

## CHAPTER 504

### DEFENSE COURIER SERVICE (DCS)

#### A. GENERAL

This chapter sets forth responsibilities and procedures for the entry/exit of national security material arriving/departing the US in the control of DCS couriers.

#### B. POLICY

The contents of DCS shipments are exempt from examination, entry, and duty upon presentation of appropriate shipping documentation and courier identification by the DCS courier(s) having custody of the shipment.

#### C. AUTHORITIES/REFERENCES

19 U.S.C. § 1498, Entry Under Regulations, 19 U.S.C. § 1624, General Regulations, DOD Directive 5200.33, Defense Courier Service (DCS), and DOD Regulation 5200.33-R, Defense Courier Service Regulation.

#### D. GENERAL ADVISORIES

1. The importation into the CTUS by a DCS courier of any property not owned or sponsored by the USG is strictly prohibited. Appropriate action will be taken when any member or employee of the USG violates this prohibition. Each such violation will be referred to the cognizant official for consideration under applicable Federal criminal statutes, including the Uniform Code of Military Justice.
2. While the USCS will monitor selected DCS mission activities, it recognizes the sensitive nature of DCS operations and will not unnecessarily impede DCS shipments.
3. Compromise of material entrusted to the custody of the DCS could gravely affect the security of the US. The primary DCS security objective is to prevent unauthorized access to material while it is within the DCS system.

#### E. SCOPE OF OPERATIONS

1. The DCS provides secure, worldwide movement of national security material requiring courier escort in support of the DOD, the Department of State, Federal Agencies, North Atlantic Treaty Organization (NATO), US Allies, and USG contractors. DOD Directive 5200.33 and DOD 5200.33-R govern DCS operations, which also provide guidance to users on material qualified for/prohibited from entry in DCS.
2. DCS operates a network of courier stations providing service to areas where SOFAs or similar agreements ensure that border clearance officials will admit such material free of duty and without examination. The DCS and the Diplomatic Courier Service (Department of State) maintain close liaison and interoperability to minimize duplication of service and provide delivery of DCS courier material into those areas where DCS cannot provide service.

## **F. RESPONSIBILITIES**

1. USCS (on behalf of the Treasury Department).
  - a. The Assistant Commissioner, Office of Field Operations, will have policy oversight, to include the formulation and implementation of guidelines for the entry and examination of DCS courier material arriving in the US.
  - b. Principal Field Officers, to include Port Directors, are responsible to develop and establish procedures to process DCS shipments and material in an effective, expeditious, and discrete manner.
  - c. Supervisors and inspectors involved in the processing of DCS material will ensure the integrity of the US Customs entry requirements while simultaneously working in harmony with DCS couriers to maintain requisite security of their material.
2. DOD. The Assistant Secretary of Defense for Command, Control, Communications, and Intelligence will provide overall guidance for policies and procedures necessary to the operation of the DCS and security of material being escorted.
3. DCS.
  - a. DCS will prepare appropriate documentation for its shipments entering the US to facilitate clearance by US Customs inspectors.
  - b. DCS couriers will cooperate with US Customs officials in actions required to clear shipments for entry into the US, but will not permit examination of their material during the process.

## **G. PROVISIONS**

1. DCS material consists of highly classified/extremely sensitive correspondence, documents, equipment, and other material owned or controlled by the DOD which has been entered into the DTS for movement to a designated recipient.
2. DCS shipments are transported via various conveyances including, but not limited to, MILAIR, US-flag commercial airlift, government-chartered aircraft, and military/commercial vehicles. DCS couriers routinely transit military air bases, and international/landing rights airports, in nations with which the US has a SOFA or similar agreement.
3. DCS material is consolidated for shipment. A DCS shipment may be in any of several forms, to include commercial aircraft containers, military aircraft pallets, wooden crates or skids, cardboard boxes, canvas pouches, fiberglass shipping chests, as well as US State Department Diplomatic pouches or crates. For purposes of this regulation, articles in DCS custody/control and transported by the DCS system will be referred to as DCS material.
  - a. Small amounts of DCS material may be hand-carried; larger quantities will be transported as accompanied baggage or cargo and loaded into the aircraft cargo compartment.
  - b. Handling of DCS material is not part of the CBCP; therefore, CBCA/MCI-E is not included in the handling of this material for Customs purposes.

4. DCS dedicated (assigned) couriers may be identified by their DCS Form 9, Defense Courier Service (DCS) Courier Identification Card, Figure 504-1, held within a wallet. Escorting couriers who have been “designated” off the crew or passenger manifest to escort the shipment can be identified by their USG (military or civilian) identification card and designation letter issued by the dispatching DCS station commander.

The figure shows two forms. The top form is the DCS Form 9, Defense Courier Service (DCS) Courier Identification Card. It is a rectangular card with a header that reads "DEFENSE COURIER SERVICE FORT MEADE, MD 20755". Below the header, there is a section for "EXPIRATION DATE:" followed by a blank line. To the left of the center is a box labeled "PHOTO". To the right of the center is a circular seal with "DEFENSE COURIER SERVICE" around the perimeter and "NOT A PASS FOR IDENTIFICATION ONLY" in the center. Below the seal, there is a line for "NAME" and a line for "SOCIAL SECURITY NUMBER". At the bottom, there is a line for "SIGNATURE OF BEARER" and a line for "COMMANDER, DEFENSE COURIER SERVICE". On the left side, there is a "CARD NUMBER" field with the value "C 0001". A large "SAMPLE" watermark is overlaid on the card.

The bottom form is the PROPERTY OF UNITED STATES GOVERNMENT. It is a rectangular card with a header that reads "PROPERTY OF UNITED STATES GOVERNMENT". Below the header, there are five columns: "HEIGHT", "WEIGHT", "COLOR HAIR", "COLOR EYES", and "DATE OF BIRTH". Below these columns, there is a section for "NAME AND POSITION OF BEARER" and a line for "DATE ISSUED". At the bottom, there is a "WARNING" section and a "POSTMATES" section. A large "SAMPLE" watermark is overlaid on the card.

**Figure 504-1. DCS Form 9, Defense Courier Service (DCS) Courier Identification Card**

5. Documentation for DCS shipments consists of a DCS Form 32, Defense Courier Service Transfer Form, Figure 504-2, a multi-purpose form used as both a containment invoice and a transfer document, upon which has been stamped the DCS Customs Seal, and which contains a listing of the shipment identification number. The shipment documentation package will also include a diskette indicating the various containments/articles included within the shipment.
  - a. Used as a transfer (between DCS stations), DCS Form 32 reflects the originating DCS station, the type of containment, its identifying number (e.g. BA-L-000032), and the total containment weight. The identification number can be cross-referenced to the corresponding DCS Form 6, Defense Courier Service Address Label, Figure 504-3, or DCS Form 8, Defense Courier Service Pouch Label, Figure 504-4, on the containment, which also reflects the originating DCS station, weight, destination, and any special handling instructions.
  - b. As an invoice (for a containment), DCS Form 32 reflects the individual article numbers, addressees, special handling instructions, and weight of each package inside that containment.

SAMPLE TRANSFER DOCUMENT  
DCS TRANSFER FORM

CTRL #: TRANSFER BA-T-004326		PAGE: 1 OF: 1 DATE: XXAUGXX	
FROM DCS STATION BA		TO: RM	
ARTICLE NUMBER	DCS TWO LINE ADDRESS	SPECIAL HANDLING	WT
BA-C-004325	RM	FORCES AFLOAT	235
////////////////////LAST ARTICLE////////////////////			
ARTICLES THIS PAGE: 01		COMMERCIAL	WEIGHT THIS PAGE: 235
TOTAL # ARTICLES: 01		ATR	TOTAL WEIGHT: 235
DISPATCHED BY: (NAME DISPATCHING COURIER)		SIGNATURE:	
DATE/TIME: XXAUGXX/XXXX			
DISPATCHED BY: (NAME DISPATCHING COURIER)		SIGNATURE:	
DATE/TIME: XXAUGXX/XXXX			
<i>I acknowledge receipt of the above listed DCS articles</i>			
RECEIVED BY: (NAME MISSION COURIER)		SIGNATURE:	
ORGANIZATION:		DATE/TIME:	
RECEIVED BY:		SIGNATURE:	
ORGANIZATION:		DATE/TIME:	
RECEIVED BY: (DESTINATION COURIER STATION)		SIGNATURE:	
ORGANIZATION:		DATE/TIME:	
RECEIVED BY:		SIGNATURE:	
ORGANIZATION:		DATE/TIME:	
DCS FORM 32 REV FEB 88 (Supersedes ARFCOS 32 1 JAN 86 which is obsolete)			DCS STATION
NSN: 7540-FM-001-3440			

Figure 504-2. DCS Form 32, Defense Courier Transfer Form

DEFENSE COURIER SERVICE ADDRESS LABEL		
ORIGINATING DCS STATION DIGRAPH	CONTAINER NUMBER	
BA - A	INSERT BAR CODE	
DESTINATION DCS STATION DIGRAPH OR ADDRESSEE (Two line address)		
KE		
PRIORITY	SPECIAL HANDLING INSTRUCTIONS	WEIGHT
		120 lbs
FORM DCS 6 (REV. APR 88) (Supersedes ARFCOS 6 (1 DEC 73) which is obsolete) NSN 7540-01-001-209		

Figure 504-3. DCS Form 6, Defense Courier Service Address Label

TRAINING USE ONLY	
DEFENSE COURIER SERVICE POUCH LABEL	
ORIGINATING DCS STATION DIGRAPH	
KE	
DISPATCH NO.	WEIGHT PRIORITY
BARCODE	1
DESTINATION: DCS STATION DIGRAPH OR ADDRESSEE TWO LINE ADDRESS	
441155 - KE 24 III CORPS TSCO	
DCS FORM 8 (1 MAR 88) REPLACES ARFCOS FORM 8, 1 NOV 73 WHICH MAY BE USED.	
*U.S.GPO 1993:361-678	

Label Addressed to an Account

TRAINING USE ONLY	
DEFENSE COURIER SERVICE POUCH LABEL	
ORIGINATING DCS STATION DIGRAPH	
YO	
DISPATCH NO.	WEIGHT PRIORITY
BARCODE	35
DESTINATION: DCS STATION DIGRAPH OR ADDRESSEE TWO LINE ADDRESS	
TV	
DCS FORM 8 (1 MAR 88) REPLACES ARFCOS FORM 8, 1 NOV 73 WHICH MAY BE USED.	
*U.S.GPO 1993:361-678	

Label Addressed to a DCS Station

Figure 504-4. DCS Form 8, Defense Courier Service Pouch Label



4. Customs officers will release DCS material when presented with the shipment documentation described above by the escorting couriers. This material is exempt from examination, entry, and duty. Such exemption does not extend to accompanying personal property of the couriers.
5. When a Customs inspector has reason to believe a DCS shipment may contain articles other than qualified DCS material, it may be detained or seized by Customs; however, it will remain in the control of the escorting couriers.
  - a. The couriers will initially present the Customs officer with all available shipment documentation in an attempt to satisfy his/her challenge. If this is not successful, the couriers will be allowed to contact the nearest DCS station by telephone to obtain instructions. The station commander will, in turn, contact HQ DCS, to initiate a clarification of the validity of the material or otherwise assist in resolving the matter.
  - b. Customs officers will not examine the DCS material or separate the escorting couriers from the material in their charge. Arrangements for handling and examining the material will be coordinated with HQ DCS, the originating (or receiving) agency, and an appropriately cleared Customs official.
6. US Customs officials will implement the procedures outlined in this regulation to ensure the integrity of the Customs program while simultaneously working with DCS couriers to maintain requisite security of DCS material.

#### **I. REPORTING PROCEDURES**

Reporting requirements are IAW established US Customs and DCS directives.

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## CHAPTER 505

### AGRICULTURAL CLEANING AND INSPECTION REQUIREMENTS

#### A. SCOPE

1. This chapter prescribes procedures, assigns responsibilities, and defines requirements for the prevention of the introduction of agricultural pests into the US by the DOD. Destructive pests such as gypsy moths, brown tree snakes, several varieties of snails, and other species can hitchhike on military equipment and personal effects. Foreign soil attached to equipment can harbor pests and animal diseases. These pests can cause immense damage to America's natural resources, destroy crops, and disrupt the export of agricultural commodities.
2. Foreign agricultural restrictions are specified by country in appropriate chapters of this regulation, however the same general responsibilities of DOD activities for the prevention of agricultural pest movements apply to export shipments from the US to foreign countries as well as on imports to the US.

#### B. POLICY

It is the policy of the DOD that all organizations and personnel involved in the movement of DOD-sponsored cargo, personal property, and accompanied baggage will take those steps necessary to prevent the spread of agricultural pests from one location to another. This includes movement not only across national borders, but any movement that has the potential to introduce invasive species to a new area. It includes shipments from DOD installations and vendor locations by both military and commercial carriers.

#### C. RESPONSIBILITIES

1. Office of the Deputy Under Secretary of Defense (Environmental Security) (DUSD (ES)) is responsible for furnishing technical guidance and recommendations to the DOD on means of preventing the return of quarantine pests and organisms that may disrupt agriculture and the natural ecosystem.
2. USDA APHIS is responsible to provide guidance, informational materials, and to conduct training for DOD personnel. APHIS will provide personnel to assist in pre-clearances and to train DOD personnel for inspection, cleaning, and disinfecting of material and personnel. APHIS and the DOD will establish reimbursable agreements as required to accomplish this mission. APHIS is the final authority on the pest risk status of material.
3. Unit commanders are responsible for ensuring that the requirements specified in this chapter are met and that procedures are followed to prevent agricultural pests from entering the US when that unit is returning personnel and/or equipment to the US.
4. Port and transportation commanders will ensure that the requirements specified in this chapter are met and that procedures are followed. They will not allow the movement of cargo or cargo containers from their facilities unless they are apparently free of soil, pest infestation, and prohibited agricultural items.

## **D. REQUIREMENTS**

1. All personnel involved in the movement of ships, aircraft, personnel, cargo (including ordnance), containers, packing material, POVs, personal property and Army/Air Force/Navy Post Office (APO/FPO) mail will assure the following requirements are satisfied prior to that movement:
  - a. **Baggage.** Baggage of all crew, passengers, or troops will be presented for inspection by USDA officers or designees. Commanders must ensure crew, passengers and troops are instructed not to carry prohibited plant and animal material. Foot and web gear of all personnel is also required to be soil and pest free.
  - b. **Cargo.** Cargo will not be loaded aboard any conveyance in a foreign country, for movement to the US, unless it is free of animal and plant contamination or pest infestations as required by the USDA.
  - c. **Packing Material.** All wood packing material, dunnage, pallets and crating, must be soil and bark free and apparently free of pest infestations.
  - d. **Stores.** Stores and in-flight meals are prohibited entry into the US and must be disposed or safeguarded IAW with USDA requirements upon entry.
  - e. **Garbage.** Garbage will be placed in tight, leak proof, covered containers and disposed of following port procedures authorized by, or under surveillance of the USDA representative. Disposal facilities to incinerate or sterilize must be available before military conveyances will be allowed landing or docking at a US base or port.
  - f. **Containers and Pallets.** Cargo containers/pallets will not be stored directly on bare ground unless provisions are made to clean the containers/pallets of soil and pests before movement.
2. Detailed cleaning and inspection procedures can be found in the Armed Forces Pest Management Board Technical Guide No. 31, Contingency Retrograde Washdowns: Cleaning and Inspection Procedures. This document is available on the following web site URL:  
<http://www.afpmb.org/pubs/tims/tim31.htm>.

## **E. REQUEST FOR MCI-E PROGRAMS FOR AGRICULTURAL INSPECTIONS**

APHIS allows for MCI-E programs at selected bases in the US. These bases are usually remote from local APHIS offices or receive low risk conveyances or shipments. In these programs, APHIS trains and certifies local DOD personnel to do inspections for APHIS. If a base commander is interested in establishing a program, the local APHIS should be contacted at USDA APHIS PPQ, Port Operations, 4700 River Rd., Riverdale, Md. 20737-5000. Telephone number: 301 734-8295. APHIS HQ can supply contact telephone numbers.

## **F. ARMED FORCES PEST MANAGEMENT BOARD**

The Armed Forces Pest Management Board (AFPMB) was established by DOD Directive 4715.1, Environmental Security, and operates under DOD Instruction 4150.7, DOD Pest Management Program. The AFPMB recommends policy, provides guidance, and coordinates the exchange of information on all matters related to pest management throughout the DOD. This board has representation of each of the military departments and the DLA. As such, this permanently staffed organization is an important source of assistance related to the prevention of movement of invasive species, especially incidents involving quarantine, fumigation, dis-insectization, etc. Their web site is located at the following URL: <http://www.acq.osd.mil/afpmb/>. In the event that quarantine becomes necessary, additional guidance is provided in Air Force Instruction (AFI) 48-104/AR 40-12/Secretary of the Navy Instruction 6210.2A/, Quarantine Regulations of the Armed Forces.

## CHAPTER 506

### DOD PRE-CLEARANCE PROGRAM CUSTOMS AND AGRICULTURE INSPECTIONS

#### A. POLICY

1. The MCI program from OCONUS shore-based locations has been cancelled and is no longer recognized by the USCS. However, the USCS will support pre-clearance for major unit redeployments in conjunction with FTX or contingencies. This chapter outlines the policy and procedures to conduct those pre-clearance operations.
2. To effectively and efficiently conduct redeployment operations for exercises, contingencies, or other special airlift/sealift operations, theater Commanders may request USCS and USDA pre-clearance for redeployments of units, their equipment and sustaining supplies. Timelines for pre-clearance of redeployments should be established during the planning phase of the exercise or concurrently with the deployment phase during crisis action planning for a contingency. The theater Commander and the component commands involved in the redeployment must ensure that there are adequate facilities available for pre-clearance operations and work with the Services to identify military law enforcement personnel to be trained as CBCAs. Costs incurred by implementing provisions of this section (e.g., transportation, per diem, overtime charges) will normally be borne or furnished in kind by the requesting Service or Agency. If the supported command determines that pre-clearance of redeploying cargo and passengers will enhance mission effectiveness, the following request procedure must be followed.

#### B. PROCEDURES FOR REQUESTING PRE-CLEARANCE

1. The supported unit will submit requests for pre-clearance processing to the office of the appropriate theater command's Customs, Agriculture, and Border Clearance Staff Coordinator. Theater directives will prescribe procedures for processing such requests within the responsible unified command.
2. Requests must include, as a minimum:
  - a. The dates, times, and places of departure from foreign country.
  - b. Date, time, and proposed place of CTUS arrival.
  - c. The number and type of aircraft or ships.
  - d. The number of passengers, and amount and type of cargo, to include vehicles and other unit equipment.
  - e. Identification of all en route stops between the foreign departure point and the CTUS port of entry, and whether the border clearance integrity of the aircraft or ship will be maintained during those stops. If pre-clearance integrity cannot be maintained, pre-clearance authority is lost.
3. Requests should be electronically transmitted, to the appropriate theater command as part of the initial planning of the redeployment, but not later than 75 days prior to the execution. The theater Customs, Agriculture, and Border Clearance Staff Coordinator will forward the approved request to USTRANSCOM/J5-LT, Scott AFB, IL not less than 60 days prior to the first movement. USTRANSCOM/J5-LT will coordinate with the USCS for support.
4. The responsible unified command Customs, Agriculture, and Border Clearance Coordinator will review the requests. The review will include an assessment of the capability of the theater

command to accommodate the request for pre-clearance. In those instances where the unified command determines contingency or exercise pre-clearance can not be accommodated or is not cost effective, the unit will be required to return to the CTUS through a predetermined CTUS port of entry where US border clearance can be accomplished.

5. Approval of pre-clearance requests under the provisions of this section does not negate any requirements for the carrier to ensure that entry is accomplished at an established CTUS port of entry. This port of entry may be a Regular or Limited Foreign Clearance Base, an international commercial airport or seaport of entry, or any other airport or seaport where a FIS capability exists or can be arranged for on an exception basis. (Refer to DOD 4500.54-G, DOD Foreign Clearance Guide, North and South America, for United States of America aircraft entry requirements (<http://www.fcg.pentagon.mil>).
6. If use of any CTUS port of entry other than those regularly staffed by FIS personnel is planned, the requesting organization or carrier operator is responsible for coordinating necessary requirements with the appropriate Customs Management Center or Port Directors office of the USCS, USDA, and other US border clearance agencies.

### **C. TRAINING AND CERTIFICATION OF CBCAS**

1. The theater Commander and the Service component will coordinate the request to the appropriate Service for sourcing of military law enforcement personnel to act as CBCAs for the duration of the redeployment. Personnel should be E-4 and above.
2. Training will be provided and approved by USCS and USDA.
3. Training may be accomplished in the CONUS or at an overseas location, if necessary.
4. Upon successful completion of the training, USCS and USDA will provide certification for trainees.
5. Trained personnel will be appointed on orders as CBCAs by the sponsoring Service component command. Orders should include an effective termination date.
6. USCS and USDA will provide advisors to oversee actual pre-clearance operations.

### **D. RESPONSIBILITIES OF CBCAS**

1. CBCAs are responsible for:
  - a. Performing their duties IAW this regulation and US and/or foreign country border clearance requirements.
  - b. Inspecting and certifying that DOD-owned materiel, personal property, and passengers are acceptable for entry into the US. If contraband is discovered during the inspection process, the CBCA is to notify proper legal authority.
  - c. Representing the commander in performance of inspections, and ensuring that the documentation for which they are responsible accompanies all shipments or personnel.
  - d. Ensuring that customs/border clearance violations are expeditiously reported to the appropriate legal authority or military agency for disposition.
  - e. Conducting all inspections and examinations in a professional, expeditious, and courteous manner.
  - f. CBCAs will not, under any circumstances, collect or accept duty payments.

## E. PRE-CLEARANCE REQUIREMENTS

1. CBCAs, in conjunction with USCS/USDA personnel, will inspect all crews, troops, passengers, and their accompanied baggage, professional equipment, issued weapons, cargo and aircraft prior to departure from overseas bases (airfields/ports) when the planned destination is the CTUS. To expedite clearance upon redeployment to the CTUS:
  - a. Accompanied baggage and professional equipment excess to immediate personal needs will be inspected in the presence of the member by a CBCA /USCS team one or two days prior to unit redeployment. The baggage will then be secured and held in a sterile area from the time of the inspection until arrival at the US port of entry.
  - b. The CBCA/USCS team will inspect hand-carried baggage at the time passengers are processed into a sterile area for isolation until actual departure. If a sterile area is not available, the CBCA/USCS team will inspect the personnel and hand-carried baggage at the ocean or air terminal immediately prior to embarkation. If someone who has been inspected and is waiting in the sterile area finds it necessary to depart the area, that person must undergo a new inspection when they return to the sterile area.
  - c. The CBCA/USCS team will inspect unit equipment prior to its being loaded on the ship or aircraft to insure the equipment meets USCS and USDA border clearance requirements. The redeploying unit will ensure that personal property, such as footlockers, is readily identified and retains its individual integrity distinct from military cargo during shipment.
  - d. Personal customs declarations will be completed while en-route.
2. Immediately upon completion of the inspection/examination, DD Form 2855, U.S. Military Preclearance Program, Figure 506-1, will be properly executed, authenticated by official stamp and signature, and securely affixed to the outside of each container/vehicle/equipment inspected/examined. The CBCA or USCS/USDA inspector will accomplish the execution and attachment of the label. This form is to be used only for cargo that has been pre-inspected and certified by CBCA/USCS/USDA personnel at OCONUS locations as part of an exercise or contingency operation IAW Chapter 505 and 506 of this regulation and meets USCS and USDA CONUS pre-clearance entry requirements. DD Form 2855 can be found at <http://www.doir.whs.mil/forms/DD2855.PDF>.

<b>U.S. MILITARY PRECLEARANCE PROGRAM</b>	
<small>AUTHORIZED USE ONLY IN ACCORDANCE WITH DOD 4500.9-R, PART V, CHAPTERS 505 AND 506</small>	
<small>The U.S. Government property to which this label has been affixed meets the entry requirements of U.S. Customs and U.S. Agriculture.</small>	
<small>1. INSPECTOR'S RANK AND NAME</small>	<small>2. DATE</small>
<small>3. ORIGIN</small>	<small>4. DESTINATION</small>
<small>5. INSPECTOR'S STAMP</small>	

DD FORM 2855, JUN 2002

**Figure 506-1. DD Form 2855, U.S. Military Preclearance Program**

## F. PRE-CLEARANCE COORDINATION AND COMMUNICATION

1. Coordination with, and notification of affected organizations of actual pre-cleared passengers, baggage and cargo shipments is critical to the successful implementation of the pre-clearance program for exercises, contingencies, or other special airlift/sealift operations. At a minimum, the following communications must occur after pre-clearance operations have been approved.
  - a. Upon approval and agreement of the USCS and USDA to support pre-clearance operations, the theater command customs and border clearance coordinator will notify affected organizations using the message format shown in Figure 506-2.
  - b. Airlift and sealift schedulers will keep the USCS and USDA notified of redeployment routing and schedules as soon as they are developed. USCS and USDA will notify regional and local port directors to notify of pre-cleared status of passengers, baggage, cargo, and/or conveyance to expedite Port of Embarkation (POE) procedures.

### SAMPLE

```
FROM: (Theater Customs, Agriculture, and Border Clearance Coordinator)

TO: (Theater aerial ports)
    (Theater water ports)
    (Theater component customs and agriculture clearance offices and/or
    activities)

INFO: CDR MTMC ALEXANDRIA VA//MTOPI//
      HQ AMC TACC SCOTT AFB IL//XOC/XOO/XOP//
      COMSC WASHINGTON DC//PM-5//
      USTRANSCOM SCOTT AFB IL//JMOCC/TCJ5-LT//
      DA WASHINGTON DC//DALO-TSP//
      HQ USAF WASHINGTON DC//ILGD//
      CMC WASHINGTON DC//LFT/LPO//
      CNO WASHINGTON DC//N41//

SUBJ: US CUSTOMS/AGRICULTURE PRECLEARANCE FOR (NAME OF EXERCISE OR OPERATION)

1. US CUSTOMS/AGRICULTURE PRECLEARANCE OPERATIONS HAVE BEEN COORDINATED AND
APPROVED FOR (NAME OF EXERCISE OR OPERATION) IAW DOD 4500.9-R, DEFENSE
TRANSPORTATION REGULATION, PART V.

2. POLICY AND PROCEDURES OUTLINED IN DOD 4500.9-R, PART V, CHAPTERS 505 AND 506
APPLY.

3. USCS ADVISORS WILL BE DEPLOYED TO (LOCATION) FROM (DATE) TO (DATE) TO
SUPERVISE PRE-CLEARANCE ACTIVITIES.

4. AERIAL AND WATER PORTS SHOULD SET UP STERILE AREAS TO STORE PRE-CLEARED
BAGGAGE AND CARGO PRIOR TO REDEPLOYMENT.

5. REQUEST AIRLIFT AND SEALIFT SCHEDULERS NOTIFY USCS AND USDA OF FLOW SCHEDULES
AND ROUTINGS TO AVOID UNNECESSARY RE-INSPECTIONS IN CONUS.

6. ADDITIONAL INSTRUCTIONS:

7. POC IS (NAME, ORGANIZATION, TELEPHONE NUMBER, DSN & COMMERCIAL).
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**Figure 506-2. Sample Customs and Agriculture Pre-clearance Announcement Message**

## **G. REQUESTS FOR CUSTOMS AND AGRICULTURE PRE-CLEARANCE**

1. USCS and USDA, in cooperation with the DOD, will pre-clear cargo and passengers returning to the CTUS. This pre-clearance program is available for redeployments from major exercises or contingencies. Pre-cleared exercises will require little or no USCS or APHIS inspection into the US. Pre-clearance will lessen the contraband and pest risk and expedite the movement of personnel and equipment into the US. If the supported command determines that pre-clearance of redeploying cargo and passengers will enhance mission effectiveness, the following request procedure must be followed:
  - a. The supported unit will submit requests for USDA pre-clearance processing to USDA HQ, APHIS PPQ, Port Operations, 4700 River Rd., Riverdale, Md. 20737-5000, telephone number: 301 734-8295. For USCS, coordinate requests through HQ USTRANSCOM TCJ-5/LTC. Defense Switched Network (DSN): 312 779-1985, Commercial: 618 229-1985 for coordination. Theater directives will prescribe procedures for processing such requests within the responsible unified command (see paragraph G.3. for United States European Command (USEUCOM) requirements).
  - b. Requests must include, as a minimum: (1) the date, time, and place of overseas departure; (2) date/time of CTUS arrival; (3) the number and type of aircraft or ships; (4) the number of passengers and amount and type of cargo, to include vehicles and other unit equipment; (5) identification of all en route stops between the overseas departure point and the CTUS port of entry; and whether the border clearance integrity of the aircraft or ship will be maintained.
  - c. Requests should be electrically transmitted, to the appropriate theater command as part of the initial planning of the redeployment, but not later than 45 days prior to the execution. Theater commands will forward the approved request to APHIS HQ not less than 30 days prior to the first movement. Direct contact with APHIS HQ is authorized. USTRANSCOM/J5-LT will assist with coordination as needed.
  - d. Approval of pre-clearance requests under the provisions of this section does not negate any requirements for the carrier to ensure that entry is accomplished at an established CTUS port of entry. This port of entry may be a Regular or Limited Foreign Clearance Base, an international commercial airport or seaport of entry, or any other airport or seaport where a FIS capability exists or can be arranged for on an exception basis.
  - e. If use of any CTUS port of entry other than those regularly staffed by FIS personnel is planned, the requesting organization or carrier operator is responsible for coordinating necessary requirements with USCS and APHIS HQ.
2. Agreements must be in place to support USCS and APHIS advisors conducting pre-clearance duties in conjunction with returning personnel and equipment from contingencies and training exercises. The agreement will include provisions for overtime fees, car rental, transportation to/from site, per diem, and lodging entitlements.
3. USEUCOM Procedures. USEUCOM, with the cooperation of in-theater USDA representatives has established a pre-clearance program to enforce USDA requirements and have made agricultural pre-clearances mandatory. If exercise redeployments are originating in the USEUCOM AOR, the supporting unit should contact the EUCOM Customs/Agriculture Executive Agent (HQ USAREUR/ECJ1-CEA) directly to coordinate for pre-clearance assistance. Their web site URL is: <http://www.hqusareur.army.mil/opm/customs.htm>.

## H. AGRICULTURE PRE-CLEARANCE PROCEDURES

1. Ships, aircraft, personnel, cargo (including ordinance) packing material, POVs, personal effects, and APO/FPO mail must be free of prohibited and restricted plants, animals, and plant and animal products when returned to the US.
2. Inspectors: USDA inspectors, or trained and certified CBCA or MCI-E inspectors will conduct these inspections.
3. Training: USDA will conduct training for DOD personnel. The DOD will be responsible for providing reimbursement for training in OCONUS sites. The USDA will fund routine training of MCI-E or other designees in the US.
4. Facilities: Inspections must be conducted in natural or well-lighted areas. Cleaning and disinfecting must be conducted in areas approved by USDA or designees. Commodities or equipment that have been approved for return to US must be stored in such a manner as to prevent re-infestation by pests or contaminants. USDA officers or designees must approve these areas.
5. Reporting: Numbers of inspection, cleaning and disinfecting should be reported, through the chain of command, to DUSD (ES) and APHIS. APHIS and DUSD (ES) must be informed of interceptions of significant pests. APHIS will assist in the identification of pests.
6. During exercises, unit moves, deployments, redeployments, or other special airlift/sealift operations, CBCAs, in conjunction with USCS/USDA personnel, will inspect all crews, troops, passengers, and their accompanied baggage, professional equipment, issued weapons, cargo and aircraft prior to departure from overseas bases (airfields/ports) when the planned destination is the CTUS. To expedite clearance upon redeployment to the CTUS:
  - a. Accompanied baggage and professional equipment excess to immediate personal needs will be inspected in the presence of the member by an CBCA/APHIS team one or two days prior to unit redeployment. The baggage will then be secured and held in a sterile area from the time of the inspection until arrival at the US port of entry.
  - b. The CBCA/APHIS team will inspect hand-carried baggage at the time passengers are processed into a sterile area for isolation until actual departure. If a sterile area is not available, the CBCA/APHIS team will inspect the personnel and hand-carried baggage at the ocean or air terminal immediately prior to embarkation. If someone who has been inspected and is waiting in the sterile area finds it necessary to depart the area, that person must undergo a new inspection when they return to the sterile area.
  - c. The CBCA/APHIS team will inspect unit equipment prior to its being loaded on the ship or aircraft to insure the equipment meets USCS and USDA border clearance requirements. The redeploying unit will ensure that personal property, such as a footlocker, is readily identified and retains its individual integrity distinct from military cargo during shipment.
  - d. DD Form 2855, Figure 506-1, is authorized to be used only for cargo that has been pre-inspected and certified by CBCA/USCS/USDA personnel at OCONUS locations as part of an exercise or contingency operation IAW Chapter 505 and 506 of this regulation and meets USCS and USDA CONUS pre-clearance entry requirements.
7. Some exercises may be pre-cleared for APHIS and not for US Customs. In these circumstances, US Customs clearance may be required upon arrival in the US. Personnel and equipment should not require additional APHIS inspection. APHIS always retains the right to do integrity checks in the US.
8. Any after action reports should include input from APHIS.

## **I. AIRBORNE TROOPS**

Procedures described above are applicable to airborne troop movements with an airdrop upon return to the CTUS so long as the airdrops have been coordinated with USCS director in the district involved. The annotated customs declaration of these personnel must be provided to a member of the aircrew, preferably the aircraft commander, prior to the airdrop. The CBCA/USCS team will advise the aircrew member that the declarations must be turned over to USCS inspectors at the port of entry for the aircraft.

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## CHAPTER 507

### MILITARY CUSTOMS INSPECTORS-EXCEPTED (MCI-E)

#### A. DESIGNATION

MCI-Es will be given an appointment by the base commander and placed on orders and issued a CF 55, Designation, Customs Officer-Excepted, designating him/her as an MCI-E by the USCS. By agreement with appropriate military commands, the USCS will specifically train military and civilian personnel to act as MCI-Es at selected CTUS military bases. This document authorizes the individual to perform the duties of a US Custom Inspector in the CTUS. The CF 55 must be surrendered to USCS upon change of assignment or change of station.

#### B. SCOPE

A memorandum of understanding negotiated between the base commander and the local USCS Port Director usually establishes an MCI-E program. Base commanders should request USCS re-certify the base MCI-E program yearly. The scope of MCI-E duties will be designated on the form and may vary from base to base and location to location. Those persons so designated will be responsible for the enforcement of the regulations of the USCS and other border clearance agencies. This responsibility may require the examination of military aircraft, accompanied and UB, personnel, and certain cargo. Consideration should be given to limit the designation of MCI-E's to law enforcement personnel. USCS does not authorize MCI-Es to conduct personal searches or to collect duties, fines, or applicable federal taxes.

#### C. RESPONSIBILITIES

1. MCI-E's may inspect or examine baggage and professional equipment. Inspections will be accomplished in a courteous and professional manner. All passengers and crewmembers are subject to inspection. The degree to which accompanied baggage or equipment is inspected or examined is dependent upon the discretion and judgment of the MCI-Es. "Dumping" of baggage contents is against both DOD and USCS policy and is prohibited.
2. Report any interference in the performance of the assigned duties to the closest Customs Port Director and the appropriate military commander.

#### D. TRAINING AND CERTIFICATION

1. Training and certification of MCI-Es is accomplished under the auspices of the Director, Field Operations of the appropriate Customs Management Center (CMC). CONUS base commanders requiring the establishment of an MCI-E capability are authorized direct communication with the Director, Field Operations of the appropriate CMC to request the necessary training. For a listing of locations and phone numbers of CMCs, see the USCS web page (<http://www.customs.ustreas.gov>)
2. Training Assistance:
  - a. Instruction, training material, and limited training aids are available from the USCS and the USDA APHIS. See Chapter 505 for additional information.
  - b. Requests for USCS and USDA support will be forwarded to the local Port Director for US Customs and USDA.
3. Costs associated with training (e.g., transportation, per diem, overtime) will be borne by the requesting DOD organization.

4. Instruction will include but not be limited to the following subjects:
  - a. Customs, agriculture, and immigration orientation.
  - b. Preparation of border clearance forms.
  - c. Exemptions.
  - d. Art of inspection.
  - e. Drugs and drug enforcement.
  - f. Firearms and ammunition.
  - g. Restricted and prohibited articles.
  - h. Customs enforcement.
  - i. Inspection workshops (On-the-job training under supervision).
  - j. Smuggling methods of operation and concealment and detection techniques.
5. HQ USTRANSCOM J5-LT will be notified when an MCI-E capability has been established.

#### **E. APPOINTMENT**

1. MCI-Es will be appointed by the base commander and certified on CF-55 by the local Port Director of Customs.
2. Certification/appointments are command specific and automatically terminate when an MCI-E is transferred to a new command.
3. The base MCI-E Program should be re-certified annually. Re-certification and refresher training for individual MCI-E's should be conducted periodically as conditions change or the individual situation warrants, and may be accomplished at the same time as program re-certification.
4. USDA Regulations. MCI-Es or other appropriate military or civilian personnel may also be designated to enforce USDA regulations. When this designation is necessary, the USDA will conduct the training. Local contact points for the USDA can be obtained from the USDA, APHIS, PPQ. See Chapter 505 for USDA information.

## CHAPTER 508

### US EXPORT REQUIREMENTS

#### A. GENERAL

1. This chapter outlines US Customs and Border Clearance requirements for export shipments of DOD property and DOD-sponsored Security Assistance Program (SAP) (Foreign Military Sales (FMS) and Grant Aid) shipments exported from the CTUS. This policy applies to DOD shipments from and to DOD activities and non-DOD activities (contractor or vendor) by both commercial and military carriers. It applies to shipments of US Munitions List (USML) items regulated by the Department of State, Office of Defense Trade Controls (ODTC) and non-USML items regulated by the Department of Commerce, Bureau of Export Administration (BXA). Export shipments of non-government owned material exiting the US must comply with federal export licensing/permit requirements.
2. Almost all DOD shipments are exempt from export license requirements. The key to exporting DOD property is to properly document the shipment so that it is clearly identified as DOD property and not commercial or private sector owned.

#### B. POLICY

It is DOD policy to comply with US Export laws as they relate to DOD shipments and to Security Assistance program shipments that are exported via the DTS, in the most efficient manner possible without unnecessarily delaying the movement of DOD-sponsored shipments. US export requirements are generally outlined in 15 CFR, Commerce and Foreign Trade and 22 CFR, Foreign Relations. Applicable sections of these regulations are referenced in the following paragraphs.

#### C. PRINCIPAL REGULATORY AGENCIES

1. The Department of Commerce, BXA. The Export Administration Act of 1979, as amended, controls “dual-use” items (commercial items, which could have military applications) and is administered by the Department of Commerce through 15 CFR. The BXA is the primary licensing agency for dual use exports. Agency information, telephone numbers, and basic commodities, which may require export licenses, are available on the US Department of Commerce, BXA web site, <http://www.bxa.doc.gov>.
  - a. Of those exports and re-exports subject to the Export Administration Regulation, a relatively small percentage requires the submission of a license application to the Department of Commerce. Most DOD shipments are exempt from Department of Commerce export license requirements. License requirements are dependent upon an item’s technical characteristics, the destination, the end-use, and the end-user, and other activities of the end-user. For information on procedures for determining whether or not an export license is required and which agency has jurisdiction, refer to the BXA web page above. Documentation requirements for claiming export license exemptions are described in the following paragraphs.
  - b. The Department of Commerce, Bureau of the Census, collects data on exports and maintains export statistics for regulating export of defense articles. These apply to both commercial exports and Security Assistance Program exports. The Census Bureau website is <http://www.census.gov/foreign-trade/www/index.html>.
2. The Department of State, ODTC. The Arms Export Control Act (AECA), controls munitions items and is administered by the Department of State, ODTC. The AECA governs most aspects

of defense trade and security assistance. The AECA establishes parameters for the export of defense articles and defense services and the corresponding regulations are included in 22 CFR, 120-130, International Traffic in Arms Regulations (ITAR). The ODTC controls the permanent and temporary export and temporary import of defense articles and defense services by taking final action on license applications and other requests for approval for defense trade exports and re-transfers. The ODTC also handles matters related to defense trade compliance, enforcement and reporting.

- a. USML. The USML is a set of defense articles and defense services that have the following characteristics:
  - (1) Is specifically designed, developed, configured, adapted, or modified for a military application, and
  - (2) Does not have performance equivalent (defined by form, fit and function) to those of an article or service used for civil applications; or
  - (3) Is specifically designed, developed, configured, adapted, or modified for a military application, and has significant military or intelligence applicability such that control under this subchapter is necessary.
- b. As a result of these characteristics, most weapon systems and their components will be covered by the USML. The following categories of defense articles and services are outlined in 22 CFR Part 121, The United States Munitions List:
  - (1) Firearms
  - (2) Artillery Projectors
  - (3) Ammunition
  - (4) Launch Vehicles, Guided Missiles, Ballistic Missiles, Rockets, Torpedoes, Bombs, and Mines
  - (5) Explosives, Propellants, Incendiary Agents, and their constituents
  - (6) Vessels of War and Special Naval Equipment
  - (7) Tanks and Military Vehicles
  - (8) Aircraft and Associated Equipment
  - (9) Military Training Equipment
  - (10) Protective Personnel Equipment
  - (11) Military Electronics
  - (12) Fire Control, Range Finder, Optical and Guidance and Control Equipment
  - (13) Auxiliary Military Equipment
  - (14) Toxicological Agents and Equipment and Radiological Equipment
  - (15) Spacecraft Systems and Associated Equipment
  - (16) Nuclear Weapons Design and Test Equipment
  - (17) Classified Articles, Technical Data and Defense Services not otherwise enumerated
  - (18) Submersible Vessels, Oceanographic and Associated Equipment
  - (19) Miscellaneous Articles.

- c. For the purposes of determining whether an item is on the USML or not, shippers should use the demilitarization (DEMIL) codes to make that determination. DEMIL codes of “B, C, D, E, F, G, and P” indicate that the item is a USML item. A DEMIL code of “A” means that the item is not controlled. A DEMIL code of “Q” means that the item is controlled by the Department of Commerce. If the status of an item to be shipped is uncertain, it should be handled as though it were on the USML.
  - d. Most DOD shipments of USML items are exempt from export license requirements, under the provisions of 22 CFR 126.4, Shipments by or for United States Government Agencies. Documentation requirements necessary to claim this exemption are included in the following paragraphs. For additional information on the ITAR and the USML, which details defense items requiring an export license, contact the ODTC, Bureau of Political-Military Affairs, Department of State (<http://www.state.gov>).
3. Other departments and agencies have regulatory jurisdiction over certain types of exports and re-exports. Some of these agencies, which license defense related material, include:
- a. Department of Treasury, Office of Foreign Assets Controls, which administers and enforces economic and trade sanctions.
  - b. Nuclear Regulatory Commission, Office of International Programs, which licenses the exportation of nuclear material and equipment.
  - c. Department of Energy, Office of Arms Control and Nonproliferation, Export Control Division, which licenses nuclear technology and technical data for nuclear power and special nuclear materials.
  - d. Department of Energy, Office of Fuels Programs, which licenses natural gas and electric power.
  - e. Defense Threat Reduction Agency (DTRA)-Technology Security. A DOD agency responsible for the development and implementation of policies on international transfers of defense related technology. DTRA also reviews certain dual use export license applications referred by the Department of Commerce.

#### **D. EXPORT DOCUMENTATION REQUIREMENTS FOR DOD-OWNED PROPERTY**

1. Responsibilities.
  - a. The USCS is responsible for ensuring that all goods entering and exiting the US do so IAW all applicable US laws and regulations.
  - b. The BXA and the ODTC are responsible for commodity licensing requirements.
  - c. DOD TOs are responsible for ensuring proper documentation is provided for export shipments. This may include information on the BL or carrier airway bill and completion of an electronic or manual Shippers Export Declaration (SED). A copy of the manual US Department of Commerce Form 7525-V Shippers Export Declaration is at Figure 508-1.

U.S. DEPARTMENT OF COMMERCE — U.S. CENSUS BUREAU — Economic and Statistics Administration — BUREAU OF EXPORT ADMINISTRATION					
FORM 7525-V (2-25-2000) SHIPPER'S EXPORT DECLARATION				OMB No. 0907-0152	
1a. U.S. PRINCIPAL PARTY IN INTEREST (USPPI) (Complete name and address)		ZIP CODE		2. DATE OF EXPORTATION	
b. USPPI EIN (IRS) OR ID NO.		c. PARTIES TO TRANSACTION Related <input type="checkbox"/> Non-related <input type="checkbox"/>		3. TRANSPORTATION REFERENCE NO.	
4a. ULTIMATE CONSIGNEE (Complete name and address)		b. INTERMEDIATE CONSIGNEE (Complete name and address)		5. FORWARDING AGENT (Complete name and address)	
6. POINT (STATE) OF ORIGIN OR FTZ NO.		7. COUNTRY OF ULTIMATE DESTINATION		8. LOADING PIER (Vessel only)	
9. METHOD OF TRANSPORTATION (Specify)		14. CARRIER IDENTIFICATION CODE		15. SHIPMENT REFERENCE NO.	
10. EXPORTING CARRIER		11. PORT OF EXPORT		16. ENTRY NUMBER	
12. PORT OF UNLOADING (Vessel and air only)		13. CONTAINERIZED (Vessel only) Yes <input type="checkbox"/> No <input type="checkbox"/>		17. HAZARDOUS MATERIALS Yes <input type="checkbox"/> No <input type="checkbox"/>	
18. IN BOND CODE		19. ROUTED EXPORT TRANSACTION Yes <input type="checkbox"/> No <input type="checkbox"/>		20. SCHEDULE B DESCRIPTION OF COMMODITIES (Use columns 22-24)	
QTY or M (21)	SCHEDULE B NUMBER (22)	QUANTITY - SCHEDULE B UNITS (23)	SHIPPING WEIGHT (Kilograms) (24)	VIN/PRODUCT NUMBER/ VEHICLE TITLE NUMBER (25)	VALUE (U.S. dollars, and cents) (Selling price or cost if not sold) (26)
27. LICENSE NO./LICENSE EXCEPTION SYMBOL/AUTHORIZATION			28. ECCN (When required)		
29. Duly authorized officer or employee		The USPPI authorizes the forwarder named above to act as forwarding agent for export control and customs purposes.			
30. I certify that all statements made and all information contained herein are true and correct and that I have read and understood the instructions for preparation of this document, set forth in the "Correct Way to Fill Out the Shipper's Export Declaration." I understand that civil and criminal penalties, including forfeiture and sale, may be imposed for making false or fraudulent statements herein, failing to provide the requested information or for violation of U.S. laws on exportation (15 U.S.C. Sec. 305; 22 U.S.C. Sec. 401; 18 U.S.C. Sec. 1001; 50 U.S.C. App. 2410).					
Signature		Confidential - For use solely for official purposes authorized by the Secretary of Commerce (15 U.S.C. 301 (a)).			
Title		Export shipments are subject to inspection by U.S. Customs Service and/or Office of Export Administration.			
Date		31. AUTHENTICATION (When required)			
Telephone No. (include Area Code)		E-mail address			

This form may be printed by private parties provided it conforms to the official form, for sale by the Superintendent of Documents, Government Printing Office, Washington, DC 20402, and local Customs District Directors. The "Correct Way to Fill Out the Shipper's Export Declaration" is available from the U.S. Census Bureau, Washington, DC 20233.

**Figure 508-1. US Department of Commerce Form 7525-V Shippers Export Declarations**

- d. DOD and contractor/vendor TOs are responsible for assuring that all shipping documents, customs forms, and markings on packaging are complete and free of abbreviations or acronyms. Also, they must show the appropriate military Service or Defense Agency is

shown as the importer, exporter and/or consignee on all shipping documents and customs forms.

- e. DOD shippers are responsible for providing information to support TO completion of appropriate customs documentation on the DD Form 1348-1A, Issue Release/Receipt Document, Figure 508-2, DD Form 1149, Requisition and Invoice/Shipment Shipping Document, Figure 508-3, or other alternative shipping documents. DOD shippers are also responsible for identifying if the end user is other than a DOD activity outside the US.

**DD FORM 1348-1A, JUL 91 (EG) ISSUE RELEASE/RECEIPT DOCUMENT**

27. ADDITIONAL DATA  28. RIC (4-6) UP (23-24) QTY (25-29) CON CODE (71) DIST (55-56) UP (74-80)	25. NATIONAL STOCK NO. & ADD (8-22)	24. DOCUMENT NUMBER & SUFFIX (30-44)	1. TOTAL PRICE 2. SHIP FROM 3. SHIP TO 4. MARK FOR 5. DOC DATE & NMFC 6. UNIT PRICE 7. FBT RATE 8. TYPE CARGO 9. PS 10. QTY. RECD 11. UP 12. UNIT WEIGHT 13. UNIT CUBE 14. UFC 15. SL 16. FREIGHT CLASSIFICATION NOMENCLATURE 17. ITEM NOMENCLATURE 18. TV COUNT 19. NO COUNT 20. TOTAL WEIGHT 21. TOTAL CUBE 22. RECEIVED BY 23. DATE RECEIVED
PerFORM (DLA)		PREVIOUS EDITION MAY BE USED	

**Figure 508-2. DD Form 1348-1A, Issue Release/Receipt Document**

SHIPPING CONTAINER TALLY → 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50

**REQUISITION AND INVOICE/SHIPPING DOCUMENT**

Army Approved  
Form No. O39a-0046  
Expires Jan 31, 2000

The public reporting burden for this collection of information is estimated to average 1 hour per response, including the time for reviewing instructions, searching existing data sources, gathering and reviewing the data needed, and completing and reviewing the collection of information. Send comments regarding this burden estimate or any aspect of this collection of information, including suggestions for reducing this burden, to Washington Headquarters Service, Directorate for Information Operations and Reports, 1215 Jefferson Davis Highway, Suite 1204, Arlington, VA 22202-4302. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

**PLEASE DO NOT RETURN YOUR FORM TO THIS ADDRESS. RETURN COMPLETED FORM TO THE ADDRESS IN ITEM 2.**

1. PRIOR (include ZIP Code) SHEET NO. NO. OF SHEETS DATE 6. REQUISITION NUMBER

2. TO (include ZIP Code) 7. DATE MATERIAL REQUIRED (YYYYMMDD) 8. PRIORITY

9. AUTHORITY OR PURPOSE

10. SIGNATURE 11a. VOUCHER NUMBER & DATE (YYYYMMDD)

12. DATE SHIPPED (YYYYMMDD) b.

13. MODE OF SHIPMENT 14. BILL OF LADING NUMBER

15. AIR MOVEMENT DESIGNATOR OR PORT REFERENCE NO.

4. APPROPRIATIONS DATA

ITEM NO.	FEDERAL STOCK NUMBER, DESCRIPTION, AND CODING OF MATERIAL AND/OR SERVICES	UNIT OF ISSUE (a)	QUANTITY REQUESTED (d)	SUPPLY ACTION (e)	TYPE COM-TAINER NOS. (f)	CON-TAINER NOS. (b)	UNIT PRICE (g)	TOTAL COST (c)	AMOUNT
IN	(b)								

16. TRANSPORTATION VIA MATS OR MATS CHARGEABLE TO

ISSUED BY	TOTAL CON-TAINERS	DESCRIPTION	TOTAL WEIGHT	TOTAL CUBE	DATE (YYYYMMDD)	BY	SHEET TOTAL
18. R							
19. C							
20. E							
21. I							
22. P							
23. T							
TOTAL							

DD FORM 1149, APR 2000 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100

PREVIOUS EDITION MAY BE USED.

**Figure 508-3. DD Form 1149, Requisition and Invoice/Shipping Document**

2. SED. SEDs are used for compiling official US Export Statistics and for export control purposes. Requirements for SEDs are found in 15 CFR, Part 30, Foreign Trade Statistics, and in the ITAR, 22 CFR Part 120-130. Some shipments may not need an SED. Specific requirements are identified in the following paragraphs. The SED submission may be made using one of the following methods:
  - a. Electronically through a direct interface between the DOD shipper system and USCS Automated Export System (AES)

- b. Through AESDirect, the U.S. Census Bureau's free, internet based system for filing Shipper's Export Declaration (SED) information to the AES. Instructions for using AESDirect can be found at the following website: <http://www.aesdirect.gov/>.
    - c. Manually. Instructions for completing the manual SED can be found at the following website: <http://www.census.gov/foreign-trade/www/correct.way.html>.
  3. Export Documentation Requirements for Non-USML DOD-owned property. For shipments originating in the US that are not on the USML the following guidance applies:
    - a. A CBL or carrier airway bill may be used for these shipments.
    - b. IAW 15 CFR 30.52 Special Exemptions for Shipments to the U.S. Armed Services, if the shipment is consigned to the US armed services for their exclusive use, including shipments to Armed Services Exchange Systems, an SED is not required. However, the following statement must be cited on the shipping papers: "This shipment is exempt from a SED requirement based on 15 CFR 30.52".
  4. Export Documentation Requirements for USML DOD-owned property. For shipments that are on the USML the following guidance applies:
    - a. USML shipments between DOD activities (military installations or other DOD depots, etc.). The ODTIC has granted a temporary waiver to the Government Bill of Lading (GBL) and SED requirements of 22 CFR 126.4 for shipments between DOD activities. No GBL or SED is required for shipments, but DOD shippers must use the following procedures.
      - (1) Include the following statement in the remarks or description blocks of the shipping document (i.e., GBL, CBL, commercial invoice, Transportation Control and Movement Document): "This shipment contains Defense Articles controlled under the United States Munitions List and is for exclusive end use by DOD pursuant to a temporary waiver by the office of Defense Trade Controls later dated (insert applicable date here). USCS questions should be directed to duty phone (insert telephone number here), after hours phone (insert telephone number here)."
      - (2) USTRANSCOM will provide, via message, the current applicable date to insert in the statement.
      - (3) Inclusion of this statement, in and of itself, does not preclude the USCS from detaining shipments when routing or contents are questionable.
      - (4) Shipping document must contain the signature block (not signature) of the TO authorizing shipment.
      - (5) This temporary waiver does not apply to contractor-originated shipments.
      - (6) If unable to determine if the item is on the USML or not, shippers should cite the statement in paragraph D.4.a.(1) above.
      - (7) The statement and signature block may be programmed into either DOD shipper system or carrier proprietary system as applicable, but must appear on the shipping document.
    - b. USML shipments from or to contractor/vendors.
      - (1) The temporary waiver described in paragraph D.4.a. does not apply to contractor-originated shipments. USML shipments of DOD-owned property from contractors/vendors must be accompanied by a properly executed SED.
      - (2) Shipping document (BL or commercial invoice) should contain the following statement: "Property of (insert applicable military service or defense agency). Property will not

enter the trade of the country to which it is being shipped. No export license required - 22 CFR 126.4 Applicable.” (If the shipment is going to Canada, use 22 CFR 126.5.)

- (3) If the shipment is going to a DOD contractor for repair and will remain DOD property, the owning military Service or Defense Agency should be shown as the importer and/or exporter, and the consignee should be shown as the military Service or Defense Agency, c/o (insert contractor’s name and address).
  - (4) The SED should be completed IAW instructions found at <http://www.census.gov/foreign-trade/www/correct.way.html>.
- c. For shipments that do not fit these criteria, refer to 22 CFR for additional guidance.

## **E. SAP (FMS AND GRANT AID) SHIPMENTS**

1. SAP shipments exported from the US via the DTS are exempt from Export License requirements. However, certain statements must be made on Bills of Lading used by shipping activities to route cargo to CTUS POEs to fulfill U.S. Customs requirements. Also, some DTS exports of SAP materiel require SEDs to insure that the exports are reported to the Department of Commerce and/or Department of State. FMS SAP shipments exported by FMS Customer Countries or their CTUS agents (usually referred to as “freight forwarders”) follow specific export regulations applicable to them. For further information regarding SAP procedures, see DTR, Part II, Appendix E and DOD 5105.38M, Security Assistance Management Manual, (SAMM), Chapter 5 that can be found at <http://www.dsca.osd.mil/samm/>.
2. DOD-Sponsored Transportation of FMS Material Directly to Customer Countries.
  - a. These are normally Delivery Term Codes (DTCs) 6, 7, 9, A, D, F, G and J shipments, and this transportation is referred to as movement via the DTS. For moving FMS materiel, the DTS falls into two categories. Under the first, an FMS shipment is exempt from both Export Licensing and SED requirements. Under the second, an FMS shipment is exempt from the Export License requirement only. Under either of these categories, USG/DOD/ has legal custody, but not title to or ownership of, the materiel.
  - b. When the DOD ships FMS materiel through the DTS in DOD-owned, controlled or arranged transportation (i.e., AMC airlift, MSC sealift or MTMC-booked sealift), the DOD shipping activity is exempt from both Export License and SED requirements.
  - c. When DOD ships FMS materiel via a commercial carrier (normally air) procured directly by a USG/DOD/ shipping activity without direct involvement of AMC, MSC or MTMC; a SED must be prepared by the shipping activity.
  - d. Annotation of Transportation Documents.
    - (1) For shipments falling into Paragraph 2.b. above, the following must be annotated in GBLs and other transportation documents:

“(Applicable Military Department)-Sponsored Foreign Military Sales Shipment--No Export Declaration or License Required. 22 CFR 126.4(a) applicable.”

The signature of the issuing officer on the GBL serves as a certification of this statement. It must appear in a GBL used to ship FMS cargo to a CONUS Water POE/Aerial POE where the cargo will be loaded into the overocean conveyance.

- (2) For shipments falling into Paragraph 2.c. above, the following must be annotated in GBLs and other transportation documents:

“(Applicable Military Department)-Sponsored Foreign Military Sales Shipment--No Export License Required. 22 CFR 126.4(a) applicable.”

The signature of the issuing officer on the BL serves as a certification of this statement.

- e. Non-USG/DOD Use of These Exemptions. Under no circumstances will the exemptions discussed above be extended to shipments made by any foreign government or its agent (“freight forwarder”).
- f. Report of DTS FMS Exports. All USG/DOD-sponsored FMS shipments falling into the categories discussed in Paragraph 2.b. above will be reported by MTMC, AMC or MSC to the applicable implementing agency (e.g., U.S. Army Security Assistance Command, Air Force Security Assistance Center, etc.). The implementing agency then forwards the data to the Foreign Trade Division, Bureau of Census, Department of Commerce, in the Foreign Trade Report to comply with the conditions under which the above-mentioned waiver was granted and to satisfy the export data requirements of the Department of Commerce.
- g. DTC Changes. Circumstances may occur during the implementation of an FMS Case/ Letter of Offer and Acceptance (LOA) that will require changes to DTCs after requisitions have been processed and assigned their Military Standard Requisition and Issue Procedures (MILSTRIP) document numbers. These MILSTRIP documents (e.g., requisitions or Material Release Orders) contain the DTC assigned in the original LOA in record position 34. Since Transportation Control Numbers (TCNs) are constructed directly from MILSTRIP document numbers, the fifth position of a TCN for a FMS shipment will contain the DTC. When a DTC is changed for moving cargo to a Customer Country, the authority for the change is documented in the applicable FMS Case/LOA. MILSTRIP, however, prohibits changing a MILSTRIP document number (and therefore the related TCN) once it has been generated and entered into the DOD logistics system. For this reason, shipping activities must be advised in writing by their Materiel Managers that an FMS shipment must be processed under a DTC other than the one contained in the applicable MILSTRIP document(s) and TCN.
3. Shipments of FMS Purchased Materiel Through Country Representatives or Freight Forwarders.
- a. Either the purchaser or the freight forwarder may obtain the authorization to export and import SAP materiel furnished under a Letter of Offer and Acceptance (LOA). If the freight forwarder is assigned this responsibility, it must be registered with the Department of State, ODTC, as the purchaser’s agent. Procedures for obtaining export approval are shown in DOD 5105.38M, Chapter 5 that can be found at <http://www.dsca.osd.mil/samm/>.

b. The country representative or their freight forwarder must file the following documents with the district Director of Customs at the US port of exit prior to actual shipment.

- (1) Foreign Military Sales program-Department of State Form DSP-94, Authority to Export Defense Articles and Defense Services Sold Under the Foreign Military Sales Program, Figure 508-4.

UNITED STATES OF AMERICA DEPARTMENT OF STATE <b>AUTHORITY TO EXPORT DEFENSE ARTICLES AND DEFENSE SERVICES SOLD UNDER                  THE FOREIGN MILITARY SALES PROGRAM</b>																											
OMB APPROVAL NO. 1405-0051  This form, when properly executed and accompanied by an authenticated Department of Defense Offer and Acceptance (DD form 15-13), constitutes authority under section 128.6 of the International Traffic in Arms Regulations (ITAR) to export the defense articles and defense services listed thereon. This form may be used in lieu of a Department of State export license to export defense articles and services sold by the Department of Defense under the Foreign Military Sales (FMS) program. This export authority is valid for 2 years from the date shown in item 12 below.  The Department of State may, without prior notice to the exporter, deny, revoke, suspend, or amend this authority consistent with ITAR section 128.7.  Willful violation of the ITAR, making an untrue statement of a material fact, or omission of a material fact required to be stated on this form are subject to prosecution and, upon conviction, fines up to \$100,000 or up to 2 years' imprisonment, or both. (Section 38(a), Arms Export Control Act)																											
1. PM/DTC Applicant Code	2. Country of Ultimate Destination/Purchaser	3. Port of Exit from U.S.																									
4. Applicant's Name, Address, ZIP Code, Tel. No.	5. Foreign Military Sales Case Identifier	6. Date of FMS Case Implementation																									
	7. Total Value of Defense Articles and Defense Services of Original FMS Case \$ _____																										
8. Only the unshipped balance, valued at \$ _____, of this FMS case is covered by this DSP-94. Previous shipments of this FMS case were covered by a Form DSP-94 dated _____ and/or Department of State license No. _____																											
9. Form DSP-94 constitutes an amendment to the value and/or quantity of defense articles and services authorized under this FMS case as shown in the attached-amended DD Form 1513. <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <span>Yes <input type="checkbox"/></span> <span>No <input type="checkbox"/></span> </div>																											
10. If exporter is a freight forwarder acting on behalf of a foreign government or diplomatic mission, provide the name, address, and telephone number of the foreign official in the U.S. familiar with the FMS case.																											
11. U.S. Munitions List Categories (see section 121.1 of the ITAR). Please check the appropriate categories to indicate the types of defense articles and/or defense services included on this FMS case:																											
<table style="width: 100%; border: none;"> <tr> <td style="width: 25%;">I. _____</td> <td style="width: 25%;">VI. _____</td> <td style="width: 25%;">XI. _____</td> <td style="width: 25%;">XVI. _____</td> <td style="width: 25%;">XXI. _____</td> </tr> <tr> <td>II. _____</td> <td>VII. _____</td> <td>XII. _____</td> <td>XVII. _____</td> <td></td> </tr> <tr> <td>III. _____</td> <td>VIII. _____</td> <td>XIII. _____</td> <td>XVIII. _____</td> <td></td> </tr> <tr> <td>IV. _____</td> <td>IX. _____</td> <td>XIV. _____</td> <td>XIX. _____</td> <td></td> </tr> <tr> <td>V. _____</td> <td>X. _____</td> <td>XV. _____</td> <td>XX. _____</td> <td></td> </tr> </table>			I. _____	VI. _____	XI. _____	XVI. _____	XXI. _____	II. _____	VII. _____	XII. _____	XVII. _____		III. _____	VIII. _____	XIII. _____	XVIII. _____		IV. _____	IX. _____	XIV. _____	XIX. _____		V. _____	X. _____	XV. _____	XX. _____	
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12. Exporter's Statement  I, _____, hereby exercise the authority to effect the export described described above; warrant the truth of all statements made herein; and acknowledge, understand, and will comply with the provisions of Title 22 CFR Parts 120-130 and any conditions and limitations imposed.  Signature _____ Date _____ (Authority valid for 24 months from above date.)																											
FORM 12-91 DSP-94 <span style="float: right;">1 - AUTHORITY TO EXPORT</span>																											

**Figure 508-4. DSP-94, Authority to Export Defense Articles and Defense Services Sold Under the Foreign Military Sales Program**

- (2) A copy of the authenticated LOA.
- (3) Shipper's export declaration.

- c. FMS Shipments on Foreign-Owned Military Aircraft and Naval Vessels. A license from the ODTIC is not required if the article or technical data is to be exported from the US on a military aircraft or naval vessel of that government or organization under the provisions of 22 CFR 126.6, Foreign-Owned Military Aircraft and Naval Vessels, and the Foreign Military Sales Program. Detailed procedures for this type of export can be found in DOD 5105.38M, Chapter 5, Section 50303.
4. Overseas Customs Clearance. The FMS customer country is responsible for obtaining overseas customs clearance of all FMS materiel through its customs agencies for receipt of the materiel at the country port of discharge.

## F. POV EXPORT REQUIREMENTS

1. Interpretation and application of 19 CFR 192, Export Control and 19 CFR 192.1 Definitions. The following are general definitions for the purposes of 19 CFR 192.2, Requirements for Exportation:
  - a. Certified. “Certified” when used with reference to copy, means a document issued by an authorized authority that includes on it a signed statement by the authority that the copy is an authentic copy of the original.
  - b. Copy. “Copy” refers to a duplicate or photocopy of an original document. When there is any writing on the backside of an original document, a “complete copy” means that both sides of the document are copied.
  - c. Export. “Export” refers to the transportation of merchandise out of the US for the purpose of being entered into the commerce of a foreign country.
  - d. Self-Propelled Vehicle. “Self-propelled” vehicle includes any automobile, truck, tractor, bus, motorcycle, motor scooter, motor home, self-propelled agricultural machinery, self-propelled construction equipment, self-propelled special use equipment, and any other self-propelled vehicle used or designed for running on land but not rail.
  - e. Ultimate Purchaser. “Ultimate Purchaser” means the first person, other than a dealer purchasing in his/her capacity as a dealer, who in good faith purchases a self-propelled vehicle for purposes other than resale.
  - f. Used. “Used” refers to any self-propelled vehicle where the equitable or legal title to which has been transferred by a manufacturer, distributor, or dealer to an ultimate purchaser.
  - g. Documentary Status. It is the responsibility of the reviewing inspector to ensure that an original certificate of title is presented as provided for in 19 CFR 192.2 (b), Documentation Required. The certificate of title is the core requirement in the Customs export process, regardless of the vehicle’s economic value, physical condition, or operating order.
  - h. Structure of the Regulations. Procedurally, all exporters or their agents who present a document to Customs are to begin at 19 CFR 192.2 (b) (1) (i), Vehicles Issued an Original Certificate of Title and then progress through each subsection until the exporter arrives at the section and subsection(s) that apply to the vehicle that has been presented to Customs for export. This procedure ensures that no requirement is misinterpreted, misapplied, or circumvented by either the exporter or the reviewing Customs officer.
2. Section 192.2.
  - a. Basic requirements. A person attempting to export a used self-propelled vehicle will present to Customs, at the port of exportation, both the vehicle and the required documentation describing the vehicle to include the VIN or, if the vehicle does not have a VIN, the product

identification number. Exportation of a vehicle will be permitted only upon compliance with these requirements, unless the vehicle was entered into the US under an in-bond procedure, a carnet, a Temporary Importation Bond, or under a personal exemption for non-residents who entered the vehicle for a 1-year period.

b. Documentation required.

(1) For US Titled Vehicles:

- (a) Vehicles issued an original certificate of title. For used, self-propelled vehicles, issued by any jurisdiction in the US, with a Certificate of Title or a Salvage Title that remains in force, the owner must provide to Customs the original Certificate of Title or a Certified Copy of the Certificate of Title and two complete copies of the original Certificate of Title or the Certified Copy of the original.
- (b) Where title evidences third-party ownership/claims. If the used, self-propelled vehicle is leased or in the case of a vehicle where a recorded lien exists in the US, in addition to complying with paragraph F.2.b.(1)(a) of this section, the provisional owner must provide to Customs a separate writing from the third-party-in interest which expressly provides that the subject vehicle may be exported. This writing must be on the third-party's letterhead paper and contain a complete description of the vehicle including the VIN, the name of the lessor of the leased vehicle or lienholder, and the telephone numbers at which that lessor or lienholder may be contacted and must bear an original signature of the third-party and state the date it was signed.
- (c) Where USG employees are involved. If the used self-propelled vehicle is owned by a USG employee and is being exported in conjunction with that employee's reassignment abroad pursuant to official travel orders, then, in lieu of complying with paragraph F.2.b. of this section, the employee may be required to establish that he/she has complied with the sponsoring agency's internal travel department procedures for vehicle export.

(2) For Foreign-Titled Vehicles. For used, self-propelled vehicles that are registered or titled abroad, the owner must provide to Customs the original document that provides satisfactory proof of ownership (with an English translation of the text if the original language is not in English), and two complete copies of that document (and translation, if necessary).

(3) For Untitled Vehicles.

- (a) Newly manufactured vehicles, issued a Manufacturer's Statement of Origin (MSO). For newly manufactured, self-propelled vehicles that are purchased from a US manufacturer, distributor, or dealer that become used and are issued an MSO, but not issued a certificate of title by any jurisdiction of the US, the owner must provide to Customs at the time and place specified in this section, an original MSO and two complete copies of the original MSO.
- (b) Newly manufactured vehicles not issued an MSO. For newly-manufactured, self-propelled vehicles purchased from a US manufacturer, distributor, or dealer that become used and not issued an MSO or a Certificate of Title by any jurisdiction of the US, the owner must establish that the jurisdiction from where the vehicle comes does not have any ownership documentation requirements regarding such vehicles and provide to Customs, at the time and place specified in this section, an original

document that proves ownership, such as a dealer's invoice, and two complete copies of such original documentation.

- (c) Vehicles issued a junk or scrap certificate. For vehicles for which a junk or scrap certificate, issued by any jurisdiction of the US, remains in force, the owner must provide to Customs the original certificate or a certified copy of the original document and two complete copies of the original document or certified copy of the original.
- (d) Vehicles issued a title or certificate that is not in force or are otherwise not registered. For vehicles that were issued, by any jurisdiction of the US, a title or certificate that is no longer in force, or that are not required to be titled or registered, and for which an MSO was not issued, the owner must establish that the jurisdiction from where the vehicle comes does not have any ownership documentation requirements regarding such vehicles and provide to Customs the original document that shows the basis for ownership or right of possession, such as a bill of sale, and two complete copies of that original document. Further, the owner must certify in writing to Customs that the procurement of the vehicle was a bona fide transaction, and that the vehicle presented for export is not stolen.

c. When presented:

- (1) Exportation by vessel or aircraft. For those vehicles exported by vessel or aircraft, the required documentation and the vehicle must be presented to Customs at least 72 hours prior to export.
- (2) Exportation at land border crossing points. For those vehicles exported by rail, highway, or under their own power.
  - (a) The required documentation must be submitted to Customs at least 72 hours prior to export; and
  - (b) The vehicle must be presented to Customs at the time of exportation.

d. Where presented. Careful attention should be paid to 19 CFR 192.2 (d), Where Presented. Port Directors will establish locations at which exporters must present the required documentation and the vehicles for inspection. Port Directors will publicize these locations, including their hours of operation.

e. Authentication of documentation. Customs will determine the authenticity of the documents submitted. Once determined, Customs will mark the original documents. In most cases the original document(s) will be returned to the exporter. In those cases where the original title document was presented to and retained by Customs and cannot be found prior to the vehicle's export, the exporter's authenticated copy of the original documentation serves as evidence of compliance with the reporting requirements.

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