

CHAPTER 507

MILITARY CUSTOMS INSPECTORS-EXCEPTED (MCI-E)

A. JUSTIFICATION

CBP may find it advantageous to establish a MCI-E Program at DoD installations within specific jurisdiction of CBP port directors. Conversely, DoD installations may benefit by establishing MCI-E programs to expedite the movement of passengers and cargo arriving at military airfields. The primary purpose of the MCI-E program is to grant DoD personnel the authority to perform CBP inspectional duties, to include customs, immigration and agricultural disciplines, in connection with the arrival of a military aircraft or military-chartered aircraft from overseas areas. Such action must be done in cooperation with and the approval of the DoD installation CDR.

B. DESIGNATION

MCI-Es are appointed in writing by the base/installation CDR after CBP issues a CBP Form 55, Designation, Customs Officer-Excepted, Figure 507-1, designating the individual as a MCI-E. By agreement with DoD installation CDRs, CBP port directors 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 CBP Inspector in the CTUS. The CBP Form 55 must be surrendered to CBP upon change of assignment or change of station.

C. SCOPE

A MOU negotiated between the installation CDR and the local CBP Port Director usually establishes a MCI-E program. A signed copy of the MOU must be maintained by the installation TO and the military unit(s) designated to perform MCI-E duties. Installation CDRs will request CBP to re-certify the installation MCI-E program yearly. The scope of MCI-E duties will be designated on the form and may vary from installation to installation and location to location. Those persons so designated will be responsible for the enforcement of the regulations of the CBP and other border clearance agencies. This responsibility may require the examination of military aircraft, accompanied and UB, personnel, and certain cargo. Military and civilian MCI-E candidates will be in grades E-5/GS-5 and above with a candidacy waiver for E-4 military police/security forces or similar law enforcement personnel. CBP does not authorize an MCI-E to conduct personal searches or to collect duties, fines, or federal taxes. Data on the number of active MOUs is available from CBP.

D. RESPONSIBILITIES

1. MCI-Es
 - a. Will inspect or examine baggage, professional equipment, and cargo as authorized in the MOU and designated on his/her CBP Form 55. 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 CBP policy and is prohibited. MCI-Es will only inspect active duty military personnel. All civilian personnel will be inspected by a CBP officer. MCI-Es will be granted access to aircraft in all circumstances.
 - b. Immediately report contraband discoveries (e.g., drugs, firearms and/or explosives) to the closest CBP Port Director and the military CDR.

2. Installation TO:
 - a. As major stake holders of the DTS, provide installation CDRs the expertise to ensure contents of the MOU are not counterproductive for DTS users. The MOU will include language that ensures the understanding of this part of the DTR.
 - b. When an MCI-E capability has been established, maintain a signed copy of the MCI-E MOU and forward a copy to Major Command HQ and USTRANSCOM TCJ4-PT, 508 Scott Drive., Scott AFB IL, 62225. Contact information for USTRANSCOM can be found at: transcom.scott.tcj5j4.mbx.pt1@mail.mil.

E. APPOINTMENT

1. MCI-Es will be given an appointment by the installation CDR and placed on orders after the CBP has completed all necessary background checks and training. To enable CBP to train and certify new MCI-Es, CBP must receive the names, SSN, and pay grade for each trainee at least two weeks prior to any requested training. CBP's determination of the eligibility of an individual to participate in the MCI-E program cannot be overturned by the military. Once the training is completed, CBP will designate each qualified MCI-E using a CBP Form 55.
2. Certification/appointments are command specific and automatically terminate when an MCI-E is transferred to a new command.
3. The CBP will re-certify the installation MCI-E program on an annual basis. The program re-certification and the MCI-E recertification may take place at the same time. CBP may make unannounced visits during the year to evaluate the program. In order to accomplish the no-notice visits, at a minimum, the individuals identified as the CBP POCs must be allowed unrestricted entry to the installation and the area established for CBP operations. Re-certification and refresher training for individual MCI-Es will be conducted periodically as conditions change or the individual situation warrants.

F. TRAINING AND CERTIFICATION

1. Training and certification of MCI-Es is accomplished under the auspices of the CBP Directors, Field Operations, and CBP Port Directors as authorized by the Assistant Commissioner, Field Operations. After gaining approval to establish an MCI-E program, installation CDRs are authorized direct communication with the CBP Director, Field Operations, and CBP Port Directors to request the necessary training. For a listing of locations and phone numbers of Field Operations Offices, see the CBP web page: <https://www.cbp.gov/contact/ports>.
2. Training Assistance:
 - a. Instruction, training material, and limited training aids are available from the CBP.
 - b. Requests for CBP support will be forwarded to the local CBP Port Director.
3. Costs associated with MCI-E 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.

DEPARTMENT OF HOMELAND SECURITY
 U.S. Customs and Border Protection

DESIGNATION, CUSTOMS OFFICER (EXCEPTED)

CBP Directive 1510-002A

CANCELLED/REVOKED

Authorizing Officer's Signature _____ Date _____

Pursuant to the provisions of 19 U.S.C. § 1401(i), appropriate delegations, and by agreement with your employing agency or service, you are hereby designated a Customs Officer (Excepted) without additional compensation. This designation, for the performance of such duties as outline below, will be in effect while you remain in your present position and location, unless revoked at an earlier date. When performing the duties of a Customs Officer (Excepted), you will be subject to all guidelines, directives and instructions of U.S. Customs and Border Protection. (CBP) Arrangements will be made for you to receive the training necessary to perform your duties as a Customs Officer at your location.

This designation does not modify current CBP procedures or practices concerning the reporting, handling, and investigation of persons arrested and seizures made for violations of laws enforced by CBP. Any arrests and seizures affected while acting under this designation and any information received concerning Customs or related violations should be promptly reported to the nearest CBP office.

1. Officer's Name		2. Social Security Number	3. Date of Birth
4. Agency		5. Agency Position/Rank	6. Badge Number
Address _____ Street _____ City _____ State _____ Zip _____ Phone _____ Ext. _____		7. Officer's Assigned Firearm (not applicable for military personnel) Make _____ Model _____ Caliber _____	
8. CBP Port of Entry/Field Office/Military Installation Assigned			9. Date Issued
10. Duties when authorized by CBP authorizing official or his/her designee: Only the duties marked are authorized for the Designated Customs Officer (Excepted). <input type="checkbox"/> Use of firearms in accordance with Customs Use of Force Policy (carriage of firearms will be in accordance with the officer's employing agency); <input type="checkbox"/> Make seizures of property in accordance with laws administered and/or enforced by CBP; <input type="checkbox"/> Conduct Customs searches and seizures for articles smuggled or otherwise introduced into the United States contrary to the laws administered and/or enforced by CBP. <input type="checkbox"/> Perform such other law enforcement duties as may be authorized under 19 U.S.C. § 1401(i). <input type="checkbox"/> Other duties: _____ _____ _____ _____ Endorsements and Restrictions: Customs Officers (Excepted) ARE NOT authorized to: assess or collect customs duty; conduct personal searches or effect arrests (unless being done under military authority); search individuals by canines (unless being done under military authority). Other Endorsements and Restrictions: _____ _____ <p style="text-align: center;"><i>I have read and understand the Duties assigned, Endorsements and Restrictions.</i></p> _____ Designated Officer's Signature _____ Date _____			
11. Authorizing CBP Port/Field Office Address:			
12. Authorizing Officer			
Printed Name _____	Title _____	X _____	Signature _____

CBP Form 55 (06/08)

Figure 507-1. CBP Form 55, Designation, Customs Officer (Excepted)

DESIGNATION, CUSTOMS OFFICER (EXCEPTED)
Continuation Sheet

1. Officer's Name	2. Social Security Number
10. Duties when authorized by CBP authorizing official or his/her designee:	
Other duties:	

CBP Form 55 (06/08)

Figure 507-2. CBP Form 55, Designation, Customs Officer (Excepted) (Cont'd)