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APO SAN FRANCISCO 96301

HEADQUARTERS
UNITED STATES FORCES KOREA
APO SAN FRANCISCO 96301

REGULATION
NUMBER 55-72

1 March 2010

Transportation and Travel
CUSTOMS CLEARANCE OF UNC AND USFK IMPORTS AND EXPORTS

Supplementation of this regulation is prohibited unless prior approval is obtained from the Commander, USFK, ATTN: PMJ-SSD-C, APO 96301.

The words "he," "his," "him," and/or "himself" when used in this publication represent both the masculine and feminine gender, unless otherwise specifically stated.

1. PURPOSE. a. This regulation establishes procedures for carrying out the provisions of Article IX, US-ROK Status of Forces Agreement (SOFA) which permits the duty free importation of property for the official use of the US Armed Forces, for the personal use of USFK personnel, and for other organizations or personnel who are authorized SOFA privileges which permit the duty free export of items imported duty free as specified above.

b. This regulation, with the concurrence of the United Nations Command (UNC), implements the provisions of paragraph 13 of the Agreement of Economic Coordination between the Republic of Korea (ROK) and the Unified Command (24 May 1952). The agreement permits the duty free importation of property for the official use of the UNC and for the personal use of UNC personnel.

c. This regulation prescribes the forms and procedures to be used in the certification of duty free customs clearance.

2. SCOPE. a. This regulation applies to military members of USFK; members of the USFK civilian component; USFK invited contractors, technical representatives, and their non-Korean employees; USFK nonappropriated fund (NAF) and private organizations; USFK procurement agencies; the Neutral Nations Supervisory Commission, the American Red Cross, the United Service Organization, the United Seamen's Service, third country contingents of the UNC Liaison Group, non-Korean personnel attached to the UNC in the ROK on TDY and non-Korean employees of these organizations; and dependents of all of the above.

b. This regulation does not apply to personnel assigned to the American Embassy or the Joint US Military Advisory Group, Korea (JUSMAG-K) or their dependents.

3. POLICY. a. USFK Customs Clearance Officers (CCOs) and alternates will be officially appointed on orders by Commander, USFK. CCOs are required at the following locations:

- (1) Seoul area (general) (USFK) - 3 CCOs.
- (2) Seoul area (medical supplies) (USFK) - 2 CCOs.
- (3) Pusan (US Army) - 4 CCOs.
- (4) Kunsan (US Air Force) - 2 CCOs.
- (5) Taegu (US Army) - 2 CCOs.
- (6) Osan (US Air Force) - 2 CCOs.
- (7) Kwangju (US Air Force) - 2 CCOs.
- (8) Chinhae (US Navy) - 2 CCOs.
- (9) Suwon (US Air Force) - 2 CCOs.

*This regulation supersedes USFK Reg 1-55, 19 March 1971.

b. USFK imports which enter the ROK on a SF 1203 (US Government Bill of Lading - Privately Owned Personal Property) and/or via Military Sea Transportation Service (MSTS) or Military Air-lift Command (MAC) require no additional USFK duty free certification as these shipments are expressly understood to be for use by USFK.

c. Personal property, household goods shipments, and equipment for use by USFK and/or personnel which enters or leaves the ROK on a commercial bill of lading will require custom clearance certification. This will be done IAW procedures outlined in paragraphs 5 and 6 b.

d. Importation procedures for military exercises will be as follows:

(1) Equipment and supplies arriving in Korea, either at approved ports of entry or those entry points designated in exercise plans, require no USFK duty free certification as this materiel is expressly understood to be for use by USFK.

(2) Personal property of personnel participating in military exercises which is hand carried and/or in stowed baggage will be declared using USFK Form 96-R (Duty Free Baggage Declaration). A reproduceable copy of USFK Form 96-R is attached at Appendix A.

(3) The ACofS, J4 will coordinate requirements for customs inspections with incoming units involved in exercises during the planning stages of the exercise. Normally, a waiver is granted by ACofS, J4 to units coming from another overseas area except those returning to CONUS, Alaska, or Hawaii. The waiver is granted if the unit receives a departure inspection at their home port and are to be inspected again upon home port reentry after exercise termination. However, individuals arriving for exercises may be required to complete a customs declaration IAW the laws of the ROK.

4. RESPONSIBILITIES. a. The Provost Marshal Joint (PMJ), USFK will:

- (1) Establish customs clearance procedures IAW this regulation and the ROK-US SOFA.
- (2) Appoint three USFK CCOs from his staff.
- (3) Provide staff guidance to USFK CCOs.
- (4) Request orders appointing CCOs be published by the Office of Adjutant General, USFK.
- (5) Forward signature cards of each CCO to the Office of Customs Administration, ROK.

b. Commanders responsible for customs clearance are: Commander, USAG-Pusan; Commander, USAG-Taegu; Commanders of Kunsan, Osan, Kwangju, and Suwon Air Bases; Officer-In-Charge, US Naval Forces Korea, Detachment Chinbae; and Commander, 6th MEDSOM. These commanders will:

- (1) Implement provisions of this regulation in their area of responsibility.
- (2) Furnish the Commander, USFK, ATTN: PMJ-SSD-C, APO 96301, the names of CCOs and alternates whom they have designated for their area.
- (3) Submit twenty signature cards for each CCO and alternate to PMJ.
- (4) Nominate only those individuals whose reliability and integrity are above reproach. Because of the extreme sensitivity of this duty CCOs must, as a minimum:
 - (a) Be commissioned officers or members of the civilian component in the grade of GS-9 or above.
 - (b) Have at least eight months remaining on their tour of duty in the ROK.
 - (c) Have had a Criminal Records Center check requested through the local Provost Marshal, Chief of Security Police, or Office of Naval Investigations. Subsequent information received will be forwarded to the Provost Marshal, USFK, ATTN: PMJ-SSD-C, APO 96301.
 - (d) Have had a local records check/ration control check. Completed checks will be forwarded to the Provost Marshal, USFK, ATTN: PMJ-SSD-C, APO 96301, along with CCO nominations.
 - (e) Have no derogatory information found in their records (as determined by the Provost Marshal, USFK).

(f) Attend the Military Customs Inspector course conducted by the ACoFS, J4 at the first reasonable opportunity.

5. PROCEDURES. Duty Free certification will be implemented as follows:

a. For contract, personal, or government property arriving or departing via commercial carrier, the USFK consignee/addressee/designated agent will:

(1) Obtain the bill of lading or waybill from the transportation company (pink - air freight, white - sea shipment).

(2) Bring the shipping documents to the USFK CCO. Individuals acting as an agent for importation or exportation of personal property for another must have in his possession a legal power of attorney specifying that he may import or export the items in question.

(3) If military, bring their identification (ID) card and US Government orders. All other personnel must present ID card or passport with "Status of Forces" stamped on it and US Government orders.

(4) Insure a valid signature card is on file at the CCO's office for individuals who routinely sign for import and export of US military cargo or materiel in support of USFK or USFK contracts.

(5) If no signature card is on file or they are acting as a "one time" agent for the unit of consignment, present written authorization in the form of a letter or DA Form 2496 (Disposition Form) from the commander or contracting officer of the unit concerned to the CCO before clearance is granted. A copy of this authorization will be attached to the CCO's file copy of the clearance document. The CCO will positively identify the agent by comparing their ID card and signatures and, if necessary, personally contacting the unit of consignment to determine validity of the agents authorization.

(6) Deliver three copies of the customs clearance forms USFK Form 95EK (Import Declaration Certification) (Appendix B) or ROK Import Customs Declaration (completion instructions for this form are given at Appendix C.) and: one copy of the shipping document to the local ROK customs officials for processing and release of the items.

b. Individuals purchasing a privately owned vehicle (POV) from the Post Exchange or property disposal office (PDO) or importing a POV at their own expense will obtain duty free certification in the following manner:

(1) Vehicles purchased at Post Exchanges or PDO:

(a) Individual or his agent will bring the sale document to the area CCO.

(b) The CCO will prepare four copies of the ROK Import Customs Declaration. He will then sign the certification stamped on each copy and on the purchase document (para 5e(7) below).

(c) The individual or his agent will deliver these documents to the Customs House located in the district in which the vehicle was purchased. (See Appendix D.)

(d) The individual will be issued an import permit by the Customs House which will enable him to register the POV with his area vehicle recorder. The individual will be instructed to take his POV to the nearest Customs House with the documents for a comparison of vehicle identification number (VIN) or serial number with purchase documents.

(2) Vehicle imported at personal expense.

(a) Individuals desiring to import a vehicle at personal expense must bring the original copy of the bill of lading, purchase invoice, and ID card to the CCO in his area of assignment.

(b) The CCO will prepare and certify with his signature four copies of the ROK Import Customs Declaration Form and sign the bill of lading and invoice using the CCO stamp (para 5e(7) below).

(c) The individual or his authorized agent will deliver these documents to the Customs House at the port of entry of the POV where import documents will be issued which will enable him to register the POV with his area USFK vehicle recorder.

c. Duty free import certification may be given at any item for individuals who, when first entering the ROK, had an item listed in their passports. Individuals in this category must bring their passport and ID card to the CCO who will verify that the individual is authorized duty free import.

d. Duty free import certification may also be given to individuals returning from out-of-country leave who hand carry items which were originally removed from the ROK. Proof of prior ownership must be presented, (i.e., Letter of Authorization (LOA), bill of sale, commander/responsible officer (RO)/supervisors certifying document, household goods/unaccompanied baggage (HHG/UB) inventory, etc.).

e. When making certification of duty free import status the USFK CCO will:

(1) Require the consignee, addressee or designated agent to furnish one copy of the shipping document (bill of lading/waybill).

(2) Require valid identification and LOA (if used) as referenced in paragraph 5a(5).

(3) Take whatever action is necessary to insure that personnel are authorized SOFA privileges. Normally, military personnel and civilian employees will be required to present a valid ID card and US Government orders. Other personnel will present a passport with a SOFA stamp. CCOs should refer to the monthly publication of the "Listing of Licensed Contractors and Technical Representatives (DJ-15K)" published by HQ, USFK (DJ-SA) to ascertain if a contract is still valid. This publication is distributed LAW USFK Reg 700-19.

(4) Insure that only reasonable quantities of items are being imported. The CCO is responsible for deciding what is a reasonable quantity. If at any time a question arises as to what constitutes a reasonable quantity, the CCO may require the individual to explain his position or may consult with the commander, first line supervisor, or Contracting Officer's Representative (for technical representatives and their dependents) as to the reasonableness of the items being imported. Additionally, the CCO may request investigative support from the Provost Marshal, CID, OSI, or Korean Customs authorities. The CCO may also request assistance from the US SOFA Secretariat or Judge Advocate (SOFA) as to policy provisions under the SOFA. Items not cleared for import will be returned to the sender or a designated address (out of ROK) at the expense of the importer.

(5) Insure that personal property to be imported duty free (under US-ROK SOFA) arrives prior to the individual having been in country for six months. This restriction was established under the SOFA and allows duty free import only during a period of six months from the date of first arrival. (UNC Forces not subject to the ROK-US SOFA are exempt from this six month provision.) This restriction does not apply to vehicles and parts for vehicles. These are exempt from the six month rule.

(6) Maintain a signature card file for personnel who routinely sign for USFK shipments as "Designated Agents."

(7) Certify four copies of the import declaration and one copy of the shipping documents. Each will be stamped with a rubber stamp fabricated as follows:

US FORCES KOREA
CUSTOMS CLEARED
_____ (Signature of CCO)
_____ Date

(8) USFK Form 95EK (Import Declaration Certification) (Appendix B) will be used to certify duty free import for government property which arrives in the ROK by any means other than MSTs, MAC or SF 1203 (US Government Bill of Lading - Privately Owned Personal Property).

(9) ROK Import Customs Declaration Form #3702-55B (Instructions for completion of this form are at appendix C) will be used to certify duty free import for personal property/HHG/automobiles.

(10) ROK Export Customs Declaration Form #3702-77B (Instructions for completion of this form are given at Appendix E.) will be used to certify duty free export for both government and personal property.

6. EXPORTS. Duty free export certification will be made for the following:

a. Individuals working for the US Government in the ROK who are not authorized shipment of HHG/UB at government expense and who are departing the command permanently because of expiration or cancellation of contract.

b. Contractors exporting company materiel used for government contacts which is not authorized to be shipped at US Government expense.

c. Shipments of HHG/UB incident to permanent change of station of the individual concerned and for which transportation documents have been prepared and forwarded to the CCO for signature.

7. RECORDS. One copy of USFK Form 95EK (Import Declaration Certification), ROK Import Customs Declaration, or ROK Export Customs Declaration will be retained on file for a period of one year from the date of transaction. Files will be maintained on a monthly basis in chronological order. In addition, a log book will be maintained on all imports to be used as a handy desk reference for inquiries. It should be maintained for two years from date of last entry.

Date	Name (of importer)/Rank	1st Item of Inventory List
2 Jan 83	TROMBLEY, Raymond G. Capt	Pipe Rack
2 Jan 83	PULEO, Thomas F. SFC	Bar Stool

8. DISAGREEMENTS. If disagreements arise between USFK CCOs and ROK customs officials, the USFK Customs Officer at Yongsan 3592/8080 will be contacted. If, after review and coordination, the matter cannot be resolved, the USFK Customs Officer will forward all pertinent information to the SOFA Secretariat (DC-SA), USFK and/or the International Affairs Division of the Judge Advocate, USFK, for review and further action through SOFA channels, to include referral to the Joint Committee if necessary.

9. REFERENCES: a. Article I, US-ROK SOFA.

b. Article IX, US-ROK SOFA.

c. Minutes of the Fifth Meeting, Joint Committee, US-ROK SOFA, 11 April 1967.

d. Minutes of the Thirty-Seventh Meeting, Joint Committee, US-ROK SOFA, 22 April 1969.

e. Agreement on Economic Coordination Between the ROK and the Unified Command, 24 May 1952.

The proponent of this regulation is the Provost Marshal. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to Cdr, USFK, ATTN: PMJ-SSD-C, APO 96301.

UNC Reg 55-72
USFK Reg 55-72

FOR THE COMMANDER:

WINFIELD W. SCOTT, JR.
Lieutenant General, USAF
Deputy CINC, UNC

OFFICIAL:

JOHN W. HUDACHEK
Major General, USA
Chief of Staff, USFK

LEE DONG JU
LTC, ROK Army
Adjutant General, UNC and CFC


MARGARET M. BAHNSEN
CPT / AGC
Assistant Adjutant General, USFK

- 5 Appendixes
- A. USFK Form 96-R, Duty Free Baggage Declaration, w/instructions.
 - B. USFK Form 95EK, Korean Customs Service, Import Declaration Certification USFK, ROK-US SOFA, w/instructions.
 - C. Instructions for ROK Import Customs Declaration Form #3702-55B
 - D. Location of Korean Customs Houses
 - E. Instructions for ROK Export Customs Declaration Form #3702-77B

DISTRIBUTION:

A & J (Less JUSMAG-K, J less AGJ-AP, PPCK)
50 - PMJ
25 - COMAFKOREA, APO 96301
10 - COMNAVFORKOREA, APO 96301

INSTRUCTIONS FOR USFK FORM 96-R
DUTY FREE BAGGAGE DECLARATION

1. This form will normally be provided to the Command/Unit Liaison Officer in sufficient copies for all personnel. If not provided, the copy in this appendix may be duplicated in sufficient quantity to supply to personnel. This form is to be filled out prior to debarkation in Korea.
2. The form will be collected by the local USFK Military Customs representative or other designated individual, and after complete inprocessing of the unit, will be forwarded to HQ, USFK, ATTN: PMJ-SSD-C.
3. Completion of this form, or approved requests for exception for inbound exercise customs examinations by this command does not preclude random spot checks to determine that the forms are being completed as intended.

2. 입항 Date of Entry 19 A	부호 Code No.	대한민국세관 KOREAN CUSTOMS SERVICE 주한 미군용 수입 신고서 Import Declaration Certification USFK, ROK-US SOFA	11. 세관부호 Customs Code No.			
3. 선화증권번호 B/L No. B			12. 수입종별 Sort of Import			
4. 적재선(기)명 Name of Vessel (Aircraft) C			13. 신고번호 Declaration No.			
적재선(기)국적 Nationality of Vessel (Aircraft) D E			15. 신고 Date of Declaration 19 . . .			
5. 적출국(지) Country of Shipment F G			제 주 부 파 창 결 제			
6. 입항지 Place of Entry H I						
7. 생산지. 원산국(지) Country of production J K						
8. 장치장소 Place of Storage L M						
21. 품명 및 규격 DESCRIPTION OF ARTICLES & GRADE	22. 중량 WEIGHT	23. 수량 QUANTITY	24. 단위 UNIT	25. 신고가액 DECLARED VALUE	27. 세번 HEADING	28. 부호 CODE
(1) N	O	P	Q	CIF \$ R		
(2)				CIF \$		
(3)				CIF \$		
35. 비고 Remarks	계 Total			CIF \$		
45. 기호, 번호, 포장 종류와 개수 Markings, Numbering, Type and Number of Packages				48. 첨부서류 Attached herewith if any		
상기 물품은 SOFA 제9조 제2항에 의거 주한 미군용으로 수입 되는 것임을 증명함. I hereby certify the import of the above goods for use of USFK in accordance with the ROK-US SOFA, Article IX, Paragraph 2. 미군사 화물 세관 검사 면제				송 품 장 Invoice 포장명세서 Packing List 원산지증명 Certificate of Origin 운임명세서 Freight Sheet 보험영수증 Receipt of Insurance 선화증권사본 Copy of B/L Others		
신고자 성명 Name and Signature of Declarant T		통관장교 서명 Signature of Customs Clearance Officer V USFK CUSTOMS CLEARED		47. 면허 및 면허 일자 Import Permitted, Signature & Date		
신고자 주소 Address of Declarant U		부대명 Department				

KOREAN CUSTOMS SERVICE -- IMPORT DECLARATION CERTIFICATION
USFK, ROK-US SOFA

The following information must be placed on USFK Form 95EK. NOTE: Lettered boxes corresponding to the following:

- a. Box #2 -- Date of transaction.
- b. Box #3 -- Bill of lading number (found on top right hand corner of airway bill).
- c. Box #4 -- Vessel or aircraft name.
- d. No box # -- Nationality of vessel or aircraft.
- e. -- This code is provided by the shipping company.
- f. Box #5 -- Country of shipment.
- g. -- This code is provided by the shipping company.
- h. Box #6 -- Entry port/airport name.
- i. -- This code is provided by the shipping company.
- j. Box #7 -- Country of production.
- k. -- This code is provided by the shipping company.
- l. Box #8 -- Where items are stored awaiting clearance.
- m. -- This code is provided by the shipping company.
- n. Box #21 -- Self explanatory.
- o. Box #22 -- Self explanatory.
- p. Box #23 -- Self explanatory.
- q. Box #24 -- Self explanatory.
- r. Box #25 -- Self explanatory.
- s. Place fabricated stamp (as shown). This shows goods for use by USFK.
- t. Self explanatory.
- u. Self explanatory.
- v. USFK Customs Clearance stamp with space for signature of CCO and date.

INSTRUCTIONS FOR ROK IMPORT CUSTOMS DECLARATION FORM #3702-55B

The following information must be placed on the ROK Import Customs Declaration Form. Refer to numbered boxes on the form and the following information:

1. & 2. USFK customs clearance stamp.
3. Consignee's name, rank, SSN, unit/ABO, and signature. (This information is entered twice.)
- 11 Country of ship or aircraft (nationality).
12. Country of origin of the shipment.
14. Flag carrier (JAL, NWA, etc.).
15. Port of entry into Korea.
16. Place of storage awaiting clearance.
17. 1. Description of items imported.
21. Total value.
27. Weight of shipment.
28. Quantity of items. (List quantity beside each item if more than one.)
36. Date of entry into Korea.
38. Flag carrier (JAL, NWA, etc.).
40. Total number of boxes, packages, crates, vans, etc.
46. Value of items imported.
48. Article of SOFA which applies (normally ART IX, para 2a).

**NOTE: This form is available in pads of approximately 100 sheets from local ROK Customs Offices.

LOCATION OF KOREAN CUSTOMS HOUSES

<u>Name of Customs House</u>	<u>Location</u>
Seoul Customs House	Seoul City
Inchon Customs House	Inchon City
Pusan Customs House	Pusan City
Kimpo Customs House	Seoul City, Kimpo Air Port
Masan Customs House	Masan City, Kyung Sang Nam-do
Yosoo Customs House	Yosoo City, Jon La Nam-do
Mokpo Customs House	Mokpo City, Jon La Nam-do
Kunsan Customs House	Kunsan City, Jon La Buk-do
Cheju Customs House	Cheju City, Cheju-do
Woolsan Customs House	Woolsan City, Kyung Sang Nam-do
Taegu Customs House	Taegu City, Kyung Sang Buk-do
Nam Seoul Customs House	Seoul City
Suyong Customs House	Pusan City
Suwon Customs House	Suwon City
Mukho Customs House	Mukho Up, Kangwon-do
Bupyong Customs House	Branch of Seoul Customs House

UNC Reg 55-72
USFK Reg 55-72

INSTRUCTIONS FOR ROK EXPORT CUSTOMS DECLARATION FORM #3702-77B

The following information must be placed on the ROK Export Customs Declaration Form. Refer to numbered boxes and following information:

1. & 2. USFK customs clearance stamp.
3. Shipper's name, rank, SSN, unit/APO and signature.
10. Shipped to (USA, etc.), and carrier's code.
14. (1) Description of article(s) shipped.
16. Item # (if applicable).
18. Weight/quantity.
26. Quantity/kind of boxes or packages.
27. Under provisions of SOFA, Art 9, para 7.

**NOTE: This form is available in pads of 100 sheets from local ROK Customs Officials.