

**DECLARATION OF PRINCIPLES
AMONG
UNITED STATES CUSTOMS AND BORDER PROTECTION,
THE DEPARTMENT OF ENERGY OF THE UNITED STATES OF AMERICA,
AND
THE GENERAL DIRECTORATE OF CUSTOMS OF THE DOMINICAN REPUBLIC
CONCERNING
COOPERATION TO ENHANCE THE SECURITY OF CONTAINER CARGO**

United States Customs and Border Protection (CBP), the Department of Energy of the United States of America (DOE), and the General Directorate of Customs of the Dominican Republic (Dominican Republic Customs), hereinafter referred to collectively as "Participants";

Recognizing the longstanding, close, and productive relations between the customs authorities of the United States of America and the Dominican Republic;

Recognizing the volume of trade between Dominican Republic seaports and United States seaports, and the role of the Dominican Republic as an intermodal transport hub for cargo originating in many countries;

Being convinced of a need to enhance the security of high-risk cargo containers, and to detect, deter, and where necessary, interdict the illicit trafficking in nuclear or other radioactive material, including terrorist attempts to disrupt global trade or to attempt to make use of commercial shipping to further terrorist schemes; and

Supporting CBP's Container Security Initiative (CSI), which is designed to safeguard global maritime trade by enhancing cooperation at seaports worldwide to identify and examine high-risk containers and strive to ensure their in-transit integrity;

Come to the following understanding:

I. OBJECTIVES

The objectives of this Declaration of Principles (Declaration) are:


1. with respect to CSI, to intensify bilateral customs cooperation by working to exchange information and work closely together to ensure that the identification, screening, and sealing of high-risk containers is carried out swiftly through the use of inspection equipment that may allow a non-intrusive screening during the examination of the containers, where appropriate to facilitate trade flow and strive to ensure the screening and examination of the containers that pose a risk for terrorism;
2. to establish a framework for cooperation between DOE and Dominican Republic Customs to prevent illicit trafficking in nuclear and other radioactive material.

II. SCOPE

1. Officers of CBP are expected to be stationed, on a pilot basis, at the Port of Caucedo and other Dominican Republic seaports, as determined by CBP and Dominican Republic Customs. Such officers intend to work in accordance with Dominican Republic Customs guidelines and under the authority and administrative supervision of the Ambassador of the United States in the Dominican Republic, and cooperate with Dominican Republic Customs to identify, screen, and facilitate the sealing of high-risk cargo containers through the use of inspection equipment that meets the standards promulgated by the World Customs Organization.
2. The selection of and order in which other Dominican Republic seaports may join CBP's Container Security Initiative are expected to be determined by CBP in consultation with the Dominican Republic Customs.
3. At the request of the Government of the Dominican Republic, Dominican Republic Customs officers may be stationed in the United States, as jointly determined by CBP and the Dominican Republic Customs, and such officers would be expected to work in accordance with CBP guidelines, with the same aim and under the same conditions established in this Declaration.
4. DOE, through its National Nuclear Security Administration, may provide technical assistance to the Government of the Dominican Republic, through Dominican Republic Customs, in the form of equipment, materials, training and services, for Dominican Republic Customs' use at the Port of Caucedo and other seaports in the Dominican Republic as mutually determined by DOE and Dominican Republic Customs, for the purpose of detecting and interdicting illicit trafficking in special nuclear material and other radioactive material. As used herein, "special nuclear material" means plutonium, and uranium enriched to 20 percent or more in the isotope U-235. "Other radioactive material" includes, but is not limited to, radioactive sources suitable for use in radiological dispersal devices.
5. DOE's technical assistance may include:
 - a. delivery and installation of equipment adapted as appropriate for customs control conditions (including testing, setup, and demonstration of the equipment) at the Port of Caucedo and at other selected seaports in the Dominican Republic;
 - b. delivery of spare parts kits, test equipment and other maintenance equipment to maintain the DOE-provided equipment;
 - c. training of Dominican Republic Customs personnel and other appropriate Dominican Republic personnel in detection of special nuclear material and other radioactive material, and in the proper use and maintenance of equipment provided by DOE;


- d. support for maintenance of the equipment provided by DOE, as set forth in a maintenance and sustainability plan mutually determined by DOE and Dominican Republic Customs; and
 - e. additional areas of cooperation of mutual interest to DOE and Dominican Republic Customs.
6. Upon reasonable request by DOE, representatives of DOE may make technical evaluations of the DOE-provided equipment supplied under this Declaration, starting from the deployment date of the equipment.
 7. DOE and Dominican Republic Customs may conduct technical workshops, consultations, site surveys, verification inspections and acceptance testing of materials and DOE-provided equipment installed in the Dominican Republic. Joint working groups of technical experts may be formed to exchange technical information and to make proposals on technical and training matters to ensure the effective implementation of this Declaration.
 8. The terms of any technical assistance provided by DOE under this Declaration are expected to be set forth in separate contracts or other written arrangements between DOE and Dominican Republic Customs or their designated implementing agents.
 9. Dominican Republic Customs should endeavor to ensure that equipment and materials provided under this Declaration are afforded priority processing to allow prompt engineering approvals, and equipment and materials deliveries to their ultimate destination in the Dominican Republic.

III. PROVISION OF INFORMATION



Dominican Republic Customs is to furnish the United States Government, through its representatives (to be designated by DOE) present in the Dominican Republic, and in a format and according to a schedule to be determined by DOE and Dominican Republic Customs, with data on detections or seizures of special nuclear material and of other radioactive material made as a result of the use of the equipment and materials supplied under this Declaration.

IV. NON-TRANSFER



Unless the written consent of the DOE has first been obtained, Dominican Republic Customs should not transfer title to, or possession of, any equipment provided by the DOE pursuant to this Declaration, other than to other ministries, bureaus, agencies or departments within the Government of the Dominican Republic.

V. TAX AND CUSTOMS TREATMENT OF ASSISTANCE

The Participants understand that the United States Participants and their implementing agents are not to pay any taxes, duties or other charges on equipment, materials, training or services provided under this Declaration.


VI. GENERAL PROVISION

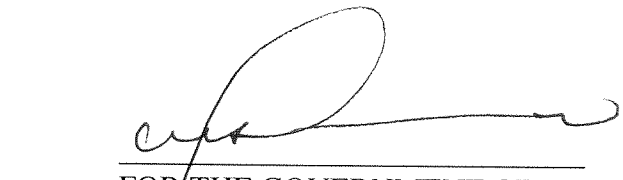
This Declaration represents an understanding and cooperative arrangement among the Participants and does not constitute a legally binding agreement. Activities of each Participant and their respective implementing agents under this Declaration should be carried out in accordance with the laws and regulations of that Participant's Government and applicable international agreements to which that Participant's Government is party.

VII. EFFECTIVE DATE AND DURATION

Implementation of this Declaration may begin upon signature by all Participants. This Declaration may be modified in writing by all Participants' written consent. Any such modification may take effect upon signature by all Participants. If a Participant wishes to end its cooperation under the Declaration, it should endeavor to provide at least ninety (90) days advance written notice to the other Participants. Withdrawal from this Declaration by either (a) Dominican Republic Customs or (b) both United States Participants will constitute termination of the Declaration.

Signed in Santo Domingo, Dominican Republic, this 7th day of July 2006, in the English and Spanish languages, in triplicate.



FOR THE GOVERNMENT OF THE
UNITED STATES OF AMERICA

FOR THE GOVERNMENT OF
THE DOMINICAN REPUBLIC