

**U.S. CUSTOMS AND BORDER PROTECTION**  
**FIELD OPERATIONS, NEW YORK**  
**NEW YORK/NEWARK AREA**

INS-1:AD:N:SO PP

**INFORMATIONAL PIPELINE NO. 04-04**

**TO** : All Importers, Carriers, Terminal Operators, CES Operators and Others Concerned

**SUBJECT** : Confidentiality and Timeliness of CBP Seaport Anti-Terrorism Cargo Exams

**DATE** : JUL 15 2004

***REFERENCE:** New York Region Informational Pipeline No. 2266  
(Centralized Examination Sites in the Newark Area - dated 4/16/93)*

**Purpose**

This pipeline re-emphasizes the need to ensure the timely transfer of containerized cargo to Centralized Exam Sites (CES). Specifically, we need to emphasize that the anti-terrorism/enforcement exams must be transferred without notification to the consignee. Our goal is to complete the anti-terrorism/enforcement exam within seventy-two (72) hours of designation.

**Background**

The original pipeline establishing the CES Program identified two types of examination: enforcement and commercial. Since the establishment of the Department of Homeland Security and the creation of U.S. Customs and Border Protection (CBP), we have expanded the definition of enforcement to include anti-terrorism exams.

Reference is made to the original guidelines that mandated the transfer of containers requiring enforcement exams without notification to the consignee. We expect those guidelines to be followed when addressing the movement of exams that are designated in response to anti-terrorism criteria.

## **Action**

A series of meetings were held with the Trade Community to identify a reasonable timeline for completing anti-terrorism/enforcement exams. We recognize that commercial reasons have dictated some carriers and/or terminal operators to receive "charge guarantees" prior to transferring the container to the CES. Although sympathetic to economic decisions, we cannot allow the anti-terrorism mission to be halted or compromised. Therefore, effective upon receipt of this document, the following operating procedures must be followed:

**When cargo is selected for an Enforcement Exam, it must be moved to the CES exam site within 48 hours of receipt of the transfer authorization from CBP.**

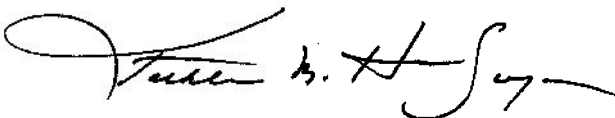
**Cargo selected for examination by CBP can only be delivered to an authorized CES driver.**

**The transfer is not to be delayed pending guarantees of carrier, terminal or examination charges, and all parties involved (Importers, Customs Brokers, Ocean Carriers, NVOCCs, Terminal Operators and CES Operators) must take pro-active measures to ensure that the transfer of the cargo is not delayed.**

**Due to the sensitive nature of this cargo, all possible efforts must be made to preserve the confidentiality of the examination.**

Failure to follow the guidelines above may necessitate CBP intervention to physically escort the cargo to the designated CES. Continued non-compliance may require CBP to re-direct terminal operations.

Any questions concerning these procedures may be directed to the Assistant Area Director, Seaport Operations at 201-443-0200.



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