Liability, Compensation (Class I)	42 U.S.C. 9609(a); 33 CFR 27.3	\$69,733	1.02598	\$71,545
Hazardous Substances, Releases, Liability, Compensation (Class II)	42 U.S.C. 9609(b); 33 CFR 27.3	\$69,733	1.02598	\$71,545
Hazardous Substances, Releases, Liability, Compensation (Class II subsequent offense)	42 U.S.C. 9609(b); 33 CFR 27.3	\$209,202	1.02598	\$214,637

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment)	42 U.S.C. 9609(c); 33 CFR 27.3	\$69,733	1.02598	\$71,545
Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment subsequent offense)	42 U.S.C. 9609(c); 33 CFR 27.3	\$209,202	1.02598	\$214,637
Safe Containers for International Cargo	46 U.S.C. 80509; 33 CFR 27.3	\$7,622	1.02598	\$7,820
Suspension of Passenger Service	46 U.S.C. 70305; 33 CFR 27.3	\$76,230	1.02598	\$78,210
Vessel Inspection or Examination Fees	46 U.S.C. 2110(e); 33 CFR 27.3	\$11,524	1.02598	\$11,823
Alcohol and Dangerous Drug Testing	46 U.S.C. 2115; 33 CFR 27.3	\$9,380	1.02598	\$9,624
Negligent Operations: Recreational Vessels	46 U.S.C. 2302(a); 33 CFR 27.3	\$8,485	1.02598	8,705
Negligent Operations: Other Vessels	46 U.S.C. 2302(a); 33 CFR 27.3	\$42,425	1.02598	\$43,527
Operating a Vessel While Under the Influence of Alcohol or a Dangerous Drug	46 U.S.C. 2302(c)(1); 33 CFR 27.3	\$9,380	1.02598	\$9,624
Vessel Reporting Requirements: Owner, Charterer, Managing Operator, or Agent	46 U.S.C. 2306(a)(4); 33 CFR 27.3	\$14,608	1.02598	\$14,988
Vessel Reporting Requirements: Master	46 U.S.C. 2306(b)(2); 33 CFR 27.3	\$2,922	1.02598	\$2,998

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Immersion Suits	46 U.S.C. 3102(c)(1); 33 CFR 27.3	\$14,608	1.02598	\$14,988
Master Key Control System	46 U.S.C. 3106(d)	\$1,032	1.02598	\$1,059
Inspection Permit	46 U.S.C. 3302(i)(5); 33 CFR 27.3	\$3,047	1.02598	\$3,126
Vessel Inspection; General	46 U.S.C. 3318(a); 33 CFR 27.3	\$14,608	1.02598	\$14,988
Vessel Inspection; Nautical School Vessel	46 U.S.C. 3318(g); 33 CFR 27.3	\$14,608	1.02598	\$14,988
Vessel Inspection; Failure to Give Notice in accordance with (IAW) 3304(b)	46 U.S.C. 3318(h); 33 CFR 27.3	\$2,922	1.02598	\$2,998
Vessel Inspection; Failure to Give Notice IAW 3309(c)	46 U.S.C. 3318(i); 33 CFR 27.3	\$2,922	1.02598	\$2,998
Vessel Inspection; Vessel ≥ 1600 Gross Tons	46 U.S.C. 3318(j)(1); 33 CFR 27.3	\$29,221	1.02598	\$29,980
Vessel Inspection; Vessel < 1600 Gross Tons (GT)	46 U.S.C. 3318(j)(1); 33 CFR 27.3	\$5,844	1.02598	\$5,996
Vessel Inspection; Failure to Comply with 3311(b)	46 U.S.C. 3318(k); 33 CFR 27.3	\$29,221	1.02598	\$29,980
Vessel Inspection; Violation of 3318(b)-3318(f)	46 U.S.C. 3318(l); 33 CFR 27.3	\$14,608	1.02598	\$14,988
List/count of Passengers	46 U.S.C. 3502(e); 33 CFR 27.3	\$304	1.02598	\$312

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Notification to Passengers	46 U.S.C. 3504(c); 33 CFR 27.3	\$30,461	1.02598	\$31,252
Notification to Passengers; Sale of Tickets	46 U.S.C. 3504(c); 33 CFR 27.3	\$1,522	1.02598	\$1,562
Copies of Laws on Passenger Vessels; Master	46 U.S.C. 3506; 33 CFR 27.3	\$609	1.02598	\$625
Passenger Vessel Security and Safety; Daily Penalty & Maximum Penalty	46 U.S.C. 3507(h)(1)(A)	Daily \$25,810/ Maximum \$51,621	1.02598	Daily \$26,481/ Maximum \$52,962
Passenger Vessel Security and Safety; Crewmembers Crime Scene Preservation Training; Maximum Penalty	46 U.S.C. 3508(d)	\$51,621	1.02598	\$52,962
Liquid Bulk/Dangerous Cargo	46 U.S.C. 3718(a)(1); 33 CFR 27.3	\$76,155	1.02598	\$78,134
Uninspected Vessels	46 U.S.C. 4106; 33 CFR 27.3	\$12,799	1.02598	\$13,132
Recreational Vessels (maximum for related series of violations)	46 U.S.C. 4311(b)(1); 33 CFR 27.3	\$402,920	1.02598	\$413,388
Recreational Vessels; Violation of 4307(a)	46 U.S.C. 4311(b)(1); 33 CFR 27.3	\$8,058	1.02598	\$8,267
Engine Cut-Off Switches; Violation of 4312(b), First Offense	46 U.S.C. 4311(c)	\$103	1.02598	\$106
Engine Cut-Off Switches; Violation of 4312(b), Second Offense	46 U.S.C. 4311(c)	\$258	1.02598	\$265

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Engine Cut-Off Switches; Violation of 4312(b), Subsequent to Second Offense	46 U.S.C. 4311(c)	\$516	1.02598	\$529
Recreational vessels	46 U.S.C. 4311(d); 33 CFR 27.3	\$3,047	1.02598	\$3,126
Uninspected Commercial Fishing Industry Vessels	46 U.S.C. 4507; 33 CFR 27.3	\$12,799	1.02598	\$13,132
Abandonment of Barges	46 U.S.C. 4703; 33 CFR 27.3	\$2,168	1.02598	\$2,224
Load Lines	46 U.S.C. 5116(a); 33 CFR 27.3	\$13,946	1.02598	\$14,308
Load Lines; Violation of 5112(a)	46 U.S.C. 5116(b); 33 CFR 27.3	\$27,894	1.02598	\$28,619
Load Lines; Violation of 5112(b)	46 U.S.C. 5116(c); 33 CFR 27.3	\$13,946	1.02598	\$14,308
Reporting Marine Casualties	46 U.S.C. 6103(a); 33 CFR 27.3	\$48,586	1.02598	\$49,848
Reporting Marine Casualties; Violation of 6104	46 U.S.C. 6103(b); 33 CFR 27.3	\$12,799	1.02598	\$13,132
Manning of Inspected Vessels; Failure to Report Deficiency in Vessel Complement	46 U.S.C. 8101(e); 33 CFR 27.3	\$2,305	1.02598	\$2,365
Manning of Inspected Vessels	46 U.S.C. 8101(f); 33 CFR 27.3	\$23,048	1.02598	\$23,647

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Manning of Inspected Vessels; Employing or Serving in Capacity not Licensed by U.S. Coast Guard (USCG)	46 U.S.C. 8101(g); 33 CFR 27.3	\$23,048	1.02598	\$23,647
Manning of Inspected Vessels; Freight Vessel < 100 GT, Small Passenger Vessel, or Sailing School Vessel	46 U.S.C. 8101(h); 33 CFR 27.3	\$3,047	1.02598	\$3,126
Watchmen on Passenger Vessels	46 U.S.C. 8102(a)	\$3,047	1.02598	\$3,126
Citizenship Requirements	46 U.S.C. 8103(f)	\$1,522	1.02598	\$1,562
Watches on Vessels; Violation of 8104(a) or (b)	46 U.S.C. 8104(i)	\$23,048	1.02598	\$23,647
Watches on Vessels; Violation of 8104(c), (d), (e), or (h)	46 U.S.C. 8104(j)	\$23,048	1.02598	\$23,647
Employing Qualified Available U.S. Citizens or Residents	46 U.S.C. 8106(f)(2)-(3)	Daily \$10,324/ Maximum \$103,241	1.02598	Daily \$10,592/ Maximum \$105,923
Staff Department on Vessels	46 U.S.C. 8302(e)	\$304	1.02598	\$312
Officer's Competency Certificates	46 U.S.C. 8304(d)	\$304	1.02598	\$312
Coastwise Pilotage; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge	46 U.S.C. 8502(e)	\$23,048	1.02598	\$23,647

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Coastwise Pilotage; Individual	46 U.S.C. 8502(f)	\$23,048	1.02598	\$23,647
Federal Pilots	46 U.S.C. 8503	\$73,045	1.02598	\$74,943
Merchant Mariners Documents	46 U.S.C. 8701(d)	\$1,522	1.02598	\$1,562
Crew Requirements	46 U.S.C. 8702(e)	\$23,048	1.02598	\$23,647
Small Vessel Manning	46 U.S.C. 8906	\$48,586	1.02598	\$49,848
Pilotage: Great Lakes; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge	46 U.S.C. 9308(a)	\$23,048	1.02598	\$23,647
Pilotage: Great Lakes; Individual	46 U.S.C. 9308(b)	\$23,048	1.02598	\$23,647
Pilotage: Great Lakes; Violation of 9303	46 U.S.C. 9308(c)	\$23,048	1.02598	\$23,647
Requirement to Report Sexual Assault and Harassment; Mandatory Reporting by Responsible Entity of a Vessel	46 U.S.C. 10104(a)(2)	\$51,621	1.02598	\$52,962
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, violation of 10104(d)(1)	46 U.S.C. 10104(d)(2)	\$25,810	1.02598	\$26,481

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, daily noncompliance penalty	46 U.S.C. 10104(d)(2)	\$516	1.02598	\$529
Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Civil Penalty Maximum	46 U.S.C. 10104(d)(2)	\$51,621	1.02598	\$52,962
Pay Advances to Seamen	46 U.S.C. 10314(a)(2)	\$1,522	1.02598	\$1,562
Pay Advances to Seamen; Remuneration for Employment	46 U.S.C. 10314(b)	\$1,522	1.02598	\$1,562
Allotment to Seamen	46 U.S.C. 10315(c)	\$1,522	1.02598	\$1,562
Seamen Protection; General	46 U.S.C. 10321	\$10,557	1.02598	\$10,831
Coastwise Voyages: Advances	46 U.S.C. 10505(a)(2)	\$10,557	1.02598	\$10,831
Coastwise Voyages: Advances; Remuneration for Employment	46 U.S.C. 10505(b)	\$10,557	1.02598	\$10,831
Coastwise Voyages: Seamen Protection; General	46 U.S.C. 10508(b)	\$10,557	1.02598	\$10,831
Effects of Deceased Seamen	46 U.S.C. 10711	\$609	1.02598	\$625
Complaints of Unfitness	46 U.S.C. 10902(a)(2)	\$1,522	1.02598	\$1,562

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Proceedings on Examination of Vessel	46 U.S.C. 10903(d)	\$304	1.02598	\$312
Permission to Make Complaint	46 U.S.C. 10907(b)	\$1,522	1.02598	\$1,562
Accommodations for Seamen	46 U.S.C. 11101(f)	\$1,522	1.02598	\$1,562
Medicine Chests on Vessels	46 U.S.C. 11102(b)	\$1,522	1.02598	\$1,562
Destitute Seamen	46 U.S.C. 11104(b)	\$304	1.02598	\$312
Wages on Discharge	46 U.S.C. 11105(c)	\$1,522	1.02598	\$1,562
Log Books; Master Failing to Maintain	46 U.S.C. 11303(a)	\$609	1.02598	\$625
Log Books; Master Failing to Make Entry	46 U.S.C. 11303(b)	\$609	1.02598	\$625
Log Books; Late Entry	46 U.S.C. 11303(c)	\$457	1.02598	\$469
Carrying of Sheath Knives	46 U.S.C. 11506	\$153	1.02598	\$157
Vessel Documentation	46 U.S.C. 12151(a)(1)	\$19,950	1.02598	\$20,468

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Documentation of Vessels - Related to Activities involving mobile offshore drilling units	46 U.S.C. 12151 (a)(2)	\$33,252	1.02598	\$34,116
Vessel Documentation; Fishery Endorsement	46 U.S.C. 12151(c)	\$152,461	1.02598	\$156,422
Numbering of Undocumented Vessels - Willful violation	46 U.S.C. 12309(a)	\$15,232	1.02598	\$15,628
Numbering of Undocumented Vessels	46 U.S.C. 12309(b)	\$3,047	1.02598	\$3,126
Vessel Identification System	46 U.S.C. 12507(b)	\$25,597	1.02598	\$26,262
Measurement of Vessels	46 U.S.C. 14701	\$55,789	1.02598	\$57,238
Measurement; False Statements	46 U.S.C. 14702	\$55,789	1.02598	\$57,238
Commercial Instruments and Maritime Liens	46 U.S.C. 31309	\$25,597	1.02598	\$26,262
Commercial Instruments and Maritime Liens; Mortgagor	46 U.S.C. 31330(a)(2)	\$25,597	1.02598	\$26,262
Commercial Instruments and Maritime Liens; Violation of 31329	46 U.S.C. 31330(b)(2)	\$63,991	1.02598	\$65,653
Vessel Escort Operations and Towing Assistance	46 U.S.C. 55112(d); 33 CFR 27.3	\$10,324	1.02598	\$10,592

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Ports and Waterway Safety Regulations	46 U.S.C. 70036(a); 33 CFR 27.3	\$114,630	1.02598	\$117,608
Vessel Navigation: Regattas or Marine Parades; Unlicensed Person in Charge	46 U.S.C. 70041(d)(1)(B); 33 CFR 27.3	\$11,524	1.02598	\$11,823
Vessel Navigation: Regattas or Marine Parades; Owner Onboard Vessel	46 U.S.C. 70041(d)(1)(C); 33 CFR 27.3	\$11,524	1.02598	\$11,823
Vessel Navigation: Regattas or Marine Parades; Other Persons	46 U.S.C. 70041(d)(1)(D); 33 CFR 27.3	\$5,761	1.02598	\$5,911
Regulation of Vessels in Territorial Waters of the United States	46 U.S.C. 70052(c)	\$25,810	1.02598	\$26,481
Port Security	46 U.S.C. 70119(a)	\$42,425	1.02598	\$43,527
Port Security- Continuing Violations	46 U.S.C. 70119(b)	\$76,230	1.02598	\$78,210
Maritime Drug Law Enforcement; Penalties	46 U.S.C. 70506	\$7,034	1.02598	\$7,217
Hazardous Materials: Related to Vessels Maximum Penalty	49 U.S.C. 5123(a)(1)	\$99,756	1.02598	\$102,348
Hazardous Materials: Related to Vessels-Penalty from Fatalities, Serious Injuries/Illness or Substantial Damage to Property	49 U.S.C. 5123(a)(2)	\$232,762	1.02598	\$238,809

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Hazardous Materials: Related to Vessels; Training	49 U.S.C. 5123(a)(3)	\$601	1.02598	\$617

* Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

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

E. Transportation Security Administration

The Transportation Security Administration (TSA) is updating its civil penalties regulation in accordance with the 2015 Act. Pursuant to its statutory authority in 49 U.S.C. 46301(a)(1), (4), (5), (6), 49 U.S.C. 46301(d)(2), (8), and 49 U.S.C. 114(u), TSA may impose penalties for violations of statutes that TSA administers, including penalties for violations of implementing regulations or orders. Note that pursuant to division K, title I, sec. 1904(b)(1)(I), of Pub. L. 115-254, 132 Stat. 3186, 3545 (Oct. 5, 2018), the TSA Modernization Act—part of the FAA Reauthorization Act of 2018—the former 49 U.S.C. 114(v), which relates to penalties, was re-designated as 49 U.S.C. 114(u).

TSA assesses these penalties for a wide variety of aviation and surface security requirements, including violations of TSA’s requirements applicable to Transportation Worker Identification Credentials (TWIC),¹⁶ as well as violations of requirements described in chapter 449 of title 49 of the U.S.C. These penalties can apply to a wide variety of situations, as described in the statutory and regulatory provisions, as well as in guidance that TSA publishes. Table 4 shows the 2025 adjustment for the penalties that TSA administers.

¹⁶ See, e.g., 46 U.S.C. 70105, 49 U.S.C. 46302 and 46303, and 49 U.S.C. chapter 449.

Table 4 – Transportation Security Administration Civil Penalties Adjustments

Penalty Name	Citation	Penalty Amount as Adjusted in the 2024 FR	Multiplier*	New Penalty as Adjusted by this Final Rule
Violation of 49 U.S.C. ch. 449 (except secs. 44902, 44903(d), 44907(a)–(d)(1)(A), 44907(d)(1)(C)–(f), 44908, and 44909), or 49 U.S.C. 46302 or 46303, a regulation prescribed, or order issued thereunder by a person operating an aircraft for the transportation of passengers or property for compensation	49 U.S.C. 46301(a)(1), (4), (5), (6); 49 U.S.C. 46301(d)(2), (8); 49 CFR 1503.401(c)(3)	\$41,577 (up to a total of \$665,226 per civil penalty action)	1.02598	\$42,657 (up to a total of \$682,509 per civil penalty action)
Violation of 49 U.S.C. ch. 449 (except secs. 44902, 44903(d), 44907(a)–(d)(1)(A), 44907(d)(1)(C)–(f), 44908, and 44909), or 49 U.S.C. 46302 or 46303, a regulation prescribed, or order issued thereunder by an individual (except an airman serving as an airman), any person not operating an aircraft for the transportation of passengers or property for compensation, or a small business concern	49 U.S.C. 46301(a)(1), (4), (5); 49 U.S.C. 46301(d)(8); 49 CFR 1503.401(c)	\$16,630 (up to a total of \$83,154 for individuals or small businesses, \$665,226 for others)	1.02598	\$17,062 (up to a total of \$85,314 for individuals or small businesses, \$682,509 for others)
Violation of any other provision of title 49 U.S.C. or of 46 U.S.C. ch. 701, a regulation prescribed, or order issued thereunder	49 U.S.C. 114(u); 49 CFR 1503.401(b)	\$14,232 (up to a total of \$71,162 total for individuals or small businesses, \$569,288 for others)	1.02598	\$14,602 (up to a total of \$73,011 total for individuals or small businesses, \$584,078 for others)

* Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

IV. Administrative Procedure Act

The Administrative Procedure Act (“APA”) (5 U.S.C. 551 et. seq.) require agencies, when conducting rulemaking, to provide advance public notice, seek public comment, and provide a thirty-day delayed effective date. An agency may issue a rule without first providing an opportunity for notice and comment if the agency makes a finding of good cause that notice

and comment procedures are impracticable, unnecessary, or contrary to the public interest. Notice and comment procedures are unnecessary, for example, if Congress requires non-discretionary action of an agency, leaving the agency without discretion to vary its action in response to the views or suggestions of public commenters.

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

V. Regulatory Analyses

A. Executive Orders 12866 and 13563

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

OMB has not designated this final rule a “significant regulatory action” under section 3(f) of Executive Order 12866, as amended by Executive Order 14094. Accordingly, OMB has not reviewed this rule. This final rule makes nondiscretionary adjustments to existing civil monetary

penalties in accordance with the 2015 Act and OMB guidance.¹⁷ DHS therefore did not consider alternatives and does not have the flexibility to alter the adjustments of the civil monetary penalty amounts as provided in this rule. To the extent this final rule increases civil monetary penalties, it would result in an increase in transfers from persons or entities assessed a civil monetary penalty to the government.

B. Regulatory Flexibility Act

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

C. Unfunded Mandates Reform Act

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

D. Paperwork Reduction Act

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

List of Subjects

8 CFR Part 270

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

8 CFR Part 274a

¹⁷ Office of Mgmt. and Budget, Exec. Office of the President, M-25-02, Implementation of Penalty Inflation Adjustments for 2024, Pursuant to the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015 (Dec. 17, 2024) (<https://www.whitehouse.gov/wp-content/uploads/2024/12/M-25-02.pdf>).

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

8 CFR Part 280

Administrative practice and procedure, Immigration, Penalties.

19 CFR Part 4

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

33 CFR Part 27

Administrative practice and procedure, Penalties.

49 CFR Part 1503

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

Amendments to the Regulations

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

Title 8 – Aliens and Nationality

PART 270 – PENALTIES FOR DOCUMENT FRAUD

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

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

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

§ 270.3 Penalties.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(A) *First offense under section 274C(a)(1) through (4)*. Not less than \$275 and not exceeding \$2,200 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act before March 27, 2008; not less than \$375 and not exceeding \$3,200 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act on or after March 27, 2008, and on or before November 2, 2015; and not less than \$590 and not exceeding \$4,730 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act after November 2, 2015.

(B) *First offense under section 274C(a)(5) or (6)*. Not less than \$250 and not exceeding \$2,000 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (6) of the Act before March 27, 2008; not less than \$275 and not exceeding \$2,200 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (6) of the Act on or after March 27, 2008, and on or before November 2, 2015; and not less than \$500 and not exceeding \$3,988 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (6) of the Act after November 2, 2015.

(C) *Subsequent offenses under section 274C(a)(1) through (4)*. Not less than \$2,200 and not more than \$5,500 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act before March 27, 2008; not less than \$3,200 and not exceeding \$6,500 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act occurring on or after March 27, 2008 and on or before November 2, 2015; and not less than \$4,730 and not more than \$11,823 for each fraudulent document or each proscribed activity described in section 274C(a)(1) through (4) of the Act after November 2, 2015.

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

or (6) of the Act occurring on or after March 27, 2008, and on or before November 2, 2015; and not less than \$3,988 and not more than \$9,970 for each fraudulent document or each proscribed activity described in section 274C(a)(5) or (6) of the Act after November 2, 2015.

* * * * *

PART 274a – CONTROL OF EMPLOYMENT OF ALIENS

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

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

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

§ 274a.8 Prohibition of indemnity bonds.

* * * * *

(b) *Penalty.* Any person or other entity who requires any individual to post a bond or security as stated in this section shall, after notice and opportunity for an administrative hearing in accordance with section 274A(e)(3)(B) of the Act, be subject to a civil monetary penalty of \$1,000 for each violation before September 29, 1999, of \$1,100 for each violation occurring on or after September 29, 1999, but on or before November 2, 2015, and of \$2,861 for each violation occurring after November 2, 2015, and to an administrative order requiring the return to the individual of any amounts received in violation of this section or, if the individual cannot be located, to the general fund of the Treasury.

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

§ 274a.10 Penalties.

* * * * *

(b) * * *

(1) * * *

(ii) * * *

(A) First offense—not less than \$275 and not more than \$2,200 for each unauthorized alien with respect to whom the offense occurred before March 27, 2008; not less than \$375 and not exceeding \$3,200, for each unauthorized alien with respect to whom the offense occurred occurring on or after March 27, 2008, and on or before November 2, 2015; and not less than \$716 and not more than \$5,724 for each unauthorized alien with respect to whom the offense occurred occurring after November 2, 2015;

(B) Second offense—not less than \$2,200 and not more than \$5,500 for each unauthorized alien with respect to whom the second offense occurred before March 27, 2008; not less than \$3,200 and not more than \$6,500, for each unauthorized alien with respect to whom the second offense occurred on or after March 27, 2008, and on or before November 2, 2015; and not less than \$5,724 and not more than \$14,308 for each unauthorized alien with respect to whom the second offense occurred after November 2, 2015; or

(C) More than two offenses—not less than \$3,300 and not more than \$11,000 for each unauthorized alien with respect to whom the third or subsequent offense occurred before March 27, 2008; not less than \$4,300 and not exceeding \$16,000, for each unauthorized alien with respect to whom the third or subsequent offense occurred on or after March 27, 2008, and on or before November 2, 2015; and not less than \$8,586 and not more than \$28,619 for each unauthorized alien with respect to whom the third or subsequent offense occurred after November 2, 2015; and

* * * * *

(2) A respondent determined by the Service (if a respondent fails to request a hearing) or by an administrative law judge, to have failed to comply with the employment verification requirements as set forth in §274a.2(b), shall be subject to a civil penalty in an amount of not less than \$100 and not more than \$1,000 for each individual with respect to whom such violation occurred before September 29, 1999; not less than \$110 and not more than \$1,100 for each individual with respect to whom such violation occurred on or after September 29, 1999, and on

or before November 2, 2015; and not less than \$288 and not more than \$2,861 for each individual with respect to whom such violation occurred after November 2, 2015. * * *

* * * * *

PART 280 – IMPOSITION AND COLLECTION OF FINES

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

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

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

§ 280.53 Civil monetary penalties inflation adjustment.

* * * * *

(b) * * *

(1) Section 231(g) of the Act, penalties for non-compliance with arrival and departure manifest requirements for passengers, crewmembers, or occupants transported on commercial vessels or aircraft arriving to or departing from the United States: From \$1,696 to \$1,740.

(2) Section 234 of the Act, penalties for non-compliance with landing requirements at designated ports of entry for aircraft transporting aliens: From \$4,610 to \$4,730.

(3) Section 240B(d) of the Act, penalties for failure to depart voluntarily: From \$1,942 minimum/\$9,718 maximum to \$1,992 minimum/\$9,970 maximum.

(4) Section 243(c)(1)(A) of the Act, penalties for violations of removal orders relating to aliens transported on vessels or aircraft, under section 241(d) of the Act, or for costs associated with removal under section 241(e) of the Act: From \$3,887 to \$3,988.

(5) Penalties for failure to remove alien stowaways under section 241(d)(2) of the Act: From \$9,718 to \$9,970.

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

lists required in accordance with section 251 of the Act: From \$460 to \$472; and penalties for use of alien crewmen for longshore work in violation of section 251(d) of the Act: From \$11,524 to \$11,823.

(7) Section 254(a) of the Act, penalties for failure to control, detain, or remove alien crewmen: From \$1,152 minimum/\$6,913 maximum to \$1,182 minimum/\$7,093 maximum.

(8) Section 255 of the Act, penalties for employment on passenger vessels of aliens afflicted with certain disabilities: From \$2,304 to \$2,364.

(9) Section 256 of the Act, penalties for discharge of alien crewmen: From \$3,457 minimum/\$6,913 maximum to \$3,547 minimum/\$7,093 maximum.

(10) Section 257 of the Act, penalties for bringing into the United States alien crewmen with intent to evade immigration laws: From \$23,048 maximum to \$23,647 maximum.

(11) Section 271(a) of the Act, penalties for failure to prevent the unauthorized landing of aliens: From \$6,913 to \$7,093.

(12) Section 272(a) of the Act, penalties for bringing to the United States aliens subject to denial of admission on a health-related ground: From \$6,913 to \$7,093.

(13) Section 273(b) of the Act, penalties for bringing to the United States aliens without required documentation: From \$6,913 to \$7,093.

(14) Section 274D of the Act, penalties for failure to depart: From \$973 maximum to \$998 maximum, for each day the alien is in violation.

(15) Section 275(b) of the Act, penalties for improper entry: From \$97 minimum/\$487 maximum to \$100 minimum/\$500 maximum, for each entry or attempted entry.

Title 19-Customs Duties

PART 4 – VESSELS IN FOREIGN AND DOMESTIC TRADES

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

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

* * * * *

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

* * * * *

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

* * * * *

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

§ 4.80 Vessels entitled to engage in coastwise trade.

* * * * *

(b) * * *

(2) The penalty imposed for the unlawful transportation of passengers between coastwise points is \$300 for each passenger so transported and landed on or before November 2, 2015, and \$996 for each passenger so transported and landed after November 2, 2015 (46 U.S.C. 55103, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015).

* * * * *

(i) Any vessel, entitled to be documented and not so documented, employed in a trade for which a Certificate of Documentation is issued under the vessel documentation laws (see § 4.0(c)), other than a trade covered by a registry, is liable to a civil penalty of \$500 for each port at which it arrives without the proper Certificate of Documentation on or before November 2, 2015, and \$1,659 for each port at which it arrives without the proper Certificate of Documentation after November 2, 2015 (19 U.S.C. 1706a, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015). If such a vessel has on board any foreign merchandise (sea stores excepted), or any domestic taxable alcoholic beverages, on which the duty and taxes have not been paid or secured to be paid, the vessel and its cargo are subject to seizure and forfeiture.

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

§ 4.92 Towing.

* * * The penalties for violation of this section occurring after November 2, 2015, are a fine of from \$1,161 to \$3,650 against the owner or master of the towing vessel and a further penalty against the towing vessel of \$198 per ton of the towed vessel (46 U.S.C. 55111, as adjusted by the Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015).

Title 33-Navigation and Navigable Waters

PART 27 – ADJUSTMENT OF CIVIL MONETARY PENALTIES FOR INFLATION

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

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

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

§ 27.3 Penalty adjustment table.

* * * The adjusted civil penalty amounts listed in Table 1 to this section are applicable for penalty assessments issued after **[INSERT DATE OF PUBLICATION IN THE FEDERAL REGISTER]**, with respect to violations occurring after November 2, 2015. * * *

Table 1 to § 27.3—Civil Monetary Penalty Inflation Adjustments

U.S. Code citation	Civil monetary penalty description	2025 Adjusted maximum penalty amount (\$)
14 U.S.C. 521(c)	Saving Life and Property	\$13,295
14 U.S.C. 521(e)	Saving Life and Property; Intentional Interference with Broadcast	\$1,365

14 U.S.C. 936(i)	Confidentiality of Medical Quality Assurance Records (first offense)	\$6,677
14 U.S.C. 936(i)	Confidentiality of Medical Quality Assurance Records (subsequent offenses)	\$44,521
19 U.S.C. 70	Obstruction of Revenue Officers by Masters of Vessels	\$9,956
19 U.S.C. 70	Obstruction of Revenue Officers by Masters of Vessels—Minimum Penalty	\$2,323
19 U.S.C. 1581(d)	Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge ¹	\$5,000
19 U.S.C. 1581(d)	Failure to Stop Vessel When Directed; Master, Owner, Operator or Person in Charge—Minimum Penalty ¹	\$1,000
33 U.S.C. 471	Anchorage Ground/Harbor Regulations General	\$14,435
33 U.S.C. 474	Anchorage Ground/Harbor Regulations St. Mary's River	\$996
33 U.S.C. 495(b)	Bridges/Failure to Comply with Regulations	\$36,439
33 U.S.C. 499(c)	Bridges/Drawbridges	\$36,439
33 U.S.C. 502(c)	Bridges/Failure to Alter Bridge Obstructing Navigation	\$36,439
33 U.S.C. 533(b)	Bridges/Maintenance and Operation	\$36,439
33 U.S.C. 1208(a)	Bridge to Bridge Communication; Master, Person in Charge or Pilot	\$2,654

33 U.S.C. 1208(b)	Bridge to Bridge Communication; Vessel	\$2,654
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (Class I per violation)	\$23,647
33 U.S.C. 1321(b)(6)(B)(i)	Oil/Hazardous Substances: Discharges (Class I total under paragraph)	\$59,114
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (Class II per day of violation)	\$23,647
33 U.S.C. 1321(b)(6)(B)(ii)	Oil/Hazardous Substances: Discharges (Class II total under paragraph)	\$295,564
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per day of violation) Judicial Assessment	\$59,114
33 U.S.C. 1321(b)(7)(A)	Oil/Hazardous Substances: Discharges (per barrel of oil or unit discharged) Judicial Assessment	\$2,365
33 U.S.C. 1321(b)(7)(B)	Oil/Hazardous Substances: Failure to Carry Out Removal/Comply With Order (Judicial Assessment)	\$59,114
33 U.S.C. 1321(b)(7)(C)	Oil/Hazardous Substances: Failure to Comply with Regulation Issued Under 1321(j) (Judicial Assessment)	\$59,114
33 U.S.C. 1321(b)(7)(D)	Oil/Hazardous Substances: Discharges, Gross Negligence (per barrel of oil or unit discharged) Judicial Assessment	\$7,093
33 U.S.C. 1321(b)(7)(D)	Oil/Hazardous Substances: Discharges, Gross Negligence—Minimum Penalty (Judicial Assessment)	\$236,451
33 U.S.C. 1322(j)	Marine Sanitation Devices; Operating	\$9,956

33 U.S.C. 1322(j)	Marine Sanitation Devices; Sale or Manufacture	\$26,543
33 U.S.C. 1608(a)	International Navigation Rules; Operator	\$18,610
33 U.S.C. 1608(b)	International Navigation Rules; Vessel	\$18,610
33 U.S.C. 1908(b)(1)	Pollution from Ships; General	\$93,058
33 U.S.C. 1908(b)(2)	Pollution from Ships; False Statement	\$18,610
33 U.S.C. 2072(a)	Inland Navigation Rules; Operator	\$18,610
33 U.S.C. 2072(b)	Inland Navigation Rules; Vessel	\$18,610
33 U.S.C. 2609(a)	Shore Protection; General	\$65,653
33 U.S.C. 2609(b)	Shore Protection; Operating Without Permit	\$26,262
33 U.S.C. 2716a(a)	Oil Pollution Liability and Compensation	\$59,114
33 U.S.C. 3852(a)(1)(A)	Clean Hulls; Civil Enforcement	\$54,124
33 U.S.C. 3852(a)(1)(A)	Clean Hulls; related to false statements	\$72,164
33 U.S.C. 3852(c)	Clean Hulls; Recreational Vessels	\$7,217
42 U.S.C. 9609(a)	Hazardous Substances, Releases, Liability, Compensation (Class I)	\$71,545
42 U.S.C. 9609(b)	Hazardous Substances, Releases, Liability, Compensation (Class II)	\$71,545

42 U.S.C. 9609(b)	Hazardous Substances, Releases, Liability, Compensation (Class II subsequent offense)	\$214,637
42 U.S.C. 9609(c)	Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment)	\$71,545
42 U.S.C. 9609(c)	Hazardous Substances, Releases, Liability, Compensation (Judicial Assessment subsequent offense)	\$214,637
46 U.S.C. 80509(a)	Safe Containers for International Cargo	\$7,820
46 U.S.C. 70305(c)	Suspension of Passenger Service	\$78,210
46 U.S.C. 2110(e)	Vessel Inspection or Examination Fees	\$11,823
46 U.S.C. 2115	Alcohol and Dangerous Drug Testing	\$9,624
46 U.S.C. 2302(a)	Negligent Operations: Recreational Vessels	\$8,705
46 U.S.C. 2302(a)	Negligent Operations: Other Vessels	\$43,527
46 U.S.C. 2302(c)(1)	Operating a Vessel While Under the Influence of Alcohol or a Dangerous Drug	\$9,624
46 U.S.C. 2306(a)(4)	Vessel Reporting Requirements: Owner, Charterer, Managing Operator, or Agent	\$14,988
46 U.S.C. 2306(b)(2)	Vessel Reporting Requirements: Master	\$2,998
46 U.S.C. 3102(c)(1)	Immersion Suits	\$14,988
46 U.S.C. 3106(d)	Master Key Control System	\$1,059
46 U.S.C. 3302(i)(5)	Inspection Permit	\$3,126

46 U.S.C. 3318(a)	Vessel Inspection; General	\$14,988
46 U.S.C. 3318(g)	Vessel Inspection; Nautical School Vessel	\$14,988
46 U.S.C. 3318(h)	Vessel Inspection; Failure to Give Notice in accordance with (IAW) 3304(b)	\$2,998
46 U.S.C. 3318(i)	Vessel Inspection; Failure to Give Notice IAW 3309(c)	\$2,998
46 U.S.C. 3318(j)(1)	Vessel Inspection; Vessel \geq 1600 Gross Tons	\$29,980
46 U.S.C. 3318(j)(1)	Vessel Inspection; Vessel <1600 Gross Tons (GT)	\$5,996
46 U.S.C. 3318(k)	Vessel Inspection; Failure to Comply with 3311(b)	\$29,980
46 U.S.C. 3318(l)	Vessel Inspection; Violation of 3318(b)-3318(f)	\$14,988
46 U.S.C. 3502(e)	List/count of Passengers	\$312
46 U.S.C. 3504(c)	Notification to Passengers	\$31,252
46 U.S.C. 3504(c)	Notification to Passengers; Sale of Tickets	\$1,562
46 U.S.C. 3506	Copies of Laws on Passenger Vessels; Master	\$625
46 U.S.C. 3507(h)(1)(A)	Passenger Vessel Security and Safety; Daily Penalty & Maximum Penalty	\$26,481 Daily/\$52,962 Maximum
46 U.S.C. 3508(d)	Passenger Vessel Security and Safety; Crewmembers Crime Scene Preservation Training; Maximum Penalty	\$52,962

46 U.S.C. 3718(a)(1)	Liquid Bulk/Dangerous Cargo	\$78,134
46 U.S.C. 4106	Uninspected Vessels	\$13,132
46 U.S.C. 4311(b)(1)	Recreational Vessels (maximum for related series of violations)	\$413,388
46 U.S.C. 4311(b)(1)	Recreational Vessels; Violation of 4307(a)	\$8,267
46 U.S.C. 4311(c)	Engine Cut-Off Switches; Violation of 4312(b), First Offense	\$106
46 U.S.C. 4311(c)	Engine Cut-Off Switches; Violation of 4312(b), Second Offense	\$265
46 U.S.C. 4311(c)	Engine Cut-Off Switches; Violation of 4312(b), Subsequent to Second Offense	\$529
46 U.S.C. 4311(d)	Recreational Vessels	\$3,126
46 U.S.C. 4507	Uninspected Commercial Fishing Industry Vessels	\$13,132
46 U.S.C. 4703	Abandonment of Barges	\$2,224
46 U.S.C. 5116(a)	Load Lines	\$14,308
46 U.S.C. 5116(b)	Load Lines; Violation of 5112(a)	\$28,619
46 U.S.C. 5116(c)	Load Lines; Violation of 5112(b)	\$14,308
46 U.S.C. 6103(a)	Reporting Marine Casualties	\$49,848
46 U.S.C. 6103(b)	Reporting Marine Casualties; Violation of 6104	\$13,132

46 U.S.C. 8101(e)	Manning of Inspected Vessels; Failure to Report Deficiency in Vessel Complement	\$2,365
46 U.S.C. 8101(f)	Manning of Inspected Vessels	\$23,647
46 U.S.C. 8101(g)	Manning of Inspected Vessels; Employing or Serving in Capacity not Licensed by U.S. Coast Guard (USCG)	\$23,647
46 U.S.C. 8101(h)	Manning of Inspected Vessels; Freight Vessel <100 GT, Small Passenger Vessel, or Sailing School Vessel	\$3,126
46 U.S.C. 8102(a)	Watchmen on Passenger Vessels	\$3,126
46 U.S.C. 8103(f)	Citizenship Requirements	\$1,562
46 U.S.C. 8104(i)	Watches on Vessels; Violation of 8104(a) or (b)	\$23,647
46 U.S.C. 8104(j)	Watches on Vessels; Violation of 8104(c), (d), (e), or (h)	\$23,647
46 U.S.C. 8106(f)	Employing Qualified Available U.S. Citizens or Residents	\$10,592 Daily/ \$105,923 Maximum
46 U.S.C. 8302(e)	Staff Department on Vessels	\$312
46 U.S.C. 8304(d)	Officer's Competency Certificates	\$312
46 U.S.C. 8502(e)	Coastwise Pilotage; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge	\$23,647
46 U.S.C. 8502(f)	Coastwise Pilotage; Individual	\$23,647

46 U.S.C. 8503	Federal Pilots	\$74,943
46 U.S.C. 8701(d)	Merchant Mariners Documents	\$1,552
46 U.S.C. 8702(e)	Crew Requirements	\$23,647
46 U.S.C. 8906	Small Vessel Manning	\$49,848
46 U.S.C. 9308(a)	Pilotage: Great Lakes; Owner, Charterer, Managing Operator, Agent, Master or Individual in Charge	\$23,647
46 U.S.C. 9308(b)	Pilotage: Great Lakes; Individual	\$23,647
46 U.S.C. 9308(c)	Pilotage: Great Lakes; Violation of 9303	\$23,647
46 U.S.C. 10104(a)(2)	Requirement to Report Sexual Assault and Harassment; Mandatory Reporting by Responsible Entity of a Vessel	\$51,621
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, violation of 10104(d)(1)	\$25,810
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Daily Noncompliance Penalty	\$516
46 U.S.C. 10104(d)(2)	Requirement to Report Sexual Assault and Harassment; Company After Action Summary, Civil Penalty Maximum	\$51,621
46 U.S.C. 10314(a)(2)	Pay Advances to Seamen	\$1,562
46 U.S.C. 10314(b)	Pay Advances to Seamen; Remuneration for Employment	\$1,562

46 U.S.C. 10315(c)	Allotment to Seamen	\$1,562
46 U.S.C. 10321	Seamen Protection; General	\$10,831
46 U.S.C. 10505(a)(2)	Coastwise Voyages: Advances	\$10,831
46 U.S.C. 10505(b)	Coastwise Voyages: Advances; Remuneration for Employment	\$10,831
46 U.S.C. 10508(b)	Coastwise Voyages: Seamen Protection; General	\$10,831
46 U.S.C. 10711	Effects of Deceased Seamen	\$625
46 U.S.C. 10902(a)(2)	Complaints of Unfitness	\$1,562
46 U.S.C. 10903(d)	Proceedings on Examination of Vessel	\$312
46 U.S.C. 10907(b)	Permission to Make Complaint	\$1,562
46 U.S.C. 11101(f)	Accommodations for Seamen	\$1,562
46 U.S.C. 11102(b)	Medicine Chests on Vessels	\$1,562
46 U.S.C. 11104(b)	Destitute Seamen	\$312
46 U.S.C. 11105(c)	Wages on Discharge	\$1,562
46 U.S.C. 11303(a)	Log Books; Master Failing to Maintain	\$625
46 U.S.C. 11303(b)	Log Books; Master Failing to Make Entry	\$625
46 U.S.C. 11303(c)	Log Books; Late Entry	\$469

46 U.S.C. 11506	Carrying of Sheath Knives	\$157
46 U.S.C. 12151(a)(1)	Vessel Documentation	\$20,468
46 U.S.C. 12151(a)(2)	Documentation of Vessels- Related to activities involving mobile offshore drilling units	\$34,116
46 U.S.C. 12151(c)	Vessel Documentation; Fishery Endorsement	\$156,422
46 U.S.C. 12309(a)	Numbering of Undocumented Vessels— Willful violation	\$15,628
46 U.S.C. 12309(b)	Numbering of Undocumented Vessels	\$3,126
46 U.S.C. 12507(b)	Vessel Identification System	\$26,262
46 U.S.C. 14701	Measurement of Vessels	\$57,238
46 U.S.C. 14702	Measurement; False Statements	\$57,238
46 U.S.C. 31309	Commercial Instruments and Maritime Liens	\$26,262
46 U.S.C. 31330(a)(2)	Commercial Instruments and Maritime Liens; Mortgagor	\$26,262
46 U.S.C. 31330(b)(2)	Commercial Instruments and Maritime Liens; Violation of 31329	\$65,653
46 U.S.C. 55112(d)	Vessel Escort Operations and Towing Assistance	\$10,592
46 U.S.C. 70036(a)	Ports and Waterways Safety Regulations	\$117,608
46 U.S.C. 70041(d)(1)(B)	Vessel Navigation: Regattas or Marine Parades; Unlicensed Person in Charge	\$11,823

46 U.S.C. 70041(d)(1)(C)	Vessel Navigation: Regattas or Marine Parades; Owner Onboard Vessel	\$11,823
46 U.S.C. 70041(d)(1)(D)	Vessel Navigation: Regattas or Marine Parades; Other Persons	\$5,911
46 U.S.C. 70052(c)	Regulation of Vessels in Territorial Waters of the United States	\$26,481
46 U.S.C. 70119(a)	Port Security	\$43,527
46 U.S.C. 70119(b)	Port Security—Continuing Violations	\$78,210
46 U.S.C. 70506	Maritime Drug Law Enforcement; Penalties	\$7,217
49 U.S.C. 5123(a)(1)	Hazardous Materials: Related to Vessels— Maximum Penalty	\$102,348
49 U.S.C. 5123(a)(2)	Hazardous Materials: Related to Vessels— Penalty from Fatalities, Serious Injuries/Illness or Substantial Damage to Property	\$238,809
49 U.S.C. 5123(a)(3)	Hazardous Materials: Related to Vessels- Training	\$617

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

Title 49-Transportation

PART 1503 – INVESTIGATIVE AND ENFORCEMENT PROCEDURES

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

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

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

§ 1503.401 Maximum penalty amounts.

* * * * *

(b) * * *

(1) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$50,000 per civil penalty action, in the case of an individual or small business concern (“small business concern” as defined in section 3 of the Small Business Act (15 U.S.C. 632)). For violations that occurred after November 2, 2015, \$14,602 per violation, up to a total of \$73,011 per civil penalty action, in the case of an individual or small business concern; and

(2) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of any other person. For violations that occurred after November 2, 2015, \$14,602 per violation, up to a total of \$584,078 per civil penalty action, in the case of any other person.

(c) * * *

(1) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$50,000 per civil penalty action, in the case of an individual or small business concern (“small business concern” as defined in section 3 of the Small Business Act (15 U.S.C. 632)). For violations that occurred after November 2, 2015, \$17,062 per violation, up to a total of \$85,314 per civil penalty action, in the case of an individual (except an airman serving as an airman), or a small business concern.

(2) For violations that occurred on or before November 2, 2015, \$10,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of any other person (except an airman serving as an airman) not operating an aircraft for the transportation of passengers or property for compensation. For violations that occurred after November 2, 2015, \$17,062 per violation, up to a total of \$682,509 per civil penalty action, in the case of any other person (except an airman serving as an airman) not operating an aircraft for the transportation of passengers or property for compensation.

(3) For violations that occurred on or before November 2, 2015, \$25,000 per violation, up to a total of \$400,000 per civil penalty action, in the case of a person operating an aircraft for the transportation of passengers or property for compensation (except an individual serving as an airman). For violations that occurred after November 2, 2015, \$42,657 per violation, up to a total of \$682,509 per civil penalty action, in the case of a person (except an individual serving as an airman) operating an aircraft for the transportation of passengers or property for compensation.

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