

USTRANSCOM



DOD Customs & Border Clearance Program



**2010 SDDC – Pacific Workshop
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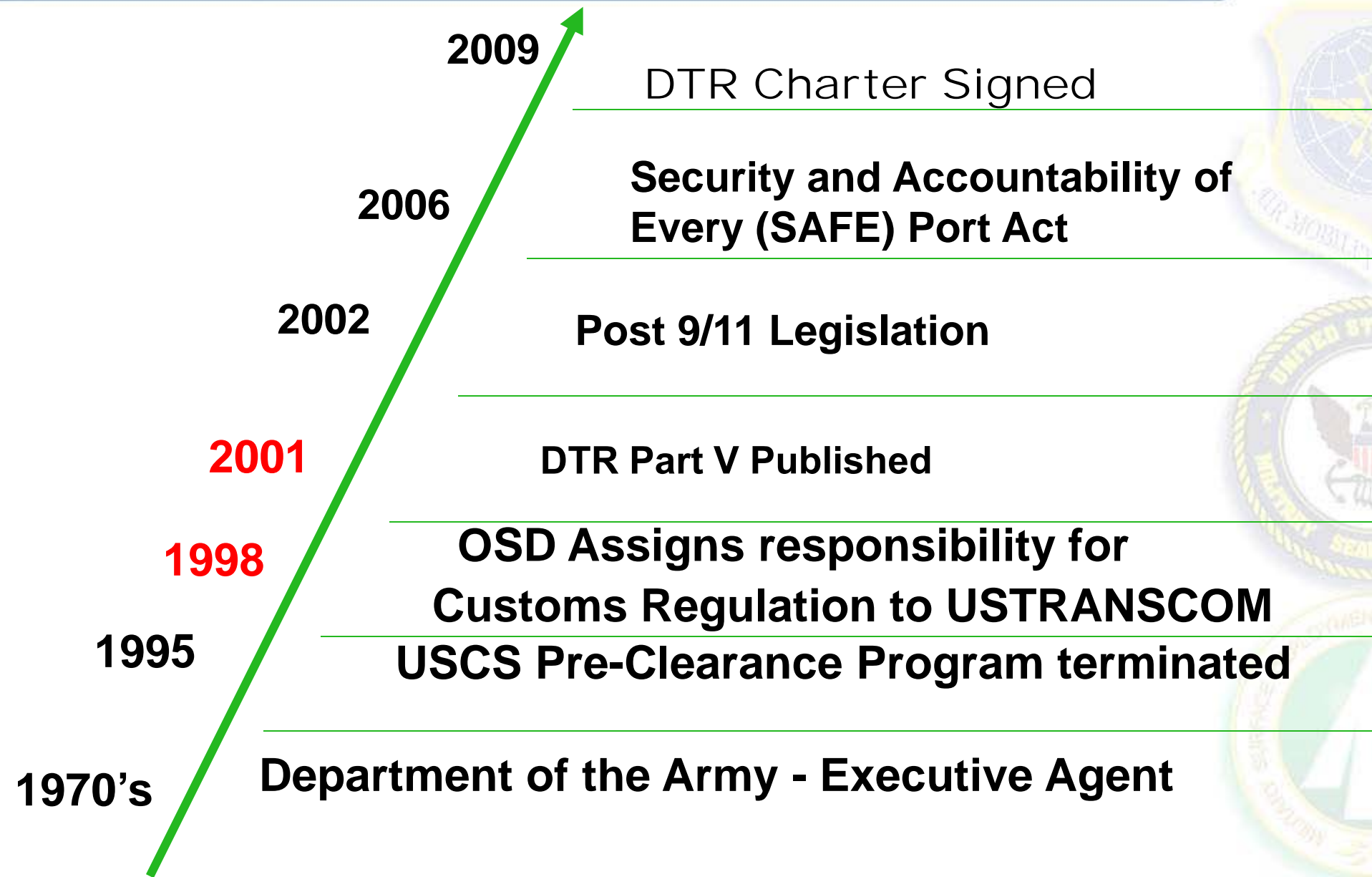
OVERVIEW

- Background
- What is the DOD CBCP?
- Strategy
- International Customs Environment
- DTR Part V
- Export Requirements
- Import Requirements & Documentation
- Customs Automation
- Pre-clearance Programs
- MCI-E Program
- How to contact us





BACKGROUND



2009

DTR Charter Signed

2006

Security and Accountability of Every (SAFE) Port Act

2002

Post 9/11 Legislation

2001

DTR Part V Published

1998

OSD Assigns responsibility for
Customs Regulation to USTRANSCOM
USCS Pre-Clearance Program terminated

1995

Department of the Army - Executive Agent

1970's



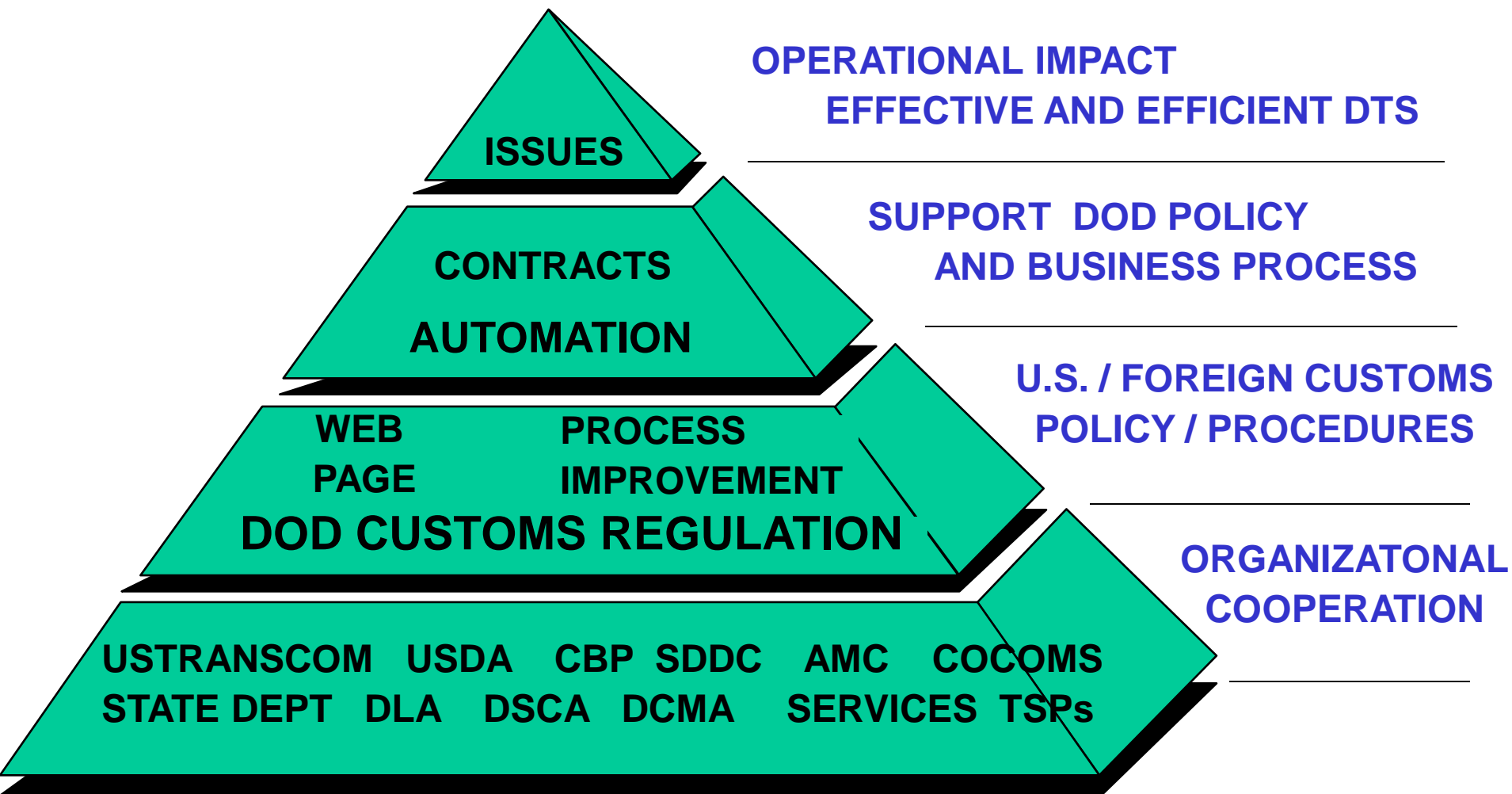
DOD Customs & Border Clearance Program

- **Purpose: To ensure compliance with**
 - US customs and border clearance requirements
 - Foreign host nation customs and border clearance requirements
- **Cooperative effort between**
 - Theater Commands, Services, Agencies
 - Federal Inspection Service agencies
- **Intent: Prevent unnecessary delays in DTS**
 - Movement of Cargo, Passengers, and Personal Property
- **Implemented by DTR Part V**
- **Coordinated by USTRANSCOM**





USTRANSCOM STRATEGY: BUILD A SOLID FOUNDATION FOR A DOD CUSTOMS PROGRAM





International Customs Environment

- September 11, 2001
- New legislation
 - Transportation Security Act of 2001
 - Enhanced Border Security and Visa Reform Act of 2002
 - Security and Accountability of Every (SAFE) Port Act
- U.S. pushes out borders
 - Container Security Initiative (ID risk at SPOE)
 - Secure Freight Initiative (radiation scanning)
 - Importer Security Filing 10 + 2
- DOD Cargo, Passengers, Personal Property intermingled with commercial movements
 - New rules affect DOD



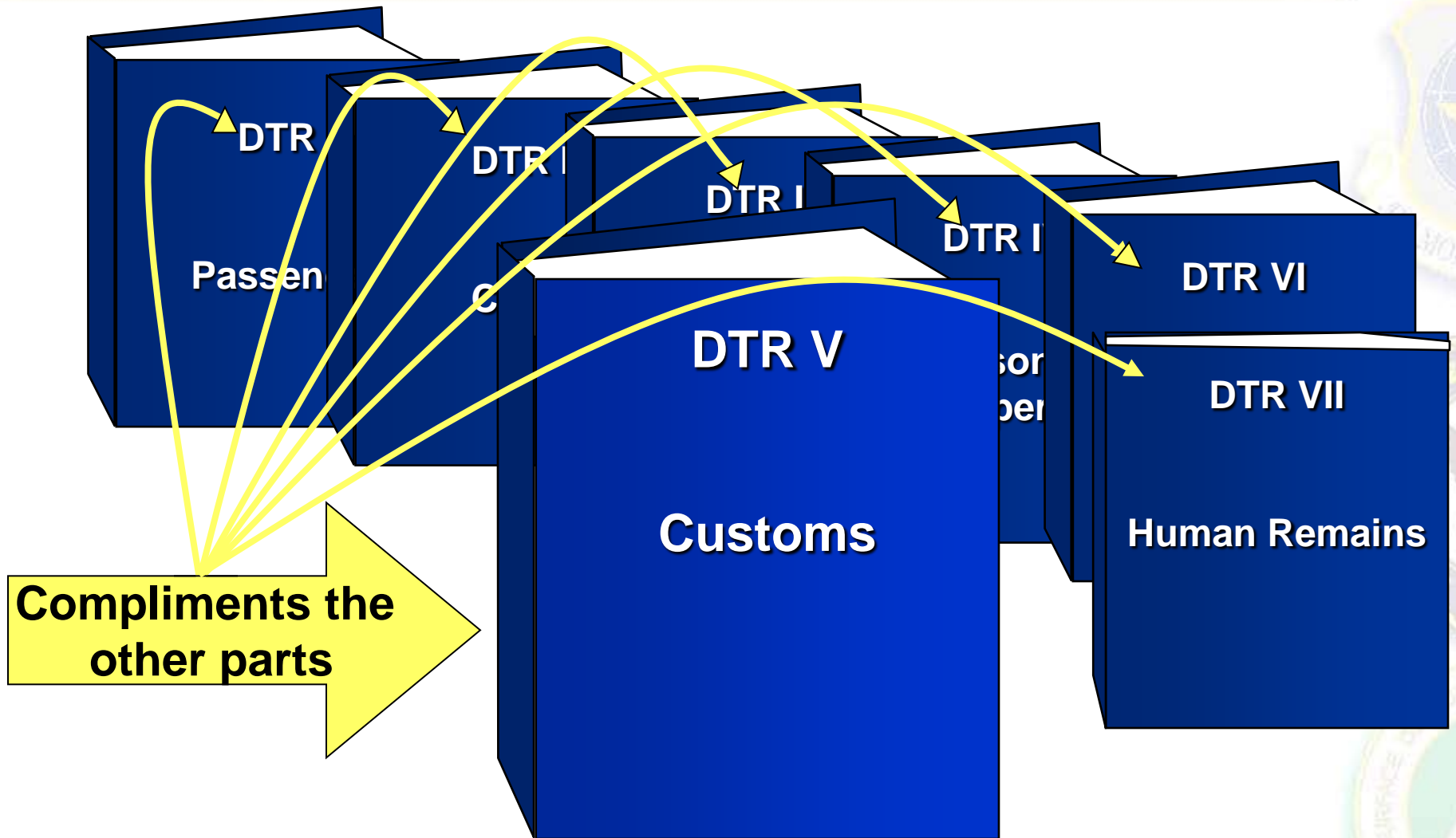
International Customs Environment

- Department of Homeland Security
 - Consolidates border agents from:
 - U.S. Customs Service
 - Agricultural Plant Health Inspection Service
 - Immigration and Naturalization Service
 - Into Bureau of Customs and Border Protection (CBP), 1 March 2003
- Scrutiny of other countries border crossing agencies increases
 - European Union
 - Iraq, Afghanistan, Qatar





Defense Transportation Regulation Part V

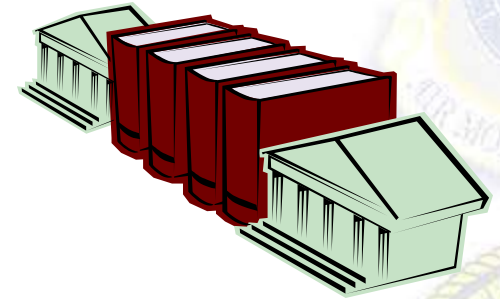


http://www.transcom.mil/j5/pt/dtr_part_v.cfm



DTR Part V

- **DOD Customs and Border Clearance Policies and Procedures**
 - U.S. Customs/Border Clearance
 - Pre-Clearance/Inspection Programs
 - Foreign Country Guidance
 - Theater/Country specifics (Developed by Geographic Combatant Commanders)
- **Status: 1st Edition Published January 2001**
 - Changes published 2003/2006/2007/2009/2010
 - Last Update for PACOM: May 2009





Export Requirements

International Traffic in Arms Regulation (ITAR)

- 22 CFR, parts 120-130/DTR Part V, Chapter 508
 - Controls export/import of Defense articles
 - Department of State/Directorate Defense Trade Controls (DDTC)
 - Department of Commerce
 - Bureau of the Census/Bureau of Industry and Security
 - Customs and Border Patrol
- Electronic Export Information (EEI) filings required by CBP for items in the ITAR
 - Items on the US Munitions List (USML)
 - Transported by commercial air or surface



Vendor/Contract Customs Requirements

- **Guidance for contractor and vendor shipments is found in DTR, Part V, Chapters 502 (import) and 508 (export)**
- **USML shipments require EEI filing by the US Primary Party of Interest or Transportation Officer**
- **Customs Duty Free Management System operated by Defense Contract Management Agency (DCMA)**
- **DCMA New York Customs Team works overseas procurement customs issues, provides assistance**
- **Bottom-line: Transportation Officers should establish/maintain communication with Installation Contracting Office**



Importer Security Filing (ISF “10+2”)

- **Overview - Importer Security Filing “10+2”**
 - Target: Terrorist weapons in commercial container shipments
 - Transportation Service Provider (TSP) and importer must provide 10+2 data
 - TSP provides 2 add’l elements (Stow plan, container status)
 - Importer provides 10 elements (e.g. shipper, commodity type)
- **Current status**
 - DoD Cargo: Third Party Contract pending
 - DoD Sponsored HHG/POVs:
 - Implemented Jan 2010; TSPs file ISF on behalf of the service member
 - SSN is required on DD 1252



Documentation

- **DD Form 1252/1252-1 U.S. Customs Declaration for Personal Property**
 - *DD Form 1252/1252-1 is the member's "declaration" of duty-free HHG items*
 - *DD Form 1252 must be completed and SIGNED by owner or authorized agent*
 - *Firearms: DD Form 1252-1 required w/supporting documentation*
 - *ATF Form 6 – Part II (Military mbrs) or Part I (Civilian mbrs) MANDATORY*
 - *Military Orders are the lawful basis for U.S. importation exemptions (duty free entry)*
 - *Orders must accompany DD1252/1252-1 during shipment*
- **Privately Owned Vehicles (POVs)**
 - *Must meet DOT & US EPA standards for entry into U.S. (Shippers responsibility)*
 - *DOT Form HS-7 (Safety Standards) must accompany original DD1252*
 - *EPA Form 3520-1 (EPA) required for Gas/Diesel engines (see DTR for eff dates)*
 - *Motorcycles, Motor Scooters and Mopeds Shipped in HHGs*
 - *All Federal safety and EPA standards must still be met*
 - *DOT/EPA documents must be completed & accompany the shipment*



Documentation Issues

- **Port of Entry requirement for DoD member's picture I.D. or Passport**
 - *U.S. Law does not require a picture I.D. for importation of DoD sponsored Personal Property or POV*
 - *CFR Title 19, part 148.77:*
 - *Declaration and entry--Person entitled to exemption. Declaration and entry for articles claimed to be exempt from duty and tax under subheading 9805.00.50, (members of the armed forces) may be made on Customs Form 3299, or Department of Defense Form (DD) 1252 when entry is made in the name of the person who is entitled to the benefits of the exemption.*
 - *Verification of claim for exemption By travel orders. The declaration and entry shall be verified by the Customs officer by an inspection of the owner's travel orders.*
- **Motorcycles, Motor Scooters and Mopeds Shipped in HHGs**
 - *Dot Safety and EPA documents MUST be completed, and accompany the vehicle*



Customs Automation

- **Changing environment**
- **DOD moving to commercial practices --**
Increased use of:
 - Vendor vs. DOD owned inventory
 - Commercial vs. Military carriers (for small package express)
 - CBLs vs. GBLs (DOD GBL retirement initiative)
 - Shipment velocity slowed by inefficient documentation processes





Customs Automation

Current projects

US CUSTOMS

- Automated Export System (AES) Interface with DSS, GFM, and CMOS
- GATES/APIS Interface for Passenger Manifest data
- Possible use of Automated Broker Interface (ABI) for entry summaries

HOST NATION CUSTOMS/BORDER CLEARANCE

- **Customs Process Automation System (CPA)**
 - Germany for commercial air express shipments
 - Korea for commercial air express shipments





DoD Pre-Clearance Program

What is Pre-clearance?

Certification, through inspection or examination, that DOD personnel, aircraft, vessels, cargo and equipment returning to U.S. have met CBP/USDA entry requirements prior to redeployment.

Get 'er Done – Overseas!!





Why have a Pre-clearance Program?

Pre-clearance is a “win-win” for the DoD and CBP/USDA

- **Pre-clearance programs significantly reduce the introduction of illicit contraband and agricultural pests into US territories**

- **Mitigates CONUS port delays while expediting the importation of DoD materials into the U.S.**

Pre-clearance is a “*privilege*” not a “*right*”. If we abuse it, we could lose it!





Executive Responsibilities

- **USTRANSCOM** – Develop Pre-Clearance policy/procedure, coordinate program with Commands, Services, DOD and Federal Inspection Service agencies
- **Combatant Commander** - Operate pre-clearance inspection program
- **Services** – Organize, train, and equip CBCA personnel
- **Dept of Homeland Security** - Customs and Border Protection (CBP) – Enforce US border crossing laws, train CBCA inspectors
- **Dept of Agriculture** – Animal & Plant Health Inspection Service (APHIS) - Prevent entry of agricultural pests, train CBCA inspectors



Military Preclearance (Combined)

- **U.S. Military Preclearance Program (Combined)**
 - Includes agriculture and customs entry requirements
 - Only approved for OIF/OEF/OND contingency operations in Afghanistan, Iraq, Kuwait, Kyrgyzstan, Jordan and Qatar
- **Navy has mission for Kuwait and Iraq**
- **Army has mission for Afghanistan**
- **Air Force has mission for Qatar**
- **Over 500 full time Customs and Border Clearance Agents (CBCA)**
- **Shipments/personnel are subject to CBP clearance at CONUS APOD/SPOD**





Military Customs Inspectors- Excepted (MCI-E)

- **Grants DOD personnel authority to perform CBP inspection duties for**
 - Arrival of military or military chartered aircraft @ limited Ports of Entry
 - In cooperation with and approval of Installation Commander
- **Appointment by Installation Commander**
 - CBP issues a CF55
 - Receive training
- **Requires MOU between Installation Commander and local CBP port director**
- **Inspect baggage/professional equipment /cargo**
- **Only authorized to process active duty military personnel**
 - Civilians must be processed by CBP officers





USTRANSCOM Customs Contacts

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- Mr. Marty Walker
 - martin.walker@ustranscom.mil
 - DSN: 779-4506, Comm: 618-229-4506
- Access to DTR: <http://www.transcom.mil>
- Customs Webpage: <http://transcom.mil/customs>
- Organizational Mail Box: ustcj54-pt@ustranscom.mil





Thank You!

Thank You!



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