

AOPA

Brief: Modified rules issued by the Department of Homeland Security (DHS) affecting private aircraft on international flights

The modified rules issued by the Department of Homeland Security (DHS) affecting private aircraft on international flights goes into effect on Dec. 18 and becomes mandatory on May 18, 2009. The new rules, as defined in the Federal Register, are much more workable and realistic than what was originally proposed by U.S. Customs and Border Protection (CBP). For any questions regarding the new rule, call AOPA's aviation specialists at 800/USA-AOPA.

AOPA's consultant for Central American affairs Rick Gardner runs Caribbean Sky Tours based in Mexico and regularly flies between the United States and destinations in Mexico, the Bahamas, and Central America. He flies into and out of many airports in remote locations with little to no telecommunication infrastructure. Based on his extensive experience, he has developed a variety of scenarios that you could face when flying across the border and offers some suggestions on how to comply with the new regulations.

Overview of the new rules:

Under the new rules, pilots must present a departure notification and an outbound manifest to CBP electronically using the electronic Advance Passenger Information System (eAPIS) no later than 60 minutes prior to departure. In addition, pilots must present an arrival notification and manifest no later than 60 minutes prior to departure using eAPIS. Pilots who make international flights are well aware that the infrastructure in some foreign countries, home to many popular tourist destinations, can be very limited making the use of any electronic system a challenge.

The new rules allow pilots of private flights to file the outbound and inbound notifications and manifests at any time provided it is at least 60 minutes prior to departure. In addition, changes in departure time and point from the United States when outbound, as well as arrival location and time in the United States when inbound, can be changed via telephone, radio, or through existing processes and procedures. The new rules state "On a limited case-by-case basis, CBP may permit a pilot to submit or update a notice of arrival and arrival/departure manifest information telephonically when unforeseen circumstances preclude submission of the information via eAPIS."

Let's review how pilots can take advantage of the provisions in the new rule to make their flights as efficient as possible.

Before you depart the United States:

File before you go: As a general rule, pilots should always file their departure notification, departure manifest, arrival notification, and arrival manifest before they ever leave home, regardless of the destination and expectations regarding Internet access. This should be done as soon as the trip planning is complete and the pilot is certain of the information required.

File a realistic departure time: For minimum hassle, file a departure time that can be easily met. It is far less stressful to hang around the airplane for an additional 15 minutes and have the opportunity to make one last check to make sure that you have not forgotten anything than to be rushing to try and make the departure time and risk overlooking an important safety item.

Bring the necessary information: Make sure that you have your eAPIS information with you including the Web site URL and your username and password in the event that changes need to be made out of the country or you have to use someone else's computer. Don't forget to bring CBP telephone numbers with you. Telephone numbers to the CBP command center as well as CBP offices at the

airports identified as designated airports of entry can be found in the CBP Guide for Private Flyers on the [AOPA International Flight Planning page](#).

Bring a cell phone. Since many factors can affect your departure time, you have the option of calling CBP from the ramp if your departure time has varied from what you originally filed. You can also contact flight service via radio to have the information relayed to CBP. Many cell phones will also work in foreign countries offering you an option for communication; however, you need to be familiar with the dialing procedures for the country you will be traveling to.

While outside the United States:

Fuel the plane as soon as possible: One of the common reasons for delays on departure is the availability of the fuel truck or ramp personnel. If possible, fuel the plane before the day of departure to avoid this possibility.

Check weather: Another common reason for delays is weather. Check the weather a few days before your departure date and get an idea of the weather picture.

Let the airport know: Most foreign countries require that you depart from an international airport and that you check in with immigration, customs, and civil aviation authorities. Call the airport the morning of the trip (or the day before) to make sure that any aircraft that may have been parked blocking you are moved and that customs, immigration, and the DGAC (Mexico's equivalent of the FAA) will all be present when you plan to depart.

Don't expect a quick turn: One of the attractions of international destinations is the laid-back attitude and environment. This can also apply to the airport, so don't plan on a tight schedule and build in plenty of time so that you do not have to rush or exceed your filed departure and arrival times.

Take action as soon as you know: If a change in departure date will be required for any reason, call CBP at the airport you plan to land at as soon as you know and see if they will change the date in the eAPIS system for you. If they will not, then at least you have more time to find a place with Internet service to do it yourself or call someone in the United States to do it for you.

Call Flight Service in the United States:

- On the ground: Flight service can provide you with important weather and FDC and local notam information for the United States and Mexico that may not be available from your departure point in Mexico. They can also capture your flight plan information to alert CBP when you contact them in the air to obtain your discrete squawk code to cross the Air Defense Identification Zone in the event that your flight plan information from Mexico does not arrive in a timely manner.
- In the air: If your ETA or your U.S. destination has changed, ask flight service to relay it to CBP as soon as possible. Make sure that you allow sufficient time for CBP personnel to be present at the airport where you plan to land.