

(MARSEC) Directive 104-6 (Rev 5). This Directive only applies to U.S. flagged vessels subject to the Maritime Transportation Security Act (MTSA) on international voyages through or in designated high risk waters, and provides additional counter-piracy guidance and mandatory measures for these vessels operating in these areas where acts of piracy and armed robbery against ships are prevalent. MARSEC Directive 104-6 (Rev 5) also includes an annex that provides specific direction for vessels operating around the Horn of Africa. MARSEC Directives are designated Sensitive Security Information (SSI) and are not subject to public release.

**DATES:** MARSEC Directive 104-6 (Rev 5) is available on January 13, 2011. MARSEC Directive 104-6 (Rev 4) is no longer valid after this date.

**ADDRESSES:** The latest MARSEC Directives are available at your local Captain of the Port (COTP) office. Phone numbers and addresses for your local COTP office can be found in the Port Directory at <http://homeport.uscg.mil>.

**FOR FURTHER INFORMATION CONTACT:** If you have questions on this notice, call LCDR James T. Fogle, Office of Vessel Activities, Coast Guard, telephone 202-372-1038, e-mail [James.T.Fogle@uscg.mil](mailto:James.T.Fogle@uscg.mil). If you have questions on viewing material on the docket, call Renee V. Wright, Program Manager, Docket Operations, telephone 202-366-9826.

**SUPPLEMENTARY INFORMATION:**

**Background and Purpose**

Somali pirates operate along a 2,300 mile coast and in 2.5 million square miles of ocean. Given the size and complexity of the affected area, a combination of domestic and international efforts has been necessary to curb piratical activities. The combination of piracy and weak rule of law in the region offers a potential breeding ground for other transnational threats. Accordingly, the U.S. uses existing statutory authority to develop security standards designed to protect U.S.-flagged vessels and continues to work with international partners to prevent piracy.

On February 10, 2006, the Coast Guard announced the release of MARSEC Directive 104-6 (71 FR 7054) for those owners and operators of vessels subject to 33 CFR parts 101 and 104 to provide direction to U.S. flagged vessels operating in high risk areas where acts of piracy and armed robbery against ships is prevalent.

MARSEC Directive 104-6 has been revised five times. MARSEC Directive

104-6 (REV 1) provided an updated list of the high risk waters based on a biennial review of global piracy and terrorism threats.

MARSEC Directive 104-6 (Rev 2) provided additional counter-piracy guidance to U.S. flagged vessels operating in high risk waters where acts of piracy and armed robbery against ships are prevalent. It also provided a listing of additional high risk waters, updated from the previous version of the Directive.

MARSEC Directive 104-6 (Rev 3) encouraged the use of industry best management practices that have proven to be successful in thwarting pirate attacks and incorporates lessons-learned since the issuance of Revision 2.

MARSEC Directive 104-6 (Rev 4) provided clarification for U.S. flagged vessels berthed or anchored in high risk waters. Vessels at anchor should operate in a manner consistent with vessels that transit through high risk waters. Whether at anchor or underway, the vessels are subjected to the same type of threats from attacking pirates. Vessels berthed in high risk waters should implement enhanced security measures as described in the MARSEC Directive.

MARSEC Directive 104-6 (Rev 5), the Directive that is the subject of this notice of availability, addresses the expanding operating area of Somali pirates and provides U.S. flagged vessels additional guidance for operations in the Indian Ocean. With the issuance of (Rev 5), MARSEC Directive 104-6 (Rev 4) is no longer valid.

To support the issuance of MARSEC Directive 104-6 (series), we developed piracy-related Port Security Advisories (PSAs) to provide further guidance and direction to U.S. flagged vessels operating in high risk waters to help facilitate compliance with this directive. The PSAs can be found at <http://homeport.uscg.mil/piracy>, including a non-SSI version of this MARSEC Directive in PSA (2-09) (Rev 3).

**Procedural**

COTPs and District Commanders can access all MARSEC directives on Homeport by logging in and going to Missions > Maritime Security > Maritime Transportation Security Act (MTSA) > Policy. Owners and operators of U.S. flagged vessels that travel on international voyages must contact their local COTP, cognizant District Commander or the Office of Vessel Activities to acquire a copy of MARSEC Directive 104-6 (Rev 5). COTPs or cognizant District Commanders may provide this MARSEC Directive to appropriate vessel owners and operators

via mail or fax in accordance with SSI handling procedures.

Pursuant to 33 CFR 101.405, we consulted with the Department of State, Office of the Secretary of Defense, Joint Chiefs of Staff, Department of Transportation/Maritime Administration, Office of Naval Intelligence, Department of Commerce, Department of Justice, Military Sealift Command, Global Maritime Situational Awareness, Overseas Security Advisory Council, United States Agency for International Development, Naval Criminal Investigative Service, Customs and Border Protection, Transportation Security Administration, U.S. Africa Command, U.S. Central Command, and U.S. Transportation Command prior to issuing these Directives.

All MARSEC Directives issued pursuant to 33 CFR 101.405 are marked as SSI in accordance with 49 CFR Part 1520. COTPs and District Commanders will require individuals requesting a MARSEC Directive to prove that they meet the standards for a "covered person" under 49 CFR 1520.7, have a "need to know" the information, as defined in 49 CFR 1520.11, and that they will safeguard the SSI in MARSEC Directive 104-6 (Rev 5) as required in 49 CFR 1520.9.

Dated: January 7, 2011.

**Kevin S. Cook, USCG,**

*Director of Prevention Policy.*

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**DEPARTMENT OF HOMELAND SECURITY**

**Customs and Border Protection**

**Agency Information Collection Activities: Ship's Store Declaration**

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

**ACTION:** 60-Day Notice and request for comments; Extension of an existing collection of information: 1651-0018.

**SUMMARY:** As part of its continuing effort to reduce paperwork and respondent burden, CBP invites the general public and other Federal agencies to comment on an information collection requirement concerning the Ship's Stores Declaration (CBP Form 1303). This request for comment is being made pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13).

**DATES:** Written comments should be received on or before March 14, 2011, to be assured of consideration.

**ADDRESSES:** Direct all written comments to U.S. Customs and Border Protection, Attn: Tracey Denning, Regulations and Rulings, Office of International Trade, 799 9th Street, NW., 5th Floor, Washington, DC 20229-1177.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Tracey Denning, U.S. Customs and Border Protection, Regulations and Rulings, Office of International Trade, 799 9th Street, NW., 5th Floor, Washington, DC 20229-1177, at 202-325-0265.

**SUPPLEMENTARY INFORMATION:** CBP invites the general public and other Federal agencies to comment on proposed and/or continuing information collections pursuant to the Paperwork Reduction Act of 1995 (Pub. L. 104-13). The comments should address: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimates of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden including the use of automated collection techniques or the use of other forms of information technology; and (e) the annual costs burden to respondents or record keepers from the collection of information (a total capital/startup costs and operations and maintenance costs). The comments that are submitted will be summarized and included in the CBP request for Office of Management and Budget (OMB) approval. All comments will become a matter of public record. In this document CBP is soliciting comments concerning the following information collection:

*Title:* Ship's Stores Declaration.

*OMB Number:* 1651-0018.

*Form Number:* CBP Form 1303.

*Abstract:* CBP Form 1303, Ship's Stores Declaration, is used by the carriers to declare articles to be retained on board the vessel, such as sea stores, ship's stores, controlled narcotic drugs, bunker coal, or bunker oil in a format that can be readily audited and checked by CBP. The form was developed as a single international standard ship's stores declaration form to replace the different forms used by various countries for the entrance and clearance of vessels. CBP Form 1303 collects

information about the ship, the ports of arrival and departure, and the articles on the ship. It is pursuant to the provisions of section 432, Tariff Act of 1930 and provided for by 19 CFR 4.7, 4.7a, 4.81, 4.85, and 4.87. This form is accessible at [http://forms.cbp.gov/pdf/CBP\\_Form\\_1303.pdf](http://forms.cbp.gov/pdf/CBP_Form_1303.pdf).

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

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

*Affected Public:* Businesses.

*Estimated Number of Respondents:* 8,000.

*Estimated Number of Responses per Respondent:* 13.

*Estimated Number of Total Annual Responses:* 104,000.

*Estimated Total Annual Burden Hours:* 26,000.

Dated: January 10, 2010.

**Tracey Denning,**

*Agency Clearance Officer, U.S. Customs and Border Protection.*

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**BILLING CODE 9111-14-P**

## DEPARTMENT OF HOMELAND SECURITY

### Customs And Border Protection

#### Quarterly IRS Interest Rates Used in Calculating Interest on Overdue Accounts and Refunds on Customs Duties

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

**ACTION:** General notice.

**SUMMARY:** This notice advises the public of the quarterly Internal Revenue Service interest rates used to calculate interest on overdue accounts (underpayments) and refunds (overpayments) of customs duties. For the calendar quarter beginning January 1, 2011, the interest rates for overpayments will be 2 percent for corporations and 3 percent for non-corporations, and the interest rate for underpayments will be 3 percent. This notice is published for the convenience of the importing public and Customs and Border Protection personnel.

**DATES:** *Effective Date:* January 1, 2011.

**FOR FURTHER INFORMATION CONTACT:** Ron Wyman, Revenue Division, Collection and Refunds Branch, 6650 Telecom Drive, Suite #100, Indianapolis, Indiana 46278; telephone (317) 614-4516.

#### SUPPLEMENTARY INFORMATION:

##### Background

Pursuant to 19 U.S.C. 1505 and Treasury Decision 85-93, published in the **Federal Register** on May 29, 1985 (50 FR 21832), the interest rate paid on applicable overpayments or underpayments of customs duties must be in accordance with the Internal Revenue Code rate established under 26 U.S.C. 6621 and 6622. Section 6621 was amended (at paragraph (a)(1)(B) by the Internal Revenue Service Restructuring and Reform Act of 1998, Public Law 105-206, 112 Stat. 685) to provide different interest rates applicable to overpayments: One for corporations and one for non-corporations.

The interest rates are based on the Federal short-term rate and determined by the Internal Revenue Service (IRS) on behalf of the Secretary of the Treasury on a quarterly basis. The rates effective for a quarter are determined during the first-month period of the previous quarter.

In Revenue Ruling 2010-31, the IRS determined the rates of interest for the calendar quarter beginning January 1, 2011, and ending on March 31, 2011. The interest rate paid to the Treasury for underpayments will be the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%). For corporate overpayments, the rate is the Federal short-term rate (1%) plus one percentage point (1%) for a total of two percent (2%). For overpayments made by non-corporations, the rate is the Federal short-term rate (1%) plus two percentage points (2%) for a total of three percent (3%). These interest rates are subject to change for the calendar quarter beginning April 1, 2011, and ending June 30, 2011.

For the convenience of the importing public and Customs and Border Protection personnel the following list of IRS interest rates used, covering the period from before July of 1974 to date, to calculate interest on overdue accounts and refunds of customs duties, is published in summary format.