## **CBP** Private Air APIS Guide



U.S. Customs and Border Protection Office of Field Operations

> Version 2.0 January 2010

#### **Executive Summary**

Advance Passenger Information System (APIS) regulations require APIS manifests to be submitted to U.S. Customs and Border Protection (CBP) for all private aircraft arriving from or departing for a foreign port or place. APIS regulations also require that electronic notices of arrival and departure and electronic manifests relative to travelers (passengers and crew) be submitted to CBP within specific timeframes. For detailed information on the APIS regulations, see *Advance Information on Private Aircraft Arriving and Departing the United States*, 73 Fed. Reg. 68,295 (Nov. 18, 2008) (19 CFR 122.22). Additional information on these requirements and procedures for private aircraft arriving in and/or departing from the United States is available in the "Guide for Private Flyers." These publications, along with other resources, are available at http://www.cbp.gov/xp/cgov/travel/pleasure\_boats/private\_flyers/.

This guide serves to describe the criteria used and the manner in which CBP evaluates an APIS manifest for compliance with CBP requirements. APIS manifests are evaluated for submission timeliness, manifest completeness, data element sufficiency and compliance with APIS regulation validation rule sets.

This guide does not purport to address every possible circumstance under which CBP may issue a penalty in connection with the APIS legal requirements, but is instead intended as general guidance to assist persons responsible for complying with APIS regulations. This document does not create or confer any right or benefit on any person or party, private or public.

## Table of Contents

I. APIS Manifest Requirements	3
II. APIS Manifest Submission Process	5
III. Data Element Validation Rules	6
A. Aircraft Information	6
<b>B.</b> Flight Details – Arrivals in the United States	8
C. Flight Details – Departures from the United States	10
D. Traveler Information	13
IV. Changes to Manifests	18
V. How CBP Enforces APIS Requirements	19

Appendix	Notice of Arrival and Notice of Departure Worksheets	i
rependix	Toblee of mining notice of Departure Worksheets	1

## **I. APIS Manifest Requirements**

Pilots of all private aircraft arriving in the U.S. from a foreign port or place, or departing the U.S. for a foreign port or place are required to submit manifest information electronically to CBP for each individual traveling onboard the aircraft.

APIS manifest submissions can be transmitted through the CBP Electronic Advance Passenger Information System (eAPIS) web portal or another CBP-approved electronic data interchange system. EAPIS is a web portal (<u>https://eapis.cbp.dhs.gov</u>) that enables users to create, manage, and submit APIS manifests. A notice of arrival or notice of departure is required in the same transmission as the corresponding arrival or departure traveler manifest information. This complete transmission will hereafter be referred to as an "APIS manifest" in this guide.

Notices of arrival or departure submitted outside the eAPIS web portal or other CBPapproved electronic data interchange system do not satisfy electronic manifest submission requirements.

Telephone calls, ADCUS messages, faxes, e-mails, etc., do not meet electronic manifest submission (APIS) requirements (unless expressly authorized by CBP in a particular case). However, these types of informational communication are always encouraged and may be required by the CBP port of entry *in addition* to the electronic APIS manifest requirements discussed in this guide.

Please note that APIS regulations do not apply to flights between the United States and the U.S. Virgin Islands, Puerto Rico, Guam, or the Commonwealth of the Northern Mariana Islands, as these locations are considered part of the United States for APIS purposes. Notice of arrival requirements previously in place for flights from the U.S. Virgin Islands still apply and can be found in Title 19 of the Code of Federal Regulations, section 122, subpart N.

Additionally, private aircraft APIS regulations do not apply to overflights of foreign airspace, provided the private aircraft departs and arrives in the U.S. and does not land at a foreign port (or overflights of U.S. airspace that do not include a U.S. arrival or departure).

The private aircraft pilot is responsible for ensuring that the APIS manifest is transmitted to CBP:

- 1) In a manner that meets all quality standards: completeness, data element sufficiency, as well as overall compliance with APIS regulation validation rule sets.
- 2) In a manner that meets all timeline submission requirements:
  - For flights originally destined for the United States, no later than 60 minutes prior to departure of the aircraft from the foreign port or place; or
  - For flights not originally destined to the United States, but diverted to a U.S. port due to an emergency, no later than 30 minutes prior to arrival; in cases of non-

compliance, CBP will take into consideration that the pilot may not have been equipped to transmit the manifest and the circumstance of the emergency situation; or

• For flights departing the United States for a foreign port or place, no later than 60 minutes prior to departure.

Failure to transmit an APIS manifest according to the above guidelines and/or failure to obtain permission to depart from DHS prior to departure (as required under 19 CFR 122.22(b)(6), (c)(5)), may result in penalty case initiation against the pilot-in-command of the aircraft.

### **II. APIS Manifest Submission Process**

While APIS manifests submitted through the eAPIS web portal or another CBP-approved electronic data interchange system work to fulfill APIS reporting requirements, landing rights and other procedural interactions with the CBP local port still apply. The three steps for submitting an APIS manifest are outlined below:

- 1) Complete the transmission of the APIS manifest through eAPIS, another CBP-approved electronic data interchange system, or a CBP-approved service provider. This will serve as the electronic notice of arrival/departure and traveler manifest submission. CBP recommends that the pilot keep a printed copy of the manifest.
- 2) When an APIS manifest is received by CBP, an email receipt is generated and sent to the email address associated with the sender's eAPIS account. This email receipt will indicate whether the travelers are cleared for arrival in to or departure from the U.S. or if additional steps are necessary. CBP also recommends that the pilot keep a printed copy of the email receipt for future reference.
- 3) Follow all (**if any**) instructions contained in the email receipt. The instructions will assist in the completion of any additional arrival/departure and/or landing rights procedures that may be required.

# Notice of Arrival and Notice of Departure Worksheets are provided in the appendix of this guide. Completion of the worksheets is not required but may help in the gathering of required information prior to beginning the submission process.

For eAPIS manifest uploads or alternate submission methods, the extensible markup language (XML) schema is not addressed specifically in this guide. For more information on the use of the XML schema, please see the *CBP Private Air APIS Business Rules* available at www.cbp.gov.

## **III. Data Element Validation Rules**

This section will serve to describe data elements required by APIS regulations and how these elements are evaluated for sufficiency.

#### A. Aircraft Information

#### Aircraft Tail Number

The "Aircraft Tail Number" is the registration identification marking generally affixed to the tail of the aircraft. For U.S.-registered aircraft, this is also known as the N-number.

<u>**CBP Data Element Validation:**</u> Data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted. The tail number must include <u>all</u> letters and numbers (for aircraft registered in the United States, this includes the "N").

Examples:

N1234 (no error) N\*123 (error, illegal character) 1234 (error, "N" missing)

#### **Type of Aircraft**

The "Type of Aircraft" field should contain the make and model of the aircraft.

**<u>CBP Data Element Validation</u>**: Error if missing or invalid. This field is free text alphanumeric and includes special characters.

Examples:

Cessna 400 (no error) Beechcraft King Air 350 (no error)

#### **Aircraft Colors**

This element should include the color scheme of the aircraft with the base color(s) first, followed by the trim color(s).

<u>CBP Data Element Verification</u>: Alpha and some special characters only (apostrophe, dash, period and space) are permitted.

#### Call Sign

This is the "Aircraft Identification" as filed in the FAA flight plan. In some cases, the call sign may be the same value as the tail number.

<u>**CBP Data Element Validation:**</u> This free text alphanumeric field is not validated. This information should be included if it is available.

#### **CBP Issued Decal Number**

<u>**CBP Data Element Validation:**</u> Data must be numeric. No alpha or special characters or spaces are permitted.

For information on how to obtain a CBP Decal, please go to <u>http://www.cbp.gov/xp/cgov/travel/pleasure\_boats/user\_fee/user\_fee\_decal.xml</u>.

#### **Operator Name**

The operator will be either an individual or company. Either the name fields or company name field should be completed, not both. The middle name of the individual is required if applicable.

**<u>CBP Data Element Validation</u>**: Error if missing or invalid. Only alphabetic characters are permitted but inclusion of a hyphen or apostrophe is acceptable in the name fields. If a business entity is used, alphanumeric and the following special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space.

#### **Operator Address**

<u>**CBP Data Element Validation:**</u> Data should be alphanumeric and special characters as required for each field (e.g. email address may contain "@"). The following special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space.

#### **Owner/Lessee Name**

See Operator Name section above.

#### **Owner/Lessee Address**

See Owner/Lessee Address section above.

#### **B.** Flight Details – Arrivals to the United States

#### **Date of Aircraft Arrival**

**<u>CBP Data Element Validation</u>**: The date must be numeric in month (MM), day (DD) and year (YYYY) format. Error if missing or invalid.

Examples:

05-31-2009 (no error) 13-12-2009 (error, invalid month) 05-32-2009 (error, invalid day) \*5-&5-2009 (error, invalid, illegal characters in month and date fields)

#### U.S. Arrival Information - Name of Intended U.S. Airport of First Landing

<u>**CBP Data Element Validation:**</u> "Airport" data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted. For notices of arrival, the "Airport" is generally the four-character International Civil Aviation Organization (ICAO) code of the intended airport of arrival. This element is validated from the table provided in eAPIS.

Pilots may only arrive at approved CBP airports of entry (from the table provided in eAPIS) unless permission has been otherwise granted by CBP to arrive at another port or place (Fixed Base Operator (FBO), landing strip, etc.). CBP, based on security or other risk assessments, may limit the locations where aircraft entering the United States from a foreign port or place may land.

Pilots seeking to arrive at an unlisted location should contact the CBP port of entry closest to the proposed landing site.

If an arrival has been approved at an unlisted location:

- 1) Enter the closest CBP port of entry (from the table provided in eAPIS) to the approved landing site in the "Airport" field, and
- 2) Describe the actual place of arrival in the "Arrival Location Description" field. The "City" field should be the city where the aircraft is actually arriving.

## Foreign Departure Information - Place of Last Departure (ICAO airport code, when available)

<u>**CBP Data Element Validation:**</u> "Airport" data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted.

Departures from a foreign port or place can originate from almost anywhere. *If the last foreign departure point is from a port or place that does not have an ICAO airport code, use the ICAO airport code of the airport nearest to the departure site.* The "Country" element is validated from the table provided in eAPIS. The "City" field should be the foreign city from which the aircraft is actually departing.

#### **Complete Itinerary**

This is a list of all foreign airports landed at within the 24 hours prior to landing in the United States.

**<u>CBP Data Element Validation</u>**: This is a free text field. Data should be alphanumeric.

Five airports may be entered. These values should be the 4-character ICAO codes of the foreign airports visited prior to the foreign departure location if the trip originates at other than the "Place of Last Departure."

#### **Estimated Time of Arrival**

This is the local estimated time of arrival at the U.S. location.

**<u>CBP Data Element Validation:</u>** Only numeric data from 0001-2400 is permitted.

The time should be entered in HHMM military format (24-hour clock), where 2:20 a.m. = 0220, 10:15 a.m. = 1015, and 3:45 p.m. = 1545.

Examples:

0030 (no error) 2430 (error, invalid time)

#### Estimated Time and Location of Crossing U.S. Border/Coastline

<u>**CBP Data Element Validation:**</u> This is a free text field. Data should be alphanumeric and some special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space. This element is required. Error if missing or invalid.

This element should be the time and location where the aircraft is expected to cross the U.S. border when arriving in to the U.S. This location value may be given as a physical description or a latitude and longitude reading and is the pilot's description of what is expected or planned at the time of the APIS manifest submission. *Changes to the "Estimated Time and Location of Crossing U.S. Border/Coastline" do not necessitate manifest resubmission.* 

Examples:

1000 Zulu, 15 miles SE of Miami 15:30 UTC, Niagara Falls, US/Canada border 11:15am local, 31.25977,-110.874023 (latitude and longitude)

#### 24-Hour Emergency Point of Contact Information

**<u>CBP Data Element Verification:</u>** See "Operator Name" section above.

Full name and telephone number are required for the 24-hour emergency point of contact. An email address is not required but is strongly recommended. In the event of a DHS response email with special instructions, a copy will also be sent to this email address.

#### **<u>C. Flight Details – Departures from the United States</u>**

#### **Date of Aircraft Departure**

**<u>CBP Data Element Validation</u>**: The date must be numeric in month (MM), day (DD) and year (YYYY) format. Error if missing or invalid.

Examples:

05-31-2009 (no error) 13-12-2009 (error, invalid month) 05-32-2009 (error, invalid day) \*5-&5-2009 (error, invalid, illegal characters in month and date fields)

#### Foreign Arrival Information - Name of Intended Foreign Airport of First Landing

<u>**CBP Data Element Validation:**</u> "Airport" data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted. For notices of arrival, this element is validated from the table provided in eAPIS.

The "Airport" is the four-character ICAO code of the intended airport of arrival.

#### **U.S. Departure Information - Place of Last Departure**

<u>**CBP Data Element Validation:**</u> "CBP Airport" data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted. For notices of departure, this element is validated from the table provided in eAPIS.

Departures from the U.S. can originate from virtually anywhere. *If the last U.S. departure point is from a port or place that does not have an airport code listed in the table provided in eAPIS, use the airport code of the nearest CBP airport to the departure site.* In the "Actual Departure Location Description" field, describe the actual place from which the aircraft will depart. This is an optional field which should be used only when the location of actual departure differs from the airport listed in the "CBP Airport" field.

The "City" field should be the actual city from which the aircraft is departing.

Examples:

An aircraft is departing from Wittman Regional Airport (KOSH) in Oshkosh, WI. KOSH is not listed as a CBP airport of departure. For this flight, the CBP airport closest to the point of departure is Austin Straubel International Airport (KGRB) in Green Bay, WI. The CBP airport of departure ("Airport") should be entered as KGRB. The actual city of departure ("City") is Oshkosh. The "Actual Departure Location Description" may be entered as KOSH.

#### **Complete Itinerary**

This is a list of all intended foreign airport destinations for the 24 hours following departure.

**<u>CBP Data Element Validation</u>**: This is a free text field. Data should be alphanumeric.

Five airports may be entered. These values should be the 4-character ICAO codes of the additional foreign airports that will be visited if the final destination of the trip is other than the "Intended Foreign Airport of First Landing."

#### **Estimated Time of Departure**

This is the local estimated time of departure from the U.S. location.

#### **<u>CBP Data Element Validation:</u>** Only numeric data from 0001-2400 is permitted.

The time should be entered in HHMM military format (24-hour clock), where 2:20 a.m. = 0220, 10:15 a.m. = 1015, and 3:45 p.m. = 1545.

Examples:

0030 (no error) 2430 (error, invalid time)

#### Estimated Time and Location of Crossing U.S. Border/Coastline

**<u>CBP Data Element Validation</u>**: This is a free text field. Data should be alphanumeric and some special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space. This element is required. Error if missing or invalid.

This element should be the time and location where the aircraft is expected to cross the U.S. border when departing the U.S. This location value may be given as a physical description or a latitude and longitude reading and is the pilot's description of what is expected or planned at the time of the APIS manifest submission. *Changes to the "Estimated Time and Location of Crossing U.S. Border/Coastline" do not necessitate manifest resubmission.* 

Examples:

1000 Zulu, 15 miles SE of Miami 15:30 UTC, Niagara Falls, US/Canada border 11:15am local, 31.25977,-110.874023 (latitude and longitude)

#### 24-Hour Emergency Point of Contact Information

**<u>CBP Data Element Verification:</u>** See "Operator Name" section above.

Full name and telephone number are required for the 24-hour emergency point of contact. An email address is not required but is strongly recommended. In the event of a DHS response email with special instructions, a copy will also be sent to this email address.

#### **D.** Traveler Information

All document data should reflect the information from the travel document biographical page.

**Full Name** consists of last, first, and, if available, middle name data elements:

#### Last Name

<u>**CBP Data Element Validation:**</u> Error if missing or invalid. Only alpha characters are permitted but the inclusion of a hyphen or apostrophe is acceptable.

Examples: O'Neill (no error) Sm#th (error, illegal character)

#### First Name

<u>**CBP Data Element Validation:**</u> Error if missing or invalid. Only alpha characters are permitted and the complete first name is required. Initials should not be used. Name data should be entered as it appears on the travel document (biographical data page of a passport, alien registration card, etc.). Name elements should not include name prefixes or suffixes (Mr., Mrs., Jr., etc.) unless included in the travel document.

Examples: \$\\$ohn (error, illegal character) J (this is only acceptable if it matches the travel document information)

In cases where the traveler only has a single name in the travel document (first or last), the single name should be entered in the "Last Name" field. The "First Name" field should not be left blank; it should be filled with "FNU". The use of "FNU" (First Name Unknown) should be limited to instances where the person's legal name consists of one single name.

#### Middle Name

<u>**CBP Data Element Validation:**</u> The middle name data is only required if applicable (if it is included in the travel document) and will only be counted as an error if invalid characters are submitted. Only alpha characters are permitted.

#### **Status On Board the Aircraft**

#### **<u>CBP Data Element Validation:</u>** Error if missing or invalid.

When adding a crewmember, the traveler's status on board the aircraft must be selected as "pilot" or "crew". CBP recognizes that the operation of certain aircraft may require multiple pilots. In an APIS context, the "pilot" is the individual responsible for the operation of the aircraft while in flight; the "pilot-in-command" of the aircraft. Therefore, for APIS purposes, only one "pilot" can be designated per flight manifest.

The "pilot" is solely responsible for the accuracy, correctness, completeness, validity, and timeliness of the notice of arrival/departure and traveler manifest APIS submission. Any other person serving in good faith toward the furtherance of the manifested flight should be entered as "crew" in the APIS manifest submission.

#### **Traveler Gender**

**<u>CBP Data Element Validation</u>**: Error if missing or invalid. Only submissions of "M" for male and "F" for female are accepted.

#### Date of Birth

**<u>CBP Data Element Validation</u>**: The date must be numeric in month (MM), day (DD) and year (YYYY) format. Error if missing or invalid.

Examples:

05-31-2002 (no error) 13-12-1970 (error, invalid month) 05-32-1970 (error, invalid day)

#### **Country of Residence**

#### **<u>CBP Data Element Validation:</u>** Error if missing or invalid.

Examples:

BHS (no error – Bahamas) BHR (no error – Bahrain) BAH (error, invalid country code)

The "Country of Residence" value is validated against the table provided in eAPIS.

#### **Country of Citizenship**

**<u>CBP Data Element Validation</u>**: Error if missing or invalid. The citizenship submission should reflect data contained within the biographical page of the travel document.

Examples:

BHS (no error – Bahamas) BHR (no error – Bahrain) BAH (error, invalid country code)

The "Country of Citizenship" value is validated against the table provided in eAPIS.

#### **Pilot Street Address**

This should be the permanent address of the pilot-in-command of the aircraft.

<u>**CBP Data Element Validation:**</u> Data should be alphanumeric and special characters as required for each field. The following special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space.

#### Address While in the United States

A U.S. address must be submitted for all travelers onboard the aircraft whether arriving or departing the United States. For travelers who reside in the U.S., the value will most likely reflect their U.S. home address. For travelers who reside outside the U.S., the value should reflect where they will stay (or did stay) during their visit in the U.S. The U.S. address submission should include valid street, city, state, and zip code data.

<u>**CBP Data Element Validation:**</u> Data should be alphanumeric and special characters as required for each field. The following special characters are permitted: forward slash, back slash, hyphen, apostrophe, the "at" sign (@), period, comma and space.

Blatantly invalid data submissions will be identified as an error and may result in penalty case initiation (i.e., "Unknown", "Refused", "Passenger declined", etc.).

Example: If a Canadian family is flying in to the United States to attend AirVenture Oshkosh and will be setting up a tent by their aircraft, then the correct "Address While in the United States" to use would be the physical address of the Wittman Regional Airport (KOSH) where they are camped:

525 W 20<sup>th</sup> Avenue Oshkosh, WI 54902 **Document Information** - The APIS submission for each traveler must include a DHS-approved travel document when required for travel by law and/or regulation. For APIS purposes, the travel document data required for entry into the United States is the same travel document data required for departure from the United States.

The eAPIS web portal affords the user the ability to submit up to two travel documents for each traveler. For pilots of private aircraft, a travel document used to make entry in to the United States (i.e., passport, alien registration card, etc.) is required in the first document field and a pilot's license is required in the second document field.

There are some rare instances where a traveler may choose to have two travel documents submitted (most likely an alien registration card and a passport) on his/her behalf. When a traveler has an alien registration number, it must be submitted as one of the document types. In any case, a second document entry that is not specifically listed in the available document types, such as a driver license or a state-issued identification card, is not required and should not be submitted.

There are four common elements associated with document submissions: document type, document number, document country of issuance, and document expiration date.

#### 1) DHS-Approved Travel Document Type

Examples: Passport, U.S. Permanent Resident Card, U.S. Alien Registration Card

#### **<u>CBP Data Element Validation:</u>** Error if missing or invalid.

Acceptable documents may vary between crew document 1, crew document 2, passenger document 1 and passenger document 2. Please select from the drop-down list in eAPIS.

In most cases, a second document is not needed for a passenger. Pilots, though, always require a second document; the pilot's license.

#### 2) DHS-Approved Travel Document Number

<u>**CBP Data Element Validation:**</u> Error if missing or invalid. Data must be alphanumeric – no spaces or special characters (dots, hyphens, number signs, dashes, slashes, etc.) are permitted.

#### 3) DHS-Approved Travel Document Country of Issuance

<u>**CBP Data Element Validation:**</u> The value in this field should be the three-character country code of the country that issued the document.

Example: A United States passport issued by the U.S. Embassy in London, England, is still issued by the United States. The "Country of Issuance" is "USA".

The "Country of Issuance" value is validated against the table provided in eAPIS.

#### 4) DHS-Approved Travel Document Expiration Date

When required and available, i.e. pilot's licenses and a small group of passports may not have expiration dates. In cases where a document has no expiration date listed, the expiration date should be left blank.

<u>**CBP Data Element Validation:**</u> The date must be numeric in month (MM), day (DD) and year (YYYY) format. Error if missing or invalid.

Examples:

05-31-2012 (no error) 13-12-2012 (error, invalid month) 05-32-2012 (error, invalid day) \*5-&5-2012 (error, invalid, illegal characters in month and date fields)

Although eAPIS allows for the selection "No Document Provided", CBP regulations require that the DHS-approved travel document type, number, country of issuance and expiration date (where applicable) be included in the manifest submission if a travel document is required to enter the U.S.

The "No Document Provided" selection is reserved for rare emergency instances. In cases where "No Document Provided" values are submitted, CBP will take into consideration the circumstances of the emergency before any penalty case initiation.

## **IV. Changes to Manifests**

The private aircraft pilot is obligated to make necessary changes to the APIS manifest after it has been transmitted to CBP. If changes to an already submitted manifest are necessary, an updated and amended manifest must be resubmitted to CBP.

If additional travelers are added to an already-submitted manifest, an updated manifest submission with the new traveler information is required. When a traveler on an already-submitted manifest does not travel on the flight, current CBP policy does not require submission of an updated manifest.

Certain changes to an already-submitted manifest do not require electronic resubmission. Flight cancellations, changes in expected time of arrival (ETA)/departure (ETD), or changes in arrival/departure location may be submitted telephonically, by radio, or through existing processes and procedures.

On a limited case-by-case basis, CBP may permit a pilot to submit or update notice of arrival or departure and arrival/departure manifest information telephonically when unforeseen circumstances preclude submission of the information via eAPIS. Under such circumstances, CBP will manually process the notice of arrival/departure and traveler manifest information provided by the pilot; the pilot is required to wait for CBP screening and approval to depart. In these cases, the pilot should contact the CBP airport of arrival/departure for assistance.

Changes in ETA and arrival location must be coordinated with the CBP arrival location to ensure that resources are available to inspect the arriving aircraft.

If an updated manifest is submitted, any approval to depart previously granted by CBP is invalid. The private aircraft pilot must receive approval from CBP for the amended manifest before the aircraft may depart.

## V. How CBP Enforces APIS Requirements:

CBP enforces APIS compliance through three types of penalty case initiation processes:

- 1) No APIS MANIFEST: A syntactically compliant APIS manifest has not been received by CBP for an arrival from or a departure for a foreign port or place.
- 2) Late APIS MANIFEST: An APIS manifest has not been received by CBP within prescribed timelines for an arrival from or a departure for a foreign port or place.
- **3) Insufficient APIS MANIFEST:** An APIS manifest has been received by CBP that contains invalid, incorrect, or incomplete information.
- 4) Failure to follow DHS instructions: Prior to departure to or from the United States, the pilot of a private aircraft must receive a message from DHS approving departure and follow any instructions contained therein prior to departure.

The pilot is ultimately responsible for the validity, accuracy, completeness and timeliness of the APIS manifest even if submitted through a third party. In the event of an APIS deficiency, CBP will consider the circumstances surrounding the alleged infraction before any APIS penalty case initiation occurs. Pilots are encouraged to describe any and all mitigating factors when APIS deficiencies are identified.

As explained in the comments section of the "Advance Information on Private Aircraft Arriving and Departing the United States" final rule, APIS penalty cases are assessed against the aircraft pilot in the amount of \$5,000 for the first violation and \$10,000 for each subsequent violation. For additional information regarding the assessment and mitigation of these penalties, please refer to "Customs Administrative Enforcement Process: Fines, Penalties, Forfeitures and Liquidated Damages" available at www.cbp.gov.

## **APIS Guide Updates:**

The most recent version of this guide can be found at <u>www.cbp.gov</u>.

#### **Contact Information:**

Please direct all questions, comments, or concerns about this guide by emailing <u>Private.Aircraft.Support@dhs.gov</u> or by calling (704) 329-6118.

## **Appendix**

## **Notice of Arrival Worksheet**

**Completion of this worksheet is not required, but it may help in the gathering of required information prior to beginning the submission process.** Completing this worksheet does not fulfill any notice of arrival/landing rights requirements. All information must be transmitted through eAPIS or another CBP-approved electronic data interchange system.

Notice of Arrival				
Aircraft Tail Number:				
Foreign Departure Information				
Country: Airport: City: Date: ETD Local Time:				
Flight Itinerary – Airports within 24 Hours of Departure (ICAO airport codes):				
Estimated Time and Location of Crossing U.S. Border or Coastline:				
U.S. Arrival Information				
Airport:  Date:  ETA Local Time:  City:  State:				
Arrival Location Description:				
24 Hour Emergency Contact Information				
Last Name: First Name: Middle Name:				
Telephone Number:     Email Address:				
Traveler Counts – Crew: Passengers:				

## Notice of Arrival Worksheet (continued)

Aircraft Information			
Type of Aircraft:	Color:		
Call Sign:	CBP Decal Number:		
Aircraft Operator Information	1		
Last Name:	First Name:	_ Middle Name:	
OR Company Name:			
Street Address:	Apartment or Suite Nut	mber:	-
City:	_ State/Province:	_ Zip/Postal:	_ Country:
Telephone Number:	Fax Number:	_ Email Address:	
Aircraft Owner/Lessee Inform	ation		
Owner Name –			
Last Name:	First Name:	_ Middle Name:	
OR Company Name:			
Street Address:	Apartment or Suite Nu	mber:	-
City:	_ State/Province:	_ Zip/Postal:	_ Country:
Telephone Number:	Fax Number:	_ Email Address:	

## Notice of Arrival Worksheet (continued)

<b>Crew Information</b>			
Crew Details			
Last Name:	First Name:	_ Middle Name:	
City of Birth:	State or Province of Birth:	Country of Birth:	
Date of Birth:	_ Crew Member Status (pilot or crew): _	Gender (M or F):	
Country of Residence:	Country of Citizens	ship:	
Permanent Address – Street Address:			
Address While in the U.S. – Street Address:			
City:	State/Province: Zip	/Postal:	
Document Information       Document 1     Document Type:			
Document Number:	Country of Issuance:	Expiration Date:	
Document 2 (must be "pilot's license" if status is "pilot") Document Type:			
Document Number:	Country of Issuance:	Expiration Date:	

## Notice of Arrival Worksheet (continued)

Passenger Information				
Last Name:	First Name: Middle Name: O	Gender:		
Country of Residence	ce: Date of Birth: Country of Citizenship:			
Address While in th	he U.S.			
Street Address:				
City:	State/Province: Zip/Postal:			
Document Information				
Document 1	Document Type:			
Document Number:	Country of Issuance: Expiration Date:			
Document 2	Document Type:			
Document Number:	Country of Issuance: Expiration Date:			

#### **Notice of Departure Worksheet**

**Completion of this worksheet is not required, but it may help in the gathering of required information prior to beginning the submission process.** Completing this worksheet does not fulfill notice of departure requirements. This information must be transmitted to CBP electronically through eAPIS or another CBP-approved electronic data interchange system.

Notice of Departure				
Aircraft Tail Number:				
U.S. Departure Information				
CBP Airport: City: State: Date: ETD I	Local Time:			
Actual Departure Location Description:				
·				
Foreign Arrival Information				
Country: Airport: City: Date: ET	ГА Local Time:			
Flight Itinerary – Intended Foreign Airport Destinations for 24 Hours Following Departure (ICAO airport codes):				
Estimated Time and Location of Crossing U.S. Border or Coastline:				
24 Hour Emergency Contact Information				
Last Name: First Name: Middle Name:				
Telephone Number: Email Address:				
Traveler Counts – Crew: Passengers:				

## Notice of Departure Worksheet (continued)

Aircraft Information				
Type of Aircraft:	Color:			
Call Sign:	CBP Decal Number:			
Aircraft Operator Information	1			
Last Name:	First Name:	_ Middle Name:		
OR Company Name:				
Street Address:	Apartment or Suite Nur	nber:		
City:	_ State/Province:	Zip/Postal:	_ Country:	
Telephone Number:	Fax Number:	_ Email Address:		
Aircraft Owner/Lessee Information				
Owner Name –				
Last Name:	First Name:	_ Middle Name:		
OR Company Name:				
Street Address:	Apartment or Suite Nur	nber:		
City:	_ State/Province:	Zip/Postal:	_ Country:	
Telephone Number:	Fax Number:	_ Email Address:		

## Notice of Departure Worksheet (continued)

<b>Crew Information</b>			
Crew Details			
Last Name:	First Name:	Middle Name:	
City of Birth:	State or Province of Birth:	Country of Birth:	
Date of Birth:	_ Crew Member Status (pilot or crew): _	Gender (M or F):	
Country of Residence:	Country of Citizens	hip:	
Permanent Address – Street Address: City: State/Province: Zip/Postal: Country:			
Address While in the U.S. – Street Address:			
City:	State/Province: Zip/	/Postal:	
Document Information       Document 1     Document Type:			
Document Number:	Country of Issuance:	Expiration Date:	
Document 2 (must be "pilot's license" if status is "pilot") Document Type:			
Document Number:	Country of Issuance:	Expiration Date:	

## Notice of Departure Worksheet (continued)

Passenger Information				
Last Name:	First Name: Middle Name:	Gender:		
Country of Residence	e: Date of Birth: Country of Citizenship:			
Address While in th	ne U.S.			
Street Address:				
City:	State/Province: Zip/Postal:			
Document Information				
Document 1	Document Type:			
Document Number:	Country of Issuance: Expiration Date: _			
Document 2	Document Type:			
Document Number:	Country of Issuance: Expiration Date: _			