



## **Fact Sheet on H.R. 3488 (Meehan – DeFazio) and the U.S. Customs & Border Protection (CBP) Preclearance Site in Abu Dhabi, United Arab Emirates**

- H.R. 3488, introduced by Rep. Meehan (R-PA) and Rep. DeFazio (D-OR) , would help ensure that U.S. customs preclearance facilities help and do not harm U.S. airlines and their workers in their drive to compete in the global marketplace.
- The legislation would effectively halt the operation of a preclearance facility in Abu Dhabi and requires the U.S. government to perform an analysis of the potential effect on U.S. airlines and CBP staffing before it can establish a new CBP preclearance facility.
- Congress has already spoken out expressing strong opposition to CBP facilities that harm U.S. airlines and their passengers and instead help state-supported foreign airlines. Most recently, in June 2013 the U.S. House passed an amendment that prohibits funding for a preclearance facility at Abu Dhabi International Airport (H.R. 2217, section 583).
- In April 2013, nearly 170 Representatives and Senators wrote to the Administration in opposition to the operation of a CBP preclearance facility at Abu Dhabi International Airport. Despite opposition from Congress, the Administration has continued to move forward with the UAE government to open the facility.
- ALPA encourages Congress to support and pass this important legislation. To cosponsor, please contact Michael Kirlin ([Michael.Kirlin@mail.house.gov](mailto:Michael.Kirlin@mail.house.gov)) in Rep. Meehan's office or Michael Hayes ([Michael.Hayes](mailto:Michael.Hayes)) in Rep. DeFazio's office.

# Background on the U.S. Customs & Border Protection Preclearance Site in Abu Dhabi, United Arab Emirates

In December 2011, the U.S. Department of Homeland Security (DHS) announced its intent to collaborate with the United Arab Emirates (UAE) to establish a U.S. Immigration Advisory Program at Abu Dhabi International Airport as a first step towards the establishment of a passenger preclearance program. **ALPA opposes the creation of a preclearance pilot program in the UAE.**

A preclearance site allows passengers to clear U.S. customs before departure. There are 15 U.S. CBP preclearance sites strategically located at airports where U.S. carriers perform a considerable amount of the flying (e.g., Dublin, Montreal) or all of the flying (e.g., Bermuda). The primary purpose of customs preclearance should be to facilitate travel on U.S. airlines and benefit U.S. citizens. It should not be to benefit foreign airlines financially nor facilitate unfair advantages for foreign airlines at the expense of U.S. airlines.

No U.S. carriers fly to/from Abu Dhabi International Airport. The only carrier with flights between the United States and Abu Dhabi is Etihad Airways. A U.S. Customs and Border Protection (CBP) preclearance facility in Abu Dhabi would, therefore, only benefit Etihad Airways, a foreign carrier that competes internationally with U.S. carriers, putting U.S. carriers at a competitive disadvantage and thereby putting U.S. airline workers jobs at risk.

Etihad, the national airline of the United Arab Emirates, is a state-owned and vertically integrated airline. Already the fastest growing airline in the history of aviation, Etihad, formed in only 2003 now operates more than 1,000 flights/week and already benefits from numerous advantages over U.S. carriers, including:

- The ability to purchase wide-body aircraft from Boeing and Airbus at significantly reduced rates from U.S. and European export credit agencies, giving them a significant cost advantage over U.S. (and European) airlines.
- Lack of transparency with respect to corporate finances.
- No UAE corporate taxes.

CBP faces significant staffing shortages at many U.S. CBP ports-of-entry, creating long-lines and significant wait times at those domestic international airports. If a new preclearance facility is established in Abu Dhabi, it would be done without any new CBP resources hired, which will reduce the Customs service levels at other locations used by U.S. airlines. Putting valuable CBP staff in the UAE at an airport with no U.S. carriers would further exacerbate the long-waits at many U.S. airports that do service U.S. air carriers.

Given that the primary purpose of customs preclearance should be to facilitate travel on U.S. airlines and benefit U.S. citizens, **ALPA opposes the creation of a preclearance pilot program in the UAE.**