U.S Customs and Border Protection

Yacht Processing Procedures

May 2, 2019

**Reporting Arrival**

Pursuant to 19 CFR 4.2, operators of small pleasure vessels arriving in the United States from a foreign port or place are required to report their arrival to CBP immediately (see 19 U.S.C. 1433).

**ROAM**

As part of CBP’s comprehensive effort to improve the security of our nation's borders while enhancing legitimate travel, CBP has launched the CBP Reporting Offsite Arrival – Mobile (ROAM) app. The CBP ROAM app is a free mobile application that provides an option for pleasure boaters to report their U.S. arrival to CBP via their personal smart device or a tablet located at local businesses to satisfy the above reporting requirements. Following the launch of ROAM, CBP discontinued the Small Vessel Reporting System.

ROAM is extremely user friendly and is a quicker, and easier way to report foreign arrivals. Instead of Captains needing to spend 45 minutes on the phone to report an arrival the information is sent to CBP directly.

**DTOPS- Decal and Transponder Online Procurement**

You can also apply for and pay for transponders, and/or decals via DTOP at the below website and single crossing fees associated with crossing the borders into the United States.

*Purpose:* For unlimited border crossings in a calendar year.

This option is intended for a vessel that either is new to DTOPS, or had a decal in the past but the annual user fee was not paid the previous year.

*Cost:* $28.84 (U.S.) per calendar year.

[https://dtops.cbp.dhs.gov/main/#](https://dtops.cbp.dhs.gov/main/)

The CBP ROAM app provides the user the ability to pay for a decal via DTOPS. For any questions or concerns about the CBP ROAM app, please email us at cbproam@cbp.dhs.gov.

For more information regarding CBP reporting requirements, please visit:

<https://www.cbp.gov/travel/pleasure-boats-private-flyers/pleasure-boat-overview/roam>

**Admissibility of Passengers and Crew**

8 CFR 235.1 Once an arrival has been reported, an admissibility determination must be made by a CBP Officer. Travelers or crew who require an I-94 or who need to pay duty on imported goods in addition to masters seeking a cruising license must report to the nearest CBP office for additional processing.

The CBP Officer will provide additional instructions to the Master for those onboard to report to an identified CBP locations within a specified time frame or instruct those onboard to remain onboard until a CBP Officer arrives to complete the inspection. Foreign yacht crewmembers will generally present a B1 visa and may receive up to 1 year authorized stay.

**Foreign Affairs Manual updates**

9 FAM 402.8 CBP is working with the Department of State on the preparation of guidance to consular affairs (FAM) on the issuance of crew visas. We are hopeful this will resolve some of the issues involving the issuance of foreign national private vessel crew visas.

**Yachts Applying for a Cruising License**

19 CFR 4.94 addresses the issuance of cruising licenses which exempt foreign yachts from formal entry and clearance procedures (e.g., filing manifests, obtaining permits to proceed and exemptions from the payment of tonnage tax and entry and clearance fees) at United States ports. Section 4.94 was promulgated pursuant to Title 46, United States Code Appendix, 104 (46 U.S.C. App. 104) which authorizes the issuance of cruising licenses to pleasure vessels of countries which extend reciprocal privileges to United States vessels.

Note 46 U.S.C. App. 104 provides that on the basis of reciprocity, foreign yachts may be granted cruising licenses provided they are **"...used and employed exclusively as pleasure vessels..."**

The length of the cruising license is usually dependent upon the description of the vessel's cruise within United States waters; however, pursuant to section 4.94(c) in the discretion of the Director of Field Operations it may remain in force for a period of up to one year from the date of its issuance.

A foreign-flagged yacht sailing between ports of entry in the United States must follow entrance and clearance procedures set forth in 19 C.F.R § 4.9 and 19 C.F.R. § 4.61 if it was not eligible or approved for a cruising license.

**Charters and/or Yachts for Sale**

The Office of Trade, Rulings and Regulations (OT/RR) reviews charter agreements on a case-by-case basis because no two chartering agreements are alike. Questions about charter agreements and the legal consequences that flow from such agreements should be directed to OT/RR.

**Requests for Review**

Prior to requesting a review or a ruling, we strongly recommend you conduct a search of the US Customs Rulings Online Search System (CROSS) database. CROSS is a searchable database of CBP rulings that can be retrieved based on simple or complex search characteristics using keywords and Boolean operators. CROSS has the added functionality of *CROSS* referencing rulings from the initial search result set with their modified, revoked or referenced counterparts.

You may obtain a ruling by going to the CROSS website.

[Customs Rulings Online Search System (CROSS)](http://rulings/)

<https://rulings.cbp.gov/home>

For additional questions, please send an email to Cheryl.C.Peters@cbp.dhs.gov.