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United States Forces Korea
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United States Forces Korea
Regulation 10-10

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Organization and Functions

JOINT COMMITTEE AND SUBCOMMITTEES UNDER THE UNITED STATES OF AMERICA - REPUBLIC OF KOREA STATUS OF FORCES AGREEMENT (SOFA)

***This regulation supersedes USFK Regulation 10-10, dated 12 November 2009.**

FOR THE COMMANDER:

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Summary. This regulation prescribes procedures and responsibilities governing the United States participation in the United States (U.S.)-Republic of Korea (ROK) Joint Committee under the U.S.-ROK Status of Forces Agreement (SOFA), Article XXVIII, hereinafter referred to in this regulation as the Joint Committee.

Summary of Change. This regulation has been substantially changed. A full review of its contents is required.

Applicability. This regulation applies to all commands of Headquarters (HQ), United States Forces Korea (USFK), and other personnel or agencies of the U.S. Armed Forces present in the ROK, except the Joint United States Military Affairs Group Korea and U.S. military personnel attached to the American Embassy (AMEMB).

Supplementation. Further supplements to this regulation by subordinate commands are prohibited unless prior approval is obtained from HQ USFK, SOFA Secretariat (FKDC-SA), Unit #15237, APO AP 96205-5237.

Forms. USFK forms are available at www.usfk.mil.

Records Management. Records created as a result of process prescribed by this regulation must be identified, maintained, and disposed of according to AR 25-400-2 and USFK Regulation 923.1. Record titles and descriptions are available on the Army Records Information Management System (ARIMS) website at <https://www.arims.army.mil> and under USFK Regulation 923.1, Appendix H~K.

Suggested Improvements. The proponent of this regulation is the SOFA Secretariat. Users are invited to send comments and suggested improvements on DA Form 2028 (Recommended Changes to Publications and Blank Forms) to FKDC-SA.

Distribution. Electronic Media Only.

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Chapter 1

Introduction

1-1. Purpose

This regulation prescribes procedures and responsibilities governing the United States participation in the United States (U.S.)-Republic of Korea (ROK) Joint Committee under the SOFA, Article XXVIII, hereinafter referred to in this regulation as the Joint Committee.

1-2. References

a. Required References.

(1) Agreement Under Article IV of the Mutual Defense Treaty between the United States of America and the Republic of Korea, regarding Facilities and Areas and the Status of United States Armed Forces in the Republic of Korea as amended (U.S.-ROK SOFA), Last amended 18 January 2001.

(2) U.S.-ROK SOFA Joint Committee Meeting Minutes and Documents (Agreed Minutes, Agreed Understandings, Memorandum of Understandings, Agreed Views, Agreed Recommendations, and Memorandum of Agreements) pertaining to implementation of the SOFA, 1966-Present.

b. Related Publications.

(1) DoD Directive 4165.06, Real Property.

(2) DoD Directive 5530.3, International Agreements.

(3) DoD Instruction 4165.69, Realignment of DoD Sites Overseas.

(4) USFK Regulation 405-7, Facilities and Areas (Real Estate) Policies and Procedures in Korea.

(5) USFK Regulation 550-51, International Agreements.

1-3. Explanation of Abbreviations

Abbreviations used in this regulation are explained in the glossary.

Chapter 2

Joint Committee

2-1. Establishment

SOFA Article XXVIII establishes the Joint Committee as the means for consultation between the Governments of the U.S. and the ROK on matters regarding the implementation of the U.S.-ROK SOFA and for determining the facilities and areas in the ROK which are required for the use of the U.S. armed forces. The U.S. or ROK may take any problems regarding the implementation of the U.S.-ROK SOFA to the Joint Committee. If the Joint Committee is unable to resolve any matter, it will refer the matter to the respective Governments for further consideration. The U.S. Representative to the SOFA Joint Committee may also seek issue resolution within the U.S.-ROK security consultative process (under the Department of Defense) and diplomatic channels with the U.S. Embassy in Seoul, the Department of Defense, and the Department of State.

2-2. Organization

The Joint Committee is composed of one U.S. Representative and one ROK Representative.

a. The U.S. Ambassador to the ROK appoints the U.S. Representative to the Joint Committee via diplomatic note (example at Appendix D). The Deputy Commander, USFK, serves as the U.S. Representative to the Joint Committee.

b. The ROK Minister of Foreign Affairs appoints the ROK Representative to the Joint Committee. The Director General, North American Affairs Bureau, Ministry of Foreign Affairs, serves as the ROK Representative to the Joint Committee.

2-3. Responsibilities

a. The U.S. Representative is responsible to and receives policy guidance from the U.S. Ambassador to the ROK and the Commander, USFK.

b. The U.S. Representative is assisted by the following personnel:

(1) An Alternate U.S. Representative (Assistant Chief of Staff, J5, USFK) appointed via diplomatic note of the U.S. Embassy to the ROK.

(2) An American Embassy representative appointed by the U.S. Ambassador.

(3) A permanent secretariat hereinafter referred to as the SOFA Secretariat, staffed by the Secretary for the U.S. Component of the Joint Committee (U.S. Secretary to the Joint Committee), Deputy Secretary, Assistant Secretary, an administrative officer, and an interpreter-translator qualified to certify dual-language agreements in accordance with DoDD 5530.3, International Agreements and as promulgated in USFK Regulation 550-51.

2-4. Joint Committee Meeting Procedures

The Joint Committee approved the following procedures at the 1st Joint Committee meeting, 9 February 1967 (Encl 5, pp. 53-55), in accordance with SOFA Article XXVIII, § 2.

a. Formal Meetings. The Joint Committee holds regularly scheduled formal, numbered meetings at times and locations mutually agreed on by the Joint Committee Representatives. Either the U.S. or ROK Representative may call additional sessions of the Joint Committee at any time.

(1) Formal Meeting Host. The host of Joint Committee meetings rotates between the ROK and U.S. Representatives. When the ROK Representative presides, the meeting is held in a ROK Government facility conference room; when the U.S. Representative presides, the meeting is held in a USFK conference room.

(2) Formal Meetings Agenda. In order to promote efficiency, the Joint Committee shall conduct formal meetings based upon an agenda, which the two sides jointly prepare and approve, in written form, at least one week prior to the meeting.

(3) Formal Meetings Attendance. The Joint Committee Representatives, their alternates and staffs, as referred to in Article XXVIII, § 2 of the SOFA, and pertinent Subcommittee chairpersons and subject matter experts (SMEs), based upon the agenda, shall attend formal, numbered meetings of the Joint Committee. Relevant government officials may observe the

meeting. Both sides shall agree to the delegation membership prior to the meeting, which is often pragmatically constrained based upon the size of the facility used for the meeting.

(4) Formal Meetings Official Minutes. The U.S. SOFA Secretariat prepares the minutes of the formal Joint Committee meetings and coordinates with the ROK Secretariat to obtain joint U.S.-ROK approval. The ROK and U.S. Representatives approve the official minutes before the next Joint Committee meeting. The minutes shall include, but not be limited to, a brief summary of the substantive discussion of the meeting and a list with attachment of all exigent actions and correspondence of the Joint Committee since the last formal meeting. The U.S. Secretary is responsible for distributing and archiving the official minutes for the U.S. side.

b. Informal Meetings. In addition to the existing formal, numbered meetings of the Joint Committee, informal meetings may be held periodically. In principle, formal meetings of the Joint Committee shall be held twice a year, while informal meetings of the Joint Committee shall be held in the interim periods between the formal meetings.

(1) Informal Meeting Host. The host of Joint Committee informal meetings normally rotates between the ROK and U.S. Representatives. However, availability and scheduling may determine the host and location. Details for informal meetings are coordinated between the two Secretariats.

(2) Informal Meetings Purpose and Agenda. The purpose of informal meetings of the Joint Committee is to foster constructive and candid dialogue so as to expedite the resolution of pending issues assigned to specific subcommittees with the guidance of the Joint Committee Representatives. The two sides shall exchange an informal agenda consisting of the issues to be discussed prior to the meeting.

(3) Informal Meetings Attendance. The two Joint Committee Representatives, their alternates and staffs, and specified Subcommittee chairpersons and their staffs, as required, shall attend informal meetings based upon the issues to be discussed. Relevant government officials may observe the meeting with the consent of both sides.

(4) Informal Meetings Records. Official minutes of informal meetings are not required. If the two Representatives reach an agreement during an informal meeting, the Secretariate may prepare a memorandum of the Joint Committee which the Joint Committee may bilaterally approve for inclusion in the minutes of the next formal meeting. The U.S. Secretariat will prepare and distribute, as appropriate, informal and unilateral U.S. minutes or an executive summary of the meeting for the use of the U.S. side.

Chapter 3 Special Joint Committee

3-1. Establishment

a. The SOFA Joint Committee established a Special Joint Task Force for Improved Implementation of the SOFA during the 182nd Joint Committee, 5 February 2003.

b. The Special Joint Task Force for Improved Implementation of the SOFA evolved into a Special Joint Committee for Improved Implementation of the SOFA and was institutionalized during the 184th Joint Committee, 7 July 2004.

3-2. Organization

The Special Joint Committee is chaired by the USFK Assistant Chief of Staff, J5 and the Deputy Director General, North American Affairs Bureau, ROK Ministry of Foreign Affairs in their capacity as the Alternate Representatives to the U.S.-ROK SOFA Joint Committee.

3-3. Responsibilities

The Special Joint Committee is responsible for: making recommendations to the Joint Committee which improve the implementation of the SOFA through cooperation and collaboration at the 2-star / Deputy Director General level; consulting on SOFA affairs, significant incidents of ROK public concern related to USFK, and challenges unresolved at the Subcommittee level; and providing guidance for actions regarding environmental issues related to camp returns referred to it by the Environmental Subcommittee under the Joint Environmental Assessment Procedure (JEAP).

3-4. Procedures

a. The Special Joint Committee shall meet as directed by the Joint Committee or as requested by either side.

b. Agenda for Meetings. In order to promote efficiency, the Special Joint Committee shall conduct meetings based upon an agenda, which the two sides jointly prepare and approve, in written form, at least one week prior to the meeting.

c. Attendance at Meetings. With mutual consent, the two Alternate Representatives to the U.S.-ROK SOFA Joint Committee may invite other pertinent government officials from either side as required. The Special Joint Committee is supported by the U.S. and ROK SOFA Secretariats and Subcommittee chairpersons as appropriate based upon the coordinated agenda.

d. Minutes of Meetings. The U.S. SOFA Secretariat may prepare minutes of the Special Joint Committee meetings, as required. These may be for unilateral U.S. documentation and coordination, or for more formal bilateral documentation, which would require coordination and mutual consent. The minutes may include, but not be limited to, a brief summary of the substantive discussion of the meeting.

e. The findings and/or recommendations of the Special Joint Committee may be submitted to the Joint Committee.

Chapter 4

Subcommittees/Ad Hoc Subcommittees/Joint Working Groups

4-1. Establishment

Pursuant to the SOFA, Article XXVIII, the Joint Committee establishes permanent and ad hoc subcommittees and Joint Working Groups to render advice and formulate recommendations on technical and specialized matters referred to them by the Joint Committee except as outlined in paragraph 4-2a below. Appendix A lists current subcommittees and Joint Working Groups which report directly to the Joint Committee. This listing includes the U.S. staff proponents and general responsibilities in accordance with official documents of the Joint Committee.

4-2. Authorities

a. The Joint Committee authorizes the Animal and Plant Health Inspection, Civil-Military Relations, Disease Prevention and Control, Illegal Transactions in Duty Free Goods, and Utilities

Subcommittees to render advice and formulate recommendations in the absence of formal taskings within stipulated limits of responsibility.

b. The U.S. component Subcommittee Chairperson and other U.S. personnel of the Subcommittee are empowered and authorized to negotiate with their ROK counterparts within the provisions of their appointment and assigned Joint Committee tasks in order to develop and document recommended agreements to the Joint Committee.

4-3. Organization

a. Appointment. The Deputy Commander, USFK, as the U.S. Representative to the Joint Committee, in consultation with USFK component commanders and supervisors, appoints the U.S. component Chairperson of each Subcommittee in writing (example at Appendix E). In this regard, the Deputy Commander is free to call upon the services of any active duty military officer or member of the civilian component assigned to the ROK as necessary to perform these duties. The SOFA Secretariat advises the U.S. Representative and facilitates the coordination of the appointments with the ROK Ministry of Foreign Affairs, relevant ministries of the Government of the ROK, and the U.S. Embassy.

b. Support to Subcommittee Activities. The USFK joint staff, U.S. military service component staffs, and supporting DoD agencies in Korea support the U.S. component Subcommittee Chairperson with participation of SMEs, so as to assure effective discharge of the responsibilities levied by the Joint Committee. At a minimum, the U.S. component of each Subcommittee will include a representative of and coordination support from the SOFA Secretariat (FKDC-SA); the Office of the Judge Advocate, HQ USFK (FKJA); the Public Affairs Office, HQ USFK (FKPA), and the U.S. Embassy (Office of Political-Military Affairs).

4-4. Responsibilities

a. General. Subcommittees are responsible only to the Joint Committee, which has exclusive authority to assign tasks to, and act upon recommendations from, the subcommittees. USFK and USFK Component Commands may not directly assign projects to the bilateral subcommittees, and may not take action upon Subcommittee recommendations until the Joint Committee has approved the recommendations.

b. Members of the U.S. Component of a Subcommittee. The Chairperson of the U.S. component of each Subcommittee, in consultation with the U.S. Secretary to the Joint Committee, relevant USFK service components, staff directorates, and other stake holders (DoD agencies in Korea providing support to USFK), will determine U.S. component membership for the Subcommittee. The U.S. component should include appropriate SMEs and a representative of the SOFA Secretariat, the Office of the Judge Advocate, the Public Affairs Office, and the U.S. Embassy (as necessary). The appointed U.S. Chairperson may make changes to the U.S. component membership, as appropriate, based upon the focus of the Subcommittee actions. The U.S. Chairperson will notify the SOFA Secretariat of changes to the ROK Chairperson and of significant changes to membership for the U.S. or ROK components.

c. U.S. Subcommittee Chairperson Authority to Task. The members of the U.S. component of each Subcommittee serve under the guidance of the U.S. Chairperson of that Subcommittee. The Chairperson may assign specific tasks to the members, generally based upon each member's field of special competence and capacity. The Chairperson shall coordinate with the member's organization when there is a perceived conflict of duty or inadequate resources to perform the task.

d. U.S. Component in Subcommittee Meetings. The U.S. Chairperson will determine the U.S. narrative and strategy for bilateral meetings. The Chairperson will lead the U.S. component with regard to determining the message appropriate for the bilateral Subcommittee meetings and which U.S. component members should present such message.

4-5. Procedures

The following procedures govern meetings and internal operations of the U.S. components of subcommittees and working groups:

a. U.S. Chairperson for Subcommittee and Working Groups will:

(1) Advise and formulate recommendations on matters specifically tasked to them by the Joint Committee.

(2) Identify, coordinate support from, and inform the members of the U.S. component to the Subcommittee.

(3) Plan, coordinate, and lead U.S. internal preparation for Subcommittee Meetings.

(4) Ensure a U.S. position is established and coordinated as appropriate prior to communicating a U.S. position to the ROK component.

(5) Coordinate Subcommittee meetings with their ROK counterpart to include mutually agreed upon location, date, time, component attendees, and agenda.

(6) Coordinate for appropriate interpretation and translation support for the Subcommittee activity. (In execution of a Subcommittee meeting, both U.S. and ROK components shall provide a competent interpreter who interprets for comments of the respective component.)

(7) Coordinate for transportation of the U.S. component to and from the meeting location, as appropriate.

(8) Coordinate with the ROK counterpart for appropriate access to the installation or meeting facility if conducted at a ROK facility; coordinate access for the ROK component members for meetings conducted on a U.S. installation and facility.

(9) Ensure internal U.S. minutes are documented regarding the Subcommittee meeting and provide a copy to the U.S. SOFA Secretariat. (Minutes should include: who, what, when, where, agenda, significant discussion points, outcome of the meeting, and the U.S. assessment.)

(10) Inform the SOFA Secretariat of formal and informal Subcommittee meetings, agenda, participants, current status of formal tasks, outcome of significant engagements concerning the tasks, or other matters of SOFA implementation with recommendations for the way ahead, and support or resources required to effectively perform their duties.

(11) Ensure representatives from the SOFA Secretariat, U.S. Embassy Political-Military Affairs, USFK Public Affairs Office, and USFK Staff Judge Advocate are invited to all formal Subcommittee meetings.

(12) May establish auxiliary organs or Joint Working Groups to focus efforts on specific tasks or issues under the Subcommittee. Subcommittees generally dissolve working groups upon completion of the assigned task. The U.S. Chairperson for the Subcommittee appoints in writing a

U.S. Chairperson for a subordinate Joint Working Group, based upon coordination with the chain-of-command of the prospective U.S. Chairperson (example at Appendix F). The Joint Working Group U.S. Chairperson is generally selected based upon their expertise, functional alignment with the task, and capacity for this duty. The U.S. Subcommittee Chairperson coordinates with the ROK Subcommittee Chairperson to ensure the appointed Joint Working Group chairpersons are known to both sides and can immediately initiate actions pursuant to the task.

b. SOFA Secretariat Support. Within capacity and available resources, the U.S. SOFA Secretariat will provide support and advice to the Subcommittee chairpersons regarding:

- (1) Procedures, technical matters, and protocol of the Joint Committee.
- (2) Historical and cultural insights regarding the particular issue.
- (3) Research of SOFA Secretariat and Joint Committee records.
- (4) Identification of U.S. stakeholders and potential U.S. component membership.
- (5) Development of a negotiation strategy.
- (6) Development of a U.S. engagement strategy with ROK counterparts.
- (7) Building advocacy for resolution with USFK, U.S. Embassy, and the ROK Government.
- (8) Facilitating coordination and guidance from the Deputy Commander, USFK, as U.S. Representative to the Joint Committee.
- (9) Facilitating requests for resourcing or support from USFK chief of staff required for effective operation of the Subcommittee.
- (10) Interpreter support for formal meetings.
- (11) Providing translation certification.
- (12) Administrative support such as use of the U.S. Joint Committee conference room.

c. Members of the U.S. Component. Members of the U.S. component to a Subcommittee will keep their organization, command, or agency informed and coordinate internally with their respective organization. This is to ensure members represent their organization's position within the U.S.-only Subcommittee preparation for bilateral meetings. During U.S. component internal meetings, each member will be afforded an opportunity to present the views of their respective command, agency, or organization. The U.S. Chairperson of the Subcommittee will determine, prior to bilateral meetings with the ROK component, the U.S. position on an issue. A member who does not concur with the U.S. position may submit a minority report to the U.S. Representative before the U.S. position is presented to the ROK component of the Subcommittee.

d. U.S. Positions Presented in Subcommittee Meetings. U.S. chairpersons of subcommittees may provide a draft U.S. position or official correspondence to an official of the ROK Government only after it has been reviewed and cleared by the U.S. SOFA Secretariat for conformance with the SOFA and Joint Committee procedures and by the Office of the Judge Advocate for legal sufficiency. Based upon the issue, prior to presenting to the ROK component, the Public Affairs

Officer and U.S. Embassy representative to SOFA Joint Committee should be afforded the opportunity to review the correspondence.

e. U.S. Representation in Subcommittee. The Chairperson of the U.S. component is the official U.S. spokesperson during bilateral Subcommittee meetings. Attending U.S. participants will not express divergence from a consolidated U.S. position, unless pre-coordinated and approved by the U.S. Chairperson.

f. Conference Room. Subcommittee chairpersons may schedule to hold U.S.-only and U.S.-ROK meetings in the SOFA Joint Committee conference room when Joint Committee meetings are not scheduled.

Chapter 5 Administration

5-1. Joint Committee Meetings Index

The ROK component of the Joint Committee maintained an official bilateral index of Joint Committee actions and agreements through 1997, when the 177th Joint Committee agreed to convert paper-bound volumes to digital records. Since this time, the U.S. side has maintained a digital "Master Index" of Joint Committee actions and agreements.

5-2. Exigent Actions

The Joint Committee exercises flexibility in managing its function to implement the U.S.-ROK SOFA. By mutual agreement of the U.S. and ROK Representatives, provisions are made for Joint Committee exigent actions to be accomplished without a formal Joint Committee meeting. Such exigent actions are recorded in the official minutes of the next formal Joint Committee meeting. Exigent actions could include:

- (1) Administrative documents such as appointments, diplomatic notes and curriculum vitae.
- (2) Approved Joint Committee tasks to Subcommittees and Joint Working Groups.
- (3) Approved agreed recommendations.
- (4) Approved utility rate changes.
- (5) Land Partnership Plan documents.
- (6) Yongsan Relocation Plan documents.
- (7) Invited Contractor/Technical Representative designations.
- (8) Official correspondence of the Joint Committee.
- (9) Other special agreements.

5-3. Issue/Task Submission

Component commands and staff agencies may submit issues for Joint Committee consideration through their respective command channels to the Office of the Special Assistant to the Deputy Commander, USFK, ATTN: FKDC-SA, APO AP 96205-5237.

5-4. Agreed Recommendations

Agreed Recommendation is the term to describe a recommendation of a Subcommittee or Joint Working Group for Joint Committee consideration and approval. Subcommittee chairpersons, assisted by the SOFA Secretariat, coordinate and develop recommendations regarding issues for Joint Committee attention. Recommendations should account for an understanding and assessment of the various equities of USFK, USFK Service Components, and DoD Agencies providing support to USFK, as well as implications to PACOM and Department of Defense policy, prevalent practice, and operations.

a. Subcommittees/Joint Working Groups will prepare Agreed Recommendations in conformance with SOFA Joint Committee style and format (example at Appendix B) to report findings and recommendations.

b. Customarily, the side proposing Joint Committee deliberation of an issue submits the formulated recommendation to the Joint Committee.

c. All recommendations, except certain routine recommendations of the Facilities and Areas Subcommittee, will be submitted in draft form by the Chairperson of the U.S. component of the Subcommittee to the U.S. SOFA Secretariat and the USFK Judge Advocate for review.

d. The U.S. position expressed in a draft Agreed Recommendation will be coordinated with the U.S. SOFA Secretariat, the USFK Judge Advocate and other pertinent staff agencies before it is presented to the ROK for negotiations.

e. Following the conclusion of bilateral negotiations, the Subcommittee or Joint Working Group Chairperson will staff the final draft Agreed Recommendation with the U.S. SOFA Secretariat and USFK Judge Advocate before language "certification" and prior to any U.S. official operating under the SOFA Joint Committee signing the document.

f. The U.S. component Chairperson will submit the Agreed Recommendation with original signatures, to the U.S. SOFA Secretariat for coordination with the ROK SOFA Secretariat (SOFA Division, Ministry of Foreign Affairs) for final Joint Committee approval and signatures.

g. Subcommittee and Joint Working Group Agreed Recommendations must be approved by the Joint Committee before becoming effective.

h. Agreements will comply with USFK Regulation 550-51, paragraph 6, 7, 12, 13, 14, 15, 16 and 17 and the restrictions on U.S. assistance to foreign governments contained in USFK Regulation 550-51, Appendix B. All real estate actions will comply with established U.S.-ROK Joint Committee procedures, USFK Regulation 405-7; DoD Instruction No. 4165.69, Realignment of DoD Sites Overseas, dated April 6, 2005; and DoD Directive 4165.06, Real Property.

i. In the case that the ROK Component initiates or requests the SOFA Joint Committee task, the ROK component submits the Agreed Recommendation through ROK channels to the Joint Committee. The U.S. component Chairperson will obtain copies of all pertinent documents to include the signed AR and furnish them to the U.S. SOFA Secretariat.

5-5. Agreed Recommendation Summary - Public Disclosure

a. The ROK and the U.S. value transparency and openness and acknowledge that information disclosure can contribute to support and trust of the public on strengthening the Alliance and SOFA cooperation.

b. Upon reaching final agreement of an Agreed Recommendation, the Subcommittee or Joint Working Group will discuss and decide if a summary (example at Appendix C) of the of the Agreed Recommendation is required for possible public disclosure. If both sides agree, the summary will include:

(1) Pursuant to the United States-Republic of Korea Status of Forces Agreement Article (Article and paragraph related to the task), Under Article IV of the Mutual Defense Treaty between the United States of America and the Republic of Korea, Regarding Facilities and Area and the Status of United States Armed Forces in the Republic of Korea.

(2) The United States and the Republic of Korea SOFA Joint Committee.

(3) Agreed to (short summary of the agreement, i.e., task requestor, location, size, etc.).

(4) The agreement was signed and approved by the U.S.-ROK SOFA Joint Committee on (date the agreement was approved by the Joint Committee).

c. If a summary is mutually agreed to, The U.S. component Chairperson will submit the summary, accompanying the Agreed Recommendation, to the U.S. SOFA Secretariat for coordination with the ROK SOFA Secretariat (SOFA Division, Ministry of Foreign Affairs) for final Joint Committee approval.

d. The summary will not disclose specific information without mutual agreement. In particular, confidential information which may affect the interests of the ROK and/or U.S., such as security and national interest, shall be excluded from disclosure.

e. The Joint Committee will provide oversight of the information disclosure and may provide additional guidelines or adjustments on a case-by-case basis.

5-6. Language Requirements

a. Under Joint Committee procedures, tasks assigned to, and findings and recommendations from subcommittees and working groups are to be in the English language. When the ROK component requires Korean text of an agreement, then, only after conclusion of negotiation of the English text should the Korean text be provided by the ROK component.

b. DoD Directive 5530.3, International Agreements, dated June 11, 1987, Chapter 8.11, requires that “no international agreement shall be concluded by any DoD personnel in a foreign language text, unless one of the following criteria is met:

(1) The agreement expressly provides that the English language text shall be considered by the parties as the governing text in case of conflict between the different language texts.

(2) The agreement expressly provides that the English language text and the foreign language text are equally authentic, and each foreign language text of the agreement is made the subject of a certification, executed before the agreement is concluded in any language, stating that the foreign language text and the English language text are in conformity with each other and that both texts have the same meaning in all substantive respects. The certification shall be dated and

signed by a civilian, military, **or local national translator who has been designated as qualified, consistent with local practices, by the DoD official authorized to negotiate and conclude the agreement** (emphasis added) or by an appropriate DoS official.

c. Language Certification. The following “language certification” procedures apply to all documents of the Joint Committee and of its auxiliary organs (subcommittees and Joint Working Groups):

- (1) Both the U.S. and ROK components prepare and agree to the English text.
- (2) The ROK component then translates the English text into Korean text and provides this to the U.S. component.
- (3) The USFK SOFA Secretariat translator, who is authorized to certify translations, compares the Korean text to the authoritative English text and identifies any non-conforming text.
- (4) As necessary to resolve translation issues, the U.S. and ROK chairpersons, with their respective translators, will coordinate directly to determine the best conforming language which enables the English and Korean texts to “have the same meaning in all substantive respects.” (Translation between English and Korean texts is not a word for word science, but rather an art in balancing accuracy in meaning, consistency with language used in similar relevant documents of the SOFA Joint Committee, optimization of common understanding across two cultures and languages, and minimization of the possibility for different interpretations.)
- (5) Upon agreement of both language texts, the USFK SOFA Secretariat “certified” translator prepares, signs, and attaches a “certificate of authenticity” attesting to the fact that the “English and Korean texts are in conformity with each other and that both texts have the same meaning in all substantive respects.” The certificate of authenticity is nullified by any alteration of either the English or Korean texts. The SOFA Secretariat provides the document, certified in two languages, in a portable document format (.pdf), to the Subcommittee Chairperson for signatures.
- (6) The U.S. official, unless fluent in both languages, shall not sign a document in two languages prior to certification.
- (7) The translator’s certificate of authenticity will accompany the document when submitted to the Joint Committee for approval.
- (8) As the language certification process takes time and may require additional negotiation, U.S. chairpersons will allow sufficient time for this process and for reconciling language issues prior to scheduling a “signing ceremony” for the document.

5-7. Information Sharing

- a. The Chairperson of the U.S. component of each Subcommittee and Joint Working Group established by the Joint Committee will ensure a copy of minutes or a brief summary of U.S.-ROK meetings are forwarded to the U.S. SOFA Secretariat (Headquarters, USFK, ATTN: FKDC-SA, Unit #15237, APO AP 96205-5237) and Subcommittee/Joint Working Group members.
- b. The U.S. component chairpersons are responsible to the Deputy Commander, USFK (U.S. Representative) to render pertinent information and recommendations about Subcommittee/Joint Working Group activities. As appropriate, the U.S. component Chairperson will report non-

unanimous U.S. positions to the U.S. Representative prior to official U.S.-ROK Subcommittee meetings and in sufficient time to receive guidance.

c. The SOFA Secretariat maintains a SOFA page on the USFK internal portal which provides a variety of information relevant to the SOFA, the Joint Committee, and the subcommittees. Each Subcommittee is responsible to ensure the Subcommittee information is relevant, accurate, and current on the SOFA page and links. The U.S. component chairpersons are responsible to the Deputy Commander, USFK, to insure that the portal SOFA web space for their Subcommittee is current and reflects meeting schedules, minutes, supporting documents, references, and the status of assigned tasks. Subcommittee chairpersons are responsible to forward the required information to the SOFA Secretariat for posting.

5-8. Record Keeping Procedures

a. Permanent Records. Joint Committee Minutes are part of the Joint Committee Records and are permanent records which are retained indefinitely.

(1) Joint Committee Minutes include:

- (a) Cover (SOFA logo, title, and date).
- (b) Table of Contents.
- (c) Index.
- (d) Meeting Minutes.
- (e) Meeting Agenda.
- (f) U.S. Delegation List.
- (g) ROK Delegation List.
- (h) Exigent Action Memorandum.

(2) Hard copy records are stored within the SOFA Secretariat.

(3) Digital records are considered official records and will be stored on the SOFA Secretariat "shared drive" with back-up copies stored "off-site".

(4) Digital records are saved as Adobe Acrobat (.pdf), bookmarked and searchable.

(5) Digital records will be marked "OFFICIAL MINUTES OF THE JOINT COMMITTEE ARE OFFICIAL DOCUMENTS PERTAINING TO BOTH GOVERNMENTS AND WILL NOT BE RELEASED WITHOUT MUTUAL AGREEMENT" in the header and "[Meeting Number] JC, [Date]" in the footer.

(6) Digital records are named using the following naming convention: 0800-04B_*Meeting Number*]JC_FOUO_*Meeting Date*]. Example: 0800-04B_197JC_FOUO_20161122.pdf.

(7) The Master Index is updated after each Joint Committee meeting.

b. Temporary Records. Other official actions and records of the ROK-U.S. SOFA Joint Committee are considered “temporary” records and will be retained (digitally) until no longer needed. Examples of other “official actions/records” are:

- (1) Subcommittee meeting notes.
- (2) Subcommittee references.
- (3) Research documents.
- (4) Issue background/updates/briefings.

5-9. Joint Committee Records and Public Release

a. Public Release. Most SOFA records are unclassified. However, all SOFA Joint Committee records and actions are protected from public release in accordance with the agreed procedures of the Joint Committee. The SOFA Joint Committee is a body of two sovereign governments and not considered a U.S. agency. Accordingly, Joint Committee records are bilateral official documents and may not be released without mutual consent of both Parties. The Joint Committee must approve any public and/or media release regarding its meetings, actions, or agreements.

b. Periodic Review of Records. The ROK Ministry of Foreign Affairs (MOFA), via the Secretariat of the Joint Committee, annually requests the opinion of the U.S. side regarding making bilateral SOFA records which are older than 30 years available for public release or access. In these cases, the U.S. SOFA Secretariat staffs the documents with relevant Subcommittee chairpersons and the USFK staff (J2 – Intelligence, J34 – Anti-terrorism/Force Protection, Public Affairs Officer, and Staff Judge Advocate) to make a determination and respond to ROK MOFA.

(1) SOFA Joint Committee records are not owned by, produced by or for, or under the exclusive control of the U.S. Government; accordingly these records are not considered subject to President Executive Order 13526 or the Freedom of Information Act (FOIA).

(2) SOFA Joint Committee records often contain information that could create operational risk to U.S. Force Korea and or the ROK-U.S. Alliance. In these cases, the information should not be made available for public release.

(3) If a document contains information potentially harmful to foreign relations or national security, withholding public release requires justification in accordance with one of the following exceptions:

(a) Documents reveal information that would impair U.S. cryptologic systems or activities.

(b) Documents reveal information that would impair the application of state-of-the-art technology within a U.S. weapon system.

(c) Documents reveal formally named or numbered U.S. military war plans that remain in effect, or reveal operational or tactical elements of prior plans that are contained in such active plans.

(d) Documents reveal information, including foreign government information, that would cause serious harm to relations between the U.S. and a foreign government, or to ongoing diplomatic activities of the U.S.

(e) Documents reveal information that would seriously impair current national or U.S.-ROK Alliance security emergency preparedness plans or reveal current vulnerabilities of systems, installations, infrastructures, projects or plans, scientific technological or economic matters related to the national or Alliance security.

(f) Documents reveal sensitive information obtained from or in cooperation with a foreign government IAW Exemption (b)(3) 10 U.S.C. § 130c that would cause serious harm to relations between the U.S. and a foreign government

Appendix A Subcommittees and Auxiliary Organs of the Joint Committee

Special Joint Committee

- **U.S. Chairperson.** Assistant Chief of Staff, J5, USFK / Alternate U.S. Representative to the SOFA Joint Committee.
- **ROK Chairperson.** Deputy Director General, North American Affairs Bureau, Ministry of Foreign Affairs.
- **Responsibility.** To improve implementation of the SOFA through cooperation and collaboration at the 2-star / Deputy Director General level; to consult on SOFA affairs, significant incidents of Korean public concern related to USFK, and challenges unresolved at the Subcommittee level; to review and provide guidance for actions regarding environmental issues related to camp returns referred to it by the Environmental Subcommittee under the “Joint Environmental Assessment Procedure” (JEAP); to provide guidance and direction when appropriate to subcommittees; and to provide recommendations to the Joint Committee.
- **References.** Status of Forces Agreement (as amended), 184th JC, 7 July 2004, 187th JC, 1 December 2010.

Permanent Subcommittees (18)

Animal and Plant Health Inspection Subcommittee

- **U.S. Chairperson.** CDR, 106th Medical Detachment (VS), 65th Medical Brigade, Eighth Army.
- **ROK Chairperson.** Ministry of Agriculture, Food and Rural Affairs; General Division of International Cooperation.
- **Responsibility.** To consult and render advice and recommendations on matters pertaining to health and sanitation referred to it by the Joint Committee in accordance with Article XXVI and XXVIII of the SOFA and other matters as deemed expedient and proper.
- **Reference.** 180th JC, 2 April 2001, p. 786.

Civil Jurisdiction (Claims) Subcommittee

- **U.S. Chairperson.** Deputy Judge Advocate, USFK (FKJA-D).
- **ROK Chairperson.** Ministry of Justice, Litigation Division.
- **Responsibility.** To consult and give advice and recommendations on civil jurisdiction (claims) matters referred to it by the Joint Committee concerning Article XXIII of the SOFA, and other matters as deemed expedient and proper.

- **Reference.** 2nd PWG, 19 January 1967, pp. 22 & 29.

Civil-Military Relations Subcommittee

- **U.S. Chairperson.** Public Affairs Officer, USFK (FKPA).
- **ROK Chairperson.** ROK Ministry of Foreign Affairs, SOFA Affairs Division.
- **Responsibility.** To promote positive images of the USFK, expand programs between USFK and Korean communities, inform community leaders and organizations about the USFK mission and conduct or sponsor studies to help resolve community grievances against USFK.
- **Reference.** 182nd JC, 5 February 2003, p. 353.

Commerce Subcommittee

- **U.S. Chairperson.** Assistant Chief of Staff, Acquisition Management, USFK (FKAQ).
- **ROK Chairperson.** Ministry of Trade, Industry and Energy, Europe and Americas Division.
- **Responsibility.** To consult and give advice and recommendations on matters referred to it by the Joint Committee concerning Article XV (except Criminal Jurisdiction and Vehicle Licensing Provisions) and Article XVI of the SOFA and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 2nd PWG, 19 January 1967, pp. 22 & 30.

Criminal Jurisdiction Subcommittee

- **U.S. Chairperson.** Judge Advocate, USFK (FKJA).
- **ROK Chairperson.** Ministry of Justice, International Criminal Affairs Division.
- **Responsibility.** To consult and give advice and recommendations on criminal jurisdiction matters referred to it by the Joint Committee concerning Article VII, XV, § 8, and XXII of the SOFA, and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 2nd PWG, 19 January 1967, pp. 22 & 29.

Cultural Properties Protection Subcommittee

- **U.S. Chairperson.** Command Engineer, USFK (FKJ4-EN).
- **ROK Chairperson.** Cultural Heritage Administration, Buried Cultural Properties Division.
- **Responsibility.** To consult and report findings and recommendations on matters concerning cultural properties protection referred to it by the Joint Committee and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 184th JC, 7 July 2005, p. 51.

Disease Prevention and Control Subcommittee

- **U.S. Chairperson.** Command Surgeon, USFK (FKSG).
- **ROK Chairperson.** Ministry of Division of Communicable Disease Control, Korea Centers for Disease Control and Prevention (KCDC).
- **Responsibility.** To consult and give advice and recommendations on matters pertaining to SOFA Article XXVI, Health and Sanitation and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 187th JC, 1 December 2010, p. 15.

Entry and Exit Subcommittee

- **U.S. Chairperson.** Assistant Chief of Staff, J1, USFK (FKJ1).
- **ROK Chairperson.** Ministry of Justice, Residence Policy Division.
- **Responsibility.** To consult and give advice and recommendations on entry and exit matters referred to it by the Joint Committee concerning Article VIII of the SOFA, and other matters as deemed expedient and proper by the Joint Committee.
- **References.** 2nd PWG, 19 January 1967, pp. 22 & 30 and 171st JC, 26 June 1992, p. 14170, § 26.

Environmental Subcommittee

- **U.S. Chairperson.** Command Engineer, USFK (FKJ4-EN).
- **ROK Chairperson.** Ministry of Environment, Soil & Ground Water Management Division.
- **Responsibility.** To undertake directed actions and make recommendations to the Joint Committee on matters of mutual environmental concern pertaining to public health and sanitation; to study issues and make recommendations to the Joint Committee concerning environmental matters involving the U.S. armed forces in Korea.
- **Reference.** 173rd JC, 8 October 1993, pp. 14941-14943.

Facilities and Areas Subcommittee

- **U.S. Chairperson.** Command Engineer, USFK (FKJ4-EN).
- **ROK Chairperson.** Ministry of National Defense, Government Properties Division.
- **Responsibility.** To consult and give advice and recommendations on facilities and areas matters referred to it by the Joint Committee concerning Articles II through V of the SOFA, and other matters as deemed expedient and proper by the Joint Committee.

- **References.** 2nd PWG, 19 January 1967, p. 29; 5th JC, 11 April 1967, p. 146; and 21st JC, 21 February 1968, pp. 685-686.

Finance (Financial Affairs) Subcommittee

- **U.S. Chairperson.** USFK Comptroller, (FKJ8).
- **ROK Chairperson.** Ministry of Strategy and Finance, Price Policy Division.
- **Responsibility.** To consult and give advice and recommendations on financial matters referred to it by the Joint Committee concerning Articles XIV, XVIII, XIX, XXI and the part of Article XVII concerning withholding taxes of the SOFA and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 2nd PWG, 19 January 1967, pp 22-23.

Finance (Personnel Affairs) Subcommittee

- **U.S. Chairperson.** Assistant Chief of Staff, J1, USFK (FKJ1).
- **ROK Chairperson.** Ministry of Strategy and Finance, Customs Cooperation Division.
- **Responsibility.** To consult and give advice and recommendations on personnel affairs matters referred to it by the Joint Committee concerning Articles IX, XIII and XX of the SOFA and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 2nd PWG, 19 January 1967, pp. 22-23.

Illegal Transactions in Duty-Free Goods Subcommittee

- **U.S. Chairperson.** Assistant Chief of Staff, J1, USFK (FKJ1).
- **ROK Chairperson.** Ministry of Strategy and Finance, Korea Customs Service, Investigation Division.
- **Responsibility.** To study and analyze problems involving the black marketing of goods imported by the USFK and U.S. SOFA personnel and to make recommendations for necessary actions, both preventive and corrective, designed to eliminate black marketing in accordance with Article VII, IX, § 6 through 9 and XXV of the SOFA.
- **References.** 95th JC, 5 June 1974, p. 5947 and 171st JC, 26 June 1992, p. 14170).

Labor Subcommittee

- **U.S. Chairperson.** Director, Human Resource Management, USFK (FKCP).
- **ROK Chairperson.** Ministry of Employment and Labor, Development Cooperation Division.
- **Responsibility.** To consult and give advice and recommendations on labor matters referred to it by the Joint Committee concerning Article XVII of the SOFA excepting so

much of that Article and § 3 of the Agreed Minutes for that Article as it pertains to withholding taxes, the Korean Service Corps agreement and other matters as deemed expedient and proper by the Joint Committee.

- **Reference.** 2nd PWG, 19 January 1967, pp. 22 & 29.

Noise Mitigation Subcommittee

- **U.S. Chairperson.** Deputy Assistant Chief of Staff, J3, USFK (FKJ3-D).
- **ROK Chairperson.** Ministry of National Defense, Environmental Preservation Team.
- **Responsibility.** To consult on means to reduce noise and mitigate effects caused by military operations; the relevance of current and future ROK laws; and measures to inform the public about government / military noise abatement programs and policies.
- **Reference.** 187th JC, 1 December 2010, p. 14.

Security and Law Enforcement Subcommittee

- **U.S. Chairperson.** Provost Marshall, USFK (FKPM).
- **ROK Chairperson.** Ministry of Justice, Fourth Prosecution Division.
- **Responsibility.** To consult and give advice and recommendations on security and law enforcement matters referred to it by the Joint Committee concerning Article XXV of the SOFA and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 39th JC, 19 June 1969, p. 1756.

Transportation Subcommittee

- **U.S. Chairperson.** Chief, Transportation Division, USFK (FKJ4).
- **ROK Chairperson.** Ministry of Land, Infrastructure and Transport, Motor Vehicles Team.
- **Responsibility.** To consult and give advice and recommendations on matters referred to it by the Joint Committee concerning Articles X XI, XII, XV (as it refers to licensing of privately owned vehicles of invited contractors), and XXIV of the SOFA, and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 2nd PWG, 19 January 1967, pp. 22 & 30.

Utilities Subcommittee

- **U.S. Chairperson.** Chief, Real Estate, Command Engineer, USFK (FKJ4-EN).
- **ROK Chairperson.** Ministry of Strategy and Finance, Welfare & Price Policy Division.

- **Responsibility.** To consult and give advice and recommendations on utilities and services matters referred to it by the Joint Committee concerning Article VI of the SOFA, and other matters as deemed expedient and proper by the Joint Committee.
- **Reference.** 20th JC, 18 January 1968, pp. 613-614.

Ad Hoc Subcommittees (3)

Korean Access to Nonappropriated Fund Organizations (NAFO) (Ad Hoc) Subcommittee

- **U.S. Chairperson.** Special Assistant to Deputy Commander, SOFA Secretariat, USFK (FKDC-SA).
- **ROK Chairperson.** Ministry of Foreign Affairs, SOFA Affairs Division.
- **Responsibility.** To give advice and make recommendations to the Joint Committee on matters pertaining to access to and membership in USFK NAFO by Korean citizens.
- **Reference.** 183rd JC, 11 June 2004, p. 36.

Land Partnership Plan (Ad Hoc) Subcommittee

- **U.S. Chairperson.** Director for Transformation & Re-stationing, USFK (FKCS-D(R)).
- **ROK Chairperson.** Director General, Ministry of National Defense United. States Forces Korea Relocation Office (MURO).
- **Responsibility.** To consult, negotiate and present recommendations on all matters pertaining to the U.S.-ROK Land Partnership Plan (LPP) until its completion, in accordance with Articles II, III, IV and V of the SOFA.
- **Reference.** 181st JC, 24 May 2002, pp. 45 & 112.

Yongsan Relocation Plan (Ad Hoc) Subcommittee

- **U.S. Chairperson.** Director for Transformation & Re-stationing, USFK (FKCS-D(R)).
- **ROK Chairperson.** Director General, Ministry of National Defense United. States Forces Korea Relocation Office (MURO).
- **Responsibility.** To consult, negotiate and present recommendations on all matters pertaining to the relocation of U.S. forces from the Seoul metropolitan area until its completion, in accordance with Articles II, III, IV and V of the SOFA.
- **References.** 183rd JC, 11 June 2004, p. 35; 184th JC, 7 July 2005, p. 243.

Ad Hoc Joint Working Groups (2)

Occupational Health and Safety (Ad Hoc) Joint Working Group

- **U.S. Chairperson.** Director, Safety, USFK (FKSF).
- **ROK Chairperson.** Ministry of Employment and Labor, Development Cooperation Division.
- **Responsibility.** To hold consultations and report findings and recommendations concerning the application of the ROK Industrial Safety and Health Act (ISHA) to Korean companies engaged in construction projects under contract to the U.S. armed forces at U.S. granted facilities in Korea. Specifically, the JWG will conduct a review of health and safety related requirements of the ISHA with the U.S. armed forces' health and safety requirements stated in projects' contracts with the goal of harmonizing the requirements and reducing them to the greatest degree possible while continuing to maintain the highest standards of workplace health and safety for all employees.
- **Reference.** 185th JC, 24 October 2006, pp. 51-52.

Kunsan and Regional Development (Ad Hoc) Joint Working Group

- **U.S. Chairperson.** Operations and Plans (A3/5), 7th USAF.
- **ROK Chairperson.** Ministry of National Defense, Military Installation Planning Bureau.
- **Responsibility.** To address impacts on, and harmonization of, Alliance military requirements and regional development in the vicinity of Kunsan Military Air Base (K-8); review matters requiring coordination, serve as a communication channel between the ROK government and USFK regarding regional development near Kunsan Military Air Base (K-8) which may impact safe and effective operations, capacity, and capability of this critical Alliance airfield.
- **Reference.** 198th JC, TBD.

Appendix B
Agreed Recommendation (AR) of Subcommittees and Joint Committee



SAMPLE FORMAT

***(Name of Subcommittee)* SUBCOMMITTEE**
UNDER
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA
STATUS OF FORCES AGREEMENT

MEMORANDUM FOR The Joint Committee

SUBJECT: Agreed Recommendation (AR) Concerning (*Subcommittee Title & Assigned Task Number*)

1. Reference(s).
2. This AR responds to...
3. Recommendation. (*The recommendation, including appropriate references, enclosures, attachments, annexes, etc. In the event of disagreement between the U.S. and the ROK components of the Subcommittee, paragraphs or separate enclosures should present the U.S. and ROK recommendations, the portions agreed upon, and the portions in disagreement, with appropriate references to articles and sections of the SOFA. This section may include subparagraphs to delineate Mutually Agreed Conditions, and responsibilities specific to the USFK and ROK.*)
4. (*Required if English and Korean versions of the AR are to be signed*) The English and Korean texts are equally authentic. A memorandum certifying that the Korean and English texts conform to each other and have the same meaning in all substantive respects is at Enclosure (X).
5. (*Required*) This recommendation shall not become effective unless approved by the U.S.-ROK Joint Committee and may be revised or amended by the U.S.-ROK Joint Committee. Either Party to this agreement may submit proposed changes to the Joint Committee through the appropriate Subcommittee and the Secretariat of the U.S. Component or the ROK Component to the Joint Committee.

(Name)
Chairperson, U.S. Component
Date _____

(Name)
Chairperson, ROK Component
Date _____

(NOTE 1: The signature block of the component (U.S. or ROK) that initiated the task is placed on the left side. In the sample above, the U.S. side initiated the task. For ROK initiated tasks, the ROK Chairperson's signature block would be on the left.)

Appendix C Subcommittee Agreed Recommendation Summary

Public Disclosure Concerning [*Title of the Agreed Recommendation. Example: U.S. Request for Grant of Office Space within Commander, Republic of Korea Fleet Naval Base Busan, Facilities and Areas Subcommittee Task No. 3502*]

Pursuant to the United States-Republic of Korea Status of Forces Agreement Article [*Article and paragraph related to the task. Example: Article II, Paragraph 1*], Under Article IV of the Mutual Defense Treaty between the United States of America and the Republic of Korea, Regarding Facilities and Area and the Status of United States Armed Forces in the Republic of Korea. The United States and the Republic of Korea SOFA Joint Committee agreed to [*short summary of the agreement, Example: a United States request for a grant of office space within Commander, Republic of Korea Fleet Naval Base Busan. The Republic of Korea agreed to grant the United States: 120 square meters of office space in the Republic of Korea Fleet Headquarters building for joint use; 65 square meters of office space in the Republic of Korea Chong-Hae Kwan Building for exclusive use; and 58 square meters of office space in the new Republic of Korea bunker for exclusive use.*]. The agreement was signed and approved by the U.S.-ROK SOFA Joint Committee on [*date the agreement was approved by the Joint Committee. Example: September 1, 2017*].

**Appendix D
U.S. Embassy Diplomatic Note Appointing U.S. Representative and Alternate U.S.
Representative**

SAMPLE FORMAT

**EMBASSY OF THE
UNITED STATES OF AMERICA**

No. *(provided by the U.S. Embassy)*

The Embassy of the United States of America presents its compliments to the Ministry of Foreign Affairs of the Republic of Korea and has the honor to inform the Ministry of the appointment of a new (Alternate United States Representative *or* United States Representative) to the Joint Committee established under the provisions of Article XXVIII of the Agreement under Article IV of the Mutual Defense Treaty between the Republic of Korea and the United States of America, regarding Facilities and Areas and the Status of United States Armed Forces in the Republic of Korea.

Effective (Date), the new (Alternate United States Representative *or* United States Representative) to the Joint Committee will be *(name of incoming)*, who will replace *(name of outgoing)*.

The Embassy of the United States of America avails itself of this opportunity to renew to the Ministry of Foreign Affairs of the Republic of Korea the assurances of its highest consideration.

Embassy of the United States of America
Seoul, *(Date)*

Enclosure: *(Biography of Incoming)*

DIPLOMATIC NOTE

Appendix E
Subcommittee Appointment Letter from the U.S. Representative

SAMPLE FORMAT



JOINT COMMITTEE

UNDER
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA
STATUS OF FORCES AGREEMENT

(Date)

MEMORANDUM FOR *(Grade, Full Name of New Chairperson, Position and Organization)*

SUBJECT: Appointment – Chairperson, United States Component, *(Name of the Subcommittee)*
Subcommittee

1. Pursuant to United States Forces Korea Regulation 10-10, Paragraph 4-3.a, you are appointed Chairperson, United States Component, *(Name of the Subcommittee)* Subcommittee effective *(Date of the Appointment)*.
2. Coordinate with *(Name of the U.S. SOFA Secretary)*, the Joint Committee's United States Secretary, to receive an orientation briefing concerning Joint Committee and Subcommittee procedures and tasks assigned to your Subcommittee.

(U.S. Representative Name)
Lieutenant General
United States Air Force
United States Representative

Cf
USFK, ACoS J5 (Alternate United States Representative)
USFK, FKDC-SA (Secretary, United States Component)

Republic of Korea Ministry of Foreign Affairs
SOFA Affairs Division

Appendix F
Subcommittee Joint Working Group Chairperson Appointment

SAMPLE FORMAT



***(Name of Subcommittee)* SUBCOMMITTEE**
UNDER
THE UNITED STATES OF AMERICA AND THE REPUBLIC OF KOREA
STATUS OF FORCES AGREEMENT

(Date)

MEMORANDUM FOR *(Grade, Full Name of New JWG Chairperson, Position and Organization)*

SUBJECT: Appointment – U.S. Component Chairperson, Joint Working Group (JWG) for *(Name Subcommittee)* Subcommittee *(Task Number)*

1. Reference(s). *(Include all relevant references to the assigned task.)*
2. Pursuant to United States Forces Korea Regulation 10-10, Paragraph 4-5.a.(12) you are designated as the U.S. JWG Chairperson for *(Task Number)* effective *(Date)*. As the U.S. JWG Chairperson appointed by the *(Name of the Subcommittee)* under the Joint Committee, U.S.-ROK Status of Forces Agreement, you are authorized to discuss with ROK representatives actions concerning the task in accordance with the references.
3. Task Details. *(JWG Task and required deliverables as determined by the Subcommittee).*
4. Please note that the Agreed Recommendation (AR) signed by the JWG Chairman only constitutes a recommendation to the Subcommittee. The AR should not be regarded as approval to implement any recommendations. Only after the Joint Committee approves the recommendation, can the AR be implemented.
5. This office will continue to provide technical guidance on the conduct of any JWG discussions as well as coordinate all staff reviews prior to any discussions with the ROK.

(U.S. Subcommittee Chairperson's Name)
(Grade)
Chairperson, U.S. Component

**Glossary
Abbreviations**

AMEMB	American Embassy
DOD	Department of Defense
HQ	Headquarters
ISHA	Industrial Safety and Health Act
JC	Joint Committee
JWG	Joint Working Group
MOFA	Minister of Foreign Affairs
PWG	“Preliminary Working Group” of the Joint Committee
ROK	Republic of Korea
SECDEF	Secretary of Defense
SOFA	Status of Forces Agreement
SME	Subject Matter Expert
U.S.	United States
USFK	United State Forces Korea