

CBP Preclearance of General Aviation Summary Guide



U.S. Customs and Border Protection

Office of Field Operations

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SUITABLE FOR PUBLIC DISSEMINATION

U.S. Customs and Border Protection (CBP) has provided preclearance services for General Aviation (private aircraft and unscheduled commercial charter aircraft) flights at the Shannon International Airport since March 1, 2010. CBP expanded its international reach with the establishment of an additional preclearance operation providing service for private and unscheduled charter flights in Aruba.

For General Aviation preclearance, the U.S. destination must be approved and capable of handling and processing international garbage as required by the U.S. Department of Agriculture.

CBP is now offering general aviation preclearance in Aruba. CBP general operations at Aruba require additional assurances that precleared flight departures from the location are direct and sterile for the entire flight path to the designated U.S. airport.

This document contains information about the preclearance process. For answers to Frequently Asked Questions and the most recent list of U.S. airports at which precleared private and unscheduled charter flights may arrive in the United States, please visit our website at www.cbp.gov.

General Aviation Aircraft Preclearance Procedures

Operators of General Aviation aircraft may request preclearance of General Aviation aircraft flights (private aircraft and unscheduled charter aircraft) from certain, specific CBP preclearance locations to a specific, designated airport in the United States. The CBP preclearance processing of General Aviation aircraft is accomplished through eight 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. Aircraft Flight Behaviors
8. Flight Arrival in the United States

It should be noted that CBP performs point-to-point preclearance. General Aviation aircraft are precleared from a CBP Preclearance location to a specific, designated airport or airport facility approved and capable of handling and processing international garbage as required by the U.S. Department of Agriculture. After all preclearance operations have been completed for a particular flight, the aircraft/flight is cleared for immediate departure from the CBP Preclearance location for direct arrival at the specified, approved CBP port of entry. Unauthorized diversions from the point-to-point flight description outlined in APIS are not allowed.

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, precleared 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 Federal Aviation Administration (FAA) flight services.

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

CBP Agriculture Specialists at the arrival Port of Entry will coordinate with the aircraft commander (or representative) and/or 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 CBP Preclearance location manages the entire point-to-point process through communication with the arrival CBP port and the operator (and/or representative), ensuring that all affected parties are kept informed and apprised of the aircraft's status.

1. Request for Services

The preclearance process begins with an appointment request with CBP for preclearance services. This request is made using procedures prescribed by the Preclearance Port Director for the location where preclearance is being requested. While requests may be made through a third-party representative (agent, ground handler, fixed based operator, etc.), ultimately, the accuracy of the information provided to CBP (preclearance service request, APIS manifest, etc.) is the responsibility of the aircraft commander (private aircraft) or the aircraft operator (charter aircraft).

The following must be submitted within a CBP preclearance service request:

- 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 CBP Annual User Fee decal affixed to the aircraft (private aircraft only).
- 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. A list of these airports can be found at www.cbp.gov.
- 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? Services will not be provided without an APIS manifest submission.
- Pilot (and/or representative, if applicable) Contact Information – including name, telephone number and email address.

Additional information may be requested at the discretion of the CBP Preclearance location and must be provided in order to facilitate the preclearance request. Any questions related to port-specific procedures should be addressed directly to the Preclearance Port office.

2. APIS Submission

In general, GA operators are responsible for submitting notice of arrival and manifest information regarding each individual onboard the aircraft within APIS manifests to CBP no 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, APIS manifest information must be submitted prior to the request for preclearance services (or as instructed by the Preclearance location). Failure to submit APIS data within the timeframe prescribed by the Preclearance Port Director may result in delay or denial of preclearance services.

Before APIS data is submitted to CBP, the aircraft commander (private aircraft) or the aircraft operator (charter aircraft) must compare the travel document presented by each individual to be transported onboard the aircraft with the travel document information being transmitted to CBP in order to ensure 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

After a request for CBP preclearance services has been made, CBP officers at the Preclearance location will determine if the flight is eligible for preclearance services. Eligibility is determined by a number of factors, including timeslot availability and the preclearance facility's hours of operation.

Preclearance services may be cancelled (for reasons such as schedule changes or flight plan changes) or denied at any time before or during the inspection process. Reasons why CBP may deny preclearance services include (but are not limited to):

- A failure to meet conditions for preclearance processing.
- The pilot or operator boards travelers or articles that have been denied entry by CBP.
- The aircraft is carrying cargo or merchandise that requires formal entry upon arrival.
- A request or denial 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 location's ability to provide services.

- Other instances where travelers, articles, and/or the aircraft conveyance are specifically identified as requiring post-clearance processing.

4. Preclearance Services Performed

Upon arrival of the aircraft at the preclearance facility, CBP officers and CBP Agriculture Specialists are responsible for enforcing various federal laws, including those related to the Federal Aviation Administration (FAA), the Food and Drug Administration (FDA), United States Department of Agriculture (USDA), and U.S. Fish and Wildlife Service.

CBP Preclearance officers are responsible for processing all travelers (passengers and crewmembers) and articles traveling onboard the aircraft. CBP Preclearance officers are also responsible for inspecting the aircraft.

Criminal violations identified by CBP officers are subject to referral to law enforcement officials with jurisdiction at the location of the preclearance facility.

Traveler Processing

With regard to traveler processing, the aircraft commander is responsible for the following:

- 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 aircraft by CBP will be conducted. In preparation for examination of the aircraft, the aircraft commander must:

- Clear all baggage, personal articles, and merchandise from the aircraft.
- Open all storage compartments.
- For aircraft equipped with an Auxiliary Power Unit (APU) whose exhaust is located 8 feet or higher from the ground, the APU may remain powered and any electrical systems served by the APU (navigational, comfort, safety, etc.) may remain powered as well. For small to mid-size aircraft with an APU exhaust configured less than 8 feet off the ground, the APU will be powered down. Utilization of a GPU (Ground Power Unit) is authorized for all aircraft.

5. Flight Closeout and Departure

Once preclearance processing has been completed and CBP has approved the aircraft for departure, the aircraft commander must ensure all precleared 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.

6. Departure Notifications

Once preclearance processing has been completed and CBP has approved the aircraft for departure, CBP at the preclearance location will coordinate communication with CBP at the U.S. airport of arrival, granting the operator landing rights and/or permission to land at the domestic CBP port, as applicable.

7. Flight Behavior of Precleared Aircraft

All operators of precleared General Aviation aircraft must still abide by all other applicable CBP requirements and regulations. In addition, precleared aircraft arriving in to the U.S. from the South must comply with 19 C.F.R. § 122.23 and must:

- Utilize a transponder that reports aircraft position and altitude (i.e., Mode C, Mode S);
- Fly in accordance with instrument flight rules (IFR); and
- Maintain altitudes above 12,500 feet mean sea level (unless otherwise instructed by Federal Aviation Administration controllers).

8. 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 aircraft commander (or 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.

Precleared travelers and articles are always subject to re-inspection at the discretion of the CBP 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 precleared status of the aircraft may no longer be valid. In cases of diversions, the aircraft commander 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 aircraft commander.
- The CBP Port Director whose area of responsibility covers the airport where the diverted aircraft has arrived will determine whether re-inspection of the aircraft and its travelers is warranted.
- If re-inspection is required, the pilot must keep all travelers in a separate place at the landing area until CBP officers and/or CBP Agriculture Specialists arrive.
- The pilot must keep all baggage and personal effects together and unopened at the landing area until CBP officers and/or CBP Agriculture Specialists arrive.