

CHAPTER 509

GENERAL GUIDANCE FOR FOREIGN CUSTOMS AND BORDER CLEARANCE

A. SCOPE

The following paragraphs outline the Customs and Border Clearance requirements of nations outside the Customs Territory of the United States (CTUS), where Department of Defense (DoD) either has established activities or conducts exercises. They identify governing regulations or directives, establish clearance requirements and procedures, and list organizational points of contact (POC) responsible for the entry/exit of material and personnel for the various countries listed for each theater Commander (CDR). Theater CDRs will determine which nations require an annex in this publication and the order in which they are developed and published.

B. POLICY

1. See Chapter 501 for overall policy under the DoD Customs and Border Clearance Program (CBCP). Policy specific to foreign customs and border clearance follows.
2. It is the policy of the DoD to comply with foreign customs and border clearance laws and regulations without unnecessarily limiting the effectiveness and efficiency of the Defense Transportation System (DTS) or placing unnecessary and costly restrictions on individual DoD members/employees.
3. Agricultural entrance requirements. United States (U.S.) agricultural entrance requirements are outlined in Chapter 505. It is DoD policy that equal vigilance will be exercised in preventing the export of agricultural pests to foreign Host Nations (HN). Generally, the same responsibilities of DoD activities for the prevention of agricultural pest movements apply to export shipments from the United States to foreign countries as well as on imports to the United States (clean, free of soil and pest infestations). Country specific requirements/restrictions are listed in Chapters 510 through 515.
4. Passenger entrance requirements. It is DoD policy that passengers traveling to foreign countries comply with entrance requirements as outlined in the DoD Foreign Clearance Guide (<https://apacs.milcloud.mil/fcg/fcg.cfm>).
5. Personal property entrance requirements. It is DoD policy that members/employees shipping personal property to foreign countries comply with the requirements as outlined in the Personal Property Consignment Instruction Guide (PPCIG) at <https://www.ustranscom.mil/dp3/pdfs.cfm>.
6. Customs Brokers. Generally, the DoD moves cargo into a foreign country duty free based on agreements between the United States Government (USG) and that foreign country. If possible, DoD representatives will complete all documentation associated with clearing foreign customs. Under some circumstances, such as lack of an agreement or no established procedures due to lack of day-to-day operations, it may be necessary to hire a customs broker to complete the documentation (import and/or export) to clear customs in a particular foreign country. Use of customs brokers for foreign country customs clearance is not prohibited by this regulation. The theater CDR Customs and Border Clearance Coordinator, in consultation with the foreign government, will determine whether it is necessary to use a customs broker. Theater policy will address the following issues:
 - a. Planning. Generally, if customs broker services are required, it will be in support of an exercise. If outside customs broker services are considered, exercise planners will address those requirements early in the planning process to determine funding sources and contracting responsibilities.

- b. Contracting. Responsibility for contracting the customs broker must be established. Theater CDRs will consult diplomatic liaisons to determine whether a contract currently exists for these services. If no contract exists, and it is determined that customs brokerage is required, the theater CDR may delegate this responsibility to a component organization in its area of responsibility (AOR).
- c. Funding. If the customs broker is required to support an exercise, funding for those services will be identified separately, but budgeted in conjunction with other exercise funding requirements.

C. RESPONSIBILITIES

1. For overall DoD CBCP responsibilities, see Chapter 501. Additional responsibilities, specific to foreign customs clearance, follow.
2. Theater CDRs are responsible for:
 - a. Developing overall policy and procedures for Customs and border clearance in their AOR. This includes publishing directives to implement those policies and procedures.
 - b. In conjunction with the Joint Staff and Department of State, establishing customs and border crossing arrangements with countries, regional authorities, and military alliances in their AOR. This does not require changes to the status-of-forces agreement (SOFA) itself but may require changes in subordinate agreements or processes negotiated with a particular HN government.
 - c. Consulting with foreign governments to improve processes associated with customs and border clearance.
 - d. Planning and coordinating customs and border clearance procedures associated with exercises and contingencies within their AOR.
 - e. Identifying customs and border clearance requirements for countries in their AOR for inclusion in specific country annexes to this regulation.
3. USTRANSCOM is responsible for:
 - a. Developing, coordinating, and publishing overarching guidance (applies to all DoD components and agencies) for foreign customs and border clearance policy.
 - b. Facilitating actions between various DoD components, other USG agencies, and foreign government agencies (in coordination with theater CDRs), to improve foreign customs and border clearance processes.
 - c. Ensuring foreign customs and border clearance policy is compatible with the other functional areas covered by this regulation.
 - d. Providing methods to centralize the publication of, and access to consolidated information pertaining to customs and border clearance requirements and procedures for movement of DoD-sponsored property and passengers worldwide. These methods include publication of this regulation.

D. COUNTRY ANNEX CONTENTS

1. Theater CDR Country Annexes of this regulation will, at a minimum, contain the following elements:
 - a. A general description of the Customs Clearance and Inspection Process for import shipments to the specified country.
 - b. A listing of theater implementing regulations and directives with web site addresses where they may be accessed.
 - c. A description of Customs/Border Clearance processes and procedures for inbound passenger, cargo, unit deployment, and personal property movements via the DTS.
 - d. A discussion of processes and procedures for inbound shipments by commercial vendors for both DoD-owned cargo and Direct Vendor Delivery (DVD) cargo via commercial transportation:
 - (1) When consigned to a DoD Activity
 - (2) When consigned to a commercial activity
 - (3) Related process maps if available
 - e. Import restrictions and prohibited items
 - f. Firearms/weapons
 - g. Pets
 - h. Any export requirements or restrictions
 - i. The name, installation, address, phone number, and e-mail address for Theater Customs POCs.

E. FORMAT

Format will be consistent with this regulation and DoD standards.

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