



Vessel Inspection Guide

Procedures, Regulations, and Documentation for the
Processing of Crew and Passengers Arriving in the United States

July 2012



U.S. Customs and
Border Protection

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Preface

This publication is intended as a guide to U.S. Customs and Border Protection (CBP) procedures and regulations for vessels entering the United States. The information contained herein is accurate as of the publication date. This guide is not presented as a comprehensive reflection of all laws and regulations concerning entry to the United States. Rather, it seeks to identify those issues most significant to the shipping industry and to present them in a succinct and logical manner. The objective is to provide information concerning laws and regulations to be used as a resource by the shipping industry to promote the efficient processing of required forms, ensure the proper documentation and processing of crew and passengers, and reduce shipping companies' fines liability.

CBP publishes a companion guide entitled *Carrier Information Guide* (May 2011). It details passenger requirements for entry to the United States. The reader is urged to consider the *Carrier Information Guide* a companion publication to this guide. Additional information on this subject can be found in the *Travel Information Manual* (International Air Transport Association, Netherlands, published monthly), the United States Immigration and Nationality Act of 1952, as amended, and Title 8, Code of Federal Regulations.

For specific questions or clarification concerning requirements for entry to the United States, the reader is encouraged to contact the U.S. Department of State representative at the nearest embassy or consulate, the nearest CBP office or port of entry, or the Regional Carrier Liaison Groups (RCLG).

The RCLG is available 24 hours a day, 7 days a week, to assist carriers with questions regarding U.S. entry and departure related matters. This service is available to all carriers destined to the United States.

RCLG	SERVICE AREA	PHONE NUMBER
Honolulu	Asia, Pacific Rim	808-237-4632
Miami	Latin America, Caribbean	305-874-5444
New York	Europe, Africa, Mid-East	718-553-1783

Any questions or comments concerning the content of this guide should be directed to:

U.S. Customs and Border Protection
Office of Field Operations
Carrier Liaison Program, Vessel Inspection Guide
12825 Worldgate Drive, Building III
Mailstop 1340
Herndon, VA 20598-1340
Phone: 571-468-1650
E-mail: CLP@dhs.gov

Glossary of Terms

The following terms and phrases are used throughout this publication.

Absconder:

A crew member that has not been granted conditional landing status and departs the vessel without permission.

Adjacent Islands:

Saint Pierre, Miquelon, Cuba*, the Dominican Republic, Haiti, Bermuda, the Bahamas, Barbados, Jamaica, the Windward and Leeward Islands, Trinidad, Martinique and other British, French, and Netherlands territories or possessions in, or bordering on, the Caribbean Sea.

Alien:

Any person not a citizen or national of the United States of America.

CBP:

U.S. Customs and Border Protection.

Closed Loop Requirements:

Close-loop cruises are those with itineraries that both originate and terminate in the United States.

Contiguous Territory:

Canada and/or Mexico.

Crew Member:

Any person serving in a capacity required for normal operation and service on board a vessel.

Deserter:

A crew member that has been granted conditional landing status and departs the vessel with no intention of returning.

Documentary/Travel Document:

Any document or collection of documents issued by a competent authority required for entry and/or admission of the bearer into a country. For this guide, it typically includes, but is not limited to, a passport or seaman's book, and visa.

Eastern Hemisphere:

The part of the earth that includes Europe, Asia, Australia, Africa, and Oceania.

ESTA:

Electronic System for Travel Authorization

FNU:

First name unknown.

LNU:

Last name unknown.

* Cuba is not always treated as an adjacent island nation for the purpose of entry into the United States. It is excluded when the specific reference so states.

MRZ:

Machine readable zone.

Nonimmigrant:

Any person not a citizen or permanent resident of the United States.

Owner, Agent, Master:

The owner, agent, consignee, charterer, master or commanding officer of the vessel, or his/her official designee.

Passenger:

Any person arriving in the United States on board a vessel who is not a crew member (as defined herein) or a stowaway (as defined herein).

Passport:

Any travel document issued by competent authority showing the bearer's origin, identity, and nationality, if any, which is valid for the admission of the bearer into a foreign country. In this guide the use of the term Passport implies it is not expired, is unaltered, and is presented by the rightful bearer.

Stowaway:

Any person who obtains transport without the consent of the owner, charterer, master or person in command of any vessel through concealment aboard such vessel. A person who boards with a valid ticket is not a stowaway.

United States:

Unless otherwise noted, includes the continental United States, Alaska, Hawaii, Puerto Rico, Guam, Commonwealth of Northern Mariana Islands (CNMI), and the U.S. Virgin Islands.

VWP:

Visa Waiver Program.

Western Hemisphere:

The part of the earth that includes North America, Central America, South America, and the Adjacent Islands to the United States (as defined herein).

WHTI:

Western Hemisphere Travel Initiative.

Required Forms Upon Arrival/Departure

Arrival Manifests

The owner, agent, or master must present the following forms to a CBP officer at the first U.S. port of entry for each vessel arriving from a port outside the United States. Collectively, these forms are considered an arrival manifest.

1. **CBP Form I-418 (Crew List)**
 - a. The master or agent is required to give an alphabetical listing of all crew members on board as well as:
 - » Their dates of birth,
 - » Nationalities,
 - » Travel document numbers,
 - » Positions on board,
 - » Where engaged, and
 - » Vessel agent (name and address).
 - b. Immediately following the final name on the crew list, the master or agent is required to make a notation indicating whether or not members of the crew will be performing any long shore work at any U.S. port, the exceptions under which any long shore work will be performed, the vessel's itinerary, and master's signature.
 - c. The master is required to sign the certification concerning stowaways on the reverse of the form.
2. **CBP Form I-95 (Conditional Landing Permit)** - A properly completed CBP Form I-95 must be submitted for each crew member, except:
 - a. U.S. citizens and nationals;
 - b. Lawful permanent residents of the United States;
 - c. Citizens of the freely associated states (Federated States of Micronesia, Republic of the Marshall Islands, and Palau);
 - d. Canadian or British citizen crew members serving on a vessel operating solely between Canada and the United States; or
 - e. Crew members in possession of Form I-184 (Alien Crewman Landing Permit and Identification Card) who intend to depart the United States with the vessel.
3. **CBP Form I-92 (Vessel Report)** - A properly completed CBP Form I-92 includes the following notations:
 - a. Last foreign port;
 - b. Total number of U.S. citizen passengers on board;
 - c. Total number of non-U.S. citizen passengers on board; and
 - d. Name, address, and phone number of domestic ship's agent.
4. **CBP Form I-94 (Arrival/Departure Record)** - A properly completed CBP Form I-94 must be presented for each arriving passenger except:
 - a. U.S. citizens and nationals;
 - b. Legal permanent residents of the United States;
 - c. Citizens of Canada or Bermuda; and
 - d. Nonimmigrant passengers in possession of CBP Form I-94 Departure Record (white CBP Form I-94) issued within the previous 30 days if arriving from contiguous territory.

Properly Completed Arrival CBP Form I-418 Crew List

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

OMB 1651-0103
Expires 05/31/2012*

PASSENGER LIST - CREW LIST

Prior to arrival in the United States, complete a separate form for a) working crew; and b) passengers and supernumeraries. In addition to its initial completion, the crew list shall be updated to reflect crew changes and other relevant activity (or lack thereof) until the vessel departs the United States.

Vessel Name: Maltese, M/T Amphitrite Nationality: Argentina Official Number: 5476
 Last Foreign Port (Place and Country): Cape San Antonio, Argentina Date Sailed from Foreign Port: 04/17/2012 Date of Arrival in U.S.: 05/16/2012 Arrival Port: New York
 No. of Crew (including Master): 5 No. of Passengers: 0 Agent at Arrival (Name & Address): ACME Shipping 1515 Dock Street NY, NY 10053
 Will crew perform longshore work while vessel is in the United States? NO YES (Provide applicable INA Section 258 Exemption): _____

PROPOSED ITINERARY

Next U.S. Port(s)	Arrival Date	Vessel Agent (Name and Address)
Miami, FL	06/15/2012	ACME Shipping

PASSENGER LIST CREW LIST — Page 1 of _____

List individuals alphabetically. Crew who join the vessel subsequent to its arrival while in the United States must be added to the original list and the appropriate date recorded in the "Date Joined" column. The "Date Separated" column must be used when a listed crewman is separated from the vessel while it is in the United States. Any crewman designated as "REFUSED" in the "DHS Use Only" column is to be detained on the vessel at all times.

Family Name	First Name & Initial	Date of Birth	Nationality/ Document #	Position or Title (Crew Only)	Date Joined (Crew Only)	Date Separated (Crew Only)	Inspection Status (DHS Use Only) <small>Checked box indicates subsequent parole.</small>
Abolencia	Franklin G.	09/04/1955	Filipino/ NN0000555	Bosun	01/09/2012		<input type="checkbox"/>
Agulan	Dino	01/07/1966	Filipino/ NN1234567	A/B	01/16/2012		<input type="checkbox"/>
Corpus	Ferdinand S.	10/19/1967	Filipino/ BB3377789	A/B	01/17/2012		<input type="checkbox"/>
Espanto	Dennis	09/02/1967	Filipino/ BB3377789	A/B	01/19/2012		<input type="checkbox"/>
Nazur	Ebigniew	04/11/1961	Polish/ B1738808	Master	01/02/2012		<input type="checkbox"/>

RECEIPT FOR CREW LIST (CBP Use Only). I-418 Receipt Number at right indicates that the U.S. Customs and Border Protection (CBP) has received the CREW LIST containing the names of all members of crew, including Master, on board said vessel at time of its arrival. I-418 Receipt Number (POE - YYMMDD - Badge # - Military Time):
 CBP Port of Arrival (address): _____

SUMMARY OF DEPARTURE. Vessel Agent (at Departure): Following this vessel's departure from the United States, ensure that crew list reflects all crew additions and separations and is promptly submitted to the U.S. Customs and Border Protection office at the port of departure. Summarize the departure circumstances by providing the following information:
 Date of Departure: _____ Port of Departure: _____
 Agent at Departure (Name & Address): _____ Total Added Crew: _____ Total Separated Crew: _____

CBP Form I-418 (06/09)

* Form is not expired for CBP purposes.

Properly Completed CBP Form I-95 Conditional Landing Permit

DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection		OMB NO. 1651-0114 Expires 02/28/2015	
CREWMAN'S LANDING PERMIT		FIN or "A" No.	
Family Name JONES	Given Name Allen	Initial	
Home Address 123 Main St., Manila, Philippines	Address in United States ACME Shipping Co., Miami, FL		
	Hair BLK	Eyes BR	Ht. 5'7"
	Wt. 150 lbs		
	Date of Birth June 15, 1972		
	Place of Birth Philippines		
	Passport Number/Nationality		
	Arrived by <input type="checkbox"/> Air <input checked="" type="checkbox"/> Sea M/V Seaworthy		

CBP Form I-95 (02/12)

CBP Form I-95 must be submitted for each crew member applying for landing privileges, except:

- U.S. citizens and nationals;
- Lawful permanent residents of the United States;
- Canadian or British citizen crew members serving on vessels operating solely between Canada and the United States;
- Crew members in possession of Form I-184 who intend to depart the United States with the vessel; and
- Compact Free Association (CFA) members.

Form I-184

NAME CHIBA, Isao
BIRTHPLACE Mitagi, Japan
BIRTH DATE 11-15-37
NATIONALITY Japan

NO. 15250523

Form I-184
(4-1-58) 16-4106-1 GPO

15250523

ALIEN CREWMAN LANDING PERMIT
AND
IDENTIFICATION CARD

THE RIGHTFUL HOLDER OF THIS CARD IS AN ALIEN CREWMAN GRANTED SHORE LEAVE IN THE UNITED STATES. VALID ONLY IF THE BEARER IS EMPLOYED ABOARD A VESSEL NOW IN A UNITED STATES PORT. INVALID FOR ALL PURPOSES 29 DAYS AFTER LAST ENTRY TO THE UNITED STATES. THE BEARER IS NOT PERMITTED TO WORK OR TO RESIDE IN THE UNITED STATES.

UNITED STATES DEPARTMENT OF JUSTICE
IMMIGRATION AND NATURALIZATION SERVICE

Alien Crewman Landing Permit and Identification Card

Form I-184 Example

Properly Completed Arrival CBP Form I-92 Vessel Report

OMB No. 1651-0102
Exp. 04/30/2011*

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

AIRCRAFT/VESSEL REPORT

<input checked="" type="checkbox"/> ARRIVAL Last Foreign Port <u>Ensenada Mexico</u>		<input type="checkbox"/> DEPARTURE First Foreign Port _____	
Airline/Vessel (Name and Nationality) M/S Crystal - China	Flight Number N/A	Port of (Arr/Dep) Long Beach	Date of Arr/Dep 05/12/12
TYPE OF TRANSPORT – Check One			Total Passengers 2535
1. <input type="checkbox"/> U.S. military--including charters to military 2. <input checked="" type="checkbox"/> Commercial--scheduled 3. <input type="checkbox"/> Commercial--chartered 4. <input type="checkbox"/> Foreign military			
DO NOT WRITE IN THESE BLOCKS – For CBP Use Only			
Passengers Inspected	Passengers Deferred	Deferred Port	

Attach CBP 7507, ICAO Declaration, or I-418, or List Crew below:

Crew:	Name	Status
USC: 13	Crystal Cruise	
ARC: 7	1150 Main St.	
Non US: 830	Miami, FL 31132	
Total: 850		

FOREIGN PORT AND COUNTRY	PASSENGERS		
	USC	ALIEN	TOTAL
U.S. Arrival Long Beach, CA	2250	285	2535
ARC		28	
B-2		135	
WT		75	
Canadian		37	
TOTAL	2250	285	2535

(See instructions on reverse of form) CBP Form I-92 (06/09)

CBP Form I-92 includes the following notations:

- Last foreign port;
- Total number of U.S. citizen passengers on board;
- Total number of alien passengers on board; and
- Name, address, and phone number of ship’s agent.

* Form is not expired for CBP purposes.

Properly Completed Arrival/Departure Records

Front and back of CBP Form I-94

DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection		OMB No. 1651-0111
Welcome to the United States I-94 Arrival/Departure Record Instructions		
This form must be completed by every nonimmigrant visitor not in possession of a visitor's visa, who is a national of one of the countries enumerated in 8 CFR 217. The airline can provide you with the current list of eligible countries.		
Type or print legibly with pen in ALL CAPITAL LETTERS. USE ENGLISH		
This form is in two parts. Please complete both the Arrival Record (Items 1 through 17) and the Departure Record (Items 18 through 21). The reverse side of this form must be signed and dated. Children under the age of fourteen must have their form signed by a parent or guardian.		
Item 9 - If you are entering the United States by land, enter LAND in this space. If you are entering the United States by ship, enter SEA in this space.		
<small>5 U.S.C. § 552a(e)(3) Privacy Act Notice: Information collected on this form is required by Title 8 of the U.S. Code, including the INA (8 U.S.C. 1103, 1187), and 8 CFR 235.1, 264, and 1235.1. The purposes for this collection are to give the terms of admission and document the arrival and departure of nonimmigrant aliens to the U.S. The information solicited on this form may be made available to other government agencies for law enforcement purposes or to assist DHS in determining your admissibility. All nonimmigrant aliens seeking admission to the U.S., unless otherwise exempted, must provide this information. Failure to provide this information may deny you entry to the United States and result in your removal.</small>		
		CBP Form I-94 (05/08)
Arrival Record		OMB No. 1651-0111
Admission Number 460422904 21		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
1. Family Name JONIES		
2. First (Given) Name MICHAEL		3. Birth Date (DD/MM/YY) 11/8/05/63
4. Country of Citizenship CHILE		5. Sex (Male or Female) MALE
6. Passport Issue Date (DD/MM/YY) 1/3/05/07		7. Passport Expiration Date (DD/MM/YY) 1/3/05/17
8. Passport Number 91071654321B		9. Airline and Flight Number SEA
10. Country Where You Live CHILE		11. Country Where You Boarded LISBON
12. City Where Visa Was Issued SAINTIAGO		13. Date Issued (DD/MM/YY) 02/03/08
14. Address While in the United States (Number and Street)		
15. City and State		
16. Telephone Number in the U.S. Where You Can be Reached		
17. Email Address		
		CBP Form I-94 (05/08)
DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection		OMB No. 1651-0111
Departure Record		
Admission Number 460422904 21		
<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>		
18. Family Name JONIES		
19. First (Given) Name MICHAEL		20. Birth Date (DD/MM/YY) 11/8/05/63
21. Country of Citizenship CHILE		
		CBP Form I-94 (05/08)
See Other Side	STAPLE HERE	

All passengers holding a U.S. visa must complete CBP Form I-94.

Departure Manifest

The owner, agent, or master for every vessel departing from the United States must present a manifest to a CBP officer at the last U.S. port. Collectively, these forms are considered a departure manifest. The agent of record is responsible for submitting the departure manifest at the port of arrival.

1. **CBP Form I-418 (Crew List)** – The departure manifest is the traveling manifest annotated and updated at each coastwise port with all supporting documents such as:
 - a. CBP Form I-259 (Notice to Detain, Remove or Present Alien*) *At carrier's expense
 - b. CBP Form I-408 (Application to Pay Off or discharge alien crewman)
 - c. CBP Forms I-94, I-94W, and I-95 Departure Record
 - d. Any other forms pertaining to crew actions.
2. **CBP Form I-92 (Vessel Report)** - A properly completed CBP Form I-92 must be submitted for each vessel transporting passengers and shall include the following notations:
 - a. First foreign port;
 - b. Total number of U.S. citizen passengers on board;
 - c. Total number of non-U.S. citizen passengers on board; and
 - d. Name, address, and phone number of domestic ship's agent.
3. **CBP Form I-94 (Departure Record)** - A properly completed and endorsed CBP Form I-94, Departure Record must be submitted for everyone who was issued a CBP Form I-94 upon initial arrival to the United States, with the following exception:
 - a. Passengers in possession of a CBP Form I-94, Departure Record (white CBP Form I-94) traveling only to contiguous territory, and returning to the United States within 30 days.
4. **Collection of CBP Forms I-94 or I-95 from the crew** - A properly completed and endorsed CBP Form I-94, Departure Record must be submitted for any crew members who were paroled or otherwise documented on a CBP Form I-94. A CBP Form I-95 must be submitted for any crew member refused landing privileges. The CBP Form I-95 Crewman's Landing Permit may be utilized for multiple arrivals provided that the alien crew member is still employed upon the vessel indicated on the form and that there is sufficient space to record a new authorization of landing privileges on the reverse of the form.

Exemption of Private Vessels

The presentation of arrival and departure CBP Forms I-418 and I-92 shall not apply to private vessels not engaged directly or indirectly in the carriage of persons or cargo for hire.

Properly Completed Departure CBP Form I-418 Crew List

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

OMB 1651-0103
Expires 05/31/2012*

PASSENGER LIST - CREW LIST

Prior to arrival in the United States, complete a separate form for a) working crew; and b) passengers and supernumeraries. In addition to its initial completion, the crew list shall be updated to reflect crew changes and other relevant activity (or lack thereof) until the vessel departs the United States.

Vessel Name: Maltese, M/T Amphitrite Nationality: Argentina Official Number: 5476
 Last Foreign Port (Place and Country): Cape San Antonio, Argentina Date Sailed from Foreign Port: 04/17/2012 Date of Arrival in U.S.: 05/16/2012 Arrival Port: New York
 No. of Crew (including Master): 5 No. of Passengers: 0 Agent at Arrival (Name & Address): ACME Shipping 1515 Dock Street NY, NY 10053
 Will crew perform longshore work while vessel is in the United States? NO YES (Provide applicable INA Section 258 Exemption): _____

PROPOSED ITINERARY

Next U.S. Port(s)	Arrival Date	Vessel Agent (Name and Address)
Miami, FL	06/15/2012	ACME Shipping

PASSENGER LIST CREW LIST — Page 1 of _____

List individuals alphabetically. Crew who join the vessel subsequent to its arrival while in the United States must be added to the original list and the appropriate date recorded in the "Date Joined" column. The "Date Separated" column must be used when a listed crewman is separated from the vessel while it is in the United States. Any crewman designated as "REFUSED" in the "DHS Use Only" column is to be detained on the vessel at all times.

Family Name	First Name & Initial	Date of Birth	Nationality/ Document #	Position or Title (Crew Only)	Date Joined (Crew Only)	Date Separated (Crew Only)	Inspection Status (DHS Use Only) <small>Checked box indicates subsequent parole.</small>
Abolencia	Franklin G.	09/04/1955	Filipino/ NN0000555	Bosun	01/09/2012		<input type="checkbox"/>
Agulan	Dino	01/07/1966	Filipino/ NN1234567	A/B	01/16/2012		<input type="checkbox"/>
Corpus	Ferdinand S.	10/19/1967	Filipino/ BB3377789	A/B	01/17/2012		<input type="checkbox"/>
Espanto	Dennis	09/02/1967	Filipino/ BB3377789	A/B	01/19/2012		<input type="checkbox"/>
Nazur	Ebigniew	04/11/1961	Polish/ B1738808	Master	01/02/2012		<input type="checkbox"/>

RECEIPT FOR CREW LIST (CBP Use Only). I-418 Receipt Number at right indicates that the U.S. Customs and Border Protection (CBP) has received the CREW LIST containing the names of all members of crew, including Master, on board said vessel at time of its arrival. I-418 Receipt Number (POE - YYMMDD - Badge # - Military Time):
 CBP Port of Arrival (address): _____

SUMMARY OF DEPARTURE. Vessel Agent (at Departure): Following this vessel's departure from the United States, ensure that crew list reflects all crew additions and separations and is promptly submitted to the U.S. Customs and Border Protection office at the port of departure. Summarize the departure circumstances by providing the following information:
 Date of Departure: _____ Port of Departure: _____
 Agent at Departure (Name & Address): _____ Total Added Crew: _____ Total Separated Crew: _____

CBP Form I-418 (06/09)

* Form is not expired for CBP purposes.

Properly Completed Departure CBP Form I-92 Vessel Report

DEPARTMENT OF HOMELAND SECURITY U.S. Customs and Border Protection		OMB No. 1651-0102 Exp. 04/30/2011*	
AIRCRAFT/VESSEL REPORT			
<input type="checkbox"/> ARRIVAL Last Foreign Port _____		<input checked="" type="checkbox"/> DEPARTURE First Foreign Port <u>Rio Haina, DR</u>	
Airline/Vessel (Name and Nationality) <u>M/V Seaworthy - Liberia</u>	Flight Number <u>N/A</u>	Port of Arr/Dep <u>Miami</u>	Date of Arr/Dep <u>05/12/12</u>
TYPE OF TRANSPORT – Check One			Total Passengers <u>2</u>
1. <input type="checkbox"/> U.S. military—including charters to military 2. <input type="checkbox"/> Commercial--scheduled 3. <input checked="" type="checkbox"/> Commercial—chartered 4. <input type="checkbox"/> Foreign military			
DO NOT WRITE IN THESE BLOCKS – For CBP Use Only			
Passengers Inspected	Passengers Deferred	Deferred Port	
Attach CBP 7507, ICAO Declaration, or I-418, or List Crew below:			
Crew:	Name	Status	
		ACME Shipping 123 Maple St. Miami, FL 30111 (305) 555-1111	
FOREIGN PORT AND COUNTRY		PASSENGERS	
		USC	ALIEN
		1	1
TOTAL		1	1
		2	

(See instructions on reverse of form)

CBP Form I-92 (06/09)

CBP Form I-92 must be submitted for each vessel transporting passengers and shall include the following notations:

- First foreign port;
- Total number of U.S. citizen passengers on board;
- Total number of alien passengers on board; and
- Name, address, and phone number of ship’s agent.

* Form is not expired for CBP purposes.

Departure Record

CBP Form I-94 Departure Record

DEPARTMENT OF HOMELAND SECURITY OMB No. 1651-0111
 U.S. Customs and Border Protection

Departure Record

Admission Number
 442415050 21

10

DEPARTMENT OF HOMELAND SECURITY • U.S. CUSTOMS AND BORDER PROTECTION
 ADMITTED
 NYC
 JUL 15 2009
 3 39 33

Class
 Unit

18. Family Name
 SMITH

19. First (Given) Name
 MARY

20. Birth Date (DD/MM/YY)
 11/30/79

21. Country of Citizenship
 PHILIPPINES

See Other Side

CBP Form I-94 (05/08)
 STAPLE HERE

Departure Record

CBP Form I-94 Departure Record

Warning A nonimmigrant who accepts unauthorized employment is subject to deportation.
Important Retain this permit in your possession; *you must surrender it when you leave the U.S.*
 Failure to do so may delay your entry into the U.S. in the future.
 You are authorized to stay in the U.S. only until the date written on this form. To remain past this date,
 without permission from Department of Homeland Security authorities, is a violation of the law.
Surrender this permit when you leave the U.S.:
 - By sea or air, to the transportation line;
 - Across the Canadian border, to a Canadian Official;
 - Across the Mexican border, to a U.S. Official
 Students planning to reenter the U.S. within 30 days to return to the same school, see "Arrival-
 Departure" on page 2 of Form I-20 prior to **surrendering this permit.**

Record of Changes

Port: LOS ANGELES

Date: JULY 1, 2009

Carrier: ACME SHIPPING

Flight No./ Ship Name: MIV SEAWORTHY

Departure Record

A properly endorsed CBP Form I-94 Departure Record notes:

- The port of departure from the United States;
- Date of departure from the United States;
- Name of shipping line or agent; and
- Name of vessel.

Entry Requirements for Crew

Document Requirements for Crew

All crew members must be presented for inspection upon arrival of the vessel. Crew members working on board cruise vessels may only be subject to an “in-person muster” of the crew every 90 days after the initial inspection, provided that the crew member is not in the United States for more than an aggregate of 29 days between inspections. All crew members arriving in the United States must be in possession of documents as follows:

1. U.S. citizens on board U.S.-flagged commercial vessels:
 - a. Merchant Mariner Z-Card*
**Coast Guard regulations require that U.S. citizen crew of U.S.-flagged vessels must be in possession of Merchant Mariner Card (Z-Card).*
 - b. Proof of U.S. citizenship
2. U.S. citizens aboard foreign-flagged vessels arriving from the Western Hemisphere:
 - a. WHTI compliant documents
3. U.S. citizens aboard foreign flagged vessels arriving from the Eastern Hemisphere:
 - a. U.S. passport
4. Residents of the United States arriving on board any vessel from any port or place outside the United States must be in possession of one of the following documents:
 - a. DHS Form I-551 (Permanent Resident Card)
 - b. CIS Form I-327 (Re-entry Permit)
 - c. ADIT Stamp
 - d. CIS Form I-571 (Refugee Travel Document)
 - e. CIS Form I-512 (Advance Authorization for Parole)
 - f. CIS Form I-688 (Temporary Resident Card)
5. Nonimmigrant Crew – All nonimmigrant crew members arriving aboard any vessel from any foreign port must be in possession of the following to be eligible for conditional landing permits:
 - a. Passport or Seaman’s Book
 - b. Visa with D classification
 - c. Exceptions
 - » Exempt passport and D visa (Citizens of Canada or Bermuda arriving from the Western Hemisphere).
 - » Exempt D visa only (Citizens of Canada or Bermuda arriving from the Eastern Hemisphere).

Nonimmigrant crew members may not be employed aboard any U.S.-based fishing vessel in a D classification. Any such crew members will be detained on board the vessel. Please see the Carrier Information Guide, Part I for WHTI compliant documents.

Visa Requirements for Crew Members

All nonimmigrant crew members (with certain exceptions as noted) must be in possession of a passport or seaman's book and crew visa, known as a D visa, when arriving in the United States on board any vessel. There are specific classes of visas issued to facilitate crew members' transit to and/or arrival on a vessel. These classes of visas are:

D Visa - Issued to an individual crew member. It permits the crew member to request conditional landing privileges upon arrival in the United States on board the vessel. It also permits the master or agent to request a discharge and repatriation of the crew member. Crew members granted conditional landing privileges are authorized to remain in the United States only as long as the vessel remains in the United States, not to exceed 29 days.

C1 Visa - Permits the bearer to arrive in the United States and request direct and immediate transit through the United States. In the case of nonimmigrant crew members, it permits them to arrive in the United States (typically as an airline passenger) to request direct and immediate transit to their vessel. C1 visas do not permit the crew member to apply for conditional landing privileges.

C1/D Visa - Dual-purpose visa permits the bearer to arrive in the United States in either the C1 or D classification.

Crew with no Visa - Nonimmigrant crew who arrive without a D visa are ineligible for conditional landing status. In the case of crew members without valid D visas, the inspecting CBP officer shall order them detained or removed at carrier expense on CBP Form I-259.

DHS Form I-193 (Application for Waiver of Passport and/or Visa) - In extenuating circumstances, crew members without valid D visas and/or passports may have the opportunity to present application for waiver of visa requirements upon payment of the associated fee. The CBP officer will adjudicate the application in a manner consistent with the circumstances.

The master is responsible for the safekeeping of travel documentation of all nonimmigrant crew. Crew members in possession of a D, C1, or C1/D visa are ineligible to adjust or change their status to another visa classification such as tourist, student, temporary worker, etc., or to extend their stay beyond the initial period of admission.

Crew Inspection

Arriving Crew

It is the responsibility of the owner, agent, or master to present all persons on board a vessel to a CBP officer for inspection, at the first port of entry to the United States. Likewise it is the responsibility of the owner, agent or master to ensure that all persons are properly documented for entry to the United States. **The master is responsible for the safekeeping of all nonimmigrant crew member travel documents.** All persons employed in any capacity on board any vessel arriving to the United States shall be detained on board the vessel by the master or agent until admitted or permitted to land by a CBP officer.

All crew members on board an arriving vessel should be presented for inspection as follows:

1. When and where directed by CBP officers;
2. In person;
3. With proper travel documents (passport and visa or other documentation as required);
4. With CBP Forms I-95 or I-184; and
5. With all names and biographical data properly listed on CBP Form I-418 (crew list).

Upon completion of inspection, the CBP officer will return each nonimmigrant crew members travel documents to the master for safekeeping.

Discharge of Nonimmigrant Crew Members

Application to pay off or discharge a crew member, except a U.S. citizen or a legal Permanent Resident, must be made at a port where the vessel is located. A crew member is considered to have been discharged when he/she:

- a. Resigns;
- b. Is terminated;
- c. Goes on leave; or
- d. Is transferred to another vessel.

The following forms should be presented for each departing crew member:

1. CBP Form I-408 (listing the initial port of entry in the United States, arrival date, and notating the date and reason for discharge);
2. New CBP Form I-95;
3. Previous CBP Form I-95 from previous arrivals;
4. Proper travel documents for onward country (passport and visa or other documentation as required); and
5. Evidence of definite arrangements (airline tickets or reservations, ship's employment, or transfer letter).

In addition, the following conditions must be met:

1. Crew member must adhere to departure instructions as annotated on the approved CBP Form I-408;

2. Crew member must have permission from a CBP officer prior to discharge; and
3. Ship must be in port at time of discharge.

There is no appeal of a CBP officer's decision to grant or deny a discharge request.

OMB No. 1651-0107
Expires 09/30/2014

DEPARTMENT OF HOMELAND SECURITY APPLICATION FOR WAIVER OF PASSPORT AND/OR VISA		FEE STAMP	
		FILE NUMBER	
1. MY NAME IS: (LAST)		(FIRST) (MIDDLE)	
Brown		John P.	
2. MY UNITED STATES DESTINATION IS: (NUMBER AND STREET, APT. NO., CITY, STATE, ZIP CODE)			
3. MY PERMANENT ADDRESS ABROAD IS: 123 Maple Street, Panama City, Panama			
4. THE COUNTRY OF WHICH I AM A CITIZEN, SUBJECT OR NATIONAL IS: Panama			
5. PLACE OF BIRTH Panama		DATE OF BIRTH (MM/DD/YYYY): 05/13/1979	
6. DATE OF ARRIVAL: 06/04/2012		PORT OF ARRIVAL: Savannah, GA	
7. MANNER OF ARRIVAL (NAME OF VESSEL, AIRLINE, ETC.) M/V Seaworthy			
8. PLACE VISA PREVIOUSLY ISSUED: Panama City		DATE: 06/02/2002	NUMBER: 123456789
		CLASSIFICATION: B1/B2	VALID TO: 06/01/2012
9. PLACE PASSPORT ISSUED: Panama		DATE: 04/15/2005	NUMBER: 123456789
			VALID TO: 04/15/2015
10. THE REASON I AM NOT IN POSSESSION OF <input type="checkbox"/> PASSPORT <input checked="" type="checkbox"/> VISA IS AS FOLLOWS: (CONTINUE ON REVERSE, IF NECESSARY) Visa expired.			
DATE OF THIS APPLICATION: 06/04/2012		I CERTIFY THAT THE ABOVE IS TRUE AND CORRECT. _____ SIGNATURE OF APPLICANT	
CITY AND STATE: Savannah, GA			

SIGNATURE OF PERSON PREPARING FORM, IF OTHER THAN APPLICANT.		
I DECLARE THAT THIS DOCUMENT WAS PREPARED BY ME AT THE REQUEST OF THE APPLICANT AND IS BASED ON ALL INFORMATION OF WHICH I HAVE ANY KNOWLEDGE.		
SIGNATURE	ADDRESS	DATE

APPLICANT - DO NOT WRITE BELOW THIS LINE

<input type="checkbox"/> APPLICATION APPROVED. WAIVER GRANTED		<input type="checkbox"/> APPLICATION DISAPPROVED.	
<input type="checkbox"/> UNDER SECTION 211(b) BY AUTHORITY OF _____ (DHS)		DATE OF ACTION DFO OR PD OFFICE	
<input type="checkbox"/> UNDER SECTION 212(d)(4) BY AUTHORITY OF _____ (DHS)			
ADMITTED AS _____ UNTIL _____ NONIMMIGRANT CLASS			

DHS Form I-193 (12/10)

Properly Completed CBP Form I-408

Application to Pay-Off or Discharge Alien Crewman

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

OMB No. 1651-0106
Exp. 08-31-2014

APPLICATION TO PAY OFF OR DISCHARGE ALIEN CREWMAN

To be filed in triplicate. See instructions.

I. CARRIER: M/V Seaworthy	ARRIVAL MANIFEST FILED AT (PORT): Savannah, GA	DATE OF ARRIVAL: 05/21/2012
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I hereby request authorization to pay off/discharge the alien crewmen listed below.

NAME IN FULL		NATIONALITY AND PASSPORT NUMBER	ACTION BY CBP
FAMILY NAME	GIVEN NAME AND MIDDLE INITIAL		
Jones	Michael R.	Guyana / 123456789	

NOTE: IF ADDITIONAL SPACE IS REQUIRED, ATTACH LIST IN TRIPPLICATE.

III. REASON FOR REQUEST: Repatriation for vacation.
--

IV. ARRANGEMENTS FOR DEPARTURE FROM THE U.S. OF THE LISTED CREWMEN AND DATE AND PORT OF DEPARTURE, AIR CARRIER AND FLIGHT NUMBER OR VESSEL. Departing Savannah via AA 252 at 1450 hours on May 29, 2012 to Georgetown.

MAILING ADDRESS OF CARRIER: ACME Shipping Company 321 Port Road New York, NY 10011	SIGNATURE: TITLE: Shipping Agent
---	--

FOR GOVERNMENT USE ONLY

APPLICATION: <input type="checkbox"/> GRANTED <input type="checkbox"/> DENIED	COPY: <input type="checkbox"/> MAILED <input type="checkbox"/> DELIVERED	DATE:
OFFICE:	DATE:	
SIGNATURE:	SIGNATURE:	
TITLE:	TITLE:	

CBP Form I-408 (06/09)

CBP Form I-408 should list each crew member being discharged from the vessel in the United States along with the appropriate biographical information. In addition it shall include the following notations:

- First port of arrival in the United States;
- Date of arrival in the United States;
- Date of discharge; and
- Circumstances of discharge.

Crew members traveling on the same itineraries may be listed on the same CBP Form I-408.

Parole

Crew members may be paroled at the port of entry, at the discretion of a CBP officer, in emergent circumstances. At the request of the CBP officer, the crew member must be presented for processing of port of entry paroles. The most common types of port of entry paroles are:

Medical Parole

Crew members may be paroled for medical treatment. In such cases the following forms and conditions are required:

1. CBP Form I-94 (Arrival/Departure Record) - Lines 1 through 17 completed.
2. CBP Form I-259 (Notice to Detain, Remove, or Present Alien).
3. CBP Form I-510 (Guarantee of Payment).
4. Appropriate fee paid.
5. Evidence of medical condition. The owner, agent, or master will provide an explanation of medical conditions and approximate length of time for treatment. The submission of a physician's letter stipulating such may be required.
6. Termination of parole. The owner, agent, or master is responsible to notify CBP of the termination of a crew member's medical treatment and his/her departure from the United States.

Parole to Depart Foreign under Safeguard

Upon request of the owner, agent, or master to discharge a crew member, a CBP officer may, at his/her discretion, order a nonimmigrant crew member to be removed from the United States under safeguard. Typical circumstances warranting parole for removal under safeguard are:

1. Crew member's employment was terminated prior to end of contract.
2. Crew member has resigned prior to end of contract.
3. Crew member has prior violations under the Immigration and Nationality Act (INA).
4. Crew member has committed a criminal or violent act.
5. Crew member is ineligible for conditional landing rights.
6. CBP officer believes that crew member is at risk to abscond/desert.

In such cases the following forms are required:

1. CBP Form I-94 (Arrival/Departure Record) – Lines 1 through 7 completed;
2. CBP Form I-259 (Notice to Detain, Remove, or Present Alien); and
3. Documentary evidence of arrangements for departure from the United States.

In the event a crew member has been ordered to depart the United States under safeguard, the owner, agent, or master is responsible to ensure the crew member's departure under the terms and conditions prescribed on CBP Form I-259 at the carrier's expense.

Properly Completed Medical Parole Forms

Updated CBP Form I-259 – Notice to Detain, Remove, or Present Alien

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

NOTICE TO DETAIN, REMOVE, OR PRESENT ALIEN

OMB No. 1651-0127
Expires 02/28/2013

Port of Arrival: Savannah, GA	File No.:
	CBP Form I-94 No.:
	Date: 05/28/2012
To the Owner, Agent, Master, Commanding Officer, Person in Charge, Purser, or Consignee of the M/V Seaworthy ACME Shipping Company (Air Carrier, Flight Number, Ship's Agent, Vessel Name, Aircraft or Vessel ID Number, etc.)	
Pursuant to the provisions of the Immigration and Nationality Act (Act), and regulations issued by the Secretary, you are hereby directed and served with a:	
<input type="checkbox"/> Notice to detain the alien on board. <input type="checkbox"/> Notice to remove the alien from the United States on _____ at _____ (Date) (Time). <input checked="" type="checkbox"/> Notice to present the alien to CBP Savannah, GA (upon termination of parole) on _____ at _____ (Date) (Time). <input type="checkbox"/> Notice of potential liability under section 241(c), (d), or (e) of the Act. <input type="checkbox"/> Notice of potential liability under section 217 of the Act.	
For the following reasons: Conditional landing permit terminated and subject is paroled under section 212 (d) (5) of the INA. Upon completion of medical treatment the agent is to advise CBP of the disposition. Vessel's agent is responsible for removal of the paroled crewmember from the U.S. under safeguard.	
Alien's Name: (Complete information for multiple aliens on continuation sheet) Jones, Michael R.	
Date of Birth: 05/19/1963	Place of Birth: Georgetown, Guyana
Country of Citizenship: Guyana	Passport Number: 123456789
Arrival Date: 05/09/2012	Visa Classification: C1/D
ACTION TAKEN BY INSPECTING OFFICER:	
<input type="checkbox"/> Detained for removal hearing/credible fear determination <input type="checkbox"/> Paroled for removal proceedings <input type="checkbox"/> Deferred Inspection: (Reporting Office and date) <input checked="" type="checkbox"/> Other: Medical Parole	
CBP Officer Name: Allen Smith Title: CBP Officer Signature: X	Agent or Representative of Carrier Name: Richard Clark Title: Agent Signature: X
Telephone Number: (555) 555-5555	Date and Time Received: 05/28/2012 15:45 hours

CBP Form I-259 (12/05)

CBP Form I-510 – Guarantee of Payment

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

OMB No. 1651-0127
Expires 02/28/2013

GUARANTEE OF PAYMENT

Pursuant to the provisions of section 253 of the Immigration and Nationality Act,

I, Richard Clark (Name First) (Initial) (Last)
as an agent for ACME Shipping Company (Owner, agent, consignee, commanding officer, or master)
of the vessel or aircraft M/V Seaworthy (Name of vessel or aircraft)
employing the alien crewman Michael Jones
who upon the arrival at the port of Savannah, GA (Name of port)
on 05/28/2012 (Date of arrival) was found to be afflicted with, or suspected of being afflicted with
Head injury (Name of affliction),
hereby guarantee to pay any and all expenses incurred or to be incurred for the hospitalization, care, and treatment, and for burial in the event of death, of the said alien crewman.

Dated at Savannah, GA this _____ day of May, 2012 (month/year)

(Signature of Guarantor)

Approved this _____ day of _____ (month/year)

(Signature of Officer)

(Title of Officer)

Paperwork Reduction Act Statement: An agency may not conduct or sponsor an information collection and a person is not required to respond to this information unless it displays a current valid OMB control number and an expiration date. The control number for this collection is 1651-0127. The estimated average time to complete this application is 5 minutes. If you have any comments regarding the burden estimate you can write to U.S. Customs and Border Protection, Office of Regulations and Rulings, 799 9th Street, NW, Washington DC 20229.

CBP Form I-510 (12/09)

CBP Form I-94

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

OMB No. 1651-0111

Welcome to the United States
1-94 Arrival/Departure Record
Instructions

This form must be completed by every nonimmigrant visitor not in possession of a visitor's visa, who is a national of one of the countries enumerated in 8 CFR 217. The arrival card provides you with the current list of eligible countries.

Type or print legibly with pen or ALL CAPITAL LETTERS. USE ENGLISH.

This form is in two parts. Please complete both the Arrival Record (Items 1 through 17) and the Departure Record (Items 18 through 21). The reverse side of this form must be signed and dated. Children under the age of fourteen must have their form signed by a parent or guardian.

Item 9: If you are entering the United States by land, enter LAND in this space. If you are entering the United States by ship, enter SEA in this space.

(U.S.C. 1225(b)(1) Entry by Ship: Information disclosed pursuant to Title 46 of the U.S. Code, including the 2004 (U.S.C. 101, 103) and 4 CFR 335.1, 304 and 2251. The purpose for the collection of this information is to determine your admissibility. All nonimmigrant class and subcategory codes in the U.S. are subject to change without notice. Failure to provide this information may deny you entry to the United States and result in your removal.)

CBP Form I-94 (05/06)
OMB No. 1651-0111

Arrival Record

Admission Number
460422904 21

(1) Family Name
JONES

(2) Full Name (Last, First, Middle)
MICHAEL

(3) Date of Birth (MM/DD/YYYY)
05/19/63

(4) Sex (M or F)
M

(5) Country of Birth (Country Code)
GY

(6) Country of Issuance (Country Code)
GY

(7) Date of Issuance (MM/DD/YYYY)
05/19/07

(8) Date of Expiration (MM/DD/YYYY)
11/30/07

(9) Type of Admission (1-9)
4

(10) Class of Admission (1-9)
1B

(11) Port of Arrival (City and State)
SANTIAGO

(12) Date of Arrival (MM/DD/YYYY)
05/28/12

(13) City and State

(14) Date of Departure (MM/DD/YYYY)

(15) Date of Arrival (MM/DD/YYYY)

(16) Date of Departure (MM/DD/YYYY)

(17) Email Address

CBP Form I-94 (05/06)
OMB No. 1651-0111

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

OMB No. 1651-0111

Departure Record

Admission Number
460422904 21

(18) Family Name
JONES

(19) Full Name (Last, First, Middle)
MICHAEL

(20) Date of Birth (MM/DD/YYYY)
05/19/63

(21) Sex (M or F)
M

CBP Form I-94 (05/06)
OMB No. 1651-0111

See Other Side **STAPLE HERE**

In addition to the forms depicted here, the owner, agent, or master will provide an explanation of medical conditions and approximate length of time for treatment. The submission of a physician's letter stipulating such may be required.

Properly Completed CBP Form I-259

For Parole to Depart Foreign under Safeguard

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

NOTICE TO DETAIN, REMOVE, OR PRESENT ALIEN

		File No.:
		CBP Form I-94 No.:
Port of Arrival: Portland, Oregon	Date: 05/28/2012	
To the Owner, Agent, Master, Commanding Officer, Person in Charge, Purser, or Consignee of the M/V Seaworthy ACME Shipping Company (Air Carrier, Flight Number, Ship's Agent, Vessel Name, Aircraft or Vessel ID Number, etc.)		
Pursuant to the provisions of the Immigration and Nationality Act (Act), and regulations issued by the Secretary, you are hereby directed and served with a:		
<input checked="" type="checkbox"/> Notice to detain the alien on board. <input type="checkbox"/> Notice to remove the alien from the United States on _____ at _____ (Date) (Time) <input type="checkbox"/> Notice to present the alien to _____ on _____ at _____ (Date) (Time) <input type="checkbox"/> Notice of potential liability under section 241(c), (d), or (e) of the Act. <input type="checkbox"/> Notice of potential liability under section 217 of the Act.		
For the following reasons: <u>No Visa.</u>		
Alien's Name: (Complete information for multiple aliens on continuation sheet) Michael Jones		
Date of Birth: 05/08/1963	Place of Birth: Georgetown, Guyana	
Country of Citizenship: Guyana	Passport Number: 987654321	
Arrival Date: 05/09/2012	Visa Classification: None	
ACTION TAKEN BY INSPECTING OFFICER:		
<input type="checkbox"/> Detained for removal hearing/credible fear determination <input type="checkbox"/> Paroled for removal proceedings <input type="checkbox"/> Deferred Inspection: (Reporting Office and date) <input checked="" type="checkbox"/> Other: Detained On board.		
CBP Officer Name: John Doe	Title: CBP Officer	Signature: X
Receipt of the above notice is acknowledged by:		
Agent or Representative of Carrier Name: Richard Clark	Title: Shipping Agent	Signature: X
Telephone Number: (555) 555-5555	Date and Time Received: 05/28/2012 11:30 hours	

CBP Form I-259 (12/05)

In the event a crew member has been ordered to depart the United States under safeguard, the CBP officer will serve the owner, agent, or master with CBP Form I-259.

90-Day Crew Inspections

Cruise ships with itineraries originating in the United States and terminating in the United States are eligible to be processed under the 90 day Crew Exception. Under this policy, cruise vessel crew need only be presented for an in-person inspection upon initial arrival. Subsequent arrivals within the next 90 days may not be required as long as the crew member has not been in the United States for more than an aggregate of 29 days. This does not exempt crew members who have engaged on the vessel after the initial inspection, nor does it relieve the owner, master, or agent from complying with regulations relating to the discharge or parole of crew members. CBP retains the authority to conduct a full or partial inspection at any time without notice.

Detention of Crew

All persons employed in any capacity on board any vessel in the United States shall be detained on board the vessel at the port of arrival by the master or agent of such vessel until admitted or otherwise permitted to land by a CBP officer.

When a nonimmigrant crew member is refused a conditional landing permit for any reason, CBP Form I-95 presented by him/her at time of application for conditional landing status shall be endorsed “Permission to land temporarily at all U.S. ports is refused.” **The CBP Form I-95 with travel documents will be surrendered to the master or agent of the vessel.** CBP Form I-259 (Notice to Detain, Remove, or Present Alien) bearing the names of each detained crew member shall be served upon the agent or master.

Deserters/Absconded Crew Members

A deserter is a crew member who has been granted D-1 or D-2 status and a conditional landing permit but does not depart when required. An absconder is a crew member that has been refused a landing permit and is ordered detained on board but departs the vessel without permission.

The owner, agent or master is required to report **immediately**, by telephone, the desertion or absconding of a nonimmigrant crew member to the CBP office at the location of the incident. In addition, the following forms and documents are required:

1. Completed CBP Form I-409 (Report for Deserting Crewman);
2. A letter from the owner, agent, or master providing details of the incident;
3. The passport or travel document of the deserting/absconded crew member; and
4. Abscondee/deserter will be listed on the CBP Form I-418 traveling manifest to indicate they are no longer on the vessel.

Mustering

CBP officers may re-board a vessel to insure that detained crew members have remained on board or that all crew members are present for a ship's departure. A CBP officer may revoke a crew member's conditional landing permit at any time subsequent to the initial inspection.

Voluntary Departure

Crew members on vessels arriving in the United States are granted landing privileges up to the 29 day statutory limit. Changes of status or extensions of status are not allowed under the “D” classification.

In case of emergency, or operational mishap, a vessel may need to remain beyond the 29 days in the United States. In such instances, the master or agent may request Voluntary Departure by presenting a copy of the CBP Form I-418 and CBP Forms I-95 for all crew.

In instances where the vessel will remain beyond 29 days in the United States, the master or agent of the vessel must present a copy of the CBP Form I-418 and CBP Forms I-95 for all crew members. The CBP officer will prepare a CBP Form I-259 and serve the original to the master of the vessel. The CBP officer must then endorse CBP Form I-95 with the voluntary departure period.

It is very important to note that sailing to international or foreign waters without calling at a foreign port does not constitute departure from the United States.

A master who wishes to request Voluntary Departure must do so in writing. The master must present the following:

- CBP Form I-418 listing the crew on board;
- A letter from the company or vessel stating reasons necessary for stay in the United States over 29 days and proposed departure information; and
- CBP Forms I-95 issued to all crew members at time of arrival.

If no one will depart the vessel, the CBP Form I-259 must be completed to detain the crew on board.

Properly Completed CBP Form I-409 Report of Deserting Crewman

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

REPORT OF DESERTING CREWMAN

File Number:	Date/Time Received:	Receiving Officer:
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CREWMAN DATA

Family Name: Sanchez		Given Name Ricky		Middle Name Joe		
Date of Birth or Age: 05/13/1979 33		City/Province/State and Country of Birth Santiago, Chile		Country of Citizenship Chile		
Description:	Hair Color Black	Eye Color Brown	Complexion Med	Height 6'2	Weight 170 lbs	Build Med
Identifying Marks: Tattoo Right Calf				Status at Entry: <input checked="" type="checkbox"/> D-1 <input type="checkbox"/> D-2 <input type="checkbox"/> Other		
Marital Status: Single	Name of Spouse:		Address of Spouse (if different)			
If Single – Name, Address and Relationship of Next of Kin: Rosey Sanchez (Mother)						
Names and Addresses of Friends or Relatives in United States: No known family or friends in the U.S.						

EMPLOYMENT DOCUMENTS

Position on Vessel: A/B		Date and Place Signed on Vessel: 06/14/2012 Lisbon	
Name of Agency Which Engaged Crewman: ACME Shipping			
Wages Due (Allotment Address): 1 Ocean Drive Santiago, Chile			Wages Drawn U.S. \$500.00
Type and Number of Travel Documents: Passport G12345678		Present Location T.D: Enclosed	
Date Issued: 05/03/2011	Place Issued: Chile	Date and Place of Crew Visa ("D") Visa: 02/14/2012 Santiago, Chile	
I-184 Presented? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No		If yes, state details:	

DESERTION DATA

Date and Time of Desertion: 07/15/2012 2300 HRS		Place of Desertion: Savannah, GA	How Dressed When Deserted: Unknown
Facts Regarding Desertion: (assistance - persons involved – destination, include names of other deserters, etc.) Crewman did not report for work at 5AM as scheduled this morning. Cabin appears unused over night. Last seen on deck at 11PM last night.			

Name of Vessel: M/V Seaworthy		Registry: Panama	Date and Port of Inspection: 07/15/2012 SAV	Present Location of Vessel: Savannah, GA
Local Agent Name/Address/Telephone Number: ACME Shipping 2 East Bay St. 912-565-0666			Name of Person Supplying Information/Telephone Number: R. Clark, Agent 912-555-5555	
Departure Date/Time: 07/20/2012 1900	Next Port of Call: Norfolk, VA	I-831 to C.O. Date:	Assigned to:	Date and Hour:

CBP Form I-409 (07/09)

Passengers

All passengers arriving to the United States on board any vessel (commercial or private) must comply with standard document requirements based on their nationality, immigration status and point of embarkation.

In addition to those holding tickets for passage, the following persons are also considered passengers on commercial vessels:

Guest/Family Members

Un-ticketed persons granted permission to travel on board the vessel by the owner, agent or master are considered passengers.

For example, a child of a crew member, guest of owner, or other individuals commonly referred to as supernumeraries.

Contract Workers

Persons who work on board the vessel, but do not meet the definition of crew because the work they perform while on board the vessel is not required for the normal operation of the vessel are considered passengers.

These workers are typically on board to fulfill a contractual or service agreement.

Examples of contract workers are: guarantee/warranty engineers, carpenters, painters, or certain classes of entertainers in possession of nonimmigrant work visas. Work (other than service of a guarantee/warranty nature) cannot be performed by contract workers while the vessel is in dry dock.

Castaways

Persons in distress or rescued at sea will be presented as passengers. There will be no fines, liability to the owner, agent or master for transporting improperly documented passengers under these circumstances.

Smuggled Persons

Any person provided passage for the purpose of entering the United States in violation of immigration laws is a smuggled person and would be considered a passenger.

Important Notes on Transporting Passengers

1. Provision of the visa waiver program apply only to passengers making an initial entry to the United States on a transportation line that has signed an agreement with CBP to transport passengers under this program and who meet its requirements.
2. Persons admitted to the United States under the VWP within the previous 90 days and who have traveled only to Canada, Mexico and or adjacent islands, may be transported to the United States on a non signatory carrier without penalty.
3. **Electronic System for Travel Authorization (ESTA)** - ESTA is a web-based system for the collection of information on the VWP nationals prior to boarding U.S.-bound air or sea carriers. Registration in ESTA is mandatory for citizens of all 36 countries. Please visit <http://esta.cbp.dhs.gov> for more information about ESTA.

The following exceptions apply to vessels of United States, Canadian or British registry engaged solely in traffic on the Great Lakes or the St. Lawrence River and connecting waterways.

Arrival Manifests

Arrival and departure manifests shall not be required unless: 1) Nonimmigrant crew members will perform longshore work in the United States; and 2) The vessel employs crew members of other than U.S., Canadian, or British citizenship. In such cases, after submission of a manifest on the first voyage of a calendar year, a manifest shall not be required on subsequent arrivals unless a nonimmigrant crew member other than Canadian or British citizenship is engaged or there is a change in performance of longshore work.

Crew Inspection

U.S. vessels and tugboats - An immigration examination shall not be required of any crew member aboard a U.S.-registered vessel who has been examined and admitted by an immigration officer as a crew member of the same vessel or any other vessel of the same company during the current calendar year.

Canadian or British vessels or tugboats - A nonimmigrant crew member need not be presented for inspection if said crew member:

1. Serves aboard a Great Lakes vessel of Canadian or British registry or aboard a tugboat of Canadian or British registry arriving at a U.S. port-of-entry from Canada.
2. Seeks admission for a period of 29 days or fewer.
3. Has, during the current calendar year, been inspected and admitted by a CBP officer as a member of the crew of the same vessel or tugboat, or of any other vessel or tugboat of the same company.
4. Is either a British or Canadian citizen or is in possession of a valid CBP Form I-95 previously issued to him or her as a member of the crew of the same vessel or tugboat, or of any other vessel or tugboat of the same company.
5. Does not request or require landing privileges in the United States beyond the time the vessel or tugboat will be in port.
6. Will depart to Canada with the vessel or tugboat.

Ferry Operations

CBP considers ferries to fall in two categories:

1. Ferries that primarily transport passengers and/or vehicles providing a continuation of the highway from one side of the water to the other and which is offered as a service normally attributed to a bridge or tunnel. CBP considers these ferry operations an extension of land border inspections, and the signatory carrier requirements are not applicable.
2. Ferries that go beyond a quick trip normally attributed to a bridge or tunnel extending the highway from one side of the water to the other and are more like vessel operations. These ferry crossings are typically several hours in duration and CBP considers them seaport inspections. Accordingly, these ferry companies must be signatory to the VWP to transport eligible passengers making an initial entry to the United States.

Pre-Inspections

Cruise ship passengers may be pre-inspected by CBP officers in Vancouver, British Columbia, Canada, prior to their departure to the United States. In such cases, passengers arriving in the United States on board such vessels do not need to be presented for immigration inspection. During cruise ship pre-inspection all passengers must be presented in person with appropriate travel documents and CBP Forms I-94/I-94W if applicable.

There are various circumstances determining whether ship's crews will be pre-inspected. Please consult Vancouver CBP management for additional information. If crew is pre-inspected, the following forms and conditions are required:

1. A list of crew disembarking in Canada.
2. CBP Form I-418 (Arrival Crew List) listing all crew members departing for the United States. This is considered an Arrival Manifest. The heading of CBP Form I-418 should note Vancouver as both the *Arrival Port* and the *Last Foreign Port* along with the appropriate date.
3. CBP Form I-418 (Departure Crew List) listing of all crew members departing for Vancouver from the last U.S. port. This is considered a Departure Manifest. The heading of CBP Form I-418 should note Vancouver as the first port on which carrier arrived in United States this trip along with the appropriate date.
4. CBP Form I-418 listing crew members who joined or departed the vessel in the last U.S. port.
5. Any additional forms processed at the last U.S. port.
6. Notification to CBP of any deserters, abscondee, stowaways, or problems with crew members.

Closed Loop Cruises

The processing of travelers on closed-loop, U.S.-based ships returning from contiguous territory or adjacent islands may be facilitated through expedited USC processing if all closed loop conditions are satisfied.

Closed-loop cruises are defined as cruises with itineraries that both originate and terminate in the United States. For example, if a ship leaves from Fort Lauderdale, stops at an adjacent island, and returns to Fort Lauderdale, this is a closed-loop cruise. Cruises that begin in a foreign country, or embark new passengers in a foreign port of call, are not inspected as a "closed-loop" arrival and will be processed as a foreign arrival.

Private Vessels

All persons on board private vessels are subject to the associated documentary conditions for arrival into the United States. Provisions of the VWP do **not** apply to persons entering the United States on board private vessels on initial entry.

Persons operating, piloting, working, or otherwise employed on board private vessels, not regularly engaged in commercial carriage of goods and passengers may be considered crew members. Such persons may be admitted or otherwise permitted to land while in possession of visas either the D (crew) category or the B (business) category.

The provisions in this guide relating to the presentation of arrival and departure manifest shall not apply to a private vessel not engaged directly or indirectly in the carriage of persons or cargo for hire.

The information contained in this guide does not exempt persons arriving on private vessels from the requirements of inspection by a CBP officer upon arrival in the United States. All persons arriving in the United States by sea must be inspected by a CBP officer at a designated port of entry.

Stowaways

Notification

The owner, agent, or master of a vessel must immediately report to CBP the actual or suspected presence of stowaways and are responsible for the detention of stowaways.

Detention of Stowaways

All alien stowaways must be detained on board the vessel in order to be presented for inspection. Responsibility for the detention of the stowaway is absolute, even if the stowaway presence is unknown. Stowaways are to be treated in a humane and dignified manner.

Removal of Stowaways

Typically, the stowaway will be ordered detained and removed from the United States on board the vessel of arrival. The master of the vessel may request that a stowaway be removed from the United States by other means of transportation where compelling or emergent reasons exist. Permission for removal of the stowaway by other means is at the discretion of CBP, but all costs relating to the stowaways removal as well as responsibility of obtaining travel documents, remain with the carrier. Detention pending removal will be in CBP custody. All detention expenses are the responsibility of the owner of the vessel of arrival.

Credible Fear Claim by Stowaways

Stowaways expressing a credible fear of prosecution in their homelands may apply for asylum in the United States. Such persons will be removed from the vessel, and taken into CBP custody. All costs of detention of the stowaway, pending a decision in an asylum claim, are the responsibility of the owner of the vessel.

Potential Victims of Human Trafficking

Human trafficking is involuntary, involves forced exploitation of a person through physical and/or psychological coercion, and is a crime against a person's human rights. Human trafficking differs from human smuggling in several ways but the exploitation of a person is what separates one from the other. Smuggling is voluntary and generally the relationship with the smuggler ends after the border crossing.

As a member of the transportation industry, you are in the unique position to observe passengers which provides you with the opportunity to view indicators that would otherwise remain unknown. Some common indicators of human trafficking are:

- Does the person have control of his or her own travel and identification documents?
- Does the person have freedom of movement and social interaction?
- Does the person have reasonable knowledge and means of reaching his or her final destination?
- Is the child traveler accompanied by his or her real parent/guardian?



Photo by Kay Chernush, U.S. Department of State

Death is not the only way to lose your life.

Be alert. Be strong. Be free.
Stop Human Trafficking

You have rights in the United States regardless of your visa status.

- Did someone take away your ID or documents?
- Is someone forcing you to work for them to pay off a debt?
- Is someone forcing you to work or have sex against your will?
- Is someone threatening or hurting you or your family?

If yes, don't be afraid to ask for help.

CALL TOLL-FREE, 24 HOURS: **1-888-373-7888**

CBP officers are trained to identify potential victims of human trafficking. In addition, they may discreetly warn travelers by providing them with **human trafficking information cards** (tear cards), see image. These cards are available in Arabic, Chinese (Simplified), Chinese (Traditional), English, French, French Creole, Hindi, Indonesian, Korean, Mandarin, Portuguese, Russian, Spanish, Thai, and Vietnamese.

All persons in the United States, even those here illegally, are protected by and subject to U.S. laws. CBP works closely with Homeland Security Investigations (HSI) and other federal partners to ensure that victims of human trafficking will be protected, given safe haven, and referred for medical or other assistance. You can report suspected human trafficking by calling the HSI tip-line at 866-347-2423 (from Canada, Mexico, or the United States) or at 802-872-6199 (from any country), or online at www.ice.gov/tips. Your tip can be provided anonymously. The tip line is staffed 24 hours a day, seven days a week by specially trained HSI personnel.

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