

HEADQUARTERS  
UNITED STATES EUROPEAN COMMAND  
UNIT 30400, BOX 1000  
APO AE 09128

DIRECTIVE  
NUMBER 64-3

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TRANSPORTATION

Reporting of Transportation Discrepancies in Shipments

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1. **Summary.** The purpose of this publication is to standardize the transportation discrepancy reporting procedures for the cargo shipments moving within the Defense Transportation System (DTS) within the USEUCOM Area Of Responsibility (AOR). Additionally, this publication is to clearly define responsibilities for initiating claims against commercial carriers and identifying damages and losses caused by military carriers in the USEUCOM AOR.

2. **Applicability.**

a. USEUCOM Directive 64-3 is a USEUCOM publication which establishes and announces policy, assigns responsibilities, prescribes procedures, and directs actions for USEUCOM activities, as well as non-EUCOM activities and U.S. Embassies within the EUCOM AOR.

b. This Directive conforms to and supplements the requirements of DOD 4500.9-R, Defense Transportation Regulation (DTR), Part II, Cargo Movement, Chapter 209, 210 and Appendix Z.

c. Procedures herein conform to guidelines of EUCOM component command regulations.

3. **Internal Control System.** This publication is subject to the requirements of AR 11-2.

4. **Suggested Improvements.** Forward suggested improvements and recommended changes to this Directive to HQ USEUCOM/ECJ4-LO-ICTB, Unit 30400, Box 1000, APO AE 09128.

5. **References.**

a. DOD 4500.9-R, Defense Transportation Regulation (DTR), Part II, Cargo Movement, Chapter 209, 210 and Appendix Z.

b. USAREUR Reg 55-355/CINCUSNAVEUR Inst 4600.7c/USAFE 75-4, Joint Transportation and Traffic Management Regulation Central Europe.

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This Directive supercedes ED 64-3, 10 January 1994

c. AFI 71-101, Air Force Office of Special Investigations and Security Police Investigative Team Responsibilities.

d. 3AFI 24-203, Loss/Damage Claims Against Commercial Rail and Road Carriers within the United Kingdom.

e. 3AFI 24-202, Procedures and Documentation for Intra-United Kingdom Freight Shipments.

6. **Responsibilities.**

a. Components, their respective subordinate commanders, and the commanders of other civilian and military organizations in the USEUCOM AOR will ensure these procedures are effectively established, implemented, and supported.

(1). This entails establishing procedures for reporting freight losses and damage caused by the theater's military common user land carriers. Process and distribute damage and lost reports IAW DOD 4500.9-R and applicable Report of Survey directives and regulations. All elements will provide quarterly reports of damage and losses by military carriers to HQ USEUCOM/ECJ4-LO-ICTB, Unit 30400, Box 1000, APO AE 09128.

(2). Army Provost Marshals and Navy Judge Advocate General Offices will ensure local Military Police units respond immediately to requests for investigations from units preparing Transportation Discrepancy in Shipment Reports (TDR). Investigative jurisdiction/authority for Air Force activities is determined IAW AFI 71-101.

b. HQ USEUCOM/ECJ4-LO-ICTB will monitor USEUCOM theater freight losses and damages caused by military and commercial carriers and establish controls to determine weaknesses in resolving freight loss and damage claims.

c. HQ USEUCOM/ECJ4-LO-ICTB, the designated Area Monitoring Office (AMO) for the USEUCOM AOR, will provide training assistance to personnel involved in the Transportation Discrepancy Reporting Program.

d. Installation Transportation Offices/Traffic Management Offices/Movement Control Offices/Branch Movement Control Offices (ITO/TMO/MCT/BMCT) will provide assistance on discrepancy reporting to activities in their areas of responsibility.

7. **Policies.**

a. Discrepancy reporting procedures are mandatory and compliance will be enforced to ensure total cargo accountability.

b. Transportation elements will adhere to transportation discrepancy reporting procedures contained in DOD 4500.9-R. DOD 4500.9-R will take precedence over this Directive should conflict occur.

Notify HQ USEUCOM/ECJ4-LO-ICTB, Unit 30400, Box 1000, APO AE 09128 or by telephone, DSN 430-5987/4502 of all conflicts.

## 8. Procedures.

a. Consignees will immediately upon receipt of a shipment by any mode:

(1). Inspect to ensure original seal numbers shown on the accompanying transportation documentation are still applied to the carrier's conveyance and are intact. This procedure applies to commercial carriers as well as closed vans belonging to units of the 37<sup>th</sup> Transportation Command. Discrepant seal conditions will be noted on the transportation documents.

(2). Inspect conveyance for external evidence of damage or pilferage. Any irregularities will be reported to the Transportation Office with a request that the carrier be notified to permit inspection prior to off-loading. IAW national and international tariff laws, failure of the receiving activity to call a representative of the carrier will prevent the U.S. Government from recovering compensation for lost or damaged U.S. property. Although there are no set time limitations, carriers intending to pursue claim actions have a responsibility to respond promptly to inspect discrepant cargo. The following actions are required after carrier notification:

(a). If the carrier refuses or fails to respond, enter complete details (include date, time and name of person contacted) in block 30 of the hard copy Standard Form 361 (TDR). If using the automated Conus Freight Management (CFM) system enter the same details. The CFM system will eventually be the prime method for reporting transportation discrepancies. Additional information regarding the CFM system can be obtained from Commander, MTMC, ATTN: MTOP-JFD, 5611 Columbia Pike, Falls Church VA 22041-5050.

(b). If the carrier responds, a statement of facts (SOF) will be prepared by the carrier after the joint carrier/government inspection. The original copy is the basis for a claims action and will be submitted with a request that a claim be placed against the carrier. The recipient of the cargo will authenticate the original and state above the recipient's signature any exceptions to the findings of the carrier's representative. Every effort will be made to obtain agreement regarding the loss, damage, or shrinkage found by the recipient: however, adjustments will not be made for the purpose of making the carrier's and recipient's findings agree. Differences that can not be reconciled by the consignee will be put into a separate report and attached to the SOF furnished by the carrier.

(c). If original seals are intact and there is no external evidence of pilferage or damage, the conveyance will be off-loaded as quickly as possible and the contents (piece count) checked against the transportation movement documents (TCMD), GBL, etc. If a discrepancy is found, it will be documented and reported as a normal transportation discrepancy IAW DOD 4500.9-R, Chapter 209, 210 and Appendix Z.

(d). If a seal is not intact or if there is evidence of pilferage or damage, and after the carrier's representative has been called IAW paragraph 8a (2) above, the following actions are

required:

aa. The conveyance will be off-loaded as quickly as possible and the contents checked. Contents will be checked first against the transportation documents. If a discrepancy is confirmed or individual packages show evidence of pilferage/damage, appropriate checks will be made using other available documents including supply forms. Any loss, damage, or seal discrepancies will be entered on all transportation documents (TCMD, Military Freight Warrant, GBL, etc.). These documents will serve as source documents for TDR preparation.

bb. Notify the nearest military/security police and the Office of Special Investigation/Navy Investigation Service/Criminal Investigation Division. Enter complete details (include date, time, organization, and name of person contacted) of initial findings in item 30 of the TDR. Report classified/protected cargo IAW DOD 4500.9-R, Chapter 210, Paragraph F.

(e). Transportation Office will contact the delivering transportation unit and request any additional supporting documentation to include AE Form 168-R, Container/Chassis Interchange Receipt for transportation discrepancies occurring to cargo moved by military highway.

(f). Import water terminals discovering any discrepancy will make the initial determination on responsibility, i.e., loading stevedore, discharging stevedore, ocean carrier, or shipper. Process discrepancies charged to either the loading stevedore or the ocean carrier IAW DOD 4500.9-R. Handle discrepancies charged to the discharge stevedore or ocean carrier as follows:

aa. The import terminal will prepare a TDR IAW DOD 4500.9-R, Figure 210-4, indicating discharge stevedore or ocean carrier responsibility and forward to the consignee.

bb. Consignees will annotate the monetary loss or cost of repairs on the TDR and return it with their unit citation (for credit) and, if applicable, a DA Form 2407 (Equipment Inspection and Maintenance Work Sheet), AF Form 20 (Repair Bill) or invoice to the import water terminal that originated the TDR.

(g). Process claims against commercial carriers as follows:

aa. Discrepancies in commercial truck, rail, or barge shipments using tenders negotiated by HQ USEUCOM/ECJ4-LO-ICTB are subject to the provisions of those tenders regarding claims actions. Two copies of the pertinent TDR package prepared in support of these commercial claims shall be forwarded to HQ USEUCOM ECJ4-LO-ICTB, Unit 30400, Box 1000, APO AE 09128.

bb. Commercial carriers using tenders negotiated by Commander, Naval Activity Spain are subject to the provisions of those tenders regarding claims actions. To recoup moneys from commercial carriers, the original copy of the TDR package must be forwarded to COMNAVACTS (SUMC) PSC 819 Box 8, FPO AE 09645 for final adjudication. Prepare a SOF

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after the joint carrier/government inspection. In claims against the Spanish Railroad (RENFE), prepare the SOF on RENFE's form "ACTO Reconocimiento".

cc. Loss/damage claims against commercial carriers in Turkey operating within tenders negotiated by 39<sup>th</sup> TACG/LG will be processed IAW host country directives and specific U.S. Government regulations.

dd. Submit loss/damage claims against commercial rail and road carriers within the United Kingdom IAW 3AFI 24-203.

ee. Special TDR procedures are required for commercial carriers within Portugal and Greece. Shipments are moved via Government or contract carrier.

ff. Process commercial claims in areas other than those mentioned above IAW host nation directives and specific U.S. Government regulations.

(h). Distribute TDRs IAW DOD 4500.9-R, additionally, forward a copy of the final TDR, Request for Information and Initial Notification to HQ USEUCOM/ECJ4-LO-ICTB, Unit 30400, Box 1000, APO AE 09128.

(i). Report any irregularities to Transportation Office.

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