

CHAPTER 501

DEPARTMENT OF DEFENSE (DOD) CUSTOMS AND BORDER CLEARANCE PROGRAM (CBCP)

A. PURPOSE

This regulation implements DoD policy, prescribes procedures, defines responsibilities and identifies customs, agricultural and other border clearance requirements for entry and exit of selected countries of the world in support of United States (U.S.) Forces. These requirements are intended to eliminate the introduction of agricultural pests, diseases, illegal narcotics, drugs and other contraband into the United States or Host Nations (HN) through DoD channels. In addition, where these procedures have been incorporated in HN Status of Forces Agreements (SOFA), they will allow U.S. Forces cargo to enter duty free.

B. DOD CBCP POLICY

1. This regulation applies to the Office of the Secretary of Defense (OSD), the Office of the Joint Chiefs of Staff, the military departments, the Unified and Specified Commands, and the Defense agencies and acquisition activities, hereafter referred to as the DoD components. This regulation also applies to non-DoD agencies, including commercial vendors and suppliers under contract to the DoD, and organizations who use DoD mail and transportation assets (organic or commercial) for the import/export of goods in support of programs of national interest. This regulation is intended to serve as the single authoritative source for Customs and Border Clearance processes and procedures for the countries listed.
2. It is DoD policy to assist and cooperate with U.S. and foreign HN border clearance agencies in halting the flow of contraband both into the United States and foreign countries. The DoD will enforce this policy when entry is through military channels and will cooperate with other Federal Agencies when enforcing U.S. laws and regulations and complying with foreign requirements concerning customs, agriculture, immigration, and other border clearance requirements without unnecessarily delaying the movement of DoD personnel and material. This policy also applies to the export of goods to and through other countries. The DoD policy is to eliminate the flow of contraband and unacceptable products to other nations. The DoD acknowledges the primacy of the Department of Homeland Security (DHS), U.S. Customs and Border Protection (CBP), and the U.S. Citizenship and Immigration Services (USCIS) over cargo and personnel moving into the Customs Territory of the United States (CTUS) and that their officers or inspectors may delay, impound, or otherwise prohibit the entry or export of military cargo into or from the CTUS, without obstruction by the DoD, the Services, or the Defense Agencies.
3. Pre-clearance Programs. The border clearance requirements in this regulation apply to all international movement of DoD cargo and personnel at the time they cross the border. Under certain circumstances (e.g., major unit rotations and redeployments in conjunction with exercises and contingency operations) cargo and personnel returning to the United States can be “pre-cleared” (i.e., inspected/certified at the origin instead of at the U.S. border). When deemed to be beneficial to the DoD and/or CBP and the U.S. Department of Agriculture (USDA), pre-clearance programs may be established. These pre-clearance programs will be initiated only when the Theater Command, United States Transportation Command (USTRANSCOM), and the respective U.S. Agency or Agencies explicitly agree to their establishment. Procedures for requesting the establishment of a pre-clearance program are detailed in Chapter 506.
4. Duties and Taxes. U.S. Government (USG) military shipments (including personal property of USG sponsored personnel) will not be subject to duties and taxes. Complete and accurate

information on customs and shipping documentation must be provided to allow HN customs authorities, TSP, and brokers to determine that the cargo is, in fact, eligible for duty-free entry based on agreements with the country being entered. Specific customs documentation requirements are outlined in subsequent chapters.

C. DTR PROGRAM ADMINISTRATION

1. In order to streamline the process for making changes to this Regulation, coordination and publication of changes to DTR 4500.9-R, The Defense Transportation Regulation, are accomplished in accordance with (IAW) Department of Defense Directive (DoDD) 4500.09E, Transportation and Traffic Management.
2. DTR Action Officer (AO) Working Group members will submit proposed changes after coordination through their Service channels, as applicable, to the USTRANSCOM DTR Administrator. Proposed changes will contain:
 - a. Subject: Include DTR part number, page number, and paragraph and/or sub-paragraph or Appendix.
 - b. Issue: Explain the issue in detail and include possible interface and impacts on existing Logistic Systems.
 - c. Recommendation: Provide proposed wording for the regulation.
 - d. Justification: Include justification and identify known advantages and disadvantages of the proposed change.
 - e. Systems Impact/Resource Implications: Identify the known impacts on automated systems and interfaces, whether additional funding will be required to support systems changes, and the estimated timeline for implementation of systems changes. Identify any other known resource costs associated with the proposed change.
3. The DoD DTR Administrator is responsible for staffing proposed changes via e-mail. Proposed changes will be submitted to the USTRANSCOM DTR point of contact (POC) via e-mail, utilizing the format identified in Paragraph C.2., above.
 - a. Unless the proposed change is of a critical, time sensitive nature, the proposed change will be held until the next anticipated update for that specific part of the DTR.
 - b. Upon approval, formal changes will be released in one of three different formats; a completely revised/re-issued publication, an interim update, or as an “expedited change.” The coordination process for revised/reissued publications and interim updates, are the same, and are addressed in Paragraph C.3.c., below. Expedited changes are addressed in Paragraph C.3.d., below.
 - c. AO group members will be notified by e-mail of a proposed change package. E-mail will provide a link to the coordination website established exclusively for staffing the proposed change. The AO group members will be able to access all files required for reviewing the proposed changes to include comment matrices. AO group members will have 45 calendar days to respond to the proposed change package. If an individual Service/Agency AO group member feels that the proposed change package requires internal coordination within their Service/Agency or with a field activity, they may do so provided that the additional input is consolidated into a single Service/Agency response. The 45-calendar day window should be adhered to in order to expedite the change process. When AO coordination has been obtained, this process will be essentially repeated with the Oversight Working group utilizing a 30-calendar day window. Upon approval, USTRANSCOM will publish the change.

- d. If a proposed change is of a critical or time sensitive nature, the proposed change may be coordinated as an “expedited” change, at the AO and then the Oversight Working group levels, as outlined above. Unlike a formal change, an expedited change will typically address only one specific issue (e.g., an issue involving safety), and may be coordinated under an accelerated time frame, provided all parties agree.
4. DTR Oversight Working Group and AO Working Group Members are established for each of the individual parts of the DTR.
 - a. The Working Groups are composed of members from the Office of the Deputy Assistant Secretary of Defense – Transportation Policy (DASD-TP), United States Army (USA) G4, United States Air Force (USAF) A4, United States Navy (USN) N4, and the United States Marine Corps (USMC) (LPD).
 - b. As necessary, members may also include the Joint Staff (JS) Logistics Directorate (J4), Combatant Commands, United States Coast Guard (USCG), Defense Logistics Agency (DLA), Defense Contract Management Agency (DCMA), Defense Travel Management Office (DTMO), General Services Administration (GSA), Department of Homeland Security’s CBP and Transportation Security Administration (TSA), U.S. Department of Agriculture’s Animal and Plant Health Inspection Service (USDA APHIS), and other Defense/Federal agencies as needed.

D. INDIVIDUAL MISSIONS, ROLES, AND RESPONSIBILITIES

For individual missions, roles, and responsibilities refer to https://www.ustranscom.mil/dtr/individual_missions_roles_and_responsibilities.pdf.

E. CBCP ADMINISTRATION

1. Preparation and approvals: This regulation has been prepared with the assistance and concurrence of the CBP; the USDA; the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF); and other Federal Agencies.
2. DoD CBCP:
 - a. This program includes the following elements:
 - (1) Exit/entry clearance procedures and documentation requirements
 - (2) Establishment of treatment centers (wash-down and disinfectant application), inspection facilities for equipment
 - (3) Criteria for sterile areas
 - (4) Certification/training of DoD personnel and inspection activities by the Theater Executive Agent for Customs and Border Clearance
 - (5) Information dissemination to inform all DoD personnel of entry/exit requirements for the United States and foreign nations.
 - b. Sources of Information. Recommended sources of information for the DoD Customs and Border Clearance Program are this regulation, and:
 - (1) The DoD Customs Program Web page at <http://www.cbp.gov/>
 - (2) Department of Defense, The DoD Foreign Clearance Guide at <https://www.fcg.pentagon.mil/>

- (3) The Personal Property Consignment Instruction Guide (PPCIG) at <https://tops.ppcigweb.sddc.army.mil/ppcig/menu/home/warning.do>.

F. IMPLEMENTATION

1. The provisions of this regulation will be implemented by all DoD components as specified in subsequent chapters. For individual missions, roles, and responsibilities, see Para D above.
2. This regulation will not be supplemented except in the interest of improved management or instances where the procedures herein need enhancement to meet a requirement unique or special to a DoD component's area of responsibility (AOR). Supplementing instructions published by overseas commands or other Federal Agencies will be IAW international agreements valid in the respective country. Copies of supplementing guidance will be provided to: USTRANSCOM, Transportation Policy Branch (TCJ5/4-PT), Scott Air Force Base (AFB), IL 62225-5357.
3. In case of conflict between this regulation and the Code of Federal Regulations (CFR), the governing regulation will be the CFR.
4. Printed changes will be published to add, delete, or modify DoD Custom's policies and procedures and will be made available electronically through the USTRANSCOM Worldwide Web pages. Interim and emergency changes will be readily available for application through electronic access to the web site with hyperlink to e-mail.
5. Forms required by this regulation, and pamphlets pertinent to the technical and legal aspects of the requirements described within, will be obtained through normal publications supply channels IAW Service publications.