

12 FAM 140

COURIER DOCUMENTATION AND STATUS

(CT:DS-113; 07-11-2005)
(Office of Origin: DS/C/DC)

12 FAM 141 PROFESSIONAL COURIER LETTERS

12 FAM 141.1 General

(CT:DS-113; 07-11-2005)

- a. The Vienna Convention on Diplomatic Relations (VCDR) requires couriers to possess courier letters in order to transport sealed diplomatic pouches across international boundaries free from inspection and electronic surveillance, including x-ray or canine scent detection.
- b. For the professional courier letter to be effective, the pouched material must be carried in appropriately marked and sealed diplomatic containers. The container must bear a diplomatic pouch tag endorsed with both origination and destination addresses (see 5 FAH-10 H-500).
- c. Couriers must retain their courier letters and diplomatic passports during official travel and while otherwise serving in that capacity (see 12 FAM Exhibit 141.1 for a sample professional courier letter).

12 FAM 141.2 Issuance

(CT:DS-113; 07-11-2005)

- a. The Office of Diplomatic Courier Service (DS/C/DC) must give each courier a one-page courier letter bearing a seal and the signature of the current Secretary of State. When a new Secretary of State takes office, DS/C/DC must issue new courier letters bearing a seal and the new Secretary's signature.
- b. Unless it is cancelled, a courier's letter remains valid until its expiration date (usually five years after issuance).

12 FAM 141.3 Cancellation

(CT:DS-113; 07-11-2005)

- a. DS/C/DC, the principal officer at post, or the regional diplomatic courier officer (RDCO) must cancel a courier's letter when:
 - (1) A new letter is issued; or
 - (2) The employee no longer serves as a courier (e.g., when a courier retires, resigns, or transfers to other duties).
- b. If the principal officer at post or the RDCO cancels the courier's letter, it must be returned to the employee and the cancellation must be reported to DS/C/DC by memorandum.
- c. To cancel a courier's letter, the seal must be mutilated by perforating it with a machine or writing in indelible ink the word "Cancelled" across its face.

12 FAM 142 NONPROFESSIONAL COURIER LETTERS

12 FAM 142.1 General

(CT:DS-113; 07-11-2005)

- a. Nonprofessional courier letters serve the same purpose as professional courier letters. Both letters authorize recipients to transport sealed diplomatic pouches across international boundaries free from inspection and electronic surveillance, including x-ray or canine scent detection (see 12 FAM 536.9-1 for conditions that may warrant a nonprofessional courier).
- b. For the nonprofessional courier's letter to be effective, the pouched material must be in appropriately marked and sealed diplomatic containers. The container must also bear a diplomatic pouch tag endorsed with both an origination and destination address (see 5 FAH-10 H-500). Any deviation (see 12 FAM 228.4) from these requirements also must be reported to DS/SI/IS.

12 FAM 142.2 Issuance

(CT:DS-113; 07-11-2005)

- a. Nonprofessional courier letters may not serve as authority to remove classified or administratively controlled materials from official premises of posts for overnight personal custody (see 12 FAM 533.1).
- b. The principal officer at post, the RDCO, the courier hub supervisor or DS/C/DC may issue nonprofessional courier letters (see 12 FAM Exhibit 142.2 for a sample nonprofessional courier letter).
- c. Posts should confer with their servicing regional courier office before utilizing a nonprofessional courier. The regional courier office may be able to provide professional service and can offer valuable input and briefing information for the nonprofessional courier's proposed trip plan.
- d. In the Washington area, nonprofessional courier letters are only issued by DS/C/DC at its SA-8 location:

Logistics Operations Center
7000 Loisdale Road
Springfield, VA 22153.

- e. A nonprofessional courier letter may be issued to an individual when:
 - (1) Professional courier service is not available (see section 12 FAM 536.9-1);
 - (2) The individual is a full-time, permanent direct-hire U.S. citizen employee of the mission, possesses a top secret clearance, and either has been issued a diplomatic passport or the Director of DS/C/DC has approved the individual's use of an official passport; and
 - (3) The regional security officer (RSO), post security officer (PSO), or RDCO has briefed the individual. In their absence, the information programs officer (IPO) must give the briefing.
- f. Before issuing a nonprofessional courier letter to transport pouches across an international boundary, the issuing office must notify the Director of DS/C/DC and the RDCO during their work hours via a priority telegram. All destination and transit posts must also be included as action or info addressees. The telegram must provide the recipients sufficient time to intervene, if they desire, before the commencement of travel. It must include the individual's:
 - (1) Full name;
 - (2) Travel dates;
 - (3) Itinerary, including transit stops;

- (4) Trip justification; and
 - (5) The serial number of the courier letter issued by the post.
- g. A nonprofessional courier letter is not required for transporting pouches between an embassy and a consulate or between consulates within the same country if no international borders are crossed. Notification to DS/C/DC or the RDCO is not required. However, a nonprofessional courier letter may be issued for an in-country trip if local authorities require one, or the post determines that the letter is required to ensure the protection of official materials. For in-country trips, nonprofessional couriers may use an official passport.
- h. At posts without a courier office, the principal officer or designee must sign each nonprofessional courier letter and impress it with the post's official seal.

12 FAM 142.3 Reporting

(CT:DS-113; 07-11-2005)

- a. Posts must account for each nonprofessional courier letter that they issue. They must report annually by cable to DS/C/DC no later than January 15th the total number of "emergency" or "ad hoc" letters that were issued during the preceding year (see 12 FAM Exhibit 142.3 for a sample cable).
- b. Some posts have regular, established nonprofessional courier trips across international borders. In some cases, these trips are funded by DS. The number of recurring (non-emergency) trips must also be reported annually and must identify the trips that were DS-funded and specify the total annual cost that the post charged against DS/C/DC's fiscal allocation. No report is required for in-country runs, except those that were funded by DS.
- c. Charging nonprofessional courier trip expenses against the courier allotment requires RDCO authorization. An RDCO will only authorize funding for those trips that would normally be a professional courier's routine responsibility.

12 FAM 142.4 Cancellation

(CT:DS-113; 07-11-2005)

- a. Upon completion of a trip, the nonprofessional courier must give the authorizing letter to either the RSO or the pouch control officer of the post

where the pouch was delivered.

- b. Unless DS/C/DC authorizes further use of the courier letter, an officer whom the principal officer has authorized to cancel nonprofessional courier letters must immediately cut or perforate the seal or write in indelible ink the word “Cancelled” across its face.
- c. The post may then return the cancelled nonprofessional courier letter to the employee.
- d. When ending a courier mission in Washington, DC, the nonprofessional courier must submit the courier letter to DS/C/DC for cancellation.

12 FAM 143 DIPLOMATIC STATUS

12 FAM 143.1 Professional Courier Status

(CT:DS-113; 07-11-2005)

Professional couriers maintain immunity from the time that they depart from their duty station until their return there (see paragraphs 5 and 6 of Article 27 of the VCDR).

12 FAM 143.2 Nonprofessional Courier Status

(CT:DS-113; 07-11-2005)

Nonprofessional couriers maintain immunity only while the pouches are under their control. The immunity ceases once the pouches have been signed for (see paragraph 6 of Article 27 of the VCDR).

12 FAM 144 THROUGH 149 UNASSIGNED

12 FAM EXHIBIT 141.1 SAMPLE PROFESSIONAL COURIER LETTER

(CT:DS-113; 07-11-2005)

DEPARTMENT OF STATE
WASHINGTON, DC

No.: 111

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I, the undersigned, Secretary of State of this United States of America, hereby request all those whom it may concern to afford all such facilities as may be necessary to permit

Richard Roe
U.S. Diplomatic Courier

the bearer of official property of the United States of America between the Department of State at Washington, DC and the Embassies and Consulates of the United States of America, to pass safely and freely in fulfillment of this mission without examination of the official property in question which is under seal, and in case of need, to provide all lawful aid and protection.

I further request all whom it may concern to extend to the holder all privileges and immunities which may expedite passage on this urgent mission with which said Diplomatic Courier has been charged on behalf of the United States of America.

This courier letter is issued only to individuals regularly employed as Diplomatic Couriers and is given solely for the purpose hereinbefore indicated. This letter is valid for a period of five years from date of issue, with the expressed understanding that it will be returned to the Department of State for cancellation on the termination of the bearer's employment.

In the event of an emergency concerning this courier, please contact the Department of State, DS Command Center, Washington, DC; telephone: (1) (571) 345-3146.

Given under my hand and seal of the Department of State of the United States of America at Washington this first day of January in the year of our Lord, Two Thousand and Five and the year after the Independence of the United States of America, the Two Hundred and Twenty-Ninth.

Secretary of State
of the United States of America

[SEAL]

12 FAM EXHIBIT 142.2

SAMPLE NON-PROFESSIONAL COURIER LETTER

(CT:DS-113; 07-11-2005)

*United States Embassy
[Rosslyn, Zee]*

No. [111]

TO ALL WHOM THESE PRESENTS SHALL COME, GREETING:

I, the undersigned United States Ambassador, hereby request all whom it may concern to permit [John Doe] acting as *ad-hoc* diplomatic courier between the United States Embassy at [Rosslyn, Zee] and the [Department of State at Washington, DC], and the bearer of official property of the Government of the United States of America, to pass safely and freely in fulfillment of this mission without examination of the official property in question which is under seal, and in case of need, to provide all lawful aid and protection.

I further request all whom it may concern to extend to [Mr. Doe] any or all privileges or facilities that may expedite passage of this urgent mission.

This letter is authorized solely for the single journey indicated herein and issued with the expressed understanding that it must be surrendered to the [Courier Service (DS/C/DC), SA-8, Department of State] for cancellation. This courier letter is valid for a period of [five] days from date of issue.

In the event of an emergency concerning this courier, please contact the nearest United States Embassy or Consulate or the Department of State, DS Command Center, Washington, DC; telephone: (1) (571) 345-3146.

Given under my hand and seal of the United States [Embassy] at [Rosslyn, Zee] this [first] day of [January] in the year of our Lord, Two Thousand and [Five] and the year after the Independence of the United States of America, the Two Hundred and [Twenty-ninth].

[U.R. Ambassadors']
United States Ambassador

[SEAL]

12 FAM EXHIBIT 142.3

SAMPLE CABLE FOR ANNUAL REPORT ON NONPROFESSIONAL COURIERS

(CT:DS-113; 07-11-2005)

UNCLASSIFIED
PROG 01/01/2001
DFT:FMLAST
APP:FMLAST
NONE
DIST1
AMEMBASSY YOUR POST
SECSTATE WASHDC

DEPT FOR DS/C/DC

E.O. 12958: N/A
TAGS: ADCO
SUBJECT: ANNUAL NON-PRO COURIER REPORT

Ref: 12 FAM 142.3

1. In accordance with the requirements of the reference, post reports its annual nonprofessional courier activity as follows:

NUMBER OF NON-PRO LETTERS ISSUED: 99

NUMBER OF REGULAR NON-PRO TRIPS: NONE

NUMBER OF DS-FUNDED NON-PRO TRIPS: NONE

AMOUNT CHARGED AGAINST DS/C/DC FISCAL ALLOTMENT: \$999.99

EXPLANATION OF CHARGES: 1) On one occasion, the assigned courier was unable to perform the trip due to illness and the courier's RDCO authorized post to perform the trip with a non-pro courier in reverse and to charge against the courier fiscal strip. \$700.00 2) On one occasion post was required to rent a forklift to receive the incoming courier load. The courier supervisor authorized the post to procure the forklift and charge against courier funds. \$299.99.

2. Point of Contact for additional information is F.M. Last.

AMBASSADORNAME