

# 19 U.S. Code § 1434 - Entry; vessels

Current through Pub. L. [113-296](#), except [113-287](#), [113-291](#), [113-295](#). (See [Public Laws for the current Congress](#).)

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## **(a) Formal entry**

Within 24 hours (or such other period of time as may be provided under subsection (c)(2) of this section) after the arrival at any port or place in the United States of—

- (1) any vessel from a foreign port or place;
  - (2) any foreign vessel from a domestic port;
  - (3) any vessel of the United States having on board foreign merchandise for which entry has not been made; or
  - (4) any vessel which has visited a hovering vessel or has delivered or received merchandise while outside the territorial sea;
- the master of the vessel shall, unless otherwise provided by law, make formal entry at the nearest customs facility or such other place as the Secretary may prescribe by regulation.

## **(b) Preliminary entry**

The Secretary may by regulation permit the master to make preliminary entry of the vessel with the Customs Service in lieu of formal entry or before formal entry is made. In permitting preliminary entry, the Customs Service shall board a sufficient number of vessels to ensure compliance with the laws it enforces.

## **(c) Regulations**

The Secretary may by regulation—

- (1) prescribe the manner and format in which entry under subsection (a) of this section or subsection (b) of this section, or both, must be made, and such regulations may provide that any such entry may be made electronically pursuant to an electronic data interchange system;
- (2) provide that—
  - (A) formal entry must be made within a greater or lesser time than 24 hours after arrival, but in no case more than 48 hours after arrival, and
  - (B) formal entry may be made before arrival; and
- (3) authorize the Customs Service to permit entry or preliminary entry of any vessel to be made at a place other than a designated port of entry, under such conditions as may be prescribed.

## **Source**

(June 17, 1930, ch. 497, title IV, § 434, [46 Stat. 711](#); Aug. 5, 1935, ch. 438, title III, § 301, [49 Stat. 527](#); [Pub. L. 91-271](#), title III, § 301(b), June 2, 1970, [84 Stat. 287](#); [Pub. L. 103-182](#), title VI, § 653, Dec. 8, 1993, [107 Stat. 2210](#); [Pub. L. 106-476](#), title I, § 1452(a)(2), Nov. 9, 2000, [114 Stat. 2167](#).)

## **Prior Provisions**

Provisions similar to those in this section were contained in act Sept. 21, 1922, ch. 356, title IV, § 434, [42 Stat. 951](#). That section was superseded by section 434 of act June 17, 1930, comprising this section, and repealed by section 651(a)(1) of the 1930 act.

Provisions for deposit of the register and other papers previous to entry, and for their return to the master or owner of the vessel on clearance of the vessel, were contained in R.S. § 2790, which was

superseded by act Sept. 21, 1922, ch. 356, title IV, § 434, [42 Stat. 951](#), and repealed by section 642 of that act.

R.S. § 2836, relative to the entry of vessels arriving within the districts of Petersburg or Richmond (abolished by the Plan of Reorganization of the Customs Service set forth in a note to section [1](#) of this title) was also repealed by section 642 of act Sept. 21, 1922, ch. 356.

Special provisions for Astoria and Portland were contained in R.S. §§ 2588–2590, which were also repealed by section 642 of the act of Sept. 21, 1922, ch. 356.

R.S. § 2835, prescribing the duties of masters of vessels bound up James River, Virginia, in regard to deposit of manifests, etc., was repealed by act Mar. 3, 1897, ch. 389, § 16, [29 Stat. 691](#).

Special provisions to facilitate the entry of steamships running in an established line in foreign trade, made by act June 5, 1894, ch. 92, § 1, [28 Stat. 85](#), and extended to steamships trading between Porto Rico and Hawaii and the United States by act May 31, 1900, ch. 600, [31 Stat. 249](#), were repealed by section 6 of act Feb. 13, 1911, ch. 46, the preceding sections of which act made more comprehensive provisions for preliminary entry of any vessel from a foreign port, and for the lading or unlading of such vessels at night. Sections 1 to 4 of said act of 1911, were repealed by section 643 of the act of Sept. 21, 1922, ch. 356.

### **Amendments**

2000—Subsec. (a)(3). [Pub. L. 106–476](#) struck out “bonded merchandise or” before “foreign merchandise”.

1993—[Pub. L. 103–182](#) amended section generally. Prior to amendment, section read as follows: “Except as otherwise provided by law, and under such regulations as the Commissioner of Customs may prescribe, the master of a vessel of the United States arriving in the United States from a foreign port or place shall, within forty-eight hours after its arrival within the limits of any customs collection district, make formal entry of the vessel at the customhouse by producing and depositing with the appropriate customs officer the vessel’s crew list, its register, or document in lieu thereof, the clearance and bills of health issued to the vessel at the foreign port or ports from which it arrived, together with the original and one copy of the manifest, and shall make oath that the ownership of the vessel is as indicated in the register, or document in lieu thereof, and that the manifest was made out in accordance with section [1431](#) of this title.”

1970—[Pub. L. 91–271](#) substituted reference to appropriate customs officer for reference to collector.

1935—Act Aug. 5, 1935, inserted “or document in lieu thereof” after “indicated in the register”.

### **Effective Date of 2000 Amendment**

Amendment by [Pub. L. 106–476](#), except as otherwise provided, applicable with respect to goods entered, or withdrawn from warehouse, for consumption, on or after the 15th day after Nov. 9, 2000, see section 1471 of [Pub. L. 106–476](#), set out as a note under section [58c](#) of this title.

### **Effective Date of 1970 Amendment**

For effective date of amendment by [Pub. L. 91–271](#), see section 203 of [Pub. L. 91–271](#), set out as a note under section [1500](#) of this title.

### **Transfer of Functions**

For transfer of functions, personnel, assets, and liabilities of the United States Customs Service of the Department of the Treasury, including functions of the Secretary of the Treasury relating thereto, to the Secretary of Homeland Security, and for treatment of related references, see sections [203 \(1\)](#), [551 \(d\)](#), [552 \(d\)](#), and [557](#) of Title [6](#), Domestic Security, and the Department of Homeland Security Reorganization Plan of November 25, 2002, as modified, set out as a note under section [542](#) of Title [6](#).

This is a list of parts within the [Code of Federal Regulations](#) for which this US Code section provides rulemaking authority.

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