

Transportation Plan Requirements

Department of Defense (DoD) 5200.1 Volume 3, enclosure 4, and DoD 5100.76-M, "Physical Security of Sensitive Conventional Arms, Ammunition, and Explosives," require that the transmission instructions or the requirement for an approved Transportation Plan be incorporated into the security requirements of the Letter of Offer and Acceptance (LOA) when the foreign purchaser proposes to take delivery and custody of classified material in the U.S. and use its own facilities and transportation for forward shipment to its territory. It is also required for delivery of Sensitive articles, including Controlled Cryptographic Items (CCI), and Arms, Ammunition, and Explosives (AA&E) (Security Risk Categories I-IV).

The requirement for this plan shall be included with any contract, agreement, LOA, or other arrangement involving the release of such material to foreign entities. The Transportation Plan is developed by the purchasing government in coordination with the IA that prepares the LOA. If the LOA includes classified materiel, the Transportation Plan is to be submitted to, and approved by, the applicable DoD Component security authorities and a copy will be provided to DSS when Foreign Military Sales (FMS) freight forwarders or commercial carriers are involved, when consignment is directed to a commercial firm, or if the consignment emanates from a U.S. contractor location.

The FMS Case Manager and supporting security office must coordinate with DSS and other government security and Customs authorities to ensure that the proper security arrangements are made under such circumstances. As a minimum, the Transportation Plan will include the following provisions:

- a. A description of the materiel together with a brief narrative as to where and under what circumstances transfer of custody occurs;
- b. Identification, by name or title, of the Designated Government Representative (DGR) of the foreign recipient government or international organization who will receive and assume responsibility for the materiel and U.S. DGR who will verify the security arrangements and approve the release of the consignment. In case of classified material, the person(s) identified must be cleared for access to the level of the classified materiel to be shipped;
- c. Identification and specific location of delivery points, stops or layover points, transfer points, and the identification of a point of contact and alternate at each location (including telephone and cell phone numbers and email address) who will provide assistance with transportation;
- d. Identification of commercial carriers and freight forwarders or transportation agents who are involved in the process, the extent of their involvement, and, as applicable, security clearance status verified by DSS;
- e. Identification of any storage or processing facilities to be used, certification that such facilities are authorized to receive or process the level of materiel to be shipped and a primary and alternate point of contact, including telephone and cell phone numbers and email address, who can provide assistance with storing the materiel;
- f. When classified material is involved, the identification, by name or title, of couriers and escorts to be used and details as to their responsibilities and security clearance status;

Figure C7.F1. Transportation Plan Requirements

- g. Description of shipping methods to be used, taking into consideration the mode of shipment required, together with the identification of carriers (foreign and domestic). For classified materiel, see DoDM 5200.01-V3, Enclosure 4, and for classified sensitive materiel, see DoD 5100.76-M, Chapter 7;
- h. In those cases when it is anticipated that the classified materiel or parts thereof may be returned to the U.S. for repair, service, modification, or other reasons, the plan must require that shipment will be via a carrier of U.S. or recipient government registry, handled only by security-cleared authorized personnel, and that the IA is given advance notification of estimated time and place of arrival and is consulted concerning inland shipment, as well as the identification of a point of contact and an alternate, with telephone and cell phone numbers and email address, who will provide assistance in case;
- i. The Transportation Plan will require the DGR of the recipient government or international organization to examine shipping documents upon receipt of the materiel in the recipient's territory and advise the responsible IA if the materiel has been transferred enroute to any carrier not authorized by the Transportation Plan or other circumstances that deviated from the procedures in the Transportation Plan;
- j. The recipient government or international organization is required to inform the responsible IA and DSS promptly and fully of any known or suspected compromise of classified material while such materiel is in its custody or under its cognizance during shipment;
- k. The plan will include each segment of the route from the point of origin to the ultimate destination, including all border crossings and actions required at border crossings, together with the identification of a point of contact and alternate at each location, including telephone and cell phone numbers and email address, who can provide assistance. If overnight stops are required, security arrangements for each stopping point must be specified, to include contingency stopovers as necessary; and
- l. The plan will include a requirement for transportation instructions with respect to material that is to be returned to the U.S. for modification, upgrade, or repair.