

Good morning,

Overflight Exemption Application Processing (new applications – including expired Exemptions, renewal requests, operator name changes) will take no more than thirty (30) days, there is no charge or fee associated with the process, and to begin, the following information is needed.

How to apply:

- **WHAT** – Let us know what you need. Something like, “Good morning, I’d like to request an initial Overflight Exemption.” Or, “Good afternoon, I’d like to request a renewal of the following unexpired Overflight Exemption.” Use a unique email Subject Line individual to the operator and request. (Without one, these emails can get mixed up and lost.)
 - In the Subject Line, include the name of the operator,
 - “RENEWAL” for unexpired, no-name-change requests, and
 - “NEW” for all others.

See below examples in the sample graphics.

- **WHO** – Reply to GAsupport@cbp.dhs.gov only. Do not include other CBP offices or employees.
- **WHEN** – Apply timely within 30-45 days of expiration for renewals and 30 days prior to the first anticipated flights for new applications.
- **WHAT** – Ensure you are answering with complete and direct responses to all three (3) pieces of information (Operator Information, Operator Description, and Compliance Statement) requested for each individual operator.

Please do not include:

- Extraneous information,
- Attachments, or
- Personally Identifiable Information (passport numbers, dates of birth, etc.).

After successful submission of the requested data, you can expect a message indicating the application has been accepted and placed in the processing queue. We process many applications so please be patient, trust the process, and do not re-submit or inquire within thirty (30) days of your successful submission.

Please see graphic examples of NEW, RENEWAL, and NAME CHANGE applications below.

Subject: NEW: BOE Charter Air of Houston Request

Good morning!

I'd like to request an initial Overflight Exemption.

OPERATOR INFORMATION:

Name = Charter Air of Houston, Inc.
Point of Contact = John Smith, jSmith@ABCaviation.com
Previous Overflight Exemption = N/A, NEW

OPERATOR DESCRIPTION:

The operator is not engaged in the transportation of people or things for payment or other considerations. (While it may sound confusing, Charter Air of Houston is a family-owned Air Conditioning Company. The family's name is, Charter.)

COMPLIANCE WITH CBP TERMS AND REQUIREMENTS:

Yes, the operator is capable and prepared to comply with all CBP Terms of Use and Requirements.

Subject: RENEWAL: BOE ABC Aviation Request

Good morning!

I'd like to request a renewal of the following unexpired Overflight Exemption.

OPERATOR INFORMATION:

Name = ABC Aviation, Inc.
Point of Contact = John Smith, jSmith@ABCaviation.com
Previous Overflight Exemption = 1234, expiring 28 February 2023

OPERATOR DESCRIPTION:

The operator is engaged in the transportation of people or things for payment or other considerations. As so, the operator maintains a valid and unexpired Type 3 International Carrier Bond and is current with all applicable User Fee remittance responsibilities.

COMPLIANCE WITH CBP TERMS AND REQUIREMENTS:

Yes, the operator is capable and prepared to comply with all CBP Terms of Use and Requirements.

Subject: NEW (NAME CHANGE): BOE XYZ Aviation, Inc. Request

Good morning!

We've changed our [operator](#) name and I'd like to request a new replacement Overflight Exemption.

OPERATOR INFORMATION:

Name = XYZ Aviation, Inc.
Point of Contact = John Smith, jSmith@XYZaviation.com
Previous Overflight Exemption = **N/A, NEW**

Please do not refer to the previous Overflight Exemption. Operator Name Changes are NEW Overflight Exemption Applications.

OPERATOR DESCRIPTION:

The operator is not engaged in the transportation of people or things for payment or other considerations.

COMPLIANCE WITH CBP TERMS AND REQUIREMENTS:

Yes, the operator is capable and prepared to comply with all CBP Terms of Use and Requirements.

**We need individual applications/individual emails for each individual operator.
Incomplete responses will not be processed.**

OPERATOR INFORMATION: Please provide the following identifying information:

- The official name of the single aircraft operator as it appears in APIS and all other CBP processes and documents; (Type 3 International Carrier Bonds, General Declaration, etc.).
- *We no longer issue Overflight Exemptions in the name of “DBAs”. For example, if “ABC dba XYZ” is doing business as a General Aviation operator with U.S. Customs and Border Protection as “XYZ”, then the operator name listed in APIS and all other CBP processing (including Overflight Exemption letters) must be “XYZ”.*
- *An Overflight Exemption granted to one entity cannot be used by another.*
- *Please do not include any extraneous information like owner or pilot information – all we need is the name of the operator.*
- The point of contact name and email address where you would like the Overflight Exemption Letter electronically delivered.
- The Overflight Exemption number and expiration date of the most currently issued Overflight Exemption, if applicable. If no previous Exemption exists, please answer, “N/A, New”.

Use labels for the individual pieces of information, as shown below:

Name: XYZ Aviation, Inc.

Point of Contact: John Smith, jsmith@XYZaviation.com

Previous Overflight Exemption: N/A, NEW

OPERATION DESCRIPTION: Please choose and reply with **one** of the **complete descriptions** below that best describes how the operator operates. Do not reference FAA FAR Part descriptions such as “Part 91” or “Part 135” in this CBP application.

- The operator **is not engaged** in the transportation of people or things for payment or other considerations.

OR

- The operator **is engaged** in the transportation of people or things for payment or other considerations. As so, the operator maintains a valid and unexpired Type 3 International Carrier Bond and is current with all applicable User Fee remittance responsibilities.

If you are a commercial aircraft operator (an operator that transports passengers or cargo for payment or other considerations) who is not currently compliant with bond or User Fee requirements, please self-disclose. We can work with you. Undisclosed non-compliance will result in Border Overflight Exemption denial, suspension, or revocation.

COMPLIANCE WITH CBP TERMS AND REQUIREMENTS: Is the operator capable and prepared to comply with all CBP requirements and the Terms of Use listed below? As noted, noncompliance with the terms of this Overflight Exemption or any other CBP requirements and regulations may become grounds for the cancellation and/or the denial of an Overflight Exemption and/or penalty case initiation.

Terms of Use

I. When utilizing this Overflight Exemption:

- *an electronic or paper copy of this letter must be maintained onboard the utilized aircraft;*
- *a copy of this letter must be available upon arrival for CBP inspection;*
- *only approved aircraft capable of complying with regulatory flight behavior requirements may be utilized;*
- *only approved pilots and crew may be utilized;*
- *operators of exempted aircraft must utilize a transponder that reports aircraft position and altitude (i.e., Mode C, Mode S);*
- *operators of exempted aircraft must fly in accordance with instrument flight rules (IFR); and*
- *operators of exempted aircraft must maintain altitudes above 12,500 feet mean sea level (unless otherwise instructed by Federal Aviation Administration controllers).*

II. All operators are required to transmit applicable Advance Passenger Information System (APIS) data for all travelers aboard General Aviation aircraft (commercial and private) arriving in or departing from the United States. With the transmission of complete, correct, valid and timely APIS data for all travelers aboard, the holder of this Overflight Exemption may utilize it to arrive:

- *with no passengers;*
- *with passengers already listed within an existing overflight exemption; or*
- *with passengers not listed within an existing overflight exemption.*

III. Through the terms of this Overflight Exemption the operator is authorized to overfly the designated CBP airports listed in 19 CFR § 122.24(b) – from any and all foreign points – to any airports where CBP services are normally available.

IV. The aircraft commander, operator, or authorized representative must still obtain landing rights approval or permission to land directly from the U.S. CBP port of arrival as applicable under 19 CFR §§ 122.12, 122.14, and 122.15 and must provide advance notice of arrival in accordance with 19 CFR § 122.31.

V. Any request to change, amend, or correct this application must be in writing. Such requests can be submitted to CBP Headquarters at GAsupport@cbp.dhs.gov.

VI. Operators of aircraft utilizing an Overflight Exemption must comply with all other applicable CBP requirements and regulations. To the extent that the terms of this letter deviate from the requirements under 19 CFR §§ 122.25(c)(7), (10), and (11), this letter constitutes notice to the holder of this Overflight Exemption that CBP does not intend to enforce those requirements for flights covered by this letter, since the need for those specific requirements is mitigated by the provision of APIS data.

VII. Noncompliance with the terms of this Overflight Exemption or any other CBP requirements and regulations may become grounds for the cancellation and/or the denial of an Overflight Exemption and/or penalty case initiation.

VIII. Term renewal applications must be submitted at least 30 days prior to the expiration date but no earlier than 45 days prior to the expiration date.

IX. Applications for operator name changes or updates to an existing Overflight Exemption must be submitted at least 30 days prior to the first anticipated flight.