



UNITED STATES FORCES KOREA INSTRUCTION

FKJ1

USFKI 1501.01

DISTRIBUTION: A, B,

30 June 2022

EXCHANGE AND COMMISSARY PRIVILEGES ACCESS TO DUTY-FREE GOODS

References: See Enclosure J

1. Purpose. This instruction prescribes policy to control use of both appropriated fund (APF) and non- appropriated fund (NAF) facilities of the United States (US) Armed Forces in the Republic of Korea (ROK) that supply duty-free goods to authorized patrons. Restrictions concerning use of these facilities are in US Public Law, Department of Defense (DOD)/Service regulations and the US-ROK Status of Forces Agreement (SOFA).
2. Superseded/Cancellation. This instruction supersedes USFK Regulation 60-1, dated 02 August, 2013.
3. Summary of Changes. This document has been substantially changed. A full review of its contents is required. Summary of key topics are as follows:
 - Added responsibility to duty-free facilities to implement procedures to report and reject sales to individuals in clear violation of set policy.
 - Updated Commander (CC) authority to approve Exception to Policy (ETP) for Defense Commissary Agency (DeCA) purchase limits.
 - Created/consolidated an ETP chapter 3-7 (i.e. removed from elsewhere and placed there).
 - Removed table of Defense Biometrics Identification System (DBIDS) locations.
 - Rescind interim Change 1 and 2 of interim memos.
 - Removed need for specific ration card type.
 - Removed Chapter 3-4, Commissary Purchase Policy (Commissary purchase limits removed).

- Removed Chapter 4-2, DBIDS Registration.
- Removed Table 2-1, Issuing Agents (IA).
- Removed Table 3-3, Monthly Commissary Dollar Limits Based on Family Size.
- Removed Table 4-1, DBIDS Registration Locations.
- Removed Table 4-2, Required Documentation.
- Removed Table 4-3, Type of Duty-Free Access Cards.
- Removed Table 4-4, Dual Sponsorship.
- Removed Chapter 4-4 and Table 4-5.
- Removed Chapter 11.
- Removed Beer Limits and Beer Limit Table B-1

4. Applicability. This instruction applies to all individuals, entities and their representatives authorized access to purchase duty-free goods, or tax-free goods in the ROK, United States Forces Korea (USFK) organizations, and all sales facilities established and authorized to dispense duty-free or tax-free merchandise under the US-ROK SOFA

5. Supplementation. Supplements to this instruction by subordinate commands are prohibited unless prior approval is obtained from Headquarters (HQ) USFK (FKJ1-12), Unit #15237, APO AP 96271-5237, email: indopacom.humphreys.usfk.list.j1-pnp@mail.mil.


6. Records Management. Records must be dispositioned in accordance with all applicable federal laws that are contained in the *Basic Laws and Authorities of the National Archives and Records Administration Book – 2016*, <https://www.archives.gov/files/about/laws/basic-laws-book-2016.pdf>; the National Archives and Records Administration (NARA) General Records Schedules, and CJCSM 5760.01A Volume II, Joint Staff and Combatant Commands Records Management Manual-Disposition Schedule.

7. Policy. See Enclosures to B to I.

8. Responsibilities. See Enclosure A.

9. Releasability. This issuance is approved for public release; distribution is unlimited. DoD components, other federal agencies, and the public may obtain copies of this issuance through the United States Forces Korea Publication Electronic Library, <https://www.usfk.mil/Resources/USFK-Publications> or on NIPRNET at https://pacom.deps.mil/cmds/usfk/USFK_Publications/Pages/Home.aspx.

10. Effective Date. This instruction is effective upon receipt.



BRAD SULLIVAN
Major General, USAF
Chief of Staff

Enclosures:

- A – Responsibilities
- B – Duty-Free Goods Purchase Policy
- C – Access Control
- D – Point of Sales System
- E – Transfer of Duty-Free Goods
- F – Violation of Reports
- G – Correction of Records
- H – Revocation of Privileges
- I – Government Purchase Card (GPC) Program
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ENCLOSURE A
RESPONSIBILITIES

1. General Officer Steering Group (GOSG). The GOSG is comprised of representatives from United States Forces, Korea (USFK) organizations and activities. The GOSG is chaired by USFK, Deputy Chief of Staff (DCS).

a. The GOSG is responsible for approving policies to address issues related to duty-free goods and maintain oversight of the command's efforts to combat abuse of access privilege to duty-free goods and black marketing problems.

b. The GOSG shall meet on an "as needed" basis.

2. Duty-Free Working Group (DFWG). The DFWG is comprised of representatives from USFK subject matter experts, Service components and installation/garrison activities. See [Appendix A](#) for DFWG membership recommended listing. The DFWG is chaired by USFK, Assistant Chief of Staff (ACofS) J1.

a. The DFWG is responsible for developing policies addressing duty-free issues including, black marketing and abuse/misuse of access privilege to purchase duty-free goods, and developing recommendations for the command for appropriate action.

b. The DFWG shall meet quarterly.

c. The meeting minutes with executive summary and any recommendations will be provided to the command leaders and DFWG members after each meeting. The meeting minutes will serve as official records to document DFWG discussions and due-outs to complete.

d. Recommendations will be submitted to GOSG and/or Component Commanders, as needed, for decision by vote. Upon approval or disapproval, change will be implemented through Interim Change, or incorporated into this instruction.

3. USFK Assistant Chief of Staff (ACofS) J1

a. Provide policy oversight and management of the Duty-Free Access Program to include approval/disapproval of requests for exception to policy after proper coordination with the USFK Judge Advocate, USFK Provost Marshal, SOFA Secretariat Office and other appropriate offices as needed.

b. Organize and provide staff to accomplish the following functions:

(1) Provide a secretary to the DFWG to prepare minutes of every meeting.

(2) Conduct quarterly review of Component adherence to this instruction. This is completed through assistance programs to the components, with an annual inspection.

(3) Conduct quarterly review with ad hoc reports, on top purchase violations. If actions have been taken, verify with the appropriate commander, USFK Provost Marshal, and designated representatives of personnel who may have over-purchased and provide evidence of suspected violations of this instruction or black marketing activity as necessary.

(4) Develop and maintain system software and hardware to support an effective and efficient flow of information on purchasing patterns in duty-free retail activities.

(5) Monitor and enforce component management of access to purchasing duty-free/tax-free goods by only authorized patrons.

(6) Organize and implement a staff assistance and training program for Issuing Agents (IA). In conjunction with the annual staff assistance visits and annual inspection, USFK J1 (FKJ1-12 Personnel Systems Branch) will conduct IA training workshops as necessary.

(7) Monitor staff functions and duty-free management-related activities for compliance with this regulation.

(8) Assist Installation Commanders in establishing new IA office or closure of existing IA office by adjusting computer records to match the commander's request and notifying the commander when this action is completed. USFK J1 (FKJ1-12) is also responsible for conducting training of newly appointed IAs.

4. USFK ACofS Acquisition Management (FKAQ)

a. Verify the eligibility of Invited Contractor (IC)/Technical Representative (TR) personnel and their family members for access to duty-free goods and initial issue of a Duty-Free Access Card (DFAC), via USFK Form 700-19A-E (Invited Contractor and Technical Representative Personnel Data Report) in accordance with (IAW) USFK Reg 700-19, The Invited Contractor and Technical Representative Program.

b. Coordinate with commanders as needed, and respond to violations of access to purchase duty-free or tax-free goods violations by IC/TR personnel.

5. USFK ACofS Provost Marshal (FKPM)

a. Conduct quarterly review of duty-free or tax-free goods purchase through the ad hoc reports. Advise on potential abuse/misuse of access privileges to purchase duty-free goods and black marketing trends and patterns. Notify appropriate local authorities and commanders on significant violations by their personnel. Significant violations are determined by trend analysis or major purchase violations, as defined by FKPM and/or component commander.

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b. Act as the focal point for USFK law enforcement coordination to suppress the abuse/misuse of access privileges to duty-free goods and black marketing. Take appropriate action against duty-free or tax-free good violations. Assist in providing information to commanders and appropriate USFK law enforcement elements regarding potential excessive purchasing of duty-free goods or black marketing in order for appropriate action to be taken against violators. In such capacity, the Provost Marshal (PM) may request additional assistance from USFK J1 (FKJ1-12) for more detailed reports and/or data queries pertaining to a case in question.

c. Serve as a member of the DFWG to develop policies to deter black marketing and to provide oversight of the merchandising and monitoring of products popular on the black market.

6. USFK ACoS Public Affairs Office (PAO)

a. Educate the USFK community on the importance of complying with this instruction, its enforcement, and disciplinary actions taken against violations (without disclosing their personally identifiable information) through news releases, The Morning Calm newspaper, American Forces Network- Korea, USFK Website, Internet and other means.

b. Respond to requests for information on SOFA provisions from civilian news media or other outside sources.

7. Executive Agent (EA). Provide manning support for ration control operations. The following positions are filled by Eighth Army, Army Support Element Korea (ASE-K):

a. A Noncommissioned Officer in Charge, Customer Service Branch, Branch immaterial no less than E-6.

b. A Korean Augmentee to the United States Army (KATUSA).

8. USFK Duty-Free Goods Sales Facility Managers

a. Ensure all sales are conducted within the spirit and intent of this instruction and the SOFA. Applicable facilities include those selling duty-free or tax-free goods, including exchanges, commissaries, and Morale, Welfare and Recreational (MWR) facilities.

b. Set procedures for bulk purchasing in coordination with the Installation Commander, as necessary, on individual purchases of selected items to ensure availability to all authorized patrons.

c. Conspicuously post notices of purchase limits in sales facilities.

d. Train employees, quarterly, on the requirements of this regulation and any authorized supplements.

e. After coordination with the servicing civilian personnel office, consider appropriate disciplinary measures against employees who violate this regulation IAW civilian personnel regulations and applicable union agreements. Notify appropriate commanders of civilians who violate duty-free or tax-free privileges.

f. Establish procedures to ensure sales of duty-free or tax-free items are recorded accurately and transmitted to USFK J1 (FKJ1-12) on a daily-basis. Implement procedures to verify only authorized patrons enter Duty-Free Goods sales facilities IAW USFK policy. Facilities selling food or beverages for on-premise consumption are not required to check ID cards. If over-the-counter take-out food or beverages are sold for off-premise consumption, ID cards must be checked. For small facilities (less than three cash registers) purchase media will be checked at the cash register; however, if this procedure is used, the purchase media must be checked before the cashier rings-up the sale. When checking purchase media, sales facility employees must do the following:

(1) Check the expiration date on the purchase media. If the purchase media has expired, the employee must deny access. Employees should advise the individual presenting the expired purchase media that the purchase media requires renewal or replacement before access will be granted.

(2) Openly display limits/restrictions specified by this instruction.

(3) Ensure the names on all documents match.

g. Follow prescribed procedures prior to opening a duty-free sales facility:

(1) Opening a new sales facility requires the store manager to notify the USFK J1 (FKJ1-12) of the opening by submitting a memorandum through the supporting IA which includes the following information:

(a) The desired opening date.

(b) The Installation name.

(c) The store's name and number.

(d) The store manager's and assistant's names, telephone numbers and email addresses.

(2) Supporting IA must verify the information and forward the memorandum to USFK J1 (FKJ1-12).

(3) USFK J1 (FKJ1-12) will update the appropriate database.

h. Follow prescribed procedures prior to closing a duty-free sales facility.

(1) Closing a duty-free sales facility requires the store manager to notify USFK J1 (FKJ1-12) of the closure by submitting a memorandum through the supporting IA which includes the following information:

- (a) The desired closing date.
- (b) The Installation name.
- (c) The store's name and number.
- (d) The store manager's and assistant's names, telephone numbers and email addresses.

(2) The store manager and supporting IA must verify the information in the memorandum and check the control log to ensure accountability of ration control equipment provided by USFK J1 (FKJ1-12). Upon finalizing accountability, the store manager shall inform the supporting IA and turn- in the memorandum and equipment to USFK J1 (FKJ1-12).

(3) USFK J1 (FKJ1-12) will update the appropriate database.

i. Small duty-free sales facilities are defined as sales facilities which have gross total sales or revenue of less than \$100,000 per year. The following rules and regulations shall apply to these facilities.

(1) Small duty-free sales facilities are required to certify their status by submitting a report annually detailing their total revenue and sales to USFK J1 (FKJ1-12). The report shall include the store manager's name, contact information (DSN/Commercial phone number and email address), and signature certifying the report is accurate.

(2) Small duty-free sales facilities are required to follow all rules including appropriate identification checks to verify persons are authorized patrons to purchase duty-free goods and have valid, non-expired identification and/or non-expired DFAC.

9. Component Commanders

- a. Ensure all members of their respective organizations are aware of the contents of this instruction.
- b. Ensure appropriate action is taken against personnel who engage in activities which violate this instruction.
- c. Ensure Unit Commanders (Battalion/Squadron and below) use the Ration Control Monitor Tool in PIMS-K to track and document purchase violations.

10. Installation Commanders

a. Coordinate requirements of this instruction with with their respective installation retail outlets and enforce compliance.

b. Coordinate with retail managers to impose temporary or permanent shelf limits as needed.

c. Establish Issuing Agency (IA) office. Prior to opening a new IA office, coordinate with USFK J1 (FKJ1-12) for support. To the greatest extent possible, limit one IA office per installation. When considering whether or not to create a new IA office, installation commanders should consider key factors such as geography, customer convenience, and the need for maintaining strict control over IA's operations.

(1) IAs must be appointed in writing via appointment letter or order signed by the installation commander or designated representative. Copies of the appointment letter or order, DD Form 577 (Signature Card) must be electronically forwarded to USFK J1 (FKJ1-12) before the IA can receive any support from USFK J1 (FKJ1-12).

(2) When appointing an IA, the following factors should be considered:

(a) For continuity, consider Department of Defense (DOD) civilians over military personnel for primary and alternate IAs. Selected military personnel should be in grade of E-4 or above.

(b) Citizenship: Before a foreign national employee is appointed as an IA, a US Citizenship waiver request must be submitted to USFK J1 (FKJ1-12) for approval. Foreign National employees will not have access to the web application unless a favorable Defense National Agency Check with Inquiries or National Agency Check with Inquiries has been obtained for such individuals.

(c) Primary and alternate IAs should have more than six months retainability in Korea and no record of duty-free purchase violations.

(d) To the greatest extent possible, the primary and alternate IA DEROS dates should be staggered to provide continuity.

(3) Prior to the desired IA office operational date, notify USFK J1 (FKJ1-12) in writing, no later than (NLT) 30 days in advance. Submit request to the USFK J1 (FKJ1-12), Unit #15237, APO AP 96271-5237 and include the following information:

(a) The Installation name.

(b) Email and mailing addresses for the new IA office. Include Unit Number and APO in the mailing address.

(c) Primary and alternate IA names, ranks and telephone numbers.

(d) Listing of all units to be serviced by the new IA office. Listing must include complete unit title, Unit Identification Code (UIC) or Personnel Accounting Symbol (PAS) code, unit's geographical location (including the APO), and unit's previous IA's name (if applicable).

d. Closing an IA Office. Prior to closing an IA office, ensure continued duty-free access program service to supported units is established. Additionally, the Installation Commander must notify USFK J1(FKJ1-12), in writing, of the proposed closure a minimum of 60 days in advance of proposed closing date. The notification letter must include the following:

(1) The Installation name.

(2) Mailing address of IA, including the APO.

(3) Desired closing date.

(4) Listing of all units to be serviced by the IA office. Listing must include complete unit title, UIC or PAS code and unit's geographical location (including the APO). For additional information visit the J1 Duty-Free Access Program Overview.

(5) Ensure out-going IA will coordinate with the new IA to accomplish the following actions:

(a) Complete a signature transfer to the new IA of all records including excess purchase rosters, other mail and/or documents and any other equipment used by the IA office.

(b) Turn-in of all legacy DFACs to USFK J1 (FKJ1-12) within 24 hours of closing.

(c) Notify each unit, in writing, of the effective date of transfer and provide the name and contact information of the new IA.

e. Unit activation/deactivation. In coordination with the supporting IA office, notify USFK J1 (FKJ1-12) in writing, of the proposed unit activation/deactivation. The letter must arrive no later than 30 days prior to the proposed effective date of the unit's activation/deactivation and include the following information:

(1) Name of the unit.

(2) The UIC or PAS code.

(3) IA's name and contact information.

(4) Complete unit address, including the APO.

(5) Desired activation/deactivation date.

(6) USFK J1 (FKJ1-12) will notify the commander, through the supporting IA, when the computer records have been updated.

f. Request for Duty-Free Access Check (USFK Form 217). Submit the request to the supporting IA office for processing. This duty-free access check report only details violations to duty-free access policy by an individual and their dependents and can only be requested by a unit commander within their unit or by FKAQ for invited contractors.

g. Revoke access privileges for individuals involved in black marketing, illegal transfer of duty-free goods, or purchasing in excess of personal needs. To prevent the individual from receiving another DFAC, provide a copy of the revocation notice to the servicing IA, USFK J1 (FKJ1-12), and FKPM-CD.

h. Investigate, in coordination with local law enforcement, reports of lost, stolen and confiscated DFACs prior to authorizing issuance of a replacement DFAC.

11. Issuing Agents (IAs). IAs are assigned to each USFK Installation and administer the duty-free purchase program on behalf of the installation commander and USFK J1 (FKJ1-12). IAs will:

a. Provide the customer support of all duty-free purchase related issues within their respective areas of responsibility.

b. Process access to purchase duty-free or tax-free goods requests and notify approval or disapproval to authorized personnel and their family members.

c. Verify requests and required supporting document with the web application. Ensure individual requestor's record in the ration control web application is current, accurate, and complete for the individual and/or family members. Issue USFK Forms 73 (1, 2, 3, 4, 5) to authorized personnel.

d. On a monthly basis, retrieve duty-free violations list from the web application and distribute to violators, and their unit commanders and supervisors as appropriate. Annotate actions taken against ration control violators in the appropriate database by suspense date as noted on "show cause" letters.

e. Destroy expired, duplicated, incorrect, or otherwise unneeded legacy permanent and temporary DFACs. Input destruction via the web application.

f. Control access to DFAC accountability forms. Store forms in a US General Service Administration (GSA)-approved security container.

g. Provide guidance to installation and unit commanders and first sergeants/chief petty officers or civilian equivalents on the procedures for enrolling assigned personnel into the ration monitoring tool.

h. For temporary access to purchase Duty-Free Goods, input all information on authorized personnel via web application.

i. Verify temporary access to purchase Duty-Free Goods personnel out-processing and record it in the web application.

j. Process requests USFK Form 217-E (Request for Ration Control Check) from unit commanders and first sergeants/chief petty officers or civilian equivalents, and complete ration control checks for monthly sales summaries via web application. Only the sponsor may request or pick-up a full report of his/her sales record from USFK J1 (FKJ1-12).

k. On a monthly basis, review Unit purchases and provide respective commanders/supervisors with information on personnel not compliant with this regulation.

l. As applicable, the new IA, in coordination with the previous IA, is responsible for picking-up ration control records and logs, excess purchase rosters, and/or other mail or documents from the previous IA and ensuring each unit and sales facility is notified, in writing, of the effective date of support transfer and name and contact information of new IA.

m. For new and existing IA personnel needing training, coordinate training with USFK J1 (FKJ1- 12). Training conducted by USFK J1 (FKJ1-12) shall be completed before access to web application can be granted. All IAs must attend USFK J1 IA workshops unless specifically exempted by USFK J1 (FKJ1-12).

12. Unit Commanders/First Sergeants/Chief Petty Officers or Civilian Equivalents

a. Oversee the unit's Access to Duty-Free Goods Program.

b. The unit commander or designated representative is responsible for briefing new unit members on the contents and provisions of this regulation. This requirement is in addition to any information that may have been provided at in-processing centers or other forums. Briefings must include the following:

(1) An explanation of liquor purchase policies and any unit or local policies.

(2) An explanation of how to properly dispose of duty-free goods IAW with this regulation USFK Reg 643-2, Transfer of Duty-Free Items, and any local commanders' guidance.

(3) An explanation of the installation commander's policies on duty-free purchase violations, black marketing, illegal transfer of duty-free goods, and abuse/misuse of access privileges to duty-free goods.

(4) An explanation of dual sponsorship, as applicable, and as related to the duty-free purchase program.

(5) Newly assigned unit personnel failing to receive this briefing or receipt of a flawed or incomplete briefing, does not constitute a defense to a charge of violating any of the provisions of this instruction.

c. In coordination with installation commanders or designated representatives, take appropriate action against personnel who over-purchased or otherwise violated the provisions of this regulation.

d. Request ration control check using USFK Form 217-E (Request for Ration Control Check) for an individual within their units. Submit the request to the supporting IA office for processing. Only the sponsor may request and pick-up a full report of his/her sales record from the supporting IA.

e. Serve as coordinating authority for exceptions to policy for alcohol purchase limits (see Chapter 3-6).

f. Coordinate and schedule duty-free goods inventories in cases of suspected unauthorized transfer of duty-free goods. Notify applicable Military Criminal Investigating Organization (Criminal Investigating Division - CID, Air Force Office of Special Investigations - AFOSI or Naval Criminal Investigating Service - NCIS) of suspected duty-free goods violations. Coordinate and consult with the servicing staff judge advocate to ensure there is a proper legal basis for inspections of duty-free merchandise purchased by individuals.

g. Appoint a unit Point of Contact (POC) and submit an Access to Duty-Free Goods System Application through the appropriate IA office. The primary and alternate POC's must have more than six months retainability in country and no record of ration control violations. Receive along with the unit POCs a monthly email notification of any ration limit violations. Use the Access to Duty-Free Goods Tool to review unit Duty-Free Goods violations as well as document the actions taken against Duty-Free Goods limit violations within 60 days of notice.

13. Unit Monitors. Unit Monitors are the designated representative in each unit and will be the unit's point of contact for the duty-free purchase program. Unit Monitors will:

a. Conduct a monthly review of personnel assigned and those in the web application. Units will verify newly arrived personnel are added and departed personnel are placed into archive.

b. Unit monitors should institute a monthly report of any violations and provide to unit commander for his/her review and action.

- c. Provide a spreadsheet consisting of data of incoming and outgoing personnel within their units to their area issuing agent(s) on a monthly basis.
- d. Coordinate any requests for violation reports, exception to policies, etc through their supporting IAs for action.
- e. Provide updated USFK Form 42-4-E, Unit Ration Card and Monitor System Application to their area issuing agents whenever there is a change in Unit Monitors.
- f. Immediately turn-in found legacy DFAC to supporting IA or law enforcement.

14. USFK Personnel

- a. Comply with this instruction and maintain Access to Duty-Free policies and software on the web application to prevent loss, theft, or unauthorized use or alteration.
- b. Understand that access privileges to duty-free goods are not transferable between family members or any other authorized patrons.
- c. Restrict purchases to those required for personal needs, the needs of authorized family members, and bona fide gifts IAW USFK Reg 643-2, Transfer of Duty-Free Items.
- d. Ensure sales clerks properly record purchases, void transactions and returns.
- e. Report known or suspected violations of this regulation to the unit commander/supervisor and/or law enforcement personnel.
- f. Immediately turn-in found legacy DFAC to supporting IAs or law enforcement.
- g. Dispose of items that are no longer serviceable or needed using the procedures outlined in USFK Reg 643-2, Transfer of Duty-Free Items.
- h. Report lost or stolen legacy DFAC to law enforcement to obtain MP report DA Form 3975 or other applicable service-specific report prior to applying for a replacement.
- i. Understand that the sponsor is the only person who can request access to Duty-Free Goods DFAC(s) from the IA. However, sponsors may authorize (in writing) their dependent(s) to request access to Duty-Free Goods pick up the DFAC(s).
- j. Understand that the sponsor may submit a USFK Form 217-E, Request for Ration Control Check, to the supporting IA office for processing. Only the sponsor may request a full report of his/her sales record from the supporting IA office. Only the sponsor may pick-up a full report of his/her sales record from the supporting IA office.

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k. Individuals authorized commissary privileges and access will not sell or give away commissary purchases to individuals, organizations, or activities not entitled to commissary privileges, and they are prohibited from using commissary purchases to support a private business. Purchasing duty-free goods in excess of an authorized patron's or family's reasonable use or need is also an abuse of the access privileges to duty-free goods. These prohibitions do not apply to food served to guests of authorized personnel, to limited and occasional bona fide gifts to friends or family members, or to limited and reasonable donations to charitable organizations. Refer to USFK Reg 643-2, Chapter 2 for more details.

l. Violations of these restrictions will likely result in adverse action, such as suspension and revocation of commissary privileges and/or access to installation duty-free retail outlets by the installation commander concerned. In addition, violators may be subject to appropriate disciplinary action under the Uniform Code of Military Justice for military personnel, and other applicable rules and regulations for civilians, including contractors and family members.

APPENDIX A TO ENCLOSURE A

DUTY-FREE WORKING GROUP MEMBERS LIST

(The following list of positions are highly recommended to attend to represent their command/installation/agency)

USFK Access to Duty-Free Working Group (meets quarterly)	
USFK Representatives	J1 (Chair, Policy & Programs, Personnel Systems)
	Provost Marshal
	Public Affairs
	SOFA Secretariat
	Office of the Judge Advocate
	Inspector General
	411 Contracting Support Brigade
Component Personnel Representatives	7AF A1
	8A G1
	CNFK N1
	MARFORK G1
	SOCKOR J1
Criminal Investigation Command	Korea Field Office
Facility Regional Managers	AAFES
	DECA
Garrison / Installation Representatives	Installation Deputy Commanders or designated Representatives
	Installation MPI / OSI / NCIS Representatives
Retirees Activities Officers & Counsels	All Installations
US Army Audit Agency	Korea Branch

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ENCLOSURE B
DUTY-FREE GOODS PURCHASE POLICY

1. General

a. Abusing or misusing access privileges to duty-free goods adversely affects the entire U.S. military community in Korea, and the host nation's economy. Unauthorized transfer of duty-free goods may contribute to illegal black marketing of duty-free goods.

b. Military Service members who violate this instruction are subject to punishment under the Uniform Code of Military Justice (UCMJ), Section VII, Article 92, for failure to obey a lawful general order or regulation, and/or criminal prosecution under applicable ROK laws.

c. Civilian personnel who violate this instruction are subject to adverse action under U.S. laws and regulations, or criminal prosecution under applicable ROK laws.

2. Liquor Purchase Policy

a. Liquor is defined to be any beverage that is 20% or more alcohol by volume. All purchases of liquor, regardless of size, will be counted against the monthly purchase limit. Liquor sales are restricted to authorized personnel who are 21 years of age or older.

b. These monthly limits are determined based on data shown in table 1.

Table 1
Monthly Liquor Purchase Limits

<u>Item</u>	<u>Individual</u>	<u>Each Additional Family Member over 21</u>
Liquor	5 units	+2 units

One unit of liquor = fifth, quart or liter

Current Liquor Sales Inventory

1 gallon = 3.75 units

1.75 liter = 1.75

700-750 ml = .75unit

1 pint/375 ml = 1/2 unit

1 miniature = 1/12 of a unit

Note: The liquor limits are monthly and not cumulative from month to month.

3. Fuel Purchase Policy

a. Authorization to purchase fuel will not be included in contracts, memoranda of agreement, or memoranda of understanding without the USFK J1 (FKJ1-12) and FKAQ approval.

b. Authorized patrons may purchase fuel for vehicles registered on a USFK military installation. Vehicles must display the assigned installation decals, and authorized patrons must present their DOD/USFK IDs when requested under sub-paragraph g below.

c. Authorized Patrons with rented or leased vehicles must present a copy of the rental or lease agreement in lieu of the vehicle's registration document along with ID. The names on these documents must match.

d. Purchase of "carryout" fuel is limited to no more than five gallons per day.

e. Special duty-free fuel purchase authorizations only applies to Korean national (KN) in law enforcement, military intelligence personnel working as part of a joint (US-ROK) investigative teams, where use of a US government-owned vehicle would hamper undercover operations, may be authorized access to duty-free fuel. If the duties of the KN employees are not those described above, the KN employee is not authorized to purchase duty-free fuel.

(1) Application for duty-free fuel will be made by memorandum along with a copy of SF-50 (Notification of Personnel Action) through the installation commander and the servicing IA to USFK J1 (FKJ1-12). The request must be made by the unit commander, no lower than O-6 or civilian equivalent, GS-15. See [Appendix C](#) for sample.

(2) Renewal of access to duty-free fuel shall be in memorandum format (see [Appendix C](#)) with a copy of the individual's USFK ID card and submitted through the servicing IA to USFK J1 (FKJ1-12). The USFK J1 (FKJ1-12) will process the request and upon approval annotate in web application, authorization to purchase duty-free fuel and provide it to the requesting organization's supporting IA.

f. Installation commanders, O-6 level, may establish heating fuel (Kerosene) limits. Heating fuel limits must be in writing and a copy of the limits provided to USFK J1 (FKJ1-12). Limits must be prominently posted at locations which allow easy viewing by authorized patrons. Heating fuel may only be purchased by authorized patrons upon presentation of the appropriate access media.

g. Army and Air Force Exchange Service (AAFES)/Navy Exchange (NEX) will conduct random ID card check to verify fuel purchase authorization. This is required as most fuel pumps accept on the spot credit card payments.

4. Shelf and Purchase Limit Policy.

Purchase limits are a sales facility manager's tool to guarantee product availability. Sales facilities managers may impose purchase limits IAW applicable AAFES or Defense Commissary Agency (DeCA) guidelines to assure the availability of merchandise to all authorized patrons. Quantity or other restrictions may not discriminate among the various categories of patrons, and shall be consistent with the purpose of the commissaries to provide reasonable access for authorized patrons to purchase merchandise items ([DODI 1330.17](#)).

5. Exception to Policy to Increase Purchase Limits

a. Requests for an exception to policy to increase purchase limits shall be submitted to the individual requestor's chain of command/supervisory chain. The unit commanders (or their civilian equivalent supervisors) are the approval authority. Exceptions may only be approved in advance of a purchase and will not be approved after the fact. Upon approval, units are responsible for internally tracking exception to policy requests and informing the local IA office when approvals have been granted via memorandum. If approved, the unit commanders/first sergeants/chief petty officers or civilian equivalent will provide a confirmation to the individual.

b. Requests for an exception to policy to increase alcohol purchase limits shall be submitted through the individual requestor's chain of command to USFK J1 for approval. Each request to increase alcohol purchase limit must be reviewed by the requestor's unit commander (or civilian equivalent supervisor) for their endorsement. When they recommend approval, such requests should be submitted to USFK J1 for final decision. Members in the categories of Retirees and their dependents must submit their request to increase alcohol purchase limits to their supporting installation commanders or their designated representatives prior to decision by USFK J1.

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30 June 2022

APPENDIX A TO ENCLOSURE B
SAMPLE REQUEST FOR TEMPORARY DUTY-FREE ACCESS

(Letterhead)

Office Symbol

Date

MEMORANDUM FOR USFK ACofS J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

SUBJECT: Request for Temporary Duty-Free Access Card

1. The following information is provided in support of a request for a temporary duty-free access card.

- a. SPONSOR RANK/NAME:
- b. SPONSOR SSN:
- c. SPONSOR DUTY STATION:
- d. SPONSOR'S OFFICIAL EMAIL ADDRESS:
- e. DEPENDENT NAME AND SSN:
- f. DATE OF ARRIVAL:
- g. DATE OF DEPARTURE:
- h. LOCAL ADDRESS:
- i. LOCAL TELEPHONE NO:
- j. CHILD/CHILDREN NAME(S) AND DATE OF BIRTH(S):
- k. PURPOSE OF VISIT/JUSTIFICATION:

2. POC for this request is the (Rank, Name, Duty Phone, and email address).

Signature Block of Requestor

1st Endorsement, (Office Symbol)

MEMORANDUM FOR USFK J1-12, Unit #15237, APO AP 96271-5237
Recommend/Do not Recommend (with justification/comment for non-concurrence)

Signature Block of Unit/Area Commander
(or civilian equivalent)

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APPENDIX B TO ENCLOSURE B
SAMPLE REQUEST FOR INCREASE FOR LIQUOR LIMITS

(Letterhead)

Office Symbol

Date

MEMORANDUM THRU (UNIT/AREA COMMANDER)

FOR USFK ACoS J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

SUBJECT: Request for Increase for Liquor Limits

1. Request that I be authorized to purchase (fill in amount, # of units for liquor) in excess of my normal monthly limits for the month(s) of (fill in month). I am presently authorized (fill in amount) per month. This exception is requested because (state reason).
2. I certify that this is my (fill in number) application for exception to limits during the past 12-month period, and the (fill in number) request for this reason.
3. POC for this request is the (Rank, Name, Duty Phone, and email address).

Signature Block of Requestor

1st Endorsement, (Office Symbol)

MEMORANDUM FOR HQ USFK, ACoS, J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

Recommend/Do not Recommend

Signature Block of Unit/Area Commander
(or civilian equivalent)

(As required) 2nd Endorsement, (Office Symbol)

MEMORANDUM FOR HQ USFK, ACoS, J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

Recommend/Do not Recommend

Signature Block of Unit/Area Commander
(or civilian equivalent)

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30 June 2022

APPENDIX C TO ENCLOSURE B

SAMPLE REQUEST FOR FUEL DUTY-FREE ACCESS CARD (INITIAL/RENEWAL)

(Letterhead)

Office Symbol

Date

MEMORANDUM THRU (AREA COMMANDER & SUPPORTING IA)

FOR USFK ACofS J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

SUBJECT: Request for Fuel Duty-Free Access Card (Initial/Renewal)

1. Request approval for Fuel Duty-Free Access Card to be issued for a period of one year to the below listed member of the (unit/organization).

a. NAME:

b. KID#:

c. JOB TITLE:

d. VEHICLE TYPE: (Make, Model, Year, Color, & Number of Doors)

e. LICENSE PLATE #:

f. VIN #:

g. POST DECAL #:

2. Justification:

3. Additional Information.

a. Number of Gallons/Month:

b. Unit/Local Measures Used to Ensure Fuel DFAC is Not Abused:

4. POC for this request is the (Rank, Name, Duty Phone, and email address).

Signature Block of Unit Commander
(or civilian equivalent)

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APPENDIX D TO ENCLOSURE B
SAMPLE REQUEST FOR UNIT DUTY-FREE ACCESS CARD

(Letterhead)

Office Symbol

Date

MEMORANDUM THRU (THE SERVICING ISSUING AGENT)

FOR USFK ACoS J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

SUBJECT: Request for Unit Duty-Free Access Card

Request issue of a unit duty-free access card for (Unit Name/Installation). The POC for this card is (Rank, Name, Duty Phone, and email address).

Signature Block of Unit Commander
(or civilian equivalent)

Recommend/Do not Recommend

Commander

Signature Block of Area/Installation
(or civilian equivalent)

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ENCLOSURE C
ACCESS CONTROL

1. Authorized Patrons

The purchase of duty-free goods is controlled by the US-ROK SOFA, and U.S./ROK laws, regulations, and policies. In Korea, patrons allowed to purchase duty-free goods at the commissary and exchange facilities must be authorized in accordance with commissary and exchange regulations as well as the US-ROK SOFA. Articles IX, XIII and XIV of the SOFA obligate the United States to make reasonable and practical efforts to restrict access to the commissary and exchange to authorized patrons and to take necessary steps to prevent abuse of the SOFA-granted tax and customs-free privileges.

a. In order to meet our SOFA obligations, only authorized patrons are allowed to purchase duty-free goods from Commissary and Exchange facilities in Korea.

b. U.S. Passport holding visitors are authorized escorted access into USFK Commissary and Exchange facilities. Non-U.S. Passport holders must request exceptions through the supporting IA for respective installation commander's approval for escorted access into such facilities. On a case-by-case basis, access requests for groups may be approved. Only those Commissary and Exchange facilities under the responsibility of the approving installation commander may be authorized for escorted access. All visitors must be accompanied at all times by an authorized patron, and they are not authorized to make purchases, neither the authorized patron can purchase duty-free goods for the visitors (i.e., non-SOFA personnel).

c. The following categories of personnel are authorized and entitled to access duty-free goods:

(1) Members of the Armed Forces-

(a) U.S. active duty military.

(b) An "active member of a reserve component" - on active duty orders.

(c) An "active reservist" - drills once a month, attends a 15 day annual training, and assigned to a unit in Korea.

(d) Third-country armed forces assigned (permanently or temporarily) to the United Nations Command Military Armistice Commission (UNCMAC), Neutral Nations Supervisory Commission (NNSC), United Nations Command (UNC), or UNC Liaison Group.

(2) Members of the Civilian Component - Civilian persons working 20 or more hours per week or 40 or more hours within two weeks, who are in the employ of, serving with, or accompanying the United States armed forces in the Republic of Korea excluding persons who are ordinarily resident in the Republic of Korea.

30 June 2022

(3) US citizen employees of non-DOD US Government departments and agencies in an official capacity while in the ROK, if authorized by applicable DOD and service regulations governing commissary and exchange service operations and when consistent with SOFA requirements Access to commissary facilities is governed by [DODI 1330.17](#). Access to exchange facilities is governed by [DODI 1330.21](#).

(4) Full-time, US citizen employees working in agencies supporting USFK. This category includes the American Red Cross (ARC); the Girl Scouts of the United States of America (GSUSA); the Boy Scouts of America (BSA); executive and professional staff of the United Service Organization (USO) who are on invitational orders and assigned duties (permanent and/or temporary) overseas; executive directors and associated directors of the United States Seamen's Organization (USSO); and Military Sealift Command (MSC) civil service marine personnel deployed to the ROK on MSC-owned and operated vessels. Access to personnel in this category will be subject to the requirements of applicable DOD and service regulations which govern authorized support to these entities.

(5) ICs and TRs when authorized under the terms of their contract and properly designated IAW USFK Reg 700-19, Invited Contractors and Technical Representatives Program, Chapter 2.

(6) Retired US military drawing full retirement pay and benefits, Non-retired veterans with a service connected disability, 100-percent disabled veterans, and Medal of Honor recipients while in the ROK.

(7) Un-remarried widow/widower drawing full military benefits of a deceased US military spouse. Widows/Widowers that meet Korean law for common-law marriage, are not authorized access to Duty-Free Goods, unless the partner falls into one of the authorized categories in paragraph 1c above.

(8) Dependents of categories listed above, paragraph 1.c, except for civilian local hires.

(9) Full-time US citizen employees of DOD and NAF agencies who are on Government Issued order of temporary duty/temporary additional duty (TDY/TAD) in the ROK.

(10) ICs/TRs, who meet the requirements in paragraph 1.c.(2) – (4), who are on Government Issued order of TDY/TAD in the ROK.

(11) A spouse who is pending divorce may retain privileges until the divorce is finalized provided the spouse's sponsor remains in Korea.

(12) Other persons and organizations with the express consent of the ROK Government in accordance with the US-ROK SOFA Article XIII, Agreed Minute. Submit requests with justification for USFK to seek express consent from the ROK Government for access to duty-free goods through the supporting IA to USFK J1 (FKJ1-12) for staff review and processing.

2. Access to Duty-Free Goods Facilities

a. An individual who seeks to make a purchase from a Commissary or Exchange facility shall be positively identified as an authorized patron or customer or personnel at the point of sale (cash register).

b. Documents required to make a purchase:

(1) Members of the Armed Forces – CAC.

(2) Members of the Civilian Component – CAC.

(3) Invited Contractors (ICs) and Technical Representatives (TRs) – CAC.

(4) Retiree – DD Form 2, United States Uniformed Services Identification Card (Retired).

(5) Civilians for DoD and NAF agencies on Government issued temporary duty/temporary additional duty (TDY/TAD) orders in the ROK – ID Card and orders.

(6) ICs/TRs, who meet the requirements in paragraph 2, Enclosure C on Government issued TDY/TAD orders in the ROK – ID Card and orders.

(7) Others – ID Card and authorization memorandum or DFAC.

Notes: A Veterans ID card does not provide proof that they are authorized access to Duty-Free Goods.

(a) Dependent ID Card holders of assigned USFK personnel (military, DoD civilians, and USFK contractors).

(b) UNC Form 4 (United Nations Command Identification Card) for third-country military Personnel.

(c) CG Form 2838 (Merchant Mariners Document) used by Merchant Marine personnel on visiting naval vessels.

(d) USFK Form 37EK (Application for Installation/Base Pass) used by Embassy Personnel.

c. If sponsor is between 18 and 21 years, IA will annotate in web application.

d. DFACs may be issued in a permanent or temporary basis.

e. Upon a dependent's 21st birthday, the sponsor will update the web application status through their local IA.

f. Family members under the age of 10 are authorized access to duty-free facilities without providing a dependent DOD ID, but not authorized to purchase unless they have valid DOD ID.

g. Dependents with a DOD ID regardless of age and their lawful guardian (as identified by a Power of Attorney) are authorized. Sponsors are required to manage their dependent's access to Duty-Free Goods privileges, allowing the Family Care Plan (FCP) guardian access only when the FCP has been implemented.

h. Dual Sponsorship. In cases of dual sponsorship in which the couple shares the same household, only one person shall be appointed as the sponsor.

3. Limited Access

a. Limited access to duty-free goods can be granted under-certain officially sanctioned conditions (for example, DODEA Far East events like school sporting events, student musical concerts, scouting jamborees, etc., sponsored by an USFK installation/garrison command). Requesters must send Request for a Temporary Access to Duty-Free Goods (see [Appendix A to Encl B](#) for format) to their supporting IA and provide the inclusive dates requested, the official capacity of the visit, the status (DOD, family member, civilian, citizenship, location of sponsor, etc.) of each individual requesting access, and the sponsoring installation/garrison. Individuals are generally allowed to purchase basic subsistence during these events, such as food courts, snacks at shoppettes, or other vendors on the installation. Excess purchases that would ordinarily exceed one individual's one-time consumption is not authorized.

b. Individuals not ordinarily permitted access to duty-free goods may purchase food and beverages for on-premise consumption at exchange food courts/eateries, USO, USSO and MWR facilities.

4. Management of Duty-Free Access Cards (DFAC)

a. General.

(1) The DFACs will be sent via courier or certified mail. If sent via courier, the courier must have a DD Form 577 (Signature Card) on file.

(2) The DFACs must be kept secure at all times. Ensure the DFACs are stored in an approved security container at all times. A locked desk drawer is not an approved security container.

b. Issuing and Receiving DFACs.

(1) Every time a DFAC changes hands (i.e., USFK J1 (FKJ1-12) issues to IA, IA to the sponsor), a DA Form 410 (Receipt for Accountable Form) or a computerized listing provided by USFK J1 (FKJ1-12) will be annotated and authenticated to record the transfer of the DFAC.

(2) All DFACs will be screened for errors before signing any hand receipts.

(3) Copies of receipts and computerized listings showing DFAC issuance and receipt will be kept on file for a minimum of 12 months.

(4) Generally, only the sponsor may sign for DFACs. If the sponsor is unavailable (e.g., TDY/TAD, in the field, or in the hospital), a family member may sign for the DFACs if the family member possesses a written consent from the sponsor (e.g., a valid power of attorney).

5. Destruction of Permanent and Temporary DFACs

a. Only IAs are authorized to destroy permanent and temporary DFACs.

b. DFACs will be destroyed immediately, and destruction entered into the web application at: <https://pimsk.korea.army.mil>.

6. Replacement of Lost or Stolen Duty-Free Access Cards

Requests for replacement of either a permanent or temporary DFACs must be signed by the unit commander, first sergeant/chief petty officer or civilian equivalents. Forward signed requests through the installation commander or designated representative for final approval. The IA may issue temporary DFAC(s) to an applicant only after receiving approval from the installation commander or designated representative along with applicable military law enforcement report.

7. Obtaining a Unit Duty-Free Access Cards (UDFAC)

a. Unit commanders may request a UDFAC for use by designated unit personnel when making purchases for group events, such as hot dogs for organization day events, office supplies, to avoid registration of purchases against a unit member's purchase history. Obtaining a UDFAC requires the unit to be enrolled in the unit ration monitoring tool and a USFK Form 42-4-E (Unit Duty-Free Access Card Monitor System Application) signed by the battalion/squadron commander (O-5) or civilian equivalent (GS-14), submitted through the supporting IA office to USFK J1 (FKJ1-12). See [Appendix D to Encl B](#) for sample request for UDFAC.

b. Battalion, squadron commander or civilian equivalent are responsible for controlling the UDFAC Memorandum. Commanders should take the following control measures:

(1) Ensure the UDFAC Memorandum is stored in an approved security container at all times. A locked desk drawer is not an approved security container.

(2) Maintain a sign-in and sign-out log or complete a hand receipt for documenting UDFAC Memorandum access. Do not give access to the UDFAC Memorandum to personnel not entitled to access of duty-free goods. Purchase approving authorities will use USFK Form 219-E (Unit Purchase Plate Control Register) to sign the UDFAC Memorandum in and out, and will provide instructions to the purchaser on safeguarding and returning the UDFAC.

(3) Maintain records, for a minimum of two years, with the sales receipts.

c. UDFAC Memorandum Holders must be appointing in USFK Form 42-4-E and meet the following qualifications.

(1) Authorized to access to duty-free goods controlled by US-ROK SOFA and US laws, regulations and policies.

(2) Both the primary and the alternate must have more than six months retainability in country and no record of ration control violations.

(3) Whenever possible, the DEROS of the primary and alternate should be staggered to minimize the training burden and provide continuity in the unit ration control function.

d. Local national employees who are a Government Purchase Card (GPC) holder may be granted the use of a UDFAC Memorandum but cannot be the registered UDFAC Memorandum holder.

e. The UDFAC Memorandum may be used to support any approved official purchases at duty-free sales facilities.

f. The UDFAC Memoranda can be issued to the following organizations:

(1) Company, Flight or detachment level units.

(2) The American Red Cross, USO, scouting organizations, US employee labor unions, credit unions and banks on US military installations.

g. The monthly summary purchase reports can be generated by the supporting IA upon request by the battalion or squadron POC for purchase verification.

ENCLOSURE D
POINT OF SALES SYSTEM

1. This POS system requires that a DoD ID card be scanned for every transaction.
2. The register scanner does not record SSNs. It records other personal identification information that exists on every DoD issued ID card. This unique information is electronically stored within the barcode and is not visible on the card itself.
3. For those patrons without a DoD ID card, their USFK Purchase Card Number is entered manually into the register to record their transactions.
4. This system ensures that only authorized patrons are permitted access to duty-free goods and that excess purchasing can be identified.

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ENCLOSURE E
TRANSFER OF DUTY-FREE GOODS

Note: Personnel subject to the UCMJ who violate this instruction may be punished under Article 92, UCMJ, as a violation of a lawful general regulation. Personnel who are not subject to the UCMJ who fail to comply are subject to adverse administrative action or criminal prosecution as authorized by applicable ROK law, U.S. Code sections or federal and local regulations.

1. Personnel subject to this instruction will not transfer duty-free or tax-free goods to unauthorized patrons except as authorized in USFK Reg 643-2, Transfer of Duty-Free Items. The following guidance is provided for legal transfer of duty-free or tax-free goods:

a Transfers between individuals or organizations having duty-free goods privileges can be done using a USFK Form 20-E (Bill of Sale) prepared IAW the instructions in USFK Reg 643-2.

b Transfers between an individual who has duty-free goods privileges and an individual or organization not having duty-free import privileges are complicated. The ROK Collector of Customs may be required to approve such transactions in advance. Refer to USFK Reg 643-2 for details.

2. Failure to present within a reasonable time and upon demand of Customs, military law enforcement personnel, or other authorized personnel acting in an official capacity, valid and bona fide information or documentation for proper disposition of any duty-free goods is subject to legal actions under US-ROK SOFA and USFK applicable regulations.

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ENCLOSURE F
VIOLATION OF REPORTS

1. To assist commanders in disciplinary action and law enforcement officials in investigations, USFK J1 (FKJ1-12) provides the following reports:

a. A monthly duty-free purchase violation list is available on the web application for supporting IAs to access, print and provide to installation and unit commanders. IAs are required to provide a monthly report for their commanders.

(1) Unit monitors will conduct a monthly review of personnel assigned and those in the web application. Units will verify newly arrived personnel are added and departed personnel are placed into archive.

(2) Unit monitors should institute a monthly report of any violations and provide to unit commander for his/her review and action.

b. Duty-Free Access Check Reports. The unit commanders, first sergeants/chief petty officers, or civilian equivalents, and FKAQ for Invited Contractors, may request to the supporting IA a duty-free access check by using USFK Form 217-E (Request for Ration Control Check). The ration control check identifies excess purchases by a particular individual and by their dependents.

c Use one USFK Form 217-E (Request for Ration Control Check) for each individual for which a duty-free access check is requested. Completed duty-free access check reports are controlled unclassified information (CUI) as they contain personal information. Therefore, they must be safeguarded accordingly.

d. IAs may conduct duty-free access checks by visiting URL:
<https://pimsk.korea.army.mil>.

e. The subject individual is not authorized to pick-up his/her duty-free access check report.

f. Completed duty-free access checks may be faxed or electronically mailed (emailed) to the requesting official on an emergency basis. Duty-free access checks with no violations may be faxed or emailed directly to the unit.

2. Ration Monitor Tool. The purpose of this tool is to provide unit commanders with direct access to ration limit violations. The unit commander or appointed unit monitors must address the violations within 60 days and document their actions within the Ration Monitor Tool in the web application.

3. The web application generates an email daily sending out information to violators who reached or exceeded their duty-free limits for Liquor. The automated email notification goes to Commander, First Sergeant and/or their delegated personnel who appointed as a Duty-Free Access Monitor for situational awareness of potentially vulnerable and/or the propensity to misbehave based on consistently reaching and/or exceeding (violating) monthly duty-free access limits.
4. "Show cause" Letters. The purpose of these letters is to notify the unit commander and the individual that monthly duty-free purchase limits have been exceeded when the individual or unit is not enrolled in the Ration Monitor Tool. The unit commander must address the violation with the individual involved and provide a response, through the unit ration control monitor of the actions taken via the PIMS-K tool. The FKAQ and the responsible officer must be notified when the person with the violation is an IC or TR.
5. Detailed Duty-Free Access Reports. Only sponsors, law enforcement officials, or FKAQ for Invited Contractors, may request a detailed report of individual & dependent sales records from the supporting Area Issuing Agent.
6. If there is reason to question the accuracy of the violation report, commanders and first sergeants/chief petty officers or civilian equivalents can request a copy of the purchase transaction record through their supporting IA.

ENCLOSURE G
CORRECTION OF RECORDS

1. If a report wrongly identifies an individual as having committed a violation, the individual may submit a request for record correction. Requests shall be submitted through the individual's chain of command/supervisory chain. Unit commanders (or appropriate civilian supervisor) must review requests internally prior to recommending approval and submitting to USFK J1 for validation and correction. The request should include any supporting material including receipts to support the request. See [Appendix A to Enclosure G](#) for a sample request.
2. USFK J1 (FKJ1-12) shall provide a memorandum notifying the individual as to whether the request for correction was approved or not.

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APPENDIX A TO ENCLOSURE G
SAMPLE REQUEST FOR CORRECTION OF RECORDS

(Letterhead)

Office Symbol
Date

MEMORANDUM THRU (UNIT COMMANDER, SUPPORTING ISSUING AGENCY)

FOR USFK ACoS J1, ATTN: FKJ1-12, Unit #15237, APO AP 96271-5237

SUBJECT: Request for Correction of Duty-Free Access Records

1. I, (Full Name, SSN), request my violations record be corrected. For the month of (fill in date/month/year), I was charged with violating my (liquor) limits by (state amount).
2. (Provide justification for correcting the record).
3. POC for this request is the (Rank, Name, Duty Phone, and email address).

Signature Block of Requestor

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ENCLOSURE H

REVOCATION OF PRIVILIGES

1. Revocation of Privileges

a. Access to duty-free goods is a privilege. If abused, it may be suspended or revoked. Only the installation commander or designated representative (delegated to the deputy installation/garrison commander) may suspend/revoke access privileges to duty-free privileges. Suspension/revocation can be for any duration, including indefinitely. Exception: Installation commanders will provide a courtesy notification to the Embassy before suspending or revoking an Embassy employee's access privilege to duty-free goods.

b. Mandatory revocation. Access privileges must be revoked in wrongful transfer of duty-free goods cases that are directly connected with black marketing. If total revocation creates undue hardship, commanders may authorize limited privileges upon proper petition by the offending party. Proper petition requires more than a statement that the revocation action has created undue hardship.

c. Installation commanders must notify through their supporting IA to USFK J1(FKJ1-12) of any suspension/revocation or reinstatement of access privilege to duty-free goods. FKJ1-12 will update the web application database to reflect the individual's duty-free privilege status.

d. If access privilege to duty-free goods has been suspended or revoked by an installation commander, then the suspension or revocation is applicable to all areas on the Korean peninsula.

2. Suspension/Revocation Procedures

a. Prior to suspending or revoking access privilege to duty-free goods, the following actions must be taken:

(1) The installation commander must provide the alleged violator a suspension/revocation letter, which outlines the reasons why suspension/revocation of privileges is warranted. The letter will also inform the alleged violator to submit rebuttal (or "show cause") in writing and submit any relevant matters to consider before making the decision to suspend or revoke the alleged violator's access privilege. A copy of the suspension/revocation letter must be forwarded to the individual's unit commander or senior supervisor and the servicing IA. If the alleged violator is a family member, a copy of the letter must be forwarded to the sponsor, and the sponsor's commander or senior supervisor.

(2) The alleged violator must be given seven calendar days to respond in writing to the suspension/revocation letter.

(3) The suspension/revocation letter, the facts and circumstances which caused the issuance of that letter, and the alleged violator's rebuttal matters, if submitted, shall be reviewed for legal sufficiency by the servicing Judge Advocate prior to the commander's decision on suspension/revocation.

- b. revocation period to determine if the member has violated their "no purchase" order.
- c. If the installation commander determines that total suspension/revocation is too harsh and decides to partially suspend/revoke privileges, he/she may direct the IA to grant temporary and limited privileges. The IA will issue one USFK Form 46-3 (Temporary Duty-Free Access Card) upon presentation of the installation commander's authorization letter. This temporary privilege is effective for a period of 30 days. It may be renewed each month at the area commander's discretion.
- d. Upon completion of the suspension/revocation period, the violator must submit a written request for reinstatement of privileges to the installation commander.

(1) If the request is approved, the installation commander or designated representative will provide written notification of the reinstatement through the supporting IA to USFK J1 (FKJ1-12) for annotation in the web application.

(2). If the request is disapproved, the installation commander must notify the violator, in writing, of the reason for the disapproval decision, provide the individual with a new revocation period, and appeal instructions.

e. If access privileges were suspended for an indefinite period, the installation commander or designated representative may review the suspension at his/her discretion or upon an annual submission of a written request by the violator. If, following the second annual review of an offender's indefinite suspension/revocation, the installation commander or designated representative determines that access privileges will not be reinstated, the offender will be sent written notification of permanent revocation.

ENCLOSURE I

GOVERNMENT PURCHASE CARD (GPC) PROGRAM

1. DeCA and AAFES personnel must verify the GPC holder's identity by comparing the name on the GPC card to the cardholder's CAC. At AAFES facilities without entry control checkers, the GPC holder will present his/her ID, UDFAC, GPC and the GPC Order and Receipt Form at the cash register. DeCA and AAFES personnel shall record the transaction using the ration numbers on the UDFAC to ensure those purchases are identified with the unit and not the individual.
2. Use of UDFAC memorandum is required at duty-free sales facilities in conjunction with GPC for all authorized patrons.

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ENCLOSURE J

REFERENCES

Section I. Required Publications

10 U.S.C. § 2489, Overseas Commissary and Exchange Stores: Access and Purchase Restrictions.

Uniform Code of Military Justice (UCMJ) Section VII, Article 92.

U.S.-ROK Status of Forces Agreement (SOFA).

AR 215-1 Military Morale, Welfare, and Recreation Programs and Non-appropriated Fund Instrumentalities.

AR 215-8, Army and Air Force Exchange Service Operations.

FK Reg 190-7, Installation Access Control.

USFK Reg 643-2, Transfers of Duty-Free Items.

USFK Reg 700-19, The Invited Contractor and Technical Representatives Program.

Army in Korea Regulation 690-3, Overseas Tour Extensions.

Section II. Related Publications

AR 25-1, The Army Information Technology.

AR 25-22, The Army Privacy Program.

AR 600-8-2, Suspension of Favorable Personnel Action (FLAG).

AR 600-8-14/AFI 36-3026, Identification Cards for Members of the Uniformed Services, their Eligible Family Members and Other Eligible Personnel.

AR 600-37, Unfavorable Information.

DOD 5500.07-R, Standards of Conduct.

DODI 1315.08, Procedures for Military Personnel Assignments.

DODI 1000.15, Procedures and Support for Non-Federal Entities Authorized to Operate on DoD Installations.

DODI 1330.09, Armed Services Exchange Policy.

DODI 1330.17, DoD Commissary Program.

DODI 1330.21, Armed Services Exchange Regulation.

MILPERSMAN 4620140, Military Identification Card Issuing Activities.

Uniform Code of Military Justice, Manual for Courts-Martial, United States.

Section III. Prescribed Forms

USFK Form 42-4-E, Unit Duty-Free Access Card and Monitor System Application.

USFK Form 46-3, USFK Temporary Ration Control Plate (Accountable).

USFK Form 73-1, USFK Ration Control Plate) (Accountable).

USFK Form 73-2, USFK Ration Control Plate (Aide-de-Camp Plate)) (Accountable).

USFK Form 73-3, USFK Ration Control Plate (Issuing Agency Plate)) (Accountable) .

USFK Form 73-4, Unit Duty-Free Access Card) (Accountable).

USFK Form 73-5, Fuel Duty-Free Access Card) (Accountable).

USFK Form 217-E, Request for Ration Control Check.

USFK Form 219-E, Unit Purchase Plate Control Register.

Section IV. Referenced Forms

DD Form 2(RES), Armed Forces of the United States Geneva Convention Identification Card (Reserve).

DA Form 410, Receipt for Accountable Form.

DA Form 3975, Military Police Report.

DD Form 577, Signature Card.

DD Form 1173-1, DOD Guard and Reserve Family Member Identification Card.

SF Form 50, Notification of Personnel Action.

UNC Form 4, United Nations Command Identification Card (Controlled by UNCMAC).

USFK Form 20-E, Bill of Sale.

USFK Form 37EK, USFK Pass (Accountable).

USFK Form 700-19A-R-E, Invited Contractor and Technical Representative Personnel Data Report.

Section V. Related Web Sites

<https://pimsk.korea.army.mil>

<https://www.apd.army.mil>

<https://www.usfk.mil/Resources/USFK-Publications>

<https://8tharmy.korea.army.mil/g1/usfk-archives.asp>

<https://www.dtic.mil/whs/directives/infomgt/forms/formsprogram.htm>

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GLOSSARY

Section I. Abbreviations

AAFES	Army and Air Force Exchange Service
ACoS	Assistant Chief of Staff
AFOSI	Air Force Office of Special Investigations
APF	Appropriated Funds
CofS	Chief of Staff
DBIDS	Defense Biometric Identification System
DeCA	Defense Commissary Agency
DFAC	Duty-Free Access Card
DFWG	Duty-Free Working Group
DoD	Department of Defense
EML	Environmental Morale Leave
FKAQ	USFK Acquisition Management
FKJ1-11	Policy and Programs Branch, USFK J1
FKJ1-12	Personnel Systems Branch, USFK J1
FKPM	USFK Provost Marshal
GPC	Government Purchase Card
IA(s)	Issuing Agency(ies)
IAW	In Accordance With
IC	Invited Contractor
ID	Identification/Identification Card
IMA	Individual Mobilization Augmentee
KATUSA	Korean Augmentee to the United States Army

KN	Korean National
MSC	Military Sealift Command
MWR	Morale, Welfare and Recreation
NAF	Nonappropriated Funds
PACOM	Pacific Command
PAS	Personnel Accounting Symbol
PCS	Permanent Change of Station
PIMS-K	Personnel Information Management System – Korea
ROK	Republic of Korea
SOFA	Status of Forces Agreement
TDY/TAD	Temporary Duty/Temporary Additional Duty
TR	Technical Representative
UCMJ	Uniform Code of Military Justice
UDFAC	Unit Duty-Free Access Card
UNC	United Nations Command
UNCMAC	United Nations Command Military Armistice Commission
US	United States (of America)
USFK	United States Forces Korea
USO	United Service Organization
USSO	United Seamen's Services Organization

Section II. Terms

Area/Garrison/Installation Commander. The commander in each of the seven geographical areas in the ROK. The Area/Installation Commanders are responsible to the Commander, USFK, for enforcing USFK regulations within their garrison/installation.

APF Intermittent Employee Definition. An intermittent work schedule is appropriate only when the nature of the work is sporadic and unpredictable so that a tour of duty cannot be regularly scheduled in advance.

Black Marketing. The act of reselling duty-free goods purchased in USFK duty-free facilities to persons not authorized access to duty-free goods, except as provided in applicable regulations.

Controlled Items. Accountable items controlled by recording their purchase through the use of a point-of-sale system.

Controlled Item Inventory. An inventory of controlled items conducted by the unit commander or investigative officer where the purchaser of the items is expected to physically present each item or show documented proof of proper disposition IAW USFK Reg 643-2, or of export from the ROK.

Dual Sponsorship. Military married to military, DOD civilian married to military, contractor married to DOD civilian, or any combination thereof.

Duty-Free Access Card (DFAC) (USFK Form 73). A plastic credit-card-like document used by authorized permanent party patrons to purchase duty-free goods in USFK facilities, and to record sales in their name as purchases are made. An accountable item of government property.

Duty-Free Goods. Goods that are imported into or purchased in the ROK free of duties or taxes.

Duty-Free Retail Outlets. Sales facilities operated on USFK installations or from USFK installations (such as mobile facilities) that sell items/products imported into the ROK without being charged import duties. Includes all AAFES facilities, commissaries, Class VI stores, and all MWR facilities selling such goods.

Excessive Purchasing of Duty-Free Goods. An excessive purchase of duty-free goods takes place when an otherwise authorized individual purchases duty-free goods in excess of his or her personal needs. When it occurs, it raises an inference that the excessive amounts are intended for black marketing which must be evaluated "case by case". All personnel will restrict purchases to those required for personal needs, the needs of authorized family members, and bona fide gifts IAW USFK Regulation 643-2 (Transfer of Duty-Free Items).

Family Member/Dependent. A (1) spouse; (2) unmarried children, stepchildren or wards under 21, or wards under 23 who are enrolled in and attending class in a full-time course of study at an approved institution of higher learning if they are dependent on the sponsor for over half of their support; and (3) parents, parents-in-law, and parents by adoption who are dependent on the sponsor for over half their support and who reside in a household maintained by or for the sponsor. Dependency determination is made by the Defense Accounting and Finance Service (DFAS).

Family-Size Duty-Free Privileges. Privileges normally provided to families. These privileges cover all items, and the sponsor and authorized family members registered in Defense Enrollment and Eligibility Reporting System (DEERS) are granted privileges.

Guest. This term means bona fide guests. A bona fide guest is a person who is specifically and personally invited by an authorized patron to use or access a duty-free facility (including golf courses). Bona fide guests must accompany the authorized patron when using the facility to which the invitation was extended. To be considered a bona fide guest, the circumstances must be clear that the authorized patron's personal relationship to the guest is the motivation for the invitation. Individuals who are not known to the authorized patron (e.g., individuals introduced to or referred to an authorized patron by a private organization or third party solely for the purpose of facilitating access to a duty-free facility) are not bona fide guests.

Identification (ID) Card. A card, often bearing a photograph that serves to identify a person, to prove his/her age, benefits, affiliation and agency.

Individual Duty-Free Privileges. Privileges normally granted to single individuals or accompanied by family members who are under the age of 21.

Invited Contractor. As defined in Article XV of the US-ROK SOFA. Persons, including (a) corporations organized under the laws of the United States, (b) their employees who are ordinarily resident in the United States, and (c) the dependents of the foregoing, present in the Republic of Korea solely for the purpose of executing contracts with the United States for the benefit of the United States armed forces or other armed forces in the Republic of Korea under the Unified Command receiving logistical support from the United States armed forces, who are designated by the Government of the United States in accordance with the provisions of paragraph 2 below, shall, except as provided in this Article, be subject to the laws and regulations of the Republic of Korea.

Issuing Agency. Ration control agencies located on USFK installations throughout the ROK acting as an intermediate processing location between units and USFK J1 (FKJ1-12) for the administration of the ration control program at the local level.

Liquor. Alcoholic beverages having an alcoholic content of 20-percent or more by volume.

NAF Flexible Employee Definition. A civilian employee whose salary and benefits are paid for with NAF and who serves in an indefinite position on either a scheduled or an as-needed basis.

Personnel Information Management System Korea (PIMSK). The database system maintained by USFK J1 (FKJ1-12) which identifies all personnel assigned to or supporting USFK and their family members. Used as a source database for issuing DFACs and for managing noncombatant evacuation operations in times of emergency. Current USFK CoS approved limits are available at: <https://pimsk.korea.army.mil>.

Retiree/Widow/Widower Status of Forces Agreement (SOFA) Privileges. Though not covered by the SOFA, retirees and widows are included in the category of "officers or personnel ordinarily accorded the privileges". ROK-US discussions during the 28th Joint Committee, 1968, related to the interpretation of Article XIII ensure that retirees and widows would have access to Non Appropriated Fund Organizations (Exchange/Commissary/MWR).

Status of Forces Agreement (SOFA). The US-ROK SOFA, its agreed minutes, understandings on implementations, and minutes of its Joint Committee. An international agreement between the US and the ROK that Implements the Mutual Defense Treaty of 1953 designed to serve the mutual interests of the US and the ROK and to protect the basic rights of US citizens who are subject to its provisions.

Third-Country Nationals. Citizens of countries other than the US or the ROK.

Wrongful Transfer of Duty-Free Goods. Transferring duty-free goods in the ROK to an individual or organization not having duty-free import privileges in a manner contrary to the guidance in USFK Reg 643-2.

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