



**U.S. Customs and
Border Protection**

DEC 20 2011

MEMORANDUM FOR: See Distribution (b) (6), (b) (7)(C)
FROM: Executive Director (b) (6), (b) (7)(C)
Admissibility and Passenger Programs (b) (6), (b) (7)(C)
SUBJECT: Expansion of the I-418 Manifest Pilot

On January 10, 2011, a pilot program commenced at the following ports of entry to test gathering and reconciling crew manifest data, based on (b) (7)(E) and (b) (7)(E) transmissions received, rather than the use of the I-418 crew manifest paper copy:

(b) (7)(E)

As of March 1, 2011, the pilot vessel participants were no longer required to provide a hard copy I-418 manifest at the time of the vessels' departure. CBP committed to phasing out the filing of the paper I-418 crew manifest for the current pilot vessel participants by June 1, 2011.

The pilot framework was developed with two steps to encompass "Phase I". The initial step included a verification/validation period for CBP officers and ports to evaluate the capture of data in both electronic and paper format in order to validate that the information captured was the same, as well as identifying any anomalies in the systems used. The second step, implemented March 1, 2011, allowed CBP officers to rely solely on the electronic submissions of data to build the departure manifest, thus eliminating the requirement for the vessel masters and agents to submit the departure manifest in paper format.

Commencing on June 1, 2011, the pilot vessel participants were not required to provide a paper copy I-418 at the first port of arrival, subsequent ports within the United States or upon the final departure of the vessel from the United States. This shift to a full paperless process marked "Phase II" of the pilot. In place of the paper I-418, as is currently required by 8 Code of Federal Regulations (CFR) 251.5, the vessel operators and or agents transmit the crew information via the established eNOAD process, and CBP utilizes this electronic transmission in place of the paper I-418. The vessel transmits any crew changes subsequent to the initial inspection at the port of arrival via the eNOAD system as an electronic notice of arrival (eNOA) before departing for the next port of call. These crew changes include, but are not limited to, the addition of any new crewmembers signing on and any crewmembers signing off the vessel. Additionally, the

initial eNOAD transmission indicates whether nonimmigrant crewmembers will perform longshore work while the vessel is in the United States, and if so, provides the applicable exception per §258 of the Immigration and Nationality Act and 8 CFR 258.2. This is achieved by including this information in the (b) (7)(E) of each eNOAD submission. Documents that currently support the manifest at arrival or departure, such as I-94s, I-95s, I-408s, etc. are still required and are submitted to the CBP seaport office or marine desk at the time the agent files any subsequent paperwork for the vessel and no later than 30 days after the vessel's departure.

Penalty for failure to submit the arrival or departure manifest in paper format, as required under current regulation, (b) (7)(E) pilot. All other fines and penalties are still applicable. In conjunction with the pilot, CBP continues to evaluate the regulatory changes necessary to support this pilot process permanently.

Effective June 15, 2011, CBP expanded the pilot within the existing vessel line participants to encompass all of their full fleets and expanded to the following ports of entry:

- New Orleans Field Office: Gulfport, Mississippi
- San Diego Field Office: San Diego, California
- San Juan Field Office: San Juan, Puerto Rico

Effective June 15, 2011, pilot vessel participants include:

(b) (6), (b) (7)(E)



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(b) (6), (b) (7)(E)

Effective July 15, 2011, CBP again expanded the pilot to include the following ports of entry:

(b) (7)(E)

Effective July 15, 2011, expansion of pilot vessel participants included:

(b) (6), (b) (7)(E)

On August 15, 2011, Vessel Entrance and Clearance processing personnel were no longer required to collect and maintain Form I-418 at the time of formal vessel entrance and clearance processing for those carriers identified as participants in the I-418 manifest pilot as required by CBP regulations (19 CFR 4.7, 4.7a, 4.81, 4.85, & 4.91). See attached memorandum.

Effective January 15, 2012, CBP will conduct a final expansion of the pilot to include the following ports of entry:

(b) (7)(E)

Expansion of pilot vessel participants will include:

(b) (6), (b) (7)(E)

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(b) (6), (b) (7)(E)

In order to successfully implement this pilot at the expansion ports, seaport CBP officers (b) (7)(E) vessels involved in this pilot should have access and become familiar with the attached (b) (7)(E) and the paperless process. The attached Standard Operating Procedures should be viewed as a living document during the pilot process, and can be modified, if needed, as the pilot evolves.

Should you have any questions regarding this memorandum, please have a member of your staff contact Director (b) (6), (b) (7)(C), Enforcement Programs, Admissibility and Passenger Programs, at (b) (6), (b) (7)(C)

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Attachments

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Weekly Muster

Date: As soon as received

Topic: Expansion of the I-418 Manifest Pilot

Headquarters POC: (b) (6), (b) (7)(C) (b) (6), (b) (7)(C)

Office: Admissibility and Passenger Programs/Enforcement Policy Division

- On January 10, 2011, Phase I of a pilot program commenced to test gathering and reconciling crew manifest data, based on (b) (7)(E), rather than the use of the I-418 crew manifest paper copy.

(b) (7)(E)

- As of March 1, 2011, the pilot vessel operators and or agents were no longer required to provide a hard copy of the I-418 manifest at the time of the vessels' departures.
- CBP committed to phasing out the filing of the paper I-418 crew manifest for the pilot vessel participants by June 1, 2011.
- Pilot vessel participants:

(b) (6), (b) (7)(E)

- The shift to a full paperless process marks "Phase II" of the pilot.
- The vessel shall transmit any crew changes subsequent to the initial inspection at the port of arrival via the eNOAD system before departing for the next port of call.
- The initial eNOAD transmission must indicate whether nonimmigrant crewmembers will perform longshore work while the vessel is in the United States.
- Documents that currently support the manifest at arrival and departure, such as I-94s, I-95s, I-408s, etc. are still required.

(b) (7)(E)

- Effective June 15, 2011, CBP expanded the pilot within the existing vessel line participants to encompass all of their fleets and additional CBP ports of entry.

(b) (7)(E)

- Effective July 15, 2011, CBP again expanded the pilot to include the following ports of entry:

(b) (7)(E)

- Expansion of vessel participants included:

(b) (7)(E)

(b) (7)(E)

- Expansion of vessel participants will include:

(b) (7)(E)

(b) (7)(E)

- To successfully implement this pilot at the expansion ports of entry, seaport CBP officers targeting and inspecting vessels involved in this pilot should have access and become familiar with the attached (b) (7)(E) and with the paperless I-418 process (See attached Standard Operation Procedures).