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Supply Chain Committee

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IADC™

Supply Chain
Rig Entry/Exit Process For The
United States of America

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This document contains guidance by the IADC Supply Chain Committee that will be beneficial for any drilling contractor whom is bringing a Mobile Offshore Drilling Unit into and out of the United States of America. The benefit of this document to drilling contractors is that it helps the drilling contractor minimize their exposure to incorrect customs clearances, delays, and penalties.

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Suggested revisions to the guidelines are invited and will be considered along with future changes to its content. Suggestions should be submitted to the Director-Offshore Technical and Regulatory Affairs, International Association of Drilling Contractors, 10370 Richmond Avenue, Suite 760, Houston, TX 77042 (713-292-1945).

Controlled Material

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Purpose and Scope

The purpose of this document is to provide drilling contractors with guidance on the requirements of entering and exiting drilling rigs into and out of the United States of America (USA), which also encompasses the Gulf of Mexico (GOM) outer continental shelf (OCS). The benefit of this guidance document is to help ensure all drilling contractors are following the same process when entering and exiting their rigs into the USA. By following this document, this will help drilling contractors reduce their risk of committing customs violations or delays in entering their rigs due to improper rig importation. Any delays could lead to significant financial impact to the drilling contractor if they are unable to begin their drilling campaign on time. This document also helps ensure rigs exit the USA in a timely and compliant manner.

This document for rig entry and exit is categorized into three scenarios:

- 1) MODU (Mobile Offshore Drilling Unit) arrives on location from a foreign port to engage in OCS activities without making a port of call, or for moves between fields on the OCS, and MODU departs the OCS block after completing OCS activities without making a stop at a United States (US) port;
- 2) The MODU arrives at a US Port from a foreign location or from a field on the OCS under its own power or by wet tow; and
- 3) The MODU arrives at a US Port, from a foreign location or from a field on the OCS by dry tow as cargo.

Additionally, this document contains requirements for garbage and food waste removal for all three scenarios.

SCENARIO 1

MODU arrives on location from a foreign port to engage in OCS activities without making a port of call, or from another block on the OCS. Then the MODU departs the OCS block after completing OCS activities without making a stop at a US port.

Requirements for Arrival:

Notify the District Commander (United States Coast Guard - USCG) – 33 CFR 146.202 – Navigation and Navigable Waters

The Drilling Contractor shall notify the USCG through the District Commander 14 days prior to arrival from a foreign port indicating the location of the OCS block that the MODU will operate by submitting form BSEE-0144. The following information must be submitted along with the MODU's COFR (Certificate of financial responsibility).

- The unit's name, nationality, and designation assigned for identification.
- The location and year that the unit was built.
- The name and address of the owner, and the owner's local representative.
- Classification or inspection certificates currently held by the unit.
- The location and date that operations are expected to commence and their anticipated duration.
- The location and date that the unit will be available and ready for inspection by the Coast Guard.

The owner of the MODU must notify in writing the District Commander when the unit is on location on the OCS, and whenever the unit intends to relocate. The USCG requires the Drilling Contractor to notify in writing National Vessel Movement Center (NVMC) 96 hours prior to a MODU arriving on or relocating within an OCS block.

File a Notice of Arrival (eNOA)* with the NVMC (National Vessel Movement Center) – 33 CFR 146.103, 146.104, 146.215, 146.405

*Note – eNOA is required when entering the OCS. Clearing with Customs is not required if the MODU stays outside 12 nautical miles.

The USCG requires that the NVMC is notified 96 hours prior to a MODU arriving or relocating within an OCS block via an electronic Notice of Arrival. The eNOA captures various details such as: vessel requirements, reporting party, voyage information, crew list, cargo, previous ports, and security. Vessel requirements are kept in the form of documents by the Drilling Contractor. Documents must be made available upon request by the USCG.

- Vessel Certificate of Registry 46 CFR Part 67; 33 CFR Part 173
- Load Line Certificate 46 CFR Part 42
- International Tonnage Certificate 46 CFR Part 69
- Certificate of Financial Responsibility 33 CFR Part 135; 33 CFR Part 138
- Operational Condition of Equipment 33 CFR 160.216
- Document of Compliance Certificate 33 CFR Part 96.330
- Safety Management Certificate 33 CFR Part 96; 46 CFR 126.480
- International Ship Security Certificate 33 CFR Part 101; 33 CFR Part 104
- Crew List/Non-Crew List CF I-418
- Voyage Information and ETA
- Previous 5 Ports of Call
- Cargo & Center for Disease Control (CDC) List– Dangerous Goods(DG) Cargo
- Field and Block # where the rig will rest on the OCS
- If tug boats are utilized to transport the rig between two fields on the OCS, eNOA must also be submitted for the lead tug boat only.
- Non-Tank Vessel Response Plan (NTVRP) if applicable.
- Ballast Water Reporting Form (24 hours before arrival at place of destination, or before departure if voyage is less than 24 hours) 33 CFR 151.20
- International Oil Pollution Prevention (IOPP) Certificate 33 CFR 151.19, 19 CFR 4.60(c)

Notify BSEE on the production status of wells - 30 CFR 250.195 – Mineral Resources

Upon commencement, completion or recompletion of a well, the BSEE District Manager must be notified 5 days prior to placing a well into a production status. The following information must be provided in writing to BSEE:

- Lessee or operator name
- Well number, lease number, and OCS area and block designation
- Date you placed the well on production (indicate whether or not this is the first production on the lease)
- Type of production
- Measured depth of the production

Requirements for garbage and food waste disposal:

The US Department of Agriculture (USDA) regulates the disposal of all waste for a period of two years upon arrival to an OCS block from a foreign location. Garbage includes food products, paper products, wood products and ashes from the garbage incinerator are regulated by the USDA. The following are required to dispose waste:

- Cargo Manifest
- Customs entry
- Collection and disposal by an approved carrier of the USDA

Requirements for Departure:

- Notify the District Commander with USCG via the “Rig Movement Notification Report” if departing to another point on OCS with the intent to drill. This is not required when the rig is departing to a foreign location.
- File a Notice of Departure (eNOD) if departing for a foreign port, or an eNOA for OCS to OCS block to block moves with the NVMC (National Vessel Movement Center)
- Notify BSEE District Manager on the production status of wells by telefax or email within 5 working days of placing the well in a production status.

- Vessel Certificate of Registry 46 CFR Part 67; 33 CFR Part 173
- Load Line Certificate 46 CFR Part 42
- International Tonnage Certificate 46 CFR Part 69
- Certificate of Financial Responsibility 33 CFR Part 135; 33 CFR Part 138
- Operational Condition of Equipment 33 CFR 160.216
- Document of Compliance Certificate 33 CFR Part 96.330
- Safety Management Certificate 33 CFR Part 96; 46 CFR 126.480
- International Ship Security Certificate 33 CFR Part 101; 33 CFR Part 104
- Crew List/Non-Crew List CF-I418
- Previous 5 Ports of Call with Dates of Arrival/Departure
- Cargo and Center for Disease Control (CDC) List – Dangerous Goods (DG) Cargo
- Non-Tank Vessel Response Plan (NTVRP) if applicable.
- International Oil Pollution Prevention (IOPP) 33 CFR 151.19, 19 CFR 4.60(c)
- Vessel Entrance or Clearance Statement CF1300*
- Ship’s Stores Declaration CF1303*
- Crew’s Effects Declaration CF1304*

*Note – As long as the MODU stays outside 12 nautical miles, no entrance or clearance is required for Customs. This applies to CF1300, CF1303, and CF1304.

U.S. Customs Requirements Involving Vessel Report of Arrival and Entry

Given the scenario application that a Vessel upon entering the OCS / GOM goes directly on location and attaches to sea floor without transferring personnel or materials, then formal U.S. Customs procedures are not required. In practical application, this scenario seems less likely and as a matter of good practice, a vessel should prepare in advance to adhere to the formal U.S. Customs procedures and forms.

The rig itself is not entered with U. S. Customs due to the fact it doesn’t enter a port, but any transfer of passengers and materials between the rig and a service vessel / helicopter would require those vessels to obtain a clearance prior to departing from a U. S. port and entry on their return to a U. S. Port.

SCENARIO 2

The MODU arrives at a US Port, from a foreign location or from a field block on the OCS under its own power or by wet tow.

Requirements for Arrival:

Report of Arrival:

Vessels must immediately report in writing or verbally to U.S. Customs of the arrival to any port or place within the U.S. as instructed per § 19 U.S.C. 1433 and 19 CFR Part 4.2.

In most ports a Channel Obstruction Notice is required to be submitted with USCG which in some cases is needed 7 days in advance. Make sure your marine agent is well aware of the MODU arrival in order to submit this notice.

Formal Entry:

The MODU must undergo formal entry within 48 hours following arrival, which includes the following documents and procedures required by U.S. Customs (§ 19 U.S.C. 1434; § 19 C.F.R. 4.3; § 19 C.F.R. 4.7):

- Notify the District Commander (USCG)
- File a Notice of Arrival (eNOA) with the National Vessel Movement Center (NVMC) no later than 96 hours in advance
- Customs Bond: Continuous and Carrier's Bond
- Standard Carrier Alpha Code (SCAC) Assigned
- Application – Permit – Special License Unlading – Lading – Overtime Services CF 3171
- Single Bond or Continuous Bond CF301
- Vessel Entrance or Clearance Statement CF 1300
- Inward Cargo Declaration CF 1302

required to clear the rig and at that time any duties, MPF or HMF cost applicable would be paid to Customs

- Vessel identification
- Capacity for fuel and oil
- Gross tonnage

Requirements for garbage and food waste disposal – while at the port:

The US Department of Agriculture regulates the disposal of all waste when domestic status has not been granted or requested. Garbage includes food products, paper products, wood products and ashes from the garbage incinerator which are regulated by the USDA. As garbage is treated and considered as cargo, the following are required to dispose of the waste:

- Cargo Manifest
- Customs entry
- Collection and disposal by an approved carrier of the USDA

Process to obtain domestic status for the removal of garbage and waste:

Garbage must be bagged separately by food items, paper products, wood products, glass and plastics. All food items must be removed from the freezers and refrigerators with the exception of canned goods and glass containers that have not been opened. The kitchen, galley, refrigerator, and freezer must be washed with cleaning agent equivalent to Clorox.

The US Department of Agriculture will perform an on-site inspection and issue a CF 288 if the drilling unit passes the inspection. Once the rig passes inspection the garbage and waste will be considered domestic until the rig departs the US territory.

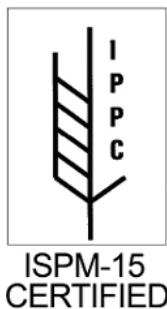
If the rig is not domesticated, then the USDA will need to be present to ensure proper handling of the garbage.

Wood Packing Materials - ISPM 15 Wood:

U.S Department of Agriculture (USDA) and Animal and Plant Health Inspection Service (APHIS) adopted the international phytosanitary standard for regulated

Wood Packing Material (WPM) ISPM 15. USDA enforces the use of approved WPM which applies to wood pallets, wood crating, dunnage, bracing, etc. Wood Packing Materials must be heat treated or fumigated with methyl bromide in accordance with 319.40-3(b)(1), and then marked in accordance with 319.40-3(b)(2) to certify that the WPM has been subject to an approved treatment measure.

Failure to use approved ISPM 15 wood can result in CBP and USDA placing a shipment on hold until the agency can determine if the WPM will need to be destroyed in country or returned to its place of origin as “rejected”. The appointed broker will need to file for a permit to segregate the goods from the WPM which in the end will result in increased costs and delays in the material being released by CBP and USDA. ISPM 15 compliant wood will be stamped as below:



Requirements for Departure:

In most ports a Channel Obstruction Notice is required to be submitted with the USCG, which is needed 7 days in advance. Make sure your marine agent is well aware of the MODU departure in order to submit this notice.

- CF1300 (Clearance) – Vessel Entrance or Clearance Statement 19 CFR 4.61
- Notify in writing with the District Commander with USCG)
- File a Notice of Departure (eNOD) with the National Vessel Movement Center (NVMC) – at least 60 min prior to departure
- Notify in writing with the District Commander with USCG
- Notify in writing to the BSEE on the production status of wells

- Vessel Certificate of Registry 46 CFR Part 67; 33 CFR Part 173
- Load Line Certificate 46 CFR Part 42
- International Tonnage Certificate 46 CFR Part 69
- Certificate of Financial Responsibility 33 CFR Part 135; 33 CFR Part 138
- Operational Condition of Equipment 33 CFR 160.216
- Document of Compliance Certificate 33 CFR Part 96.330
- Safety Management Certificate 33 CFR Part 96; 46 CFR 126.480
- International Ship Security Certificate 33 CFR Part 101; 33 CFR Part 104
- Crew List/Non-Crew List CF-I418
- Previous 5 Ports of Call with Dates of Arrival/Departure
- Provide vessel's next port or place of arrival (field and block #), and Expected Time of Arrival (ETA)
- Electronic Notice of Departure (ENOD)
 - To Foreign Location – needs to be submitted prior to departure
 - To OCS – needs to be submitted minimum 96 hours prior to arrival at point on OCS
- Cargo and Center for Disease Control (CDC) List – Dangerous Goods (DG) Cargo
- Non-Tank Vessel Response Plan (NTVRP) if applicable.
- International Oil Pollution Prevention (IOPP) 33 CFR 151.19, 19 CFR 4.60(c)
- Vessel Entrance or Clearance Statement CF1300

Prior to departure, the following authorities may perform a rig inspection:

- US Coast Guard
- Port Authorities
- US Customs and Border Protection (CBP) including Immigration filings

SCENARIO 3

The MODU arrives at a US Port, from a foreign location or from a block on the OCS by dry tow as cargo

Requirements for Arrival:

As the rig is arriving as cargo, the following is required:

- Bill of Lading
- Importer Security Filing (ISF 10 + 2), which needs acceptance by U.S. Customs 24 hours prior to loading as cargo at the origin. The freight forwarder at the origin must provide the ISF 10 + 2 forms to Drilling Contractor's nominated agent / U.S. Customs broker a minimum of 48 hours prior to loading at the origin. Rig needs to be manifested in ACE within 24 hours prior to being loaded on the heavy lift vessel.
- A Commercial Invoice / Packing List referencing the Shipper/Exporter of Record, Consignee/Importer of Record, Description, country of origin, harmonized tariff code, and value of the rig for import purposes.

Report of Arrival:

Vessels must immediately report to U.S. Customs of arrival to any port or place within the U.S. as instructed per § 19 U.S.C. 1433 and 19 CFR Part 4.2.

Formal Entry:

Vessels must undergo formally entry within 48 hours following arrival which include the following documents in support of procedures required by U.S. Customs (§ 19 U.S.C. 1434; § 19 C.F.R. 4.3 ; § 19 C.F.R. 4.7):

- Notify the District Commander (USCG)
- File a Notice of Arrival (eNOA) with the National Vessel Movement Center (NVMC) – at least 96 hours prior to arrival.
- Customs Bond: Continuous and Carrier's Bond
- Standard Carrier Alpha Code (SCAC) Assigned

- Application – Permit – Special License Unlading – Lading – Overtime Services CF 3171
- Single Bond or Continuous Bond CF 301
- Vessel Entrance or Clearance Statement CF 1300
- Inward Cargo Declaration CF 1302
- Ship’s Stores Declaration CF 1303
- Crew’s Effects Declaration CF 1304
- Passenger’s List - Crew List/Non-Crew List (I-418) and accompanied with CF 5129 – Crew Member’s Declaration and Instructions
- Vessel Certificate of Registry 46 CFR Part 67; 33 CFR Part 173
- Load Line Certificate 46 CFR Part 42
- International Tonnage Certificate 46 CFR Part 69
- Certificate of Financial Responsibility 33 CFR Part 135; 33 CFR Part 138
- Operational Condition of Equipment 33 CFR 160.216
- Document of Compliance Certificate 33 CFR Part 96.330
- Safety Management Certificate 33 CFR Part 96; 46 CFR 126.480
- International Ship Security Certificate 33 CFR Part 101; 33 CFR Part 104
- Previous 5 Ports of Call with Dates of Arrival/Departure
- Cargo and CDC List– DG Cargo
- Non-Tank Vessel Response Plan (NTVRP) if applicable
- Safety of Life At Sea (SOLAS) if applicable
- Ballast Water Reporting Form (24 hours before arrival at place of destination, or before departure if voyage is less than 24 hrs) 33 CFR 151.20
- International Oil Pollution Prevention (IOPP) Certificate 33 CFR 151.19, 19 CFR 4.60(c)
- Electronic Notice of Intent (eNOI) to the Environmental Protection Agency (EPA) a Vessel General Permit at a minimum of 60 days before arrival
- If the rig is arriving into Texas coastal waters, register with Texas General Land Office one-week prior to arrival the following:
 - 24-hour contact information
 - Vessel identification
 - Capacity for fuel and oil
 - Gross tonnage

Requirements for garbage and food waste disposal – while at the port:

The US Department of Agriculture regulates the disposal of all waste when domestic status has not been granted or requested. Garbage includes food products, paper products, wood products and ashes from the garbage incinerator which are regulated by the USDA. Since garbage is treated and considered as cargo, the following are required to dispose of the waste:

- Cargo Manifest
- Customs entry
- Collection and disposal by an approved carrier of the USDA

Process to obtain domestic status for the removal of garbage and waste:

Garbage must be bagged separately by food items, paper products, wood products, glass and plastics. All food items must be removed from the freezers and refrigerators with the exception of canned goods and glass containers that have not been opened. The kitchen, galley, refrigerator, and freezer must be washed with cleaning agent (equivalent to Clorox).

The US Department of Agriculture will perform an on-site inspection and issue a CF 288 if the drilling unit passes the inspection. Once the rig passes inspection the garbage and waste will be considered domestic until the rig departs the US territory.

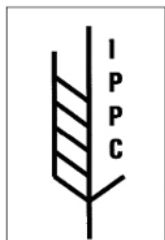
Requirements for Wood Packing Materials - ISPM 15 Wood (7 CFR 319.40):

Wooden pallets, crates, and spools which do not have the proper Wood Packing Material (WPM) stamped symbol with the International Plant Protection Convention (IPPC) will not attain an admittance for importation or discharging as garbage to a U.S. port. It is admittedly recommended that collection and discharging of those items transpire prior to arrival on the OCS. U.S. Customs will require that non-compliant materials incur re-exportation.

The U.S Department of Agriculture (USDA) and Animal and Plant Health Inspection Service (APHIS) adopted the international phytosanitary standard for regulated Wood Packing Material (WPM) ISPM 15. USDA enforces the use of

approved WPM which applies to wood pallets, wood crating, dunnage, bracing, etc. Wood Packing Materials need heat treatment or fumigation with methyl bromide in accordance with 7 CFR 319.40-3(b)(1), and then a marking in accordance with 7 CFR 319.40-3(b)(2) to certify that the WPM has undergone subjection to an approved treatment measure.

Failure to use approved ISPM 15 wood might result in U.S. Customs and USDA placing a shipment on hold until the agency determines if the WPM will need destruction in country or returned to the place of origin as “rejected”. The appointed U.S. Customs broker will need to file for a permit to segregate the goods from the WPM which in the end will result in increased costs and delays in the material attaining a release status from U.S. Customs and USDA.



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Requirements for Departure from a U.S. Port or OCS:

- Notify the District Commander with USCG
- File a Notice of Departure (eNOD) with the NVMC (National Vessel Movement Center) - at least 60 min prior to departure.
- Notify the BSEE on the production status of wells
- Vessel Certificate of Registry 46 CFR 67; 33 CFR 173
- Load Line Certificate 46 CFR 42
- International Tonnage Certificate 46 CFR 69
- Certificate of Financial Responsibility 33 CFR 135; 33 CFR 138
- Operational Condition of Equipment 33 CFR 160.216
- Document of Compliance Certificate 33 CFR 96.330
- Safety Management Certificate 33 CFR 96; 46 CFR 126.480
- International Ship Security Certificate 33 CFR 101; 33 CFR 104

- Crew List/Non-Crew List CF-I418 and accompanied with CF 5129 – Crew Member’s Declaration and Instructions
- Previous 5 Ports of Call with Dates of Arrival/Departure
- Cargo and Center for Disease Control (CDC) List – Dangerous Goods (DG) Cargo
- If tug boats are utilized to transport the rig between two fields on the OCS, eNOAs are also needed for submittal for each tug boat.
- Non-Tank Vessel Response Plan (NTVRP) if applicable.
- Ballast Water Reporting Form (24 hours before arrival at place of destination, or before departure if voyage is less than 24 hours) 33 CFR 151.20
- International Oil Pollution Prevention (IOPP) 33 CFR 151.19; 19 CFR 4.60(c)
- Single Bond or Continuous Bond CF 301
- Vessel Entrance or Clearance Statement CF 1300
- Inward Cargo Declaration CF 1302
- Ship’s Stores Declaration CF 1303
- Crew’s Effects Declaration CF 1304

If tugs are utilized to move the rig from a U.S. port either to the OCS or to foreign port or foreign location then U.S. Customs clearance is required for the tug boats.

Prior to departure, the following authorities may perform a rig inspection:

- U.S. Coast Guard
- Port Authorities
- U.S. Customs including Immigration

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ACRONYMS

Acronym	Description
ACE	Automated Commercial Environment
APHIS	Animal and Plant Health Inspection Services
BSEE	Bureau of Safety and Environmental Enforcement
CDC	Center for Disease Control
CF	Customs Form
CFR	Code of Federal Regulations
COFR	Certificate of Financial Responsibility
DG	Dangerous Goods
eNOA	Electronic Notice of Arrival
eNOD	Electronic Notice of Departure
ETA	Expected Time of Arrival
GOM	Gulf of Mexico
HMF	Harbor Maintenance Fee
HLV	Heavy Lift Vessel
ISF	Importer Security Filing
ISPM	International Standards for Phytosanitary Measures
MODU	Mobile Offshore Drilling Unit

MPF	Merchandise Processing Fee
NVMC	National Vessel Movement Center
OCS	Outer Continental Shelf
SCAC	Standard Carrier Alpha Code
USC	United States Code
USCBP	United States Customs and Border Protection
USCG	United States Coast Guard
USDA	United States Department of Agriculture
WPM	Wood Packing Material

Conclusion

The intent of this document is to help provide guidance and best practices for meeting the United States customs requirements for rig entry, for disposal of garbage and food waste, and for rig departure. The guidance contained in this document only contains all of the items that are required at the time of the creation of this document. It is essential that the drilling contractor whom is using this document also checks to make sure no new requirements were added (or removed) since the creation of this document, preferably through the validation of your local customs agent.

In summary, the aim of the Trade Compliance IADC Sub-Committee is to continue to create guidance documents for the industry that will help minimize exposure to delays in logistics and penalties received due to not meeting regulatory requirements, and to ensure continuity of supply for the MODUs.

References

Bureau of Industry and Security- U.S. Department of Commerce

<http://www.bis.doc.gov/>

U.S. Customs and Border Protection

<http://www.cbp.gov/>

Electronic Code of Federal Regulations

<http://www.ecfr.gov/>