U.S. Customs and Border Protection

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Customs Notification

- Part 91 – Private/Non-Revenue
  - Pre-notification
  - Update
  - File with APIS both outbound/inbound
  - Required documents
  - Customs declaration cards (CF 6059B)
  - Customs decal ([www.CBP.gov](http://www.CBP.gov))
Customs Form 6059B

Private/Non-Revenue (Part 91) APIS

- Why is Private Non-Revenue APIS different from APIS for commercial and charter operations?
  - CBP deviated from the WCO/IATA PAXLIST format.
  - Additional data fields added to end the requirement for operators to present a completed CF178 on arrival.
  - Customized for General Aviation and subject to evolve.
UNEdifact (Commercial APIS)

- UNEdifact
- What is it?
  - UNEdifact is a standard Electronic Data Interchange (EDI) message set approved for use by the United Nations/Electronic Data Interchange for Administration, Commerce and Trade (UN/EDIFACT) under the auspices of the United Nations Economic Commission for Europe (UN/ECE).
  - The International Air Transport Association (IATA) and the World Customs Organization (WCO) adopted the Passenger List (PAXLIST) message set for use by all scheduled air carriers for the transmission of passenger and crew data to border control authorities in the United States.

Customs Notification

- Part 135/125/121 – Commercial/Charter/Cargo
  - Inbound notification
    - Pre-notification
    - Update
    - Transmit inbound APIS
  - Outbound notification
    - Fax general declaration
    - Follow up with phone call to obtain outbound clearance approval (in hardcopy or verbal format)
    - Transmit outbound APIS
Customs Notification

• Required Documents (Pt. 135/125/121)
  – General Declaration (CF 7507)
  – Customs Bond (CF301)
  – Crew Declarations (CF5129)
  – Aircraft/Vessel Report (CF I-92)
  – Crewman’s Landing Permit (CF I-95 for non-US crew only)

Customs Form 7507
Customs Form 301

Customs Form 5129
Customs Form I-92

Customs Form I-95
Customs Notification

- Airports of Entry
  - International
    - Usually 24/7 hours of operation
    - 1 hour notification required
  - Designated
    - Southern border airports/first port of entry entering the U.S. from the south
  - Landing rights
    - Prior permission required to land
    - Usually 24-hour notice required
  - User fee
    - Costs associated with user fee airports

Agriculture

- Notification Process
- Information required by agents
- Availability of Facilities
  - Airport with facilities
  - Airports without facilities
- De-catering
  - Notification and Process
US-VISIT Program

- **US-VISIT - United States Visitor and Immigrant Status Indicator Technology**
  - US-VISIT requires that most foreign visitors traveling to the U.S. on a visa have their two index fingers scanned and a digital photograph taken to verify their identity at the port of entry. Most international airports are equipped with the full ten-finger scanners now.

- **Visa Requirements**
  - Foreign Crew require a C1D visa
  - Combined transit and crewman visa
  - Foreign Passengers require a minimum B-1 or B-2 Visa
  - Temporary Visitor for business/pleasure
  - U.S. Permanent Resident Card Holder, Canadian or Bermudan National
  - No Visa Required

NSEERS

- **National Security Entry / Exit Registration System**
- **What is it?**
  - Non-immigrant alien visitors subject to NSEERS registration packet at the port of entry for their arrival / departure interview.
  - Certain citizens or nationals of Iran, Iraq, Libya, Sudan and Syria, as designated by the DHS Secretary in the Federal Register.
  - Non-immigrants who have been designated by the State Department
  - Any other non-immigrants, male or female, regardless of nationality, identified by immigration officers at airports, seaports and land ports of entry in accordance with 8 CFR 264.1(f)(2)
Border Over Flight Exemption Program

- What Is It?
- Permission to overfly first point of entry into U.S.
- Required if:
  - Arriving into the U.S. from a foreign origin south of 30 deg. North latitude on the Atlantic side and arriving 33 deg. north latitude on the Pacific side within the western hemisphere

Border Over Flight Exemption Program

- Requirements
  - Complete all application forms required by U.S. Customs Service (CF 442)
- Application process
  - Complete application submitted to U.S. Customs Over flight
- Coordinator
  - Single – 15-day processing time
  - Term – 30-day processing time
Visa Waiver Program

- The Visa Waiver Program (VWP) enables citizens of certain countries to travel to the United States for tourism or business for 90 days or less without obtaining a U.S. visa
- Operator must possess a signed agreement with DHS to act as a Signatory Carrier in the VWP
- 36 countries are participating at this time; passenger must hold a valid passport of one of the following countries:
  - Andorra, Iceland, Norway, Australia, Ireland, Portugal, Austria, Italy, San Marino, Belgium, Japan, Singapore, Brunei, Liechtenstein, Slovenia, Slovakia, Denmark, Luxembourg, Spain, Finland, Monaco, Sweden, France, the Netherlands, Switzerland, Germany, New Zealand, United Kingdom, Czech Republic, Estonia, Hungary, Republic of Korea, Latvia, Lithuania, Greece and Malta
- Pax only. Crew are NOT allowed to enter under VWP

Visa Waiver Program

- Electronic System of Travel Authorization
  - Effective January 12, 2009, all VWP travelers will be required to obtain an electronic travel authorization prior to boarding a carrier to travel by air or sea to the U.S. under the VWP
  - Log onto the ESTA Web site at [https://esta.cbp.dhs.gov](https://esta.cbp.dhs.gov) and complete an online application in English. Travelers are encouraged to apply early. The web-based system will prompt you to answer basic biographical and eligibility questions typically requested on a paper I-94W form.
  - Applications may be submitted at any time prior to travel; however, DHS recommends that applications be submitted no less than 72 hours prior to travel. In most cases you will receive a response within seconds.
  - ESTA is NOT a substitution for a U.S. Visa
  - Passengers MUST be travelling on a Signatory Carrier
- Side Trips
  - Trips to Canada, Mexico, or the Adjacent Islands (Caribbean) are allowed as long as the passenger retains their I-94W tab for re-entry into the U.S.
I-94W / I-94

Visa Waiver Program

• Pros and Cons
  • Without agreement
    – $200+ fee charged on arrival per passenger by CBP Immigration official
    – $3,300 fine per passenger issued by national fines office to carrier
  • With agreement
    – No fees or fines are charged
    – I-94W cards are issued specific to your company and are completed prior to arrival
    – No expiration – blanket agreement
**CARICOM / APIS**

- The Caribbean Community/Advance Passenger Information System
- **What is it?**
  - Legislation has been passed which provides for an obligation for APIS to be transmitted to the ten (10) participating member states within the single domestic space for ALL air and sea carriers arriving at and departing from, each member state.
- **Member States:**
  - Antigua and Barbuda, Barbados, Dominica, Grenada, Guyana, Jamaica, St. Kitts and Nevis, St. Lucia, St. Vincent and the Grenadines, Trinidad, and Tobago.

**Global APIS**

- **What countries are next to implement an APIS requirement and what operators will it effect?**
- EU Countries and Australia have moved to implement the system and we are awaiting a start date.
- Canada, Mexico, Japan, India, etc.
EINN U.S. Customs Pre-Clearance

- U.S. Customs Pre-Clearance available at Shannon, Ireland (EINN)
  - Available for Private (Non-Revenue - Part 91) aircraft starting March 1, 2010
  - Available to Charter (For Hire - Part 135, 125) on a case by case basis starting on June 1, 2010
    - NLT 48 Hours prior notification to arrange
  - Hours of Operation
    - Sunday-Friday, 0700-1900 (cut off time 1800hrs to begin)
    - Saturday, 0700-1500
  - Aircraft must arrive into a U.S. airport authorized to handle agriculture by the U.S.D.A and CBP
    - A list of USDA Approved Airports can be found at CBP.gov
    - An FAQ sheet for EINN Pre-Clearance can be found CBP.gov

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