

CBP Private Air Preclearance Summary Guide



U.S Customs and Border Protection
Office of Field Operations

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Executive Summary

On February 23, 2010, Department of Homeland Security (DHS) Secretary Janet Napolitano and U.S. Ambassador to Ireland Daniel M. Rooney formally announced the expansion of preclearance services for private aircraft departing Shannon Airport for the United States beginning March 1, 2010. Under the preclearance expansion, pilots of private aircraft may request preclearance of private aircraft flights from Shannon, Ireland to a specific, designated airport or airport facility in the United States that is approved and capable of handling and processing international garbage as required by the U.S. Department of Agriculture. This document contains information about the preclearance process, answers to Frequently Asked Questions, and the most recent list of U.S. airports at which precleared flights from Shannon, Ireland, may arrive.

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Private Aircraft Preclearance Procedures

Pilots of private aircraft may request preclearance of private aircraft flights from certain, specific CBP preclearance locations to a specific, designated airport in the United States.

The preclearance processing of private aircraft is accomplished through 7 steps:

1. Request for Services.
2. APIS Submission.
3. Appointment Confirmation/Notifications.
4. Preclearance Services Performed.
5. Flight Closeout and Departure
6. Departure Notifications.
7. Flight Arrival in the United States.

It should be noted that CBP performs point-to-point preclearance. Unauthorized diversions are not allowed; private aircraft are precleared from the CBP preclearance port to a specific, designated airport or airport facility that is approved and capable of handling and processing international garbage as required by the U.S. Department of Agriculture.

As indicated in Title 19 of the Code of Federal Regulations (CFR), section 122.32, CBP has the authority to limit the locations where aircraft entering the U.S. from a foreign area may land. As such, aircraft must land at the airport designated in their APIS transmission unless instructed otherwise by CBP or changes to the airport designation are required for aircraft and/or airspace safety as directed by the FAA flight services.

After all preclearance operations have been completed, the aircraft/flight is cleared for immediate departure from the CBP Preclearance Port for arrival directly in to the specified, approved CBP port of entry.

The coordinated CBP preclearance process serves to grant the private aircraft pilot permission to land and/or landing rights, as applicable or required.

CBP Agriculture Specialists at the Port of Entry will coordinate with the private aircraft pilot (or the pilot's representative) and the fixed base operator to ensure compliance with proper procedures for the handling, removal, and processing of international regulated garbage.

Through the preclearance process, effective communication is critical. The preclearance port initiates communication through messages and updates with the domestic CBP offices and the pilot (and/or representative), ensuring that all affected parties are kept informed and apprised of the aircraft's status.

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1. Request for Services

Pilot Submission of Preclearance Service Request

The preclearance process begins with the private aircraft pilot (or their representative) requesting an appointment with CBP for preclearance services. This request is made using procedures prescribed by the Preclearance Port Director. Although a private aircraft pilot may choose to utilize a third-party representative (agent, ground handler, fixed based operator, etc.) to request preclearance services, ultimately, the accuracy of the information provided to CBP (preclearance service request, APIS manifest, etc.) is the responsibility of the private aircraft pilot.

For private aircraft pilots requesting preclearance services, the following information must be provided to CBP:

- **Requested Date and Time of the Preclearance Appointment** – Local and ZULU times.
- **Tail Number** – Generally the number permanently affixed to the tail of the aircraft.
- **Decal Number** – The number of the annual user fee decal affixed to the aircraft.
- **Flight Itinerary** – Including the U.S. airport of arrival and any foreign airports visited within the previous 24 hours. The U.S. airport of arrival must have an approved compliance agreement to handle international regulated garbage.
- **Estimated Time of Arrival (ETA)** – The estimated time of arrival in to the predetermined U.S. port of arrival.
- **Estimated Time of Departure (ETD)** – The estimated time of departure from the preclearance processing location.
- **Number of Travelers Onboard**
- **Number of U.S. Citizens Onboard**
- **APIS Transmission Received By CBP (Y/N)** – Has an APIS manifest been transmitted to CBP at the time of the request for services?
- **Pilot (and/or representative, if applicable) Information** – including name, telephone number and email address.

Additional information may be requested at the discretion of the CBP preclearance port and should be provided in order to facilitate the preclearance request. The pilot (or representative) should contact the preclearance port regarding any questions related to port-specific procedures.

2. APIS Submission

In general, private aircraft pilots are responsible for submitting notice of arrival and manifest information regarding each individual onboard the aircraft within APIS manifests to CBP no

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later than 60 minutes prior to the scheduled departure of flights destined for the United States from a foreign port or place.

For preclearance service requests, the pilot will be responsible for submitting APIS manifest information to CBP no later than 60 minutes prior to the ***scheduled time of preclearance processing (or as instructed by the preclearance port)***. Failure to submit APIS data within the timeframe prescribed by the Preclearance Port Director may result in delay or denial of preclearance services.

The pilot may authorize another party to submit the information on their behalf, but the pilot remains responsible for the submission, accuracy, correctness, timeliness, and completeness of the APIS information.

Before APIS data is submitted to CBP, the private aircraft pilot is responsible for comparing the travel document presented by each individual to be transported onboard the aircraft with the travel document information he or she is transmitting to CBP to ensure that the information is correct, the document appears to be valid for travel purposes, and the individual is the person to whom the travel document was issued.

3. Appointment Confirmations and Notifications

Preclearance Appointment Eligibility

CBP officers at the preclearance station are responsible for reviewing the preclearance service request information as submitted by the private aircraft pilot and determining if the flight is eligible for preclearance services. Eligibility can be determined by staffing, hours of operation, etc.

Preclearance services may be cancelled (schedule changes, flight plan changes, etc.) or denied at any time before or during the inspection process. CBP may deny preclearance services for reasons including (but not limited to):

- A failure to meet conditions for preclearance processing.
- The pilot boards travelers or articles that have been denied entry by CBP.
- The aircraft is carrying cargo or merchandise that requires post-entry processing.
- A request by the CBP destination port or another DHS entity.
- If the requirements of other U.S. agencies are not met (e.g. USDA handling of international garbage).
- Unexpected circumstances or urgencies affecting the preclearance port's ability to provide services.
- Other instances where travelers, articles, or aircraft conveyance are specifically identified as requiring post-clearance processing

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4. Preclearance Services Performed

Upon arrival of the private aircraft at the preclearance facility, CBP officers and CBP Agriculture Specialists are responsible for enforcing CBP laws in addition to laws of other U.S. agencies such as the Federal Aviation Administration (FAA), the Food and Drug Administration (FDA), United States Department of Agriculture (USDA), U.S. Fish and Wildlife Service, etc.

CBP Preclearance officers will process all travelers (passengers and crewmembers) and articles, as well as physically inspecting the private aircraft conveyance.

Traveler Processing

Upon arrival at the CBP preclearance facility, the private aircraft pilot is responsible for the following, regarding traveler processing:

- Prior to entering the CBP facility, all travelers and articles must pass through airport security screening, if available.
- All travelers and articles (including, but not limited to, baggage, merchandise, and personal items) must be presented together to CBP for examination in the CBP facility area.
- All travelers and articles that have been precleared by CBP must be kept isolated from uncleared travelers and articles until the time of departure.

Aircraft Inspection

A physical search or examination of the private aircraft by CBP will be conducted. In preparation for examination of the aircraft, the private aircraft pilot must:

- Clear all baggage, personal articles, and merchandise from the aircraft.
- Open all storage compartments.
- Power down all systems, including the engine, radio, and auxiliary power unit (APU).

5. Flight Closeout and Departure

Once preclearance processing has been completed and CBP has approved the aircraft for departure, the pilot must ensure all cleared travelers and articles are onboard the aircraft. In addition, the aircraft door must be secured until the time of departure. Failure to do so may result in cancellation of the precleared status of the aircraft. In these cases, it is the decision of the Preclearance Port Director to re-clear the flight or cancel the precleared status.

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6. Departure Notifications

Once preclearance processing has been completed and CBP has approved the aircraft for departure, CBP at the preclearance airport will coordinate communication with CBP at the U.S. airport of arrival.

7. Flight Arrival in to the United States

Upon arrival in to the United States, CBP Agriculture Specialists at the Port of Entry will coordinate with the private aircraft pilot (or the pilot's representative) and the fixed base operator to ensure compliance with proper procedures for the handling, removing, and processing of international regulated garbage. Meals and other food that were available for consumption by passengers and crew on the aircraft but were not consumed are considered to be regulated garbage, and must be bagged and processed as such.

Travelers and articles are subject to re-inspection at the discretion of the port director.

If for any reason, including emergencies or weather, an aircraft must land at an airport different from the airport designated in the APIS transmission:

- The pre-cleared status of the aircraft is no longer valid. The pilot must schedule the arrival of the aircraft in the U.S. in the same manner as if preclearance processing had not been completed.
- Notice shall be given to CBP at the intended place of first landing, (nearest international airport, or nearest port of entry) as soon as possible by the pilot, pilot's requestor, or aircraft owner.
- The CBP Port Director whose area of responsibility covers the airport where the diverted aircraft arrived will consider the totality of the circumstances (emergencies, weather, etc.) and determine whether re-inspection of the aircraft and its travelers is warranted.
- If re-inspection is required, the pilot should keep all travelers in a separate place at the landing area until CBP officers and/or CBP Agriculture Specialists arrive.
- The pilot should keep all merchandise and baggage together and unopened at the landing area until CBP officers arrive.

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