

Maritime Exchange for the Delaware River and Bay
Maritime Operations Committee Single Issue Meeting
August 21, 2007

Minutes

Attendees:

Banacol	Michael Hale		Darleen Michalak
Barwil Unitor	Steve Nutter	Terminal Shipping	Jim Taviano
Delaware Valley Marine	George Bonsall	US Coast Guard	Angela Cooper
GAC Rice, Unruh	Tom Johnston	US CBP	Al Martocci
	Scott Miller		Paul Nardella
	Robert Olsson		Dan Sedley
General Steamship	Kevin Chambliss		Ivan Lebron
	Dominic Colella		John Witiw
	Maylon Price	Wightman Shipping	Steve Clark
Inchcape Shipping	Jerry McDevitt		
Kerr Norton Strachan	John Murphy		
Maritime Exchange	Lisa Hember		

Chairman Tom Johnston, GAC RUR welcomed the group and led introductions.

Issue – Crew members' with a D2 have recently been required to depart foreign via direct flight from Philadelphia prior to vessel departure. Agent members have questioned whether this is a new CBP policy and feel in some cases this is not practical because it is not known when a vessel will berth to be able to get flight schedules. CBP offered the following guidance on the issue:

CBP responded that there has been no change in policy. While CBP prefers repatriating crew to fly directly foreign; repatriating crew members may fly from Philadelphia through another US port. However, if CBP determines that the individual is deemed a risk, CBP will require the crewmember to fly directly foreign.

Such decisions are made on a case by case basis and are based on criteria including, but not limited to: the record of the vessel/steamship line, history of deserters, crew member record, and/or other information.

CBP explained that the Philadelphia port is a large area to control. There have been recent instances where D2 crew members have absconded while being put up overnight in hotels, and about half of the D2 crew members have their passports on their person.

Advance Information - CBP has requested that agents provide advance information on departing crew which will help CBP determine the course of departure. A list of persons to be D2'd

should be provided in advance, even if the entire I408 is not totally prepared yet or the departure flight has not been scheduled. This will give CBP time begin their investigative processes.

CBP Interviews - There are occasions where everything is fine with a D2, but after a face-to-face interview, CBP may decide the person is a risk. CBP can deny a D2 for crew members with visas, and the agency is prevented by law from explaining the reason to anyone but the crew member himself.

CBP also mentioned that sometimes they are called to a ship numerous times while the ship is in port for additional D2 crew members. Dependent on the number of field people, the number of ships in port, and the workload, it is necessary to sometimes conduct interviews at the Custom House.

Deserters - It was also noted that if a vessel has a deserter, CBP and Coast Guard need to know immediately so they can interview the rest of the crew to try to find out where the deserter may have gone. The COTP has the authority to stop the vessel in transit to perform crew interviews.

Armed Guards – Agents requested a written notice for the carrier any time an armed guard is required. CBP responded that the agent can request a letter from CBP confirming the requirement; they will also follow up with the Coast Guard to have the requirement outlined in writing through the Captain of the Port order.

Changes in Schedule – The Committee briefly discussed the limited resources available to conducting vessel boardings, particularly when several inspectors are unavailable concurrently due to illness. Agents requested that CBP notify them when the scheduled boarding time will not be met. Similarly, CBP requested that agents provide updates on vessel arrival time changes.

CBP officers now carry agent contact phone numbers in their cell phones. CBP requested that agents update their contact information and forward it to Vessel Central. This will be especially helpful to CBP to contact the agent if boarding has been deferred.

Faxes to Vessel Central – Faxes should not be addressed to a specific person but simply to Vessel Central to avoid any faxes being placed on the desk of an individual who may not be in the office that day.

Meeting Conclusion - CBP requests information in advance and feels this should alleviate many of the agents' issues. If information is sent to CBP, and ship is six or more days out, the agent should expect to receive a response within 48 hours.