



Boating, the lifestyle of South Florida!

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To Department of State Officers:

The purpose of this letter is to provide information to United States Department of State non-immigrant visa (NIV) issuing officers on non-U.S. citizen yacht crewmembers who are employed or about to be employed onboard foreign-flagged registered private yachts entering U.S. waters.

The Marine Industries Association of South Florida (MIASF) is an 800 member regional marine trade organization based in Fort Lauderdale, which is the renowned 'Yachting Capital of the World'. As an advocate for its members and the recreational marine industry, the MIASF is focused on a wide range of issues through various committees, groups, partnerships and strategic initiatives. One such entity, the MIASF Safety and Security Committee, is responsible for identifying and addressing matters related to waterway, vessel and marine facility safety and security. At recent meetings, it became evident that a significant amount of misinformation had been circulated regarding crew visas.

To assist in clarifying this issue, the MIASF Safety and Security Committee sought assistance and advice from different government agencies familiar with the maritime industry and the processing of crewmembers as to which type of visa(s) are appropriate for non-U.S. citizens wishing to be a crew member on a private foreign flag yacht cruising in U.S. waters or visiting for service or repair. We understand that several options are available but believe the B-1/B-2 multiple entry non-immigrant visa is the most appropriate visa for these crewmembers destined to work or return to work onboard private pleasure yachts.

- B-1/B-2 Multiple Entry Visa

Private pleasure yachts typically obtain a Cruising Permit valid for up to one (1) year to cruise U.S. waters. Being admitted as a B-1 visitor for business from a B-1/B-2 visa allows the crewmember to be onboard for up to six (6) months, with the option for an extension if needed. The B-2 visitor for pleasure designation allows the crewmember to enter the United States for non-work related activities such as vacations with family or visits to relatives. We understand the B-1 visa is the most appropriate for crewmembers entering the United States as crewmembers of a private pleasure yacht, for matters related to ship repairs, to oversee major overhauls and structural modifications and to perform routine matters of ships' business such as buying provisions for their vessel. Some of these activities may occur even if the yacht is not in U.S. waters. The B-1/B-2 classification appears to encompass the type of work performed and tasks associated with working crewmembers on private yachts.

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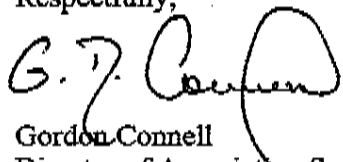
- C1/D Visa

This visa designation sometimes referred to in our business as the “commercial maritime” visa allows a non-U.S. citizen to stay in the U.S. for up to 29 days. It is strictly enforced and does not allow for any extension. We believe this is the appropriate for commercial vessels such as cargo or cruise ships that depart for foreign destinations several hours or days after arrival. While we understand this type of visa could be issued to crewmembers of foreign-flagged private yachts, it places an unnecessary burden on crew members aboard these vessels because they are often needed onboard for longer periods of time while the yacht is cruising in U.S. waters.

The MIA SF respectfully requests that when the decision to issue a non-immigrant visa is made, all Department of State non-immigrant visa issuing officers strongly consider issuing only B-1/B-2 visas to non-U.S. citizen crewmembers on foreign-flagged private yachts entering U.S. waters.

We believe this will assist local immigration officers during the arrival processing of yacht crew and allow our region to continue to enjoy the business generated by these yachts. The economic benefits brought to our area by these crew and yachts are a vital part of the recreational marine industry that has become critically important to our local and state economy.

Respectfully,



Gordon Connell
Director of Association Services



Sabine B. Faerman
Chair, Safety & Security Committee