

## FOREIGN MILITARY SALES SHIPMENTS

### "SHIPPER EXPORT DECLARATIONS (SEDs)"

#### **1. Regulations:**

- Export Administration Regulations (EAR-15 CFR, Parts 730 - 774)  
Website: [http://www.access.gpo.gov/nara/cfr/waisidx\\_01/15cfrv2\\_01.html](http://www.access.gpo.gov/nara/cfr/waisidx_01/15cfrv2_01.html)
- 19 CFR, U. S. Customs  
Website:  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_07/19cfrv1\\_07.html](http://www.access.gpo.gov/nara/cfr/waisidx_07/19cfrv1_07.html)
- 22 CFR, Parts 121 and 130  
Websites:  
[http://pmdtc.state.gov/docs/ITAR/2007/official\\_itar/ITAR\\_Part\\_123.pdf](http://pmdtc.state.gov/docs/ITAR/2007/official_itar/ITAR_Part_123.pdf)  
[http://pmdtc.state.gov/docs/ITAR/2007/official\\_itar/ITAR\\_Part\\_126.pdf](http://pmdtc.state.gov/docs/ITAR/2007/official_itar/ITAR_Part_126.pdf)
- DOD 4500.9-R, Defense Transportation Regulation (DTR), Part II, Cargo Movement, Appendix E  
Website: [http://www.transcom.mil/j5/pt/dtrpart2/dtr\\_part\\_ii\\_app\\_e.pdf](http://www.transcom.mil/j5/pt/dtrpart2/dtr_part_ii_app_e.pdf)
- DOD 4500.9-R, Defense Transportation Regulation (DTR), Part V, "Customs and Border Clearance Policies and Procedures", Chapter 508  
Website: [http://www.transcom.mil/j5/pt/dtr\\_part\\_v.cfm](http://www.transcom.mil/j5/pt/dtr_part_v.cfm)
- DOD 5105.38M, Security Assistance Management Manual, (SAMM), Chapters 5 and 7  
Website: <http://www.dsca.osd.mil/samm/>

#### **2. Responsibilities:**

- DOD TOs are responsible for ensuring proper documentation is provided for export shipments. This includes information on the BL or carrier air waybill and completion of an electronic Shipper's Export Declaration (SED) in the Automated Export System (AES).
- DOD and contractor/vendor TOs are responsible for assuring that all shipping documents, Custom Border Patrol (CBP) forms, and markings on packaging are complete and free of abbreviations or acronyms. Also, they must show the

Service or Defense Agency as the importer, exporter and/or consignee on all shipping documents and CBP forms.

### 3. Shipper Export Declarations (SEDS)

- Required by Law: Title 13, United States Code (USC), Chapter 9
- The U. S. Census Bureau amended the Foreign Trade Statistics Regulation (FTSR) to incorporate requirements for the **mandatory** Automated Export System (AES/AESDirect Filing for items identified on the Department of Commerce's Commerce Control List (CCL) and the Department of State's United States Munitions List (USML).
- AES is the electronic method to file the paper Shipper's Export Declaration and the ocean manifest information directly with the Bureau of Customs and Border Patrol (CBP). AESDirect is the Census Bureau's free Internet-based system for filing SED information with the CBP's AES.  
Website: <http://www.aesdirect.gov/>
- SEDs are used for compiling official US Export Statistics and for export control purposes. Requirements for SEDs are found in 15 CFR, Part 30, Foreign Trade Statistics, and in the ITAR, 22 CFR Part 120 - 130. Some shipments may not need an SED. The SED submission must be made using one of the following methods:
  1. Electronically through a direct interface between the DOD shipper system and the AES excluding contractor originated shipments. Electronically through AESDirect, as stated above and
  2. Electronically through AESPcLink which allows you to manage your SED filings locally from your desktop computer. It has been designed as an integrated component of AESDirect.

### 4. Security Assistance Program (SAP) FMS Shipments and SEDs

- SAP shipments exported from the US via the DTS **are exempt** from Export License requirements. (**Certain statements must be made on BLs used by shipping activities to route cargo to CONUS Sea POE/Aerial POE to fulfill CBP requirements.**) **Some DTS exports of SAP material require SEDs.** This ensures that the exports are reported to the Department of Commerce and/or Department of State. SAP Procedures can be found in Part II, Cargo Movement of the DTR, Appendix E and DOD 5105.38M, Security Assistance Management Manual, (SAMM), Chapter 5.

- DOD-Sponsored Transportation of FMS Material Directly to Customer Countries. \*Normally Delivery Term Codes (DTSs) 6, 7, 9, A, D, F, G, and J shipments. These DTCs move via the DTS. This means that ALL shipments of defense articles require a Shipper's Export Declaration (SED). If the export of a defense article is exempt from licensing, the SED must cite the exemption.

**\*An electronic SED must be filed in AES or AESDirect.**

**\*Commercial Invoice should accompany shipment and the below information should be included on the invoice as follows:**

"This shipment for (select one of the following as applicable: Organic DTS, Commercial DTS, Freight Forwarder, or a combination) is being exported pursuant to a Letter of Offer and Acceptance authorizing such transfer which meets the criteria of 22 CFR 126.6(c). It covers FMS Case (insert case identification). The US Government point of contact is (insert name), commercial telephone number (insert commercial telephone number). The Letter of Offer and Acceptance authorizing this transfer is lodged at (insert name of primary port where the Letter of Offer and Acceptance was lodged)."

In addition the following information should also be included on the Commercial Invoice:

Receive the Internal Transaction Number (ITN) in your email or Shipment Reporting Center prior to exporting, and annotate the number on your shipping documents

FMS Case/License Number. (Example: IQ-B-WAJ)

Where the DSP94 is lodged.

\*The following statement must be **annotated in CBLs** and other transportation documents:

"(Applicable Military Department) - Sponsored Foreign Military Sales Shipment--No Export License Required. 22 CFR 126.6(a) applicable."

The following website has instructions on preparing the SED:

<http://www.census.gov/foreign-trade/www/correct.way.html>

If you are using the Automated Export System (AES) Direct, the following website has a tutorial and a user's guide you can download that shows how to submit SEDs using that web-based application.

<http://www.aesdirect.gov/>

**All the information contained above can be found in the regulations stated above for future reference.**

Below are the Points of Contacts for FMS issues for each service.

**When the requisition number, document number, or TCN number begins with the following letter:  
B... for Army, P... for Navy, K... for Marine Corps, D... for the Air Force, contact the appropriate FMS ILCO activity below:**

<b><u>ARMY</u></b>	Deputy for Operations U.S. Army Security Assistance Command Attn: AMSAC-OL 3rd Street and M Avenue, Bldg. 54 New Cumberland, PA 17070-5096 <i>Telephone</i> - Commercial: (717) 770- DSN: 977- TWX - CDRUSASAC NEW CUMBERLAND PA//AMSAC-OL/T	<b><u>POCs</u></b> Mr. Oris Groenenboom - Ext. 6843 Mr. Rick Berry- Ext. 7398
<b><u>NAVY AND MARINE CORPS</u></b>	(1) Naval Inventory Control Point (NAVICP) Attn: Code P764 700 Robbins Avenue (Bldg. 4B) Philadelphia, PA 19111-5095 <i>Telephone</i> - Commercial: (215) 697-DSN: 442- FAX: (215) 697-0766 TWX - NAVICP PHILADELPHIA PA//P753111//	<b><u>POCs</u></b> VACANT - Ext. 5002 Mr. George Verghis ACTING DIR. - Ext. 1340 <i>(Handles Countries M-Z &amp; All Tracing            Mrs. Faye Richardson - Ext. 1155            (Handles Countries A-L)            Mrs. Shirley Herring - Ext. 5103            Mr. Morton Schon - Ext. 2774</i>
<b><u>AIR FORCE</u></b>	(1) Headquarters Air Force Materiel Command Transportation - Policy Division Attn: LGTT Wright-Patterson Air Force Base, OH 45433-5006 <i>Telephone</i> - Commercial: (937) 257- DSN: 787- FAX: (937) 257-7680 TWX - HQ AFMC WPAFB OH//LGTT// <i>Toll Free Number: 1-800-448-0361 37</i>	<b><u>POCs</u></b> Mr. Charles Boyd - Ext. 5389 VACANT - Ext. <b>5631</b> Ms. Tammy Dresbach Ext. 2919 Mr. Richard Simmons Ms. Carolyn Myers Ms. Sue Robert

Problems pertaining to Supply Discrepancy Reports (SDRs) call →