

Southern Currents



Notice to the Area Port of New Orleans Trade Community

Date July 5, 2011

No.: 11-012

SUBJECT: Parole of Crewmembers Onboard Lightering Vessels

U. S. Customs and Border Protection (CBP), Area Port of New Orleans, by issuance of this Southern Currents, hereby provides guidance on the parole of crewmembers onboard lightering vessels that, for technical reasons, do not qualify for the traditional nonimmigrant crew (D) classification. The Area Port of New Orleans will inspect these applicants and if found eligible, parole crewmembers for the amount of time deemed appropriate. These crewmembers will be required to depart foreign prior to the expiration of their paroles.

Paroles for lightering crewmembers *may* be completed onboard the vessel as part of the initial crew inspection, per port policy, and on a case by case basis.

Lightering paroles **will not normally** be granted to a crewmember that has already been inspected as an arriving crewmember and has been granted permission to land.

Lightering paroles **will not** be granted to any crewmember that is not in possession of a valid C1/D visa.

A fee of **\$65.00** U.S., payable at the time of application, will be charged for each crewmember requesting a lightering parole.

Any crewmember that arrives onboard a vessel, and is granted shore leave, should depart foreign as defined in the INA for immigration purposes, prior to the expiration of the 29-day authorized period to land. Failure to comply with terms of the authorized period *may* result in the alien crewmember being served with an I-99, Revocation of Landing Permit.

Travelers in transit to join a commercial vessel, whose crewmembers are currently approved for parole to conduct lightering operations, **should request to be paroled at the time of application [to include at the airport of arrival] for admission.** The decision to grant the parole is solely in the discretion of the approving port of entry.

A crewmember in C-1 status **will not** be eligible for parole upon arrival at the vessel, and will be detained onboard until departure foreign.

The conditions for lightering paroles are as follows.:

1. The agent/master of the vessel must submit, a minimum of 72 hours prior to arrival, a written request for paroles to CBP. The letter must state that the vessel will be engaged in lightering operations and must include an agreement to immediately repatriate any crewmember whose contract has been terminated or cancelled. In addition, the agent/master of the vessel must notify CBP immediately upon the departure of any crewmember in parole status;
2. Provide a valid contract, or official orders, showing that the vessel is to be used in lightering operations, including the companies or parties of the contract/orders and the contract term/duration;
3. Each crewmember must have a valid unexpired D (crewman) visa. Crewmembers not in possession of a valid D visa will be detained on board the vessel and will be required to depart foreign with that vessel;
4. Provide an updated original CBP Form I-418 Passenger List - Crew List;
5. The agent/master must submit a copy of each crewmember's passport biographical and visa page, with the following biographics in American standard text.:
 - a. Height
 - b. Weight
 - c. Hair Color
 - d. Eye Color
 - e. Marital Status
6. The agent/master of the vessel must submit upon the request of CBP, an update of each vessel conducting lightering operations for which crewmembers have been granted parole.

If you have any additional questions please contact Chief CBP Officer Michael J. Ruiz at (504) 623-6651.

Mark S. Charia, for

Mitch M. Merriam
Area Port Director
New Orleans, Louisiana